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Controlling 'the foreigner'

Shifting borders and securitisations in Sweden's internal migration control

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Abstract

Internal control of foreigners is a measure of migration control employed by the Swedish state, with two main goals: to monitor that no foreigners reside in the country without legal permits, and to find and detain foreigners who are to be deported. Charged by the government to increase efficiency in expulsions, the Migration Board, The National Police Board and the Prison and Probation Service initiated the cooperation project REVA in 2009-2014, which this thesis takes as its point of departure. Through a Foucauldian and discourse analytical approach to the law and policy, the study situates internal control within European politics on migration and free movement as one of the Schengen Agreement's compensatory measures. The control is simultaneously located within a specific national biopolitics and its historical exclusions, in particular of the Roma. Critically engaging with securitisation, exceptionalism and borders, the thesis shows how internal control of foreigners is a contemporary bordering practice that extends the securitised moment of border crossing into everyday life across society. The control relies on a combination of large-scale surveillance cooperation, biometric registration and identity management, and a continuous policing of belonging as well as on the contested limit between the 'citizen' and the 'foreigner'.

Key words: REVA, borders, postcolonial theory, securitisation, free movement

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Table of contents

1 Introduction 1

1.1 Purpose and research questions 2

1.2 Introducing the case: the Swedish legal framework for internal control of foreigners 3

1.3 Academic context: studying migration control 4

1.4 Disposition 6

2 Methodological and theoretical framework 7

2.1 Introducing discourse theory 8

2.2 Power, governmentality and biopolitics 9

2.3 Poststructuralism, postcolonial theory and Eurocentrism 11

2.4 Research design and material 13

2.5 Limitations 15

3 Making security move 17

3.1 Desecuritisation and counter-discourses 22

3.2 Effectivity and governmentality 24

4 Who is to be controlled? 27

4.1 The dangerous asocial vagrant 29

4.2 The Ban-opticon revisited 32

5 Borders reconfigured 35

5.1 Internal control as border control 35

5.2 Shifting European borders 36

6 Conclusion 41

7 References 43

1 Introduction

Malmö, at the square of Möllan, a dark November afternoon. A police officer is checking that bikers have correct lamps, and at the same time asking for identification. He is looking for undocumented migrants and refugees in hiding from the authorities. Meanwhile on the train across the bridge between Malmö and Copenhagen, imagine an Iraqi man in a suit opening excel files on his laptop because if he looks like a businessman commuting, the border police will not question him. He might be trying to get into the country to apply for asylum. Or waiting for his application to be processed and not allowed to cross the border meanwhile, but wanting to see friends or family on the other side. He might be an undocumented migrant. Or maybe he has been a European citizen for ten years and has grown sick and tired of repeatedly having to prove his belonging and legal status in public. This time, the border guards pass him by.

In 2009, the Swedish government tasked the Migration Board and the National Police Board with increasing the number and speed of expulsions (Ju2009/10323/SIM, §3.1). The same year, the Migration Board, the National Police Board and the Prison and Probation Service initiated the project REVA (Rättssäkert effektivt verkställighetsarbete), in translation "Legal Certainty and Effective Enforcement". "Enforcement" in this context is bureaucratic shorthand for enforcement or execution of a decision to refuse an application for asylum or a residence permit, and in practice it means removing a person from the country with the use or threat of force: expulsions and deportations. In contrast to the term enforcement, the Swedish word "verkställighet" carries no direct implications of force; rather it sounds like an everyday apolitical procedure. It was only in late 2012 and early 2013 that the project came into focus of public attention and debate, following media coverage of the way police were making arrests at weddings, outside children's psychiatric centres and during ticket controls in the Stockholm subway (Stark 2012, Röstlund 2012).

Identity controls in public spaces are not, however, a new phenomenon emerging with the project REVA. The proper legal name for this type of control in Sweden is internal control of foreigners and it has been part of police work since the early 1900:s, though its aim and focus has shifted over time. In the early twentieth century, the controls were explicitly meant to maintain the racial integrity of the Swedish nation. After Sweden entered the Schengen agreement that opened the borders between member states, internal controls gained more importance (Hydén - Lundberg 2004:266). This coincided with the growth of virulent anti-immigration debates in Sweden and across Europe in the 1990s and onwards. Immigration came to be discussed as a security threat connected to trafficking, smuggling and international organized crime. In the 2000s, the securitisation of the migrant Other gained momentum through the discourse on

the global "war on terror", and across Europe and in Sweden today in the mobilisation of populist racist, fascist and neo-Nazi parties and extra-parliamentary movements that draw on Islamophobia, anti-Semitism and antiziganism in various ways.

One peculiarity of internal control of foreigners is that these controls are explicitly aimed at identifying non-citizens who do not have a legal right to be on Swedish territory, while police are also prohibited from carrying out controls based on skin colour or appearance. Numerous authors and debaters have argued that despite this prohibition, the controls are in themselves always discriminatory and likely to lead to racial profiling, and do not uphold the rule of law (see for instance Hydén –Lundberg 2004, Khemiri 2013).

Research on internal controls of foreigners in Sweden is limited. Following the way police methods for identifying and detaining undocumented migrants were hotly debated in national media during 2013, some NGOs and journalists have published reports. As of yet, little to nothing has been published in terms of academic research on REVA. Many student theses from last year take on the project from two main angles: discourse analysis of representations in the media debate or the policy itself; or focusing on the legality of the police controls and whether they are infringing on the rights of the individual or are discriminatory in nature. A PhD dissertation from 2004 by Sophie Hydén and Anna Lundberg offers a thorough analysis of the practice of internal controls of foreigners in Swedish police work including a large-scale field study following police officers carrying out these controls, reaching the conclusion that they inevitably fall short of norms of equality and the rule of law (Hydén – Lundberg 2004). Notably, the dissertation was written before the current Swedish Aliens Act entered into force in 2006, and long before REVA.

Lacking in the literature is further research into why the controls are carried out, which role they are meant to fulfil and how they come to be perceived as necessary. Furthermore, the connection to the Schengen Agreement and European border policies needs more research. The project REVA in itself is equally topical for study in political science, as a case of cooperation between government agencies and as a divisive issue in public opinion. Internal control of foreigners can simultaneously be understood as a deeply European phenomenon, as one of the Schengen Agreement's compensatory measures, and as a nationally specific measure with long historical roots. It moves the border controls' sorting function from the territorial outer border into the social spaces inside the country, thereby actualising issues of belonging, understandings of national identity, and the "outsider within" – the postcolonial, the securitised, racialized and Othered.

1.1 Purpose and research questions

The purpose of the thesis will be to examine the practice of internal control of foreigners in Europe and specifically in Sweden. Focusing on how internal control is made necessary and what and whom it strives to control, the thesis shall

critically engage with debates on securitisation and borders by drawing on poststructuralist and postcolonial perspectives.

- How is internal control contributing to or in conflict with European polices of free movement, and how can this process be understood in terms of governmentality and securitisation/desecuritisation?

- How is 'the foreigner' discursively constructed in relation to internal control?

- How is 'the border' understood and reconfigured in the practice of internal control?

This thesis will address these questions through a discourse analysis of Swedish law and policy documents on internal control of foreigners, paying particular attention to how it interlinks with European policies.

1.2 Introducing the case: the Swedish legal framework for internal control of foreigners

Internal control of foreigners in Sweden is mandated and regulated by laws and ordinances. The specific legal grounding for the control is to be found in the Aliens Act (SFS 2005:716), chapter 9 section 9, that states that "It is the duty of an alien staying in Sweden, when requested to do so by a police officer, to present a passport or other documents showing that he or she has the right to remain in Sweden." Furthermore, an alien is also required to provide information about their stay in the country on request from either the Migration Board or a police authority, and may be collected by the police to do so if necessary. The Coast Guard have the responsibility for the control in connection to maritime traffic. Controls "may only be undertaken if there is good reason to assume that the alien lacks the right to remain in this country or there is otherwise special cause for controls" (SFS 2005:716 8a§ 9 chap.).

The Aliens Act is supplemented by the Aliens Ordinance 2006:97, which contains more precise regulations on control measures such as registration of foreign guests in hotels and other commercial accommodation, employers' responsibility to ensure that foreign workers have correct permits, and on certain authorities' duty to report on interactions with foreigners. The framework for the control is further specified in the National Police Board's regulations and general guidelines on internal control of foreigners, from here on referred to as RPSFS 2011:4. In the regulations, internal control of foreigners is defined as an action undertaken with support of §9 chap. 9 of the Aliens Act. The focus of the control is defined as 1) monitoring that foreigners do not reside or work in the country without fulfilling the requirements for doing so, and 2) searching for foreigners

regarding whom there is a decision on refusal of entry or expulsion that shall be enforced (RPSFS 2011:4 §3). The Aliens Act and RPSFS 2011:4 refer to the Schengen cooperation and the 2004 EU directive on the right to move and reside freely.

As mentioned, internal control of foreigners in Sweden came to be the centre of public debate in Sweden in 2013 in connection with the project REVA that was started in 2009 and is meant to conclude in June 2014. The first part of REVA was a preliminary study in 2010, followed by a pilot project testing new methods in Malmö in 2010-2011, before the new methods were implemented across the country starting in May 2012 (Migrationsverket 2012). The main focus of the project is on streamlining and standardising administrative procedures for workflow and documentation, and to improve cooperation between the authorities and within them. It is co-financed by the European Return Fund and coordinated by the Migration Board. Internal control of foreigners is not synonymous with REVA and neither does the project extend the police's legal mandate for control, a public perception that the Migration Board is keen to counteract (Migrationsverket 2014). The project and the control are however connected, since the rationale for REVA is to increase expulsions and internal control is precisely a method for finding those who are to be expulsed.

1.3 Academic context: studying migration control

Migration and migration control have often been studied within political science and international relations as a matter of geopolitical security or regulation and management for the benefit of the state. The concept of migration, understood as individuals crossing borders, depends on the "deployment of a claim by the state to a sovereign right to designate who are its citizens and who are not" (Guild 2009:11). This means that one fruitful approach to studying migration is through analysis of the categories and strategies employed by the state to designate individuals as citizens, foreigners, tourists, immigrants, legal/illegal/irregular and so on, making it possible to challenge state-centrism by drawing particular attention to the ways in which the individual can and does contest the categorisations of the state. (Guild 2009)

Poststructuralist perspectives challenge the mainstream by deconstructing its taken-for-granted concepts and assumptions, questioning for instance the naturalised equivalence between a state, a bordered geographical territory and a population. Within the European Union context, conventional migration studies has been criticised for a tendency to mostly study sub-fields and miss the linkages between policy areas and the long historical connections between European integration and migration. This includes treating intra-European mobility as an entirely separate phenomenon from migration. Defining who is *not* a migrant is as political as defining who is (Hansen 2008:20-21), which is why this thesis does not use the terminology of European mobility.

The context of a specific migration policy can be termed a migration regime, here loosely used as involving e.g. shared norms, institutions, agreements, related policies and practices. The current global migration regime can be understood as stemming from a broad consensus around fundamental normative commitments in the Universal Declaration of Human Rights: that every individual has a right to a nationality, to leave their country, to become a refugee and to return to their country. However, there is not a corresponding right to entry: that is seen as the domain of every state to regulate, which is also fundamental to the regime. This sets up the moment of entry into the territory as the moment when the state can control its population by making discretionary judgements on who is allowed to enter, positing the border as a classical expression of sovereignty. (Salter 2006:175) From an institution-focused perspective, a binding global migration regime is still very distant. However, the cooperation on migration within the European Union is comparatively quite highly institutionalized, and has focused to a large degree on irregular migration (Kalm 2010, Jørgensen 2010).

Within the realm of security studies, one particularly important approach for studies of migration is the concept of *securitisation* arising from the Copenhagen School. Coming out of the general widening and deepening of security studies, Barry Buzan and Ole Wæver among others launched the concept of societal security in the early 1990s, explicitly linking migration and national identity to security, so that for instance immigration can be understood as a threat to national social cohesion and thereby to the society. *Securitisation* refers to the process of making something a security issue, by presenting it as an existential threat (Buzan – Hansen 2009:213-214). This means that a development need not be an actual threat to the existence of a state or society for it to be perceived and acted upon as such, if e.g. the norms, ideas and behaviours that are believed to be integral to societal/national identity are seen as becoming insecure (Muller 2011:102). As a result, the securitised issue is framed as "a special kind of politics or above politics", which authorises the state to deal with it with particular force and speed (Buzan et al. 1998:23). Crucially, invoking something as a security threat that requires decisive action does not only legitimate the use of power by certain actors, but also assigns a particular responsibility for handling the threat to those actors (Hansen 2006:35). Securitisation theory for Buzan and Wæver has roots in both traditionalist IR security debates, in speech act theory, and in an Schmittian understanding of security and exceptional politics (Buzan – Hansen 2009:213). The post-9/11 global "war on terror" has had a significant impact both on practices of border controls and surveillance, and studies thereof. Within security studies, constructivist, feminist and poststructuralist scholars linked politics of identity to an increasing concern with technology, surveillance and profiling; and critically engaged with the use and normalisation of exceptionalism (Buzan – Hansen 2009:248-249). This thesis draws on this stream of security studies.

It is striking in Buzan and Hansen's account of the discipline of security studies that while there is a fair amount of post-colonial analysis of the colonial and Orientalist underpinnings in the wars in Afghanistan and Iraq (2009:244), they seem curiously absent in the discussion on the linkages between technology, securitisation and identity. Generally, while postcolonial perspectives are not

entirely absent from the subfield of security studies, neither have they received much attention and security studies continue to be haunted by a "Western-centrism" that "mistakes Western experiences for the universal" (Bilgin 2010:619). Through a critical engagement with Buzan and Hansen, Pinar Bilgin points to the lack of engagement with insecurities in the South as not only a blind spot of the discipline but in fact constitutive of both practices of security and studies of it in the West and non-Western world (2010).

As such, post-colonial perspectives can bring into focus how European identity and governmental practices are constituted in relation to the postcolonial world, and how migration and control are shaped by colonial legacies. (In)security governance has been shaped by colonial encounters, using colonies as "modernity's laboratories of organized violence", where e.g. Police forces in Britain and France emerged in continuous exchange of knowledge and practices between the domestic and imperial spheres (Hönke – Müller 2012:387-388). Sweden in particular is not one of the larger former colonial powers but does have a mostly overlooked colonial history of its own. This includes the colonies of New Sweden around the Delaware River in North America, and Saint Barthélemy in the Caribbean, as well as a distinctly colonial relationship to the indigenous Sámi in the northern parts of Scandinavia. In addition, Sweden is of course implicated in the global economic systems historically built on colonial exploitation (see e.g. Naum – Nordin 2013). The need for postcolonial analysis is even clearer in relation to the European Union as a whole, since it emerged in parallel to large-scale decolonisation struggles and partially through a conviction that European unification and economic recovery could only happen through a joint preservation of European colonial influence in Africa (Hansen – Jonsson 2013). How this thesis uses postcolonial theory is outlined in section 2.3.

1.4 Disposition

The first chapter introduces the study and its purpose and research questions, the case and the academic context. The second chapter contains the methodological framework of the study, introduces discourse theory and how to combine it with postcolonial perspectives and central Foucauldian concepts, wrapping up with the research design, material and limitations. The analysis is then structured after the three research questions: chapter 3 considers the role of internal control in European free movement policies and processes of governmentality, securitisation and desecuritisation. Chapter 4 focuses on who is targeted by the control and how 'the foreigner' is constituted in internal control. Chapter 5 turns to how 'the border' itself can be understood through the practice of internal control. The final chapter sums up the conclusions of the study and its further implications.

2 Methodological and theoretical framework

This chapter presents the framework of the thesis, which is poststructuralist and discourse analytical. It draws on the work of Michel Foucault, and Ernesto Laclau and Chantal Mouffe's discourse theory, which is useful for focusing on discursive struggle and change, as well as dominant patterns and continuity. Particularly important theoretical concepts from Foucault are introduced in section 2.2, followed by a discussion of poststructuralism and postcolonial theory. For the more concrete research design, I draw upon Lene Hansen's framework for discourse analysis in *Security as practice* (2006).

A Foucauldian discourse analysis, or in his terms a genealogy, investigates a concept or an element, often one we think of as having no history, as being a universal category, to show how that element has been shaped through a particular and contradictory history that also reveals the mutual dependency of truth-making and power. There is an argument to be made for studying policy and particularly law from a Foucauldian perspective. In the lecture series *Society Must Be Defended*, Foucault argues for studying law as sedimented power relations, and not only reading the law as a direct expression of sovereign power. "Rather than privileging the law as manifestation of power, we would do better to try to identify the different techniques of constraint that it implements" (Foucault 2003 [1976]:266). Foucault here argues for a view of the judiciary system/field as a permanent vehicle for relations of domination, not only relations of sovereignty, and techniques of subjugation (Foucault 2003 [1976]:27). Though not very commonly done, Foucauldian tools can be used to study both socio-legal techniques and the law/legal systems themselves to bring into focus both the *politics* and the *historicity* of law (Neal 2011:58, Valverde 2011).

This means that studying the law and the operations of the judiciary system may grant us insight into wider social structures of power and inequality, rather than seeing it only as an expression of the absolute power of the sovereign state. Judith Butler does this in her analysis of the infinite detention of prisoners in Guantanamo Bay, when she examines the interaction of governmentality and sovereignty in states of exception and the US Government's use of and circumvention of law. Butler states that she is not solely interested in rule of law per se, but also in how power as governmentality uses law as a tactic (Butler 2004:93-95). It is in such a way that this thesis is concerned with studying the law around internal controls of foreigners: as a part of social relations of domination and control, and as a powerful tactic.

2.1 Introducing discourse theory

Discourse theory belongs within a poststructuralist mode of thought, not seeking to establish causal relationships but rather focusing on the constitutive importance of discourse and representations. It is post-structural in the sense that it assumes that while language structures the social world, social phenomena are never finished or total. Because meaning can never be totally fixed, there can always be struggle over definitions of identity and society. These struggles will have social effects (Winther Jørgensen – Phillips 2002:24). It follows that the focus of discourse analysis will be to trace the discursive struggles over meaning and their effects. Discourse theory understands language as a relational system of signs, where meaning is established through a series of juxtapositions. An "I" can only exist in relation to a "you", an "inside" in relation to an "outside", and so on. For deconstructionists, Western Enlightenment philosophy and the schools of thought following it is built upon these binaries, where one side of the opposition is valued over the other: civilised over barbarian, man over woman, rational over emotional and so on. If "Western" is defined in opposition to "Oriental", then the "Oriental" can only be what the "Western" is not and vice-versa. (Derrida 1976, 1978, Spivak 1999:423-431, Mohanty 2003:41)

Laclau and Mouffe define a discursive formation following Foucault as "regularity in dispersion", which they understand as an "ensemble of differential positions". It is from this that necessity derives – the regularity of a system of structural positions that are defined in relation to one another. Necessity is the attempt to fix meaning within a structure. (Laclau – Mouffe 2001:105-6, 114) If *a* is defined in opposition to *b*, then *b* necessarily is what *a* is not. Necessity is not, however, an inevitability or a transcendental phenomenon. It is more productive to understand necessity as being in itself a claim, a discursive tactic, or a dispersed political discourse and practice, such as the argued necessity of an illiberal political practice or state of exception (Neal 2011:47-48).

The system of a discourse is not structured by any external, underlying principle. It can be signified as a totality, but no discourse is ever a fully fixed and closed system, which is why change is possible (Laclau – Mouffe 2001:106). The meaning attached to a sign is always contingent, possible but not inevitable. Discourses attempt to structure signs "*as if* all signs had a permanently fixed and unambiguous meaning within a total structure" (Winther Jørgensen – Phillips 2002:33), and the same logic applies to the social field where we act *as if* society had a given and unambiguous structure. Importantly, the understanding of discourses as contingent does not mean that everything is always in flux or that change is easy. The most stable areas of discourse are termed the objective; a sedimented field with a long series of naturalised social arrangements that we take as given and generally don't question. In contrast, the political is discourse under struggle, where meanings and practices are controversial and questioned. (Winther Jørgensen – Phillips 2002:55)

Differing from Foucault and for example critical discourse analysis, discourse theory as conceptualised by Laclau and Mouffe draws no clear

distinction between discursive and non-discursive fields or elements. They claim that every object is constituted as an object of discourse, but do not deny that things or events such as an earthquake or a violent conflict exist externally to thought. The point is that we can only understand objects and events through discourse, through the social meanings assigned to them. That is, discourse tells us if an earthquake is a natural phenomenon or an expression of the wrath of God. For Laclau and Mouffe this is not to claim that "reality" is immaterial, but rather to "affirm the material character of every discursive structure". This materiality of discourse also means that Laclau and Mouffe include institutions, rituals and practices in the discursive logic that articulates a system of differences. (Laclau – Mouffe 2001:107-109) In other words, it is very far from arguing that linguistic phenomena create everything else, which seems a common misunderstanding. Following this argument, I argue that focusing on discourse does not mean abandoning the very real effects on politics, societies and individual peoples' lives in question for instance in migration and border control policy. Rather, focusing on discourse allows us to see how these effects come about, how they are understood, legitimated, made necessary, how they are concealed or become objects of political struggle.

2.2 Power, governmentality and biopolitics

> *"Power must, I think, be analysed as something that circulates […] 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. Power is exercised through networks, and individuals do not simply circulate in those networks; they are in a position to both submit to and exercise this power. […] In other words, power passes through individuals. It is not applied to them." (Foucault 2003 [1976]:29).*

The first and central take-away from Foucault is of course his understanding of power cited above; as something that circulates and functions, as productive, not only repressive, as something that always interacts with individuals – which means that there can never be power without resistance.

A second central concept for Foucauldian studies is governmentality: the dispersed technology, knowledge and practice of governing. It operates through bureaucratic and managerial procedures, state and non-state institutions and discourses. It can be "broadly understood as mode of power concerned with the maintenance and control of bodies and persons, the production and regulation of persons and populations, and the circulation of goods insofar as they maintain and restrict the life of the population." (Butler 2004:52). Foucault distinguished governmentality from the problem of sovereignty which consists primarily in preserving principality and territoriality: in other words with the state/the

sovereign maintaining itself as the highest authority and effective power within a given territory. Sovereignty functions to legitimate the state and its use of power in a self-referential way, without any solid external ground. Butler argues that when the question of the legitimacy of the state stops being asked for lack of an answer, "the problem of legitimacy becomes less important than the problem of effectivity" and the state can then survive as a site of power through governmentalization (Butler 2004:95). Sovereignty does not necessarily disappear when governmentality emerges: it is an analytic distinction between two modes of power that can co-exist, especially in relation to discipline. Sovereignty can emerge reconfigured within governmentality, such as when officials charged with administrative decisions hold the power over life and death of individuals.

Foucault also traces the shift from sovereign power in another way, as "biopower". It is a mode of power that has shifted from the sovereign power that "took life and let live" to a power that consist in "making live and letting die" (Foucault 2003 [1976]:247). Foucault places the emergence of biopolitics in Europe in the late 19th century, where "biopolitics deals with the population, with the population as political problem, as a problem that is at once scientific and political, as a biological problem and as power's problem." (Foucault 2003 [1976]:245). As such, biopower deals with the population: with statistics and increasing knowledge through surveillance and monitoring in order to build up profiles and define norms. In the emergence of biopower it is deeply connected to medical discourse, identifying the insiders that society needs to be defended from, those who are "abnormal in behaviour, species or race" (Elden 2011:25). This contrasts with the disciplining power of institutions such as the military, schools and prisons that function through tight control and surveillance over bodies in a physically limited space (Foucault 1979). Similarly to the analytic distinction between sovereignty and governmentality, disciplining power and normalising biopower are not to be understood as two entirely separate modes of power in Foucault's work, either within different contexts or in time. Rather, they are "two conjoined modes of the functioning of knowledge/power" (Elden 2011:25). This means that it is possible for power to function in several modes in parallel. In the contemporary era, that can mean that power in migration control can operate both through electronic biometric registration on one hand and physical removal of bodies from the territory on the other.

When Foucault traces the emergence of biopower in the late 20th century, he is not explicitly concerned with colonisation or empire, but in his lectures in *Society Must Be Defended*, race figures continuously as a "pivotal mechanism" for biopolitics and biopower relations. Biopolitics determines which life is productive for "species life" and should be promoted, and which should not. In other words, biopolitics needs sorting mechanisms, and race has been a principal one (Dillon 2011:179). This does not mean that biopolitics in itself consists in or promotes a specific racist doctrine, but that it is a complex of political rationalities and governmental techniques that require race for their operationalization. As Dillon argues, biopolitics and race are both shifting and developing concepts, and the racism that takes place in contemporary liberal democracies is still racism when it takes place through governing by socio-technical systems instead of through

outright proclamations of racial supremacy. "If you biopoliticise you will racialise, however subtly or opaquely recorded in your biopoliticised operating technologies of power that racialising may be." (Dillon 2011:188). In another phrasing, contemporary biopolitics is "the management of life whereby the merging of body and technology, together with the segmentation of society, is precisely what is at stake" (Ajana 2013:2). Crucial in this formulation that Bithaj Ajana develops to study "biometric citizenship" is the understanding that technological systems are not innocent, but rather deeply involved in segmenting society and run through with differential power dynamics.

Biopolitics and governmentality can also be understood in relation to and through the framework of security. "Foucault historicises and governmentalizes security. As a *dispositif de sécurité*, security is an ensemble of mechanisms by which the biopolitical imperative to make life live is operationalized governmentally." (Dillon – Neal 2011:12). The discussion of security continues in chapter 3.

2.3 Poststructuralism, postcolonial theory and Eurocentrism

When combining theoretical and methodological frameworks, it is crucial to consider their compatibility in terms of ontological and epistemological assumptions and internal logics. In regards to discourse theory's overarching understanding of the social as discursive, this needs careful consideration and possibly translation of other theories' into discursive terms (Winther Jørgensen – Phillips 2002:156). Generally speaking, poststructuralists and postcolonial scholars share an understanding of society as socially and relationally constituted, which is very compatible with a discourse theory framework. In kind, identities are understood as discursive, political, relational and social (Hansen 2006:6). In discourse theory, because social identities are understood as purely relational they can never be fully constituted, just as and because no discourse is ever fully fixed and closed to change. Identity is understood as identification with a subject position within a discourse. Since every individual could identify with several different subject positions, the subject is overdetermined. (Laclau – Mouffe 2001:111, 116-122; Winther Jørgensen – Phillips 2002:43) Postcolonial theory often traces the specific ways identity is constituted under conditions or legacies of colonialism, and its differential effects for hegemonic and marginalised/racialised subjectivities.

There is a distinction to be made between the postcolony as the nation-states that were "once governed by, for, and from elsewhere", and the postcolonial condition that has global analytical reach and focuses on the legacies of colonial forms of rule, knowledge production and subjectification processes (Hönke – Müller 2012:385-387). It is the latter, the postcolonial condition, that is relevant here and that is the analytic focus of important parts of the postcolonial theory

literature, such as how Homi Bhaba uses the concept of hybridity to capture how colonial encounters shape subjectification processes both in the (post)colonies and in the heart of the empires of the western world (Bhaba 1994). Postcolonial studies also criticise the Eurocentrism of contemporary critical thought. A paradigmatic study is Edward Said's analysis of *Orientalism*, showing how knowledge and power are mutually dependent throughout the history of Western imperialism in the Arab world (Said [1979] 2003). Said has in turn been criticised for staying within the tradition that he is criticising, in that he still comes from within Western academia to study the Other, the outsider, rather than coming from below, from the margins (Young 2004:167, Bhaba 1994).

Orientalism built on scientific racism and imperialist ambition is not the only incarnation of Eurocentrism, however. Eurocentrism can also be found in for example paternalistic anti-imperialism, that shares the Eurocentric metanarratives that international theory builds itself upon (Hobson 2012). Critique of Eurocentrism is a critique of universalism, drawing attention to how universalistic thought is always unstable and modified by the particular histories of where it was formulated – such as post-Enlightenment colonial Europe. Simply put as Dipesh Chakrabarty argues, critical thought can fight and carry prejudice at the same time because it remains related to particular places and histories (Chakrabarty 2008).

The critique of universalism and essentialism is of course central to poststructuralism that deconstructs seemingly stable and enduring categories, and often goes hand in hand with critiques of Eurocentrism, such as how Derrida's famous deconstruction in *Of Grammatology* (1976) focuses on 'ethnocentrism'. It can be argued that most generally Derrida's deconstruction is a deconstruction of "the concept, the authority, and the assumed primacy of, the category of 'the West'" (Young 2004:50-51). This does not mean that poststructuralism is exempt from Eurocentrism, neither in its choice of perspective and analytical emphasis or in the issue that the most influential theorists are from and/or educated at the most prestigious institutions in Europe.

A tendency to treat European societies "as if these were self-contained histories complete in themselves, as if the self-fashioning of the West was something that occurred only within its self-assigned geographical boundaries" and utterly disregard the "colonial theatre" and its legacies is another common incarnation of Eurocentrism (Chakrabarty 2008:45), and one that Foucault should be and has been criticised for (e.g Stoler 1995). Another influential postcolonial engagement with Foucault is Achille Mbembe's concept of *necropolitics,* showing how especially in the colonies and under states of exception, the politics of letting die characterises the biopolitical economy as much as the biopower of making life live (Mbembe 2003). Necropolitics can also be employed to understand immigration law as a mode of biopolitical control that does not have to sentence a life to death in order to let it die (Butler – Athanasiou 2013:167).

I attempt to conduct my analysis in a manner that is informed by postcolonial perspectives and critical to the Eurocentric tendency to treat Europe as a unified and exceptional subject of history. Concretely speaking, the analysis considers the Eurocentrism in binaries underpinning migration control: citizen/foreigner,

legal/illegal, and how these are connected to colonial/Eurocentric/racist discourses limiting who "the European" is.

2.4 Research design and material

As Lene Hansen argues, "adopting a non-causal epistemology does not imply an abandonment of theoretically rigorous frameworks, empirical analyses of 'real world relevance,' or systematic assessments of data and methodology" (2006:5). Hansen's framework for discourse analysis is developed for IR-studies of foreign policy, and specifically for tracing the constitutive importance of identity constructions of Self and Others. It provides practical guidelines and thorough consideration of choices of research strategies, models and choice of materials for discourse analysis. I make use of and adapt her framework. Border control and even more so internal control occupy a peculiar position in between foreign and internal policy, concerned as they are with delimiting the state itself. This makes Hansen's framework an interesting choice. Even though identifying the identities at play in the discourse is not the main focus of my analysis, it is a useful analytical backdrop in line with the theories used.

Hansen develops three intertextual research models for discourse analysis with varying scope, focusing on 1) official discourse, 2) wider foreign policy debate, 3A) cultural representations, and 3B) marginal political discourses. The first model is the one of interest here. Its analytical focus is on governments, heads of state, officials and international institutions. The objects of analysis are official texts and their direct and secondary intertextual links to supportive texts and critical texts. The goal of analysis for this model is identifying the stabilization of official discourse through intertextual links, and the response of official discourse to critical discourses. (Hansen 2006:64) The concept of intertextuality is drawn from Julia Kristeva, and refers to the way texts reference and mediate previous texts. Hansen combines discourse theory with this concept to develop more practical tools. Intertextuality can be traced in its different forms, a) explicit: quotes, references, and b) implicit: secondary sources, catchphrases and conceptual intertextuality. (Hansen 2006:55, 57)

Discourse analysis according to this model gives epistemological and methodological priority to the study of primary texts such as policy and official statements, but secondary sources are important for context or can become primary texts in their own right by being referred to by the primary texts. All of these texts need to be actively selected by the researcher. Hansen sets up a matrix for text selection along two lines: temporal location and type of material. First, texts should primarily be from the time of study, complemented with historical material for conceptual histories/genealogies. Secondly, the focus is on frequently quoted key texts that function as intertextual nodes, complemented with a wider general material that provides context. For the general material she gives three further selection criteria, in that the texts should: 1) contain clear articulations, 2) be widely read and attended to, 3) have formal authority. (Hansen 2006:82-83)

The time of study in my case is centred on the event of the project REVA, that is 2009-2014. Key texts are official policy documents from the Swedish Government, the Migration Board and the National Police Board on the REVA project, as well as the Swedish law; particularly the relevant sections of the new Aliens Act from 2006 and regulations on internal control of foreigners. Important historical material for the conceptual history include motions and protocols of parliamentary debate, government propositions and commissioned reports, particularly those concerned with Sweden's membership of the Schengen Area. As a second level, key texts are European Union policy documents on the Schengen Area and free movement in Europe. The majority of the documents I have analysed are in Swedish, and when I quote them it is in my own translation. Certain documents (e.g. the Aliens Act) do exist in an English version published by the Swedish Government, though the translations come with a disclaimer that they are not to be considered official and may be incomplete or not up to date, and therefore I take certain liberties with their terminology. There is no established translation for "inre utlänningskontroll". I have chosen to use the term internal control of foreigners rather than internal control of aliens, because I consider the Othering inherent in "alien" to be much stronger than in the Swedish "utlänning" which does not have connotations to the extra-terrestrial or inhuman. Therefore I prefer not to perpetuate the dehumanising use of "alien".

I expected to find both explicit and implicit intertextual links between the Swedish texts and the European ones, and to be able to trace an evolution of how internal controls are made necessary through the historical Swedish material. A first analysis showed that much of the texts are concealing changes in practice, rather than presenting a clear change or development. This meant that I needed to pay closer attention to the issue of silences and concealment. What is silenced in a discourse can be equally important as what is explicitly articulated, in that it constitutes a hegemonic normality by excluding other perspectives and then concealing even the fact of that exclusion. Studying these silences requires careful reading and deconstruction, asking obvious questions about common-sense understandings and everyday banalities. It is methodologically tricky because it involves reading "between the lines", and it can be harder to document the lack of something than its presence (Kronsell 2006). That does not mean that it is not a project worth undertaking.

I started the analysis with the key policy documents on REVA and contemporary regulations for Swedish internal control of foreigners. From these texts I followed intertextual references to earlier texts, reading key texts in reverse chronological order back until the mid-1990s. This allowed me to identify the key texts that function as intertextual nodes (eg. the Swedish Government's proposition 1997/98:42 on the Schengen Cooperation) and how later texts made use of them. This way of reading may run the risk of leading to a teleological analysis where the actual outcome seems to have been given all along, if it leads to only reading the texts that came to be influential over a longer period of time and missing those that represent alternative options/discourses. In order to prevent this, I conducted general searches for policy documents that in some way deal with internal control of foreigners. The reading in reverse chronological order

showed how the texts reference and make use of earlier texts to build their position, and how certain themes are reinforced over time. In order to focus more on how texts not only reference but also mediate and reinterpret earlier texts, I then did a second reading in chronological order. This second reading brought into focus how some themes – in particular the securitisation of migration – went from being more explicit to more implicit over time. The first reading identified primarily explicit intertextuality in references and quotes from earlier texts, while the second reading allowed me to catch more of the implicit intertextuality through catchphrases and shared concepts. Finally, following the traces of silenced exclusions I did a genealogical reading of Swedish migration law in a longer historical perspective.

The analysis paid particular attention to the following questions:

- How are the controls articulated: as border control, internal or foreign policy, security, governmentality, etc?
- Are they articulated as European or specifically Swedish? Does this change over time?
- Are changes in practice made explicit or concealed? How?
- Eurocentrism
- Silences
- What is considered common-sense and obvious

2.5 Limitations

This is a limited case study, with a relatively small selection of texts. This type of discourse analysis requires a thorough knowledge of the case and texts in question, and a larger study would be too time-consuming. Instead, I use my limited study in order to discuss larger issues in the theoretical debates, also making use of existing studies of similar controls elsewhere in Europe.

A specific limitation of the research model and method of text selection chosen is that it can only detect oppositional discourses when they are directly responded to in official discourse. This means that it is unable to assess how widely accepted and stable official discourse is in the wider public sphere. Models incorporating media, cultural representations and marginal politics would be more suited for studying this stability, conceived as hegemony (Hansen 2006:76). On the other hand, the incorporation of both Swedish and EU materials allows this study to detect stability and oppositions between those two levels. The study centres on the time period of the REVA project, but studies the project only as far as it relates to the phenomenon of internal control of foreigners. The details of what the project has entailed for the authorities involved is beyond the scope of this thesis. Similarly, while I do study legal text this is not a legal study as such, and I do not go into legal practice or precedent judgments based on these laws.

The obvious limitation of this choice of research questions, methodology and strategy is that it will not capture the practice and lived experiences of internal control, and how it is contested and negotiated on the ground. A very interesting perspective would be to use Butler's notion of performativity; a process of constitution through a "stylized repetition of acts", and an embodied social practice that reproduces, changes and challenges power relations (eg. Butler 1999:179, 2000:270). Since identities – performed and perceived – are central to who gets controlled and who does not, this perspective would capture this as a site of political contestation. Sadly, the type of fieldwork this would need to be done properly is much beyond the scope of this study.

Internal control is of course enmeshed in a larger set of policies on and politics of border control, asylum systems, and global migration. This thesis attempts to acknowledge these interconnections, but it is impossible to consider all angles in a limited space. Neither does the thesis go into debates on citizenship itself, though how internal control uses and redefines national and European citizenship would in itself be an interesting case for further study.

3 Making security move

To understand internal control, it must be situated within policies of free movement and in processes of governmentality and securitisation. As discussed in the introduction, securitisation as understood by the Copenhagen School consists in framing a certain issue as an existential threat: framing it as being above politics or as a special kind of politics, authorising the use of force, and assigning responsibility to certain actors to deal with the threat. In a more Foucauldian tradition, securitisation can be seen as not only as speech acts but rather as a series of micro-level practices and techniques of government that involve discourses as well as institutional codifications, cooperation and interlinking of various policy agendas and technical systems. In other words, securitisation involves a technological governance of insecurity and a symbolic politics of fear (Huysmans 2006), as well as a banal securitisation of scenes in everyday life (Amoore 2006). Much of the recent discussion of securitisation of migration and of the foreigner – especially of the Muslim Other – relates to the post-9/11 war on terror context, centred on but not limited to the US, where it is especially clear how an atmosphere of fear and security discourse connects with a violent racism. When terror alerts go out they "authorize and heighten racial hysteria in which fear is directed everywhere and nowhere […]. The result is that an amorphous racism abounds, rationalized by the claim of "self-defense" (Butler 2004:39). All of Europe has been implicated in this development, as has Sweden, both through the spread of discourses on the "terrorist danger", and the direct cooperation with the US through e.g. the involvement in the war in Afghanistan. Another key event in the Swedish case is the controversial extradition of two men from Sweden to Egypt in December 2001. In Egypt, the men were imprisoned and tortured in contravention of diplomatic promises to the Swedish government. The extradition was supposedly carried out by masked American agents. The event is generally represented as illegal, in conflict with the rule of law and as *unthinkable* without the frame of the war on terror. (e.g. Flyghed 2005:393, Sundström 2013)

Despite this, one should still be careful not to accept too easily the idea of the "war on terror" as an entirely game-changing impetus, as migration and security have been interlinked in various ways in Europe long before. Despite the member states' retained competence to make decisions on national foreign and defence politics, security politics are and have been central to the European Union. With the creation of for example the "Area of Freedom, Security and Justice" and the "Common Foreign and Security Policy", security has been inserted into the EU in various ways in bordering and neighbouring policies, internal governance policies and external policies that attempt to promote "good governance" (Manners 2013).

There is a general agreement in the literature that migration started to become securitised in the late 1980s or early 1990s, when the focus of both the security

sector and security studies shifted with the post-Cold war agenda towards a broadening and deepening of security, both in terms of types of threats (not only military) and the referent (not only the state). In the Swedish case, there was a clear and increasing tendency to securitise migration and refugees throughout the 1990s, that Elisabeth Abiri argues is connected to the uncertainty and weakening of the welfare state brought on by globalisation and used to prop up more restrictive immigration policies (Abiri 2000). This does not mean that the securitisation of migration always predates more restrictive immigration policies. Sweden had a need for labour immigration and encouraged it especially in the 1960s, before the swing towards protecting the national labour market during the economic downturn in the 1970s and a greater focus of asylum policies. Hydén and Lundberg identify a shift from a more liberal immigration policy to a growing system of control between 1972 and 1989, and a very strict control with a parallel increased degree of illegal stay and labour from 1989 onwards (Hydén – Lundberg 2004:78). This illustrates that securitising discourse has not historically been a necessary precondition for restrictions of migration, as it in Sweden in the 1970s and 1980s was deeply connected to labour market protection and not generally read as a security measure at that time. Again, treating migration as a security issue is not historically given but contingent.

Within the European Union, both migration and asylum have been securitised through what Jef Huysmans terms "domains of insecurity": a concept developed specifically to capture the multidimensional processes in the EU that securitise policy issues not through declaring them exceptional events, but through institutional linkages, shared practices and technical systems (Huysmans 2006:149). An exceptionally clear case of this is the way the Schengen Convention links policy issues through grouping them together *as if* there is a natural connection, without explicitly declaring why or how they are connected. In this way, it naturalises a connection between organised crime, narcotics trade, human trafficking and illegal immigration. The "global war on terror" connected the terrorist threat to this existing security framework and both reinforced and fine-tuned its activities, for instance making it possible to conflate migrants from majority Muslim countries with Islamic terrorists (Cetti 2012:17).

It is notable that the securitisation of migration in Europe has gone hand in hand with a rising consensus on the need for more restrictive measures against migration from non-EU countries and a process of Europeanization of migration policy. This is part of the development towards what has been called "Fortress Europe" as shorthand for how barriers towards the outside are strengthened while internal mobility is promoted (Talani 2012). Two things are important here: the first is that the idea of the fortress contains strongly defended walls against the outside, but it does not mean that there is no movement within the fortress. The second is that the way the inhabitants of the fortress move within it is not anarchic: it is structured by the physical layout of the fortress, where stairs and doorways are placed, and by guards who keep watch for intruders or suspicious behaviour. And for the guards to be able to keep watch, the people must be in movement. Within the "Fortress Europe", there is an imperative of circulation that has been implemented as "freedom" (Bigo 2011b:3). For Huysmans, one of the

key ways the EU has been implicated in the securitisation of migration and asylum as well as a central element of its governmental identity is through the "Europeanization of internal security" (Huysmans 2006:152). This brings us back to the key notion that freedom of movement and security are not in opposition, but rather fundamentally linked: in the Foucauldian formulation, security is the result of liberties (Bigo 2011b:107). This means that for there to be security, there must be a freedom of circulation; and for there to be freedom, there must be security. Since security in this sense is made to happen largely through control and surveillance mechanisms, it is easier to understand why there is an imperative of circulation: if the people do not move, there is nothing for the surveillance to catch. This logic is made explicitly clear in the discourse on internal control of foreigners. Policy documents and official discourse on the control repeatedly reference the Schengen cooperation and convention, which functions as an intertextual node. In RPSFS 2011:4, the controls are explicitly articulated as one of the compensatory measures required by the abolishment of border controls at the internal borders in the Schengen area. The guidelines also say: "In order to maintain the free movement of persons within the Schengen Area it is important that control of foreigners is carried out across the whole country" (RPSFS 2011:4 4§). In other words, freedom of movement needs to be actively upheld by control across all of the territory. This, then, is the current reasoning for why the control is necessary.

The Schengen convention requires its member states to put compensatory measures in place, and they exist in several versions across the member states. As one example, in Austria compensatory measures were implemented by the Vienna Police from 2007 onwards, to offset the supposed "security deficit" brought by the Schengen enlargement and opening of the borders towards neighbouring countries in Eastern Europe. They include surveillance of transit routes and of international train traffic and stations and stop and search activities. In the Austrian context, the compensatory measures can be understood as an undercover control that the Schengen enlargement offered a great opportunity to install: "A functional need was conjured to introduce a measure which otherwise would have been debatable and even questionable" (Schwell in press:18). Alexandra Schwell traces the impetus for the compensatory measures to a need to set the population at ease from the imagined threat of the Other, fuelled by for instance the tabloid press' depictions of the flood of criminal Eastern gangs that the Austrian population was supposedly terrified were about to invade their country after the enlargement. Schwell also connects the specific ways this Othering takes place to Austria's role as a former colonial power in the Habsburg Empire that now feels under siege from its former crown lands. (Schwell in press) This illustrates how the internal controls are both part of a wider Europeanizing process and shaped by specific local histories and conditions, and how the Other to be controlled can be another European.

In Sweden the internal control did not come into being as an Schengen compensatory measure. There has been some version of control of foreigners in place since the early 20th century, and the legal framework for the internal control of foreigners has been strikingly similar for the past quarter century. The previous

version of the regulations on internal control were from 1989 – that is seven years before Sweden joined the Schengen Cooperation in 1996 and twelve years before the country became an operational member in 2001. The 1989 regulations did not change when the new Aliens Act was implemented in 2006, but only five years later. The 2011 guidelines are more explicit in their discussion of why and how controls should be carried out, but the goal of the control remains the same as it was stated in 1986: to search for persons who are to be refused entry or expulsed, and to monitor that no foreigners reside or work in Sweden without proper permits (RPSFS 1986:3). In other words, RPSFS 2011:4 rearticulates an existing national practice of control as a part of a European/Schengen framework and as a necessary companion to maintaining free movement of persons. This discursive logic was evident and made explicit when the Swedish membership of the Schengen Area was discussed: it is articulated in the Schengen Convention itself and referenced explicitly and implicitly in for instance the Swedish Government's proposition on the Schengen Cooperation (Prop. 1997/1998:42) and on Police cooperation because of the Swedish accession to Schengen (Prop. 1999/2000:64).

The proposition on the Schengen cooperation, which is an intertextual node in the discourse, articulates two closely linked fundamental ideas for the cooperation. The first is the free movement of people, in the sense that controls at the national borders internal to the area shall cease. The second, described as partly actualized by the first, is that "the fight shall be strengthened against international criminality and such immigration that is illegal" (Prop. 1997/1998:42, p. 12). Here, immigration is discursively linked with illegality and international criminality: an obvious securitising move in line with Huysman's "domains of insecurity". The compensatory measures of the Schengen cooperation are articulated as aimed to prevent that the free movement of people as an unwanted side effect aids international crime. The linking of migration and crime in the Schengen cooperation is not only about conceptual linkages at the linguistic level. It also involves institutional arrangements and transfer of techniques from the struggle against drugs, terrorism and transnational crime to the struggle to control the frontiers and the movement of people in what Didier Bigo terms a "continuum of (in)security" (Bigo 2011b:108).

One example of this is the creation of Europol, the common European police agency, that according to Prop. 1997/1998:42 shall fight organised international crime of a serious nature, mainly the narcotics trade but also other grave criminality. The list of examples of particularly serious crimes includes money laundering, human trafficking, terrorism and "crime that is associated with illegal immigration networks" (Prop. 1997/1998:42, p. 9). The phenomenon of immigration in general is associated with criminality and shady networks, and illegal immigration is securitised as a threat of the same order as terrorism, narcotics trade and human trafficking. There is also a securitisation of the individual traveller and potential migrant who is a third country national: that is, from outside of the Schengen Area and European Union. This happens partly through the use of the Schengen Information System, which is a register over persons who are to be denied entry to the Schengen Area. The purpose of the system is to "maintain public order and security, including State security" and to

apply the provisions of the Schengen convention relating to the movement of persons (The Schengen Convention, Article 93). According to the Prop. 1997/1998:42, control of travellers at the Schengen external borders shall pay special attention to threats to public order and security when controlling travel documents and establishing identities. Foreigners are to be more carefully controlled than EU citizens, and a search should in principle always be made in SIS (Prop. 1997/1998:42, p. 13, 82). Worth noting here is that while "third country" refers to all other states except the Schengen member states, "foreigner" refers to citizens in states that are not members of the EU (Prop. 1997/1998:42, p. 47). For the Schengen Convention, the foreigner is a non-European, and it is the foreigner that is most important to control as a potential security threat. This happens through extensive use of socio-technical surveillance systems, institutional cooperation and huge databases, such as the Eurodac database, the Visa Information System and the Schengen Information System. The SIS II became operational in April 2013 and now also includes the use of biometric information (European Commission Home Affairs 2014). With the signing of the Amsterdam Treaty in 1999, the Schengen Acquis was incorporated into the framework of the European Union itself, as a move towards establishing an "area of freedom, security and justice" (Amsterdam Treaty 97/C 340/01). The institutionalised securitisation of migration control is also very evident in the constitution and operations of Frontex, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, established in 2004.

Taken together, this constitutes a system of surveillance that can be read as a *Panopticon* in the Foucaudian sense where every single individual feels under constant possibility of surveillance (Foucault 1979). Registering the traces of irregular immigrants, the "Panopticon Europe" functions as a "factory of exclusion" aiming to facilitate expulsion (Broeders 2007). Though given the differential nature of this surveillance, it is perhaps better understood rather as a *Ban-opticon,* where through a process of abnormalisation of the margins only certain individuals and groups are banned into surveillance and made insecure in order to create security for the majority (Bigo 2005, 2011).

In summary, the securitisation of migration and of the figure of the non-European foreigner is thorough in the late 1990:s official documents on the Swedish Schengen membership, and institutionalised through the socio-technical surveillance systems of the cooperation. When later texts such as RPSFS 2011:4 reference the Schengen cooperation, they are also implicitly referencing migration and the foreigner as securitised. The securitising groundwork is already laid, and while it may be continually reinforced through references and discursive and institutional reiterations, these generally become less explicit as the connections become naturalised and sedimented as objective. Overall, the securitisation is more evident in the 1990:s and much more implicit in the contemporary material, evoked through references to Schengen and in the institutional setup of the European migration regime. In most of the material, internal control of foreigners is articulated as policing: to be carried out by police officers across all of the territory, integrated with everyday operations. In the Schengen-related materials

the internal control is explicitly articulated as policing to differentiate it from the controls at the internal borders that the convention prohibits. That internal control is conceived as policing and integrated in all work also means that the securitisation of the foreigner is not limited to the moment of border crossing at the outer edge of the territory. Instead it becomes integrated with potentially all interactions with a police officer in a securitisation of scenes of everyday life.

3.1 Desecuritisation and counter-discourses

If an issue can be securitised – moved from the realm of ordinary politics and into the realm of security and exceptional measures – it seems reasonable that it could also be moved from security and back into politics. This is the process of *desecuritisation*. The concept of desecuritisation has been less studied and conceptualised than securitisation itself. With the Copenhagen School's focus on securitisation as elite speech acts, desecuritisation can be understood as happening primarily at the level of official discourse and policy: "the shifting of issues out of emergency mode and into the normal bargaining process of the political sphere" (Buzan et al 1998:4). While arguing for the normative relevance of the Copenhagen School's commitment to desecuritisation, Hansen identifies four methods of desecuritisation: change through stabilisation, replacement, rearticulation and silencing, all of which relates to the disappearance of an issue from the security policy agenda either through gradual change or active solutions (Hansen 2012).

As discussed in the previous section, the securitisation of migration and the foreigner connected to internal control of foreigners in Sweden has become less explicit at the level of speech acts in the last ten years. This does not in itself constitute a desecuritisation, since the securitised framework is continually reinforced both through its institutional set-up as well as explicit and implicit references to earlier securitising texts without questioning the securitising logic. While "silencing" is one of the potential methods of desecuritisation Hansen identifies, it is also the one she finds is trickiest to handle within the Copenhagen School framework, as silencing would mean there is a lack of speech acts to analyse. The example of desecuritising silence Hansen uses relates to the exclusion of female ex-combatants from social re-integration programs, where their experiences are disappeared and de-politicised. Silencing-as-desecuritisation is then in itself normatively problematic, since it may work as a strategy of exclusion of those previously securitised, rather than offering political possibilities for resistance and re-negotiation. The Copenhagen School does also acknowledge that securitisations may be institutionalised to the extent that there no longer are any explicit securitising speech acts. (Hansen 2013:545) The latter is closer to what has been occurring regarding internal control of foreigners.

For Claudia Aradau when discussing desecuritisation, the very logic of security and securitisation must be resisted through a commitment to emancipation through a "democratic politics of universal norms and slow

procedures" over "the exceptional politics of speed and enemy exclusion" (Aradau 2004). Critical approaches that see securitisation as happening at the level of everyday social interactions spread out over society tend to see the need for desecuritisation to also emerge from the margins, for securitised groups to question the established order (eg. Kinnvall – Nesbitt-Larking 2013:349, Amoore 2006).

While counter-discourses do appear in the material on internal control of foreigners, they should not simply be read as instances of desecuritisation. These counter-discourses appear through references to NGO reports or critical interventions in parliamentary debate, and rearticulate the control as discriminatory and racial or ethnic profiling. These interventions strive to make visible the control, as a discriminatory and securitarian practice. When opposing the Swedish entry to the Schengen cooperation, the umbrella organisation for Swedish asylum groups and the Swedish Refugee Council drew attention to the negative consequences for asylum seekers and the lack of transparency, rule of law and data privacy in the extensive police cooperation and surveillance mechanisms that the cooperation entails, and how in particular persons with a non-European appearance are likely to be stopped, controlled and entered into these systems (FARR 1997). This statement was part of an official review process of the proposal to join the Schengen cooperation, and the final government proposition references the report but only addresses the concern it voices regarding carrier liability. The critique of Schengen as an undemocratic, securitarian surveillance system is not in any way engaged (Prop. 1997/98:42, p. 45).

Even if one understands the process of attempting to make the control visible and political as an attempt at desecuritisation, it has not been successful in moving the official discourse or policy. One can also question the extent to which these counter-discourses come from the very margin, if they manage to let the most securitised speak for themselves. In another example of the counter-discourses under discussion here, those securitised and controlled only get to speak their experiences to power through several removes: in interviews to a journalist looking into the REVA project, whose report is surely edited by several people before being published, and then read by a politician in the opposition who finally references it when debating the current Minister of Justice (Leander 2014, Prot. 2013/14:89 13 § anf. 66). Further, those interviewed in this report are individuals who have experienced the controls as discriminatory and who have been controlled despite having legal permission to be in the country. Those who are the actual target of the control – the undocumented migrants, the asylum seekers whose applications have been turned down and who have gone into hiding – do not get to speak for themselves. Doing so publically would mean to risk discovery, detainment and deportation, and the possibility to do so effectively would also require having access to channels of communication, influential contacts, knowing the language and how to frame ones story strategically, and so on. In other words, speaking effectively requires resources, many of which the most marginalised are unlikely to have access to. It is therefore possible, to use the terms of Gayatri Chakravorty Spivak, to read them as subaltern. As she

cautions apropos of her famous essay *Can the subaltern speak*, one should be careful to not too quickly identify the decipherment or interpretation by for example an academic in a remote institution with the "speaking" of the subaltern herself. For Spivak, the subaltern is on the other side of an epistemic fracture, lacking lines of communication to the institutionalised society (Spivak 1999:309). If lines of communication are established the person is no longer a subaltern, which is of course what is normatively desirable. The question of how to establish those lines of communication remains a major challenge.

3.2 Effectivity and governmentality

In parallel and intertwined with the securitising discourse, there is a discourse of effectivity running through all of the material. Controls must be intensified and made more effective. The task from the Government in 2009 that initiated the REVA project was for the Migration Board, the Police and the Prison and Probation Service to intensify cooperation to render the operations of the authorities more effective, and to increase the number and speed of enforcements carried out. Every year in the period 2009-2014, these authorities have been tasked with continually increasing the efficiency, speed and number of enforcements compared to the previous year.[1] As previously noted, "enforcement"[2] is generally used throughout the material as shorthand for enforcement of a decision on refusal of entry or expulsion, such as when an individual does not voluntarily leave the country after a refusal of an application for asylum. Enforcement becomes synonymous with expulsion and used instead of it, which in Swedish makes it sounds less like a violent and political act, and more like an everyday bureaucratic procedure. In some cases, it gets used as a verb applied directly to the person, not the decision. In a newspaper interview in March 2013, border police chief officer Petra Stenkula in Malmö consistently never refers to expulsions as the goal for internal control: it always about refusal of entry, and those detained are "transferred" to another country, or in a notable turn of phrase they "are enforced" (Orrenius 2013-03-17). The person and the decision become synonymous, indivisible. The person *is* their legal status, their main characteristic what procedure they are involved in.

The demand for greater efficiency in enforcement processes also brings a demand for greater efficiency in internal controls of foreigners. A National Police Board oversight report on enforcement work from 2013 discusses the demand for increased efficiency, and finds that there is no evident answer for how to improve efficiency, as it must be tempered by respect for the rule of law and non-discrimination. In the report, this is discussed in terms of the importance of a "correct conduct" by e.g. avoiding inappropriate word choices in order to "create

[1] Regleringsbrev för Migrationsverket, Rikspolisstyrelsen och Kriminalvården 2009, 2010, 2011, 2012, 2013,
[2] "verkställighet"

professional client relations" (Rikspolisstyrelsen 2013:10, p. 20, 36). Here, those who are to be deported are "clients" and it is important that police officers realise that the clients may find the procedure of being deported frustrating. Among the measures important for improved efficiency the report does identify, one is "better capability to find absconders" – to quickly identify "those who keep away from enforcements", in other words, those who go into hiding from the authorities to avoid deportation (Rikspolisstyrelsen 2013:10, p. 38). According to the report, this demands that the police resources for internal control of foreigners are concentrated and used effectively. One of the final recommendations of the report is that the Police authorities shall develop their capabilities to find absconded foreigners, and set a higher goal for the number of cases "where the foreigner is available for enforcement of the decision on refusal of entry or expulsion" (Rikspolisstyrelsen 2013:10, p. 44). In practice, this would mean more developed and more intensively used methods for internal control of foreigners, as that is the measure intended to search for foreigners who are to leave the country.

Efficiency in expulsions is sometimes also set up as a precondition for a humane asylum policy – for such a policy to be sustainable in the long term, those who are rejected must leave the country, said Minister for Justice Beatrice Ask (Prot. 2013/14:89). Articulating efficiency as connected to a humane asylum policy is also a way of articulating it as specifically Swedish. There is a clear desire to see Swedish refugee and asylum politics as especially generous and humane, something that may be considered constitutive of the Swedish self-image as an international model and leading country (Johansson 2008).[3] Much as internal control itself, the demand for increased speed and efficiency in enforcing expulsions is neither new nor uniquely Swedish. A 1997 government-commissioned report on enforcement and control in cases involving foreigners underlines the importance of the Swedish membership of the EU for these issues. It references the European Council's wish for improved efficiency in enforcement work through cooperation. The Council made a number of recommendations along these lines to the member states between 1992 and 1997. The demand for efficiency is also connected to the Dublin Convention that was first signed by the 12 EU states in 1990 and entered into force in 1997, and which implies that applications for asylum should only be tried once in the EU, in the first country the asylum seeker enters (SOU 1997:128, p. 39-40).

The demand for constantly increased effectivity can be understood as a legitimising strategy of the state under governmentalization, in line with Butler's argument (2004:95). The REVA project in particular is easy to read through the lens of governmentality, with its focus on increasing collaboration between agencies and streamlining administrative procedures. Particularly clear examples of the governmentalization of internal control include the responsibility for hotel managers to keep registers over foreign guests, and the "carrier liability" that

[3] The extent to which asylum politics are articulated as specifically Swedish or commonly European may in this sense have much to tell us about how Swedish self-image is negotiated as part of or differentiated from a European identity, though that is a topic for a different study.

makes e.g. airlines responsible for controlling that foreigners from non-Schengen countries have proper permits and economical means for their return journey (SFS 2005:716 3§ 9 chap, 5§ 12 chap.). Carrier companies who fail to carry out controls properly may be fined or made responsible for returning the foreigner to their point of origin. This means that carrier companies take an economic risk when transporting individuals who might be turned away at the Schengen border, and in a mode of governmentality both authorises and demands that the companies take on a pre-sorting function, deciding who is allowed to embark on a journey towards crossing the Schengen border. The discussion of the way the border is de-territorialised in this kind of practice continues in chapter 5. The following chapter looks further into how the sorting functions in internal control: who is the target of the control, and who is to be sorted out. In theoretical terms, this means looking into the biopolitics of the security dispositif to talk Foucauldian, and to consider how the control is enmeshed in Eurocentrism and interacts with processes of racialization.

4 Who is to be controlled?

In the European Union, the imperative of circulation is implemented as "freedom": the freedom to move is also an obligation to circulate, to be controllable (Bigo 2005:3). As such, the current Western regime of mobility can be understood as a system of accelerated mobility, which is not freedom of movement for all but rather privileges speed, comfort and security for "legitimate" mobility only. This is made to happen under intensive surveillance and use of technologies of control such as biometrics and e-visas (Bigo 2011a). The system needs sorting mechanisms to separate the desirable mobility from the undesirable. A way of making the effects of this regime visible would be to trace its interaction with two paradigmatic figures: "the neoliberal citizen" on one hand, and "the asylum seeker" on the other (Ajana 2013:2). One whose mobility is considered productive, to be encourage and protected, contra one who is to be controlled and whose legitimacy is constantly put under suspicion. This chapter will analyse the biopolitics of the control through its interactions with the "outsider within" it strives to control, in particular the Roma, thus tracing how "the foreigner" and "the citizen" are constituted.

In the Aliens Act, there is no explicit definition of foreigner, "utlänning". RPSFS 2011:4 §1 says: "Foreigner refers to one who is not a Swedish citizen." This means that anyone who is not a citizen may be controlled, but that Swedish citizens should never be targeted by the control. The aim of the control is to identify and detain those who do not have the legal right to be in the country, but this formulation of who is to be controlled means that also those non-citizens who do have legal permission to be in the country may be controlled. The legality of their stay is to be continuously under watch, so that they do not overstay their welcome or transgress the conditions of their permit. As long as they are not citizens, legal residents are subsumed in the category of "foreigner". In the regulations, the non-citizen with a permanent residence permit, for instance, is not at all visible. There are only citizens and foreigners. This is a clear example of the kind of binary division that postcolonial theory and deconstruction sees as deeply Eurocentric. The binary citizen-foreigner sets up the foreigner as subject to control and the citizen as exempt from it, as well as posits that these two categories are easily separable, opposite to one another and mutually exclusive: someone cannot be both citizen and foreigner. The way the discourse on the control uses the binary also presumes that the being-citizen or being-foreigner is an intrinsic characteristic of a person, which is also possible to see and categorise. If not by the naked eye of an ordinary citizen, then at least through the expertise and analytic profiling of the experienced police officer or border guard and their employment of tacit professional experience (Hyden – Lundberg 2004:177-179,

Schwell, in press). As their support, they have the technically advanced surveillance and registration systems of the European cooperation.

The Swedish official discourse on the control does recognize that there is a risk of discrimination in controlling foreigners, and attempts to check this by limiting when and how the controls should be carried out. According to the law, control may "only be undertaken if there is well-grounded reason to assume that the foreigner lacks the right to remain in this country or there is otherwise special cause for controls" (Aliens Act 2005:751, §9 chap. 9). This differentiates the Swedish set-up of the control mechanism from many other Schengen countries, such as Germany, Belgium, France and Spain where it is obligatory for foreigners to carry identity documents at all times, and thus no particular reason is needed for checks of these documents to be carried out in public spaces (Doomernik – Jandl 2008:205). Under the Swedish legal system, there is not an obligation to carry identity documents. According to the National Police Board guidelines, neither should the obligation for a foreigner to show their passport or other documents when requested to do so by a police officer or the Migration Board be understood as an obligation to carry these documents at all times (RPSFS 2011:4). However, in practice the burden of proof still falls to the individual, who is obliged to show proof of their legal status or that they are in fact citizens and should not be controlled. This may include being required to come to the police station or the Migration Board's offices.

What is "a well-grounded reason to assume" that the foreigner lacks the right to be in the country is specified somewhat in RPSFS 2011:4 §5. According to the guidelines, this prerequisite should be understood to mean that a control may only be carried out after a comprehensive assessment of the objective circumstances of the present case. These "objective circumstances" can include the individual police officer's observations, tips, intelligence reports or profiles based on such intelligence. Controls may also be carried out when there is reason to control the identity of a foreigner in connection to for instance a criminal investigation or a vehicle control. Further, "the foreigner's behaviour and company can be a circumstance that in some cases gives well-grounded reason for control." Internal control of foreigners may not be carried out solely on the basis of if a person's appearance is perceived as foreign, or because of his or her name or language. This final clause is what is supposed to keep the controls from being discriminatory. It is worth drawing attention to the little word *solely* in that phrase, because that conveys the important distinction that the police are not forbidden from making judgements *partly* based on a person's appearance or language – they are simply required to have some additional basis for control, such as behaviour or intelligence-based profiles. The lack of clarity in the regulations has been repeatedly criticized over the years, both by counter-discourses that consider them discriminatory (e.g. Leander 2014), and from within for making police work inefficient because "police officers are worried about being perceived as discriminating or 'racist'." (SOU 2004:110 p.254). The latter argument then considers discrimination and racism as a problem of *perception* only, one that hinders real work; a problem for the police and not for those discriminated. It distances the problem of racism further by placing "racist" in

scare quotes as the most terrible of accusations. That the basic premises of the regulations have not changed since 1989 despite continuously reoccurring critique can be read as a strategically upheld vagueness, in that it allows for incorporating the control in an official discourse of equality before the law and humane migration politics, while simultaneously opening for discriminatory practices.

An example of how the regulations are interpreted in practice can be found in an article in the internal Police magazine *Sambandet,* which describes an internal Police education on internal control of foreigners. Following training on the current Aliens Act and how to identify forged documents, a group of police officers were sent out to apply what they had learnt. One group was sent to the area Hallonbergen: "the Stockholm Police have been tipped off that there are many Mongolians living there, and the plan is to control among those heading to work in the morning." (Sambandet 2012:25). Police intelligence and tip-offs that are considered reason for control may in other words be something as simple as "there are many people of a certain ethnicity in this area". This slippage between "foreigner" and "foreigner without legal permits" occurs in many places in the texts. Being "a foreigner" means being potentially being controlled, and the presence of "foreigners" in an area means that controls must be carried out there. A 1997 directive for a government-commissioned report discusses the need for increased efforts in internal control of foreigners following the Schengen Agreement in terms that take it for granted that the removal of controls at the Schengen Area's internal borders must be compensated. It also considers that "the situation that foreigners reside in the country without residence permits for longer periods of time amounts to an large scale social problem in many countries. These problems have so far been small in Sweden and other Nordic countries, partly because the possibility to avoid discovery has been comparatively small." (Dir. 1997:6, p. 5). In other words, the mere presence of foreigners without permits is in itself the problem. The text does not clarify in any way why or how it becomes a social problem; it is presented as a fact and articulated as objective. Neither are the reasons why the risk of discovery in the Nordic countries has been high detailed. Why is the foreigner a social problem, and who is the foreigner whose very presence is problematic? This leads us onwards to the next level of defining who the problematic foreigner is: the visibly Other. A genealogical reading of Swedish migration law is instructive in this regard.

4.1 The dangerous asocial vagrant

In the late 1800s, migration in Sweden largely meant emigration and there were no formal restrictions of immigration, which can be framed as that the Swedish state was "upholding the principle of free exchange of people between countries" until the start of World War I (SOU 2004:74, p. 49). After this period, the first Swedish law regulating control of foreigners, the law concerning prohibitions for foreigners to reside in the country, came into force in 1914. Its goal was not to control all immigration, but specifically to make it possible to refuse entry to or

deport "criminal or asocial foreigners" (SOU 2004:74, p. 49). The specific foreigners who were to be kept out of the country were "gypsies,[4] and any other foreigner who clearly intends to make their living through begging or itinerant playing of music, showing of animals, or similar" (SFS 1914:196). The 2004 government report that preceded the current Aliens Act starts its historical overview with this law, but makes no mention of the specific group it was meant to exclude from the country. This is entirely in line with the way the deep historical structural discrimination and persecution of Roma and Travellers in Sweden has been largely silenced in public discourse or treated very much as a special interest-issue. The 1914 law can also be connected to the preceding 1885 law on vagrancy (SFS 1885:27) that allowed the arrest and registration of anyone who lacked means, employment and a permanent residence. The same applied to anyone who did not "earn an honest living" and whose way of living endangered "public security, order and common decency" (SFS 1885:27). In an 1886 addition, the vagrancy law also allowed for conveying foreigners found guilty of vagrancy to the country in which they were subjects (SFS 1886:33).

A second immigration law was implemented in 1927 with the dual purposes of protecting the Swedish labour market from foreign competition and to protect the Swedish race. It also upheld the specific exclusion of the Roma. In the proposition preceding the law, the government considered that "The value of the fact that the population of our country is of an exceptionally homogenous and pure race can hardly be overstated" (Ds. 2014:8, p. 147). In other words, the reasoning behind the need for immigration laws was an explicitly race-biological nationalism. The entry ban against the Roma was in force until 1954, and also had severe effects for Roma within the country. Since they were excluded from the census and municipal registration, Roma in Sweden were basically stateless and unable to prove their right to re-enter the country if they were to leave to for example visit family elsewhere in Europe. The ban on entry was upheld during the Second World War, and there are documented cases of Roma who were refused entry at the Swedish border who were later sent to Nazi concentration camps.

In the 1954 Aliens Act, the formal entry ban against "gypsies" was removed since discrimination on racial grounds at this point was considered incompatible with the Swedish conception of justice. (Ds. 2014:8, p. 148-155) The possibility to refuse entry to those who could reasonably be suspected not to earn an honest living remained however, and from the debate preceding the law it is clear that the categories of "gypsy" and "unable to make an honest living" were thought to overlap significantly. In the proposition, the head of the department also stressed that only Swedish citizens have an unconditional right to reside and work in the country, and that there was a need for a permanent system of rules against "asocial foreigners" as well as a more general control of foreigners. The debate focused on how to ensure that "foreigners' settling" benefits society, and found it a particularly keen need to "as far as possible prevent un-wanted, destitute foreigners from entering the country to here give themselves up to idling" (Prop.

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[4] "zigenare"

1954:41, p. 81–93). This provides a very clear illustration of the biopolitical elements of Swedish migration control, as one of the ways the state aims to control and improve the population through protecting it from unwanted, degenerate or unproductive influences. It resonates with the medical discourse of biopower that needed to protect the population not only from the threatening outsiders, but also from the insiders that were "abnormal in behaviour, species or race" (Elden 2011:25) – the Roma who were already living in the country and who were to be excluded. The shift from the explicitly ethnic/racial exclusion of the Roma to their implicit exclusion as social undesirables brings into focus the notion that biopoliticising is also always racialising (Dillon 2011). The unwanted poor are both racialised and criminalised.

The notion that foreigners should be a productive contribution to society to be allowed to settle has not disappeared from the discourse or the policy. The 1st of May 2014, a measure from the EU Free Movement Directive (2004/38/EC, §16) was written into the Swedish Aliens Act, whereby an EU citizen may be refused entry or deported if they become an "unreasonable burden" on the social assistance system during the first three months of residence (SFS 2005:716 chap. 8 §9). European citizens may also be expelled if they threaten public security or public order (SFS 2005:716 chap. 8 §11-14). The European Free Movement Directive also considers protection of public policy and public health valid reasons for expelling European citizens (2004/38/EC, §22). The new measures in the Swedish law can be understood as part of the on-going Europeanization of migration policy, and also as targeting the Roma in particular, though today mainly those from Central and Eastern Europe who are by many ways of reckoning the most marginalised European citizens today. The social exclusion of the Roma in both their home states and host states when they migrate within the EU creates insurmountable barriers to formal employment for many. In turn, this means they cannot prove "sufficient resources" to be allowed to settle in another EU state, which excludes them from registering their residency and thereby from accessing key social and political rights. (FRA 2009)

The growing number of poor and homeless European migrants in Sweden is often debated as a social issue that ought to be solved by their home states, in particular that Romania should take better care of the Roma minority within its own borders. In the current discussions, one can see how some Swedish politicians locate the responsibility for the misery of the Roma migrants in the policy failures of their home states, while for instance a Romanian representative in Sweden, Damian Drăghicis, argues that the Romanian state does its best but cannot be blamed for the fact that Roma travel to Sweden to beg for money in the streets. He argues that the Roma like travelling "by nature" and since all Romanian citizens are now allowed to travel within the EU, the Romanian state cannot prevent them (Thurfjell 2014). In other words, the responsibility for the extreme marginalisation of the Roma is still assigned to their own "deviant nature" as essentially Other. Another recurring theme in the debate is whether the begging Roma are connected to criminal gangs and human trafficking, which has been repeatedly denied by those doing social work with these groups (see e.g. Israelson 2013, Poohl et al. 2014). Begging is not criminal under current Swedish

law, though a prohibition was debated in parliament as recently as February 2014 following motions on the subject by the neofascist party Swedish Democrats (SD)[5] and individual politicians from the dominant government party Moderaterna. SD proposes criminalising "begging or activities that can be considered as such, vagrancy and similar" by foreign citizens, and that the foreigners caught in any such activity should be immediately deported and forbidden to return (2013/14:Ju379). The discourse is strikingly similar to the one used by the Swedish vagrancy and immigration laws at the last turn of the century, where the state in a biopolitical mode aims to protect its population from immoral and unproductive influences. Biopolitics is however not only about preventing and sorting out some life, but also about promoting the life that is considered productive. In order to examine the biopolitics of migration policy, it is then equally important to consider whose migration is considered attractive and to be promoted.

4.2 The Ban-opticon revisited

The very same year as the entry ban against the Roma was lifted, in 1954, Sweden, Denmark, Norway and Finland introduced a total exemption from the passport requirements within the Nordic countries for Nordic citizens and agreed to a common Nordic labour market. The passport controls at the intra-Nordic borders were abolished through an agreement in 1957, and Iceland joined the agreement in 1966. This means that other Nordic citizens have been able to reside and work in Sweden under the same conditions as Swedish citizens for the last sixty years. This agreement did not, however, apply to non-citizens with a permanent residence permit from any other of the Nordic states (SOU 2004:74, p. 52, 89). The freedom of movement for Nordic citizens has not been accompanied by a perceived security deficit and demand for increased control, from which one can draw the conclusion that the Nordic foreigner has not been constituted as a problematic or dangerous figure that the nation needs to be protected against. It becomes clear that the presence of other Nordic citizens on Swedish territory – working, residing, holidaying – without any special restrictions, registration or control, does not in itself constitute a social problem. The legitimacy and legality of their presence is not in question. Freedom of movement within the Nordic countries does not need compensatory measures.

Contrasted to the notion that the presence of unregistered foreigners in a country in itself constitutes a taken-for-granted extensive social problem, it appears as though Nordic citizens are not really foreigners at all. Especially since as discussed above, for foreigners without residence permits in the Nordic

[5] SD prefers to present itself as "critical to immigration". I consider it politically dangerous to accept their self-labelling and argue in line with Henrik Arnstad (2012-11-15) that the party is better understood as ultranationalist and (neo)fascist.

countries "the possibility to avoid discovery has been comparatively small." (Dir. 1997:6, p. 5). On the one hand, this speaks to e.g. the Swedish welfare state tradition, where social support systems have been closely tied to national registration and where lacking a personal identity number can make interacting with any kind of bureaucracy exceedingly difficult. As discussed above, exclusion of the Roma as essentially stateless happened in part through active exclusion from municipal registration and therefore from the right to vote, to schooling, to healthcare, and so forth (Ds. 2014:8). Simultaneously, they were also put under heavy punitive surveillance with violent police raids such as the "total gypsy inventory" in 1954, and previous "total inspections" in e.g. 1907, 1922, 1943, 1954-55 and 1965-66. The 1954 inventory formed the basis for a "complete" register of "the gypsies and vagrants" in the country, where every individual was assigned a "z-number" – the same method of registration as used in Nazi Germany before the Holocaust. These registers were in still in use by some Swedish authorities into the 1970s, where they connected family trees with personal acts and information on e.g. sterilisations and children taken into custody. As late as 1981, the National Board of Health and Welfare established a catalogue of "Swedish gypsies". (Jansson – Schmid 2005:67-73, Ds. 2014:8 p. 94)

In September 2013, a register with the title "total" in the folder "kringresande" meaning "itinerant" or "travelling" was revealed to exist at the Police authority in Skåne. The register was a family tree of people with Roma origins, including many who had never been suspected of any crime, persons long deceased and children under the age of two. The register file had been created in 2012, but was most likely built on data collected during many years (Orrenius 2013-09-23). The history of the Swedish state's interaction with the Roma shows how the "Ban-opticon" can produce exclusion in two very different but related ways: there is both a ban into a punitive surveillance and a ban out from a more general social surveillance/registration connected to the very "right to have rights". Selective non-collection of data that hinders e.g. improving access to housing or medical care for the undocumented happens all across the EU and can be understood as part of deterrence strategy and a "screening out of unwanted humanity" (Hintjens 2013).

The idea that "foreigners" have had a hard time going undiscovered in the Nordic states and that this is not complicated by free intra-Nordic movement also speaks clearly to how Swedish nationalism considers the Nordic peoples to be "sister nations", united by sister languages, history, culture, and importantly by a specific Scandinavian whiteness. In nationalist discourse, the exclusion of foreigners can also be connected to the specific dynamics of the welfare state, where belonging to the nation both regulates and is determined by access to social benefits (Johansson 2005, Crowley 2005). While the institutional set-up of the EU migration regime draws a sharp division between European citizens and non-European "third country" residents, the treatment of the Roma clearly shows that a formal European citizenship is not the only criteria for full access to either social and political rights in general or freedom of movement in particular. Cases of mass evictions and expulsions of Roma migrants from Italy and France in direct violation of the Free Movement Directive are but one more example (Hepworth

2012, Gehring 2013). European racism is highly ideologically charged, and it is both historically complex and often contradictory: it operates against both groups of "external" and "internal" origin, "who are typically lumped in with the confused or wilfully confusing category of immigrants or migrants" (Balibar 2002:43). This includes e.g. the racism directed against postcolonial groups from within the former European empires, against the indigenous Sámi and the Roma, as well as against Eastern and Southern Europeans in the Northern and Western parts. Member states have also tried to manipulate the Schengen Agreement by temporarily closing their borders in order to exclude specific populations (Scuzzarello – Kinnvall 2013).

Within the EU, it is well documented that the possibilities to migrate are structured by access to economic resources. This applies both to EU citizens and even more so to "third-country" citizens under the legal framework that demands proof of sufficient funds before granting permission to enter the Union or settle elsewhere in it. Even the ability to flee persecution and apply for asylum depends to a large extent on economic means to purchase tickets, bribe officials or purchase high-quality travel documents (Guild 2005:41). Under the EU blue card regulations, special rules apply to those foreigners who have a highly qualified employment requiring specialist competence through at least 180 university credits or five years of experience, and who will earn at least one and a half time the national average gross yearly salary (SFS 2005:716, chap. 6a §1). The differentiated possibilities of mobility based on economic resources brings to mind Zygmunt Bauman's argument that under globalisation, the main division is between the rich who have freedom to move and the poor who are trapped in the local (Bauman 1998). This does not mean, however, that the rich are not at all under surveillance or that the poor do not move: they do move nevertheless, and by doing so they restructure relations of power both at the global scale between rich and poor countries, and by blocking the possibility for anyone to manage all the individual decisions to move (Bigo – Guild 2005:3). Following Foucault, if one understands the control as an expression of power, there must also always be a resistance to it, which in this case it is evident that there is: the very presence of the irregular, illegalised migrants is an act of resistance against the system that seeks to prevent, exclude and expel them.

5 Borders reconfigured

Understanding migration as "individuals crossing borders" involves the state's categorisation of these individuals as varyingly citizens and non-citizens, legal or illegal. As the previous chapter demonstrated, these categorisations are not straightforward but rather highly politically charged and often complex and contested. The understanding of migration as border crossing also depends on the notion of a system of states as sovereign entities with corresponding territories and clear borders in between. In debates on globalisation, a returning issue is whether we are moving towards "borderlessness" or if borders are more important than ever for reassertions of territorial sovereignty. Both sides of the debate seem to take the concept of the border itself rather for granted, and, as Nick Vaughan-Williams argues there has been a general lack of theorising the idea of "border" itself (Vaughan-Williams 2012:4-5). This chapter discusses internal control of foreigners through various ways of conceptualising contemporary borders, and argues that a lens of sovereign exceptionalism is not the most productive reading, as it is more usefully understood as part of a normalised and continuous network of governmentality and control.

5.1 Internal control as border control

Internal control of foreigners can be articulated as a form of border control, though detached from the geographical borderline. In the case under study, this is done most clearly in a 2004 report commissioned by the Swedish government to evaluate the Swedish application of the Schengen Acquis from the perspective of preventing and fighting crime and in a migration perspective, as well as to evaluate the order for control of persons at the borders. The report suggested a new single border control act, which would also include internal control of foreigners (SOU 2004:110). In this report, internal control of foreigners is articulated as a form of border control that must be intensified when Sweden in principle no longer has an external border after the addition of Poland and the Baltic States to the Schengen Area. The report also argues for extending the mandate of internal control to include the crime of human trafficking, which would mean it could also target Swedish citizens suspected for involvement in trafficking. Neither this suggestion nor the Border Control Act was enacted, and the text is not a nodal point for later discourse. The report is interesting in how it articulates internal control as border control in connection with an obvious both securitisation and criminalisation of immigration, an example of a very explicit securitisation making a reappearance in a post-9/11 context.

The report understands violations of the Aliens Act as being cross-border crime in itself, which makes it appear particularly grave and linked to the most dangerous of crimes against society: ”cross-border crime includes obvious examples like terrorism, trafficking and smuggling of narcotics and other contraband, but also any crime where there is a cross-border element, e.g. perpetrators being non-residents, but using Swedish territory as a part of a criminal endeavour.” (SOU 2004:110, p. 26). It also criminalises migration more generally, by commissioning and discussing statistics on suspected and prosecuted perpetrators of crime divided into Swedish citizens, foreign citizens with residence permits and foreign citizens without connections to the country. In addition, it uses statistics on the number of persons with “foreign background” in custody and in prisons, as well as on “the connection between the number of asylum seekers and the number of crimes committed” (SOU 2004:110, p. 52). There is a discursive slippage between “foreign citizen” and “person with foreign background” here, that also serves to make suspicious the Swedish citizens who do not belong to the ethnic majority. And no matter what the results of the statistical survey turned out to be, asking the question in terms of the extent of the connection sets it up as objective that there is a connection of some kind between asylum seekers and criminality. Invoking the thesis of the “criminal migrant” works as a “security short-circuit” that renders immigration synonymous with insecurity (Tsoukala 2005:171). In short, articulating internal control as border control does not de-link it from securitising discourses, but rather emphasises the connection. The next section places the articulation of internal control as border control within the context of European border control policies and conceptualisations of contemporary borders.

5.2 Shifting European borders

Borders today are vacillating and no longer unequivocally localizable, according to Étienne Balibar. Instead of marking the limit where politics ends because the community ends, they are being multiplied, thinned out and doubled within the space of the political itself (Balibar 2002:91-92). Changing borders and border control in various ways is and has been central to the increasing cooperation between EU member states, connected to the idea of the common market and free movement; the removal of internal borders and the strengthening of the external borders. How this development can be understood in terms of security and the imperative of circulation was discussed in chapter 3. Focusing on the borders and border controls specifically, these changes can be categorised in various ways, all centred around a shift away from routinized manual control of every individual crossing the border to a more differentiated control that also reaches further from the moment of crossing the territorial border, both in time and space. One way border controls in the EU can be divided is into three main kinds: external, internal and externalised. The external controls include fortifications and involvement of military particularly at the southern European borders. The

internal control includes the compensatory measures required by the Schengen convention, and for instance the Swedish internal control of foreigners. The externalised controls have been growing quickly in importance across the EU in the past decade, including the visa requirements, carrier liability and sanctions, and pre-departure checks of various kinds. (Doomernik – Jandl 2008:204-205) Externalised control can also be understood as an "off-shoring" of the border, including for instance the joint operations and surveillance activities of the EU border agency Frontex in the Mediterranean and into Northern Africa, which pushes the border further out from the European territory, attempting to discourage would-be migrants before they start their journey. These pre-emptive measures take the border control directly to the populations they deem to be the biggest threat. (Vauhan-Williams 2012:24-28)

Even before Frontex was operational, the external Schengen borders were seen more as frontier zones than as simple lines (Salter 2005:82). These frontier zones such as the Greek border with Turkey are the location for "push-backs", when groups of migrants are pushed back by e.g. coast guards before they ever reach the border, preventing them from crossing and exercising their right to apply for asylum, and often putting their lives severely at risk (Amnesty International 2014). Amnesty International does not consider that they have enough evidence to claim that the push-backs are systematic in the sense of being an official policy, but there is no doubt that they are connected to the EU migration regime and the increasing pressure put on southern European states to more effectively prevent poor migrants from entering the European territory by crossing their long external borders. The bordering regime in the EU can then be understood as a simultaneous movement outwards and inwards, where the internal control is set up as a counterpart to the externalised control. The current bordering regime also contains a spreading out of the control in *time*, instead of centring only on the moment of border crossing. This is reminiscent of what Bigo calls policing at a distance and a dis-time; the post-9/11 pre-crime approach where police try to anticipate the actions of categories of the population profiled as would-be criminals (Bigo 2011b:110). The temporal shift in border control is not only about prevention: the internal control of foreigners shows how control is also extended in time after the moment of border crossing: the legality of the stay of the non-citizen is to be continuously monitored, placed under permanent suspicion of transgressing the conditions of their permit.

The bordering work of internal control of foreigners is a spreading out of the securitised border control situation all over the geographical space of the country, into scenes of everyday life. It shows clearly how surveillance and registration are *socio*-technical systems, where the advanced biometric databases meet the gaze and continual judgements of the police officer in everyday interactions. These judgements of potential risk/illegality are both gendered and racialised in specific ways, as when intelligence-led profiling interacts with everyday stereotyping in border control (Pickering – Ham 2014). Internal control of foreigners attempts to effectively sort out the unwanted, undocumented residents, but as the counter-discourses demonstrate the control often also catches permanent residents or citizens, thus policing the boundaries of the national community by marginalising

racialised members through placing them under permanent suspicion. There are various ways of theorising the way the contemporary border becomes detached from the geographical border lines and moves into the social spaces of the country: the "smart border" (Salter 2004), the "biometric border" (Amoore 2006, Epstein 2007, Muller 2011), and the generalised biopolitical border (Vaughan-Williams 2012). The notion of the smart or biometric border draws attention to how contemporary bordering practices turn to technology to manage risks and to make sorting wanted from unwanted mobility more efficient, in particular by making use of biometric systems.

Biometrics includes fingerprints, photographs, facial recognition systems, etc., and is often conceived in positivist terms as the most objective way of securely establishing identifications. The genealogies of these systems can be traced back to colonial and race-biological enterprises to measure, register, identify and predict the behaviour of individuals and groups. Neither are the biometrical systems of today neutral, but rather embedded in a dominant conception of the normative body: as e.g. white, able, heterosexual and cis-gendered. Individuals who do not live up to these characteristics may be categorised as more suspicious by the built-in biases of the systems, or fail to enrol and be registered entirely and therefore always subjected to manual control. (Introna – Wood 2004, Pugliese 2012) This is then one of the ways biopolitics is enacted in the 21st century. Biometrics, as all governmental techniques, are best understood as socio-technical systems, where code and technical solutions interact with protocols, trainings, conventions and so on, and which are put to work micro-politically (Dillon 2011:171-196). In the contemporary technologized security environment, biometrics is accepted as the ultimate technology to identify people with certainty, in the EU employed both through the surveillance databases such as Eurodac, the Visa Information System, the SIS II, and through the introduction of biometric features in passports and identity documents for all citizens (Ceyhan 2008:114-115).

In accordance with a EU directive (EG 1030/2002), the Swedish Aliens Act requires that biometric data in the form of a photograph and finger prints be saved in residence permit cards. Anyone who holds a residence permit is required to allow a passport officer, a police officer or an officer from Customs, the Coast Guard or the Migration Board to take their photograph and fingerprints in order to control that they match the ones saved in the residence permit. After the control, the biometric data collected must be immediately destroyed (SFS 2005:716 chap. 9 §8a-8b). Since 2009 Swedish passports must also contain biometric information (SFS 1978:302 §5-6). There is an increasing preoccupation with securely establishing identities in relation to asylum processes, enforcement of expulsions and internal control of foreigners, evidenced e.g. in the Swedish Government tasking the Migration Board and the National Police Board yearly in 2009-2014 with more effectively ensuring that identity is established as early as possible in asylum processes, and that identity information is available when a case is transferred to the Police. In some cases, lacking trusted identity documents is made equivalent with having an unclear identity that the authorities must establish, or lacking identity entirely: the problem with "identitetslösheten" (SOU

2004:433), an odd compound word that can be loosely translated as the state of being without identity. Lacking papers then comes to mean being unidentifiable and thereby making the process of acquiring a legal status impossible. There is a concern with authenticity and a fear of fraud and falsifications, shown also by the focus on identifying false documents through technical expertise and international cooperation in the Swedish Police's internal education on internal control (Sambandet 2012). Thus, internal control can be understood as not focused on the migrants' identity as such, but on "scanning their bodies for signs of (il)legitimacy" (Ajana 2013:12). Connected to an obsession with sorting authentic from inauthentic, "bogus fraudster" from "legitimate claimant" in asylum processes, in biometric technologies the body functions as a "password" that mediates access to "rights, bodies, spaces, and so forth" when both identity and citizenship is securitised (Muller 2004:280, 288). The preoccupation with authenticity also hides the exclusionary and discriminatory character of biometric identity management and citizenship (Ajana 2013:13). Internal control is not, however, only occupied with controlling borders and identities through technology.

RPSFS 2011:4 §5 includes that "the foreigner's conduct and the company they keep may be grounds for control". This brings us back to biopolitics, but from the angle of the need to guard against those abnormal in *behaviour.* When the population becomes increasingly heterogeneous, basing controls only on external physical characteristics, such as skin colour, "would not only be discriminatory but also less and less effective over time" (SOU 2004:340). In this, internal control shows its bordering function as being not only a technological biometric anchoring of identities and rights in the physical body, but also relying on performances of belonging and identity in public spaces. Apparently, one can behave as a "citizen" or as a "foreigner", pointing to how notions of community rely on shared cultural modes of behaviour. This can be read through Vaughan-Williams' concept of the generalised biopolitical border, an analysis that draws on Giorgio Agamben's work to show how "border performance is also a body performance", and how "borders are continually (re)inscribed through mobile bodies that can be risk assessed, categorised, and then treated as either trusted citizen travellers or bare life" (Vaughan-Williams 2012:134).

Bare life, *homo sacer,* is excluded from politically qualified life and banned into a zone of indistinction not simply beyond the law, but abandoned by it on the threshold of order and inside/outside (Agamben 1998:40). Agamben's "sovereign ban" is part of the current theorising of exceptionalism, following Carl Schmitt's understanding of sovereignty as the capacity 'to decide upon the exception' (quoted in Walker 2006:73). The generalised biopolitical border moves the sovereign decision on which life is worthy of protection from the geopolitical border of the state and into social spaces anywhere (Vaughan-Williams 2012:114-116). One can question how much the generalised biopolitical border's differentiation between politically qualified life and bare life actually tells us about what life is like for those who fear deportation or are deported, for the undocumented migrants and stateless, as "these are not undifferentiated instances

of ‘bare life’ but rather highly juridified states of dispossession” (Butler – Spivak 2010:42).

There is also a critique to be made of the tendency to see a generalised exception as “the state of emergency in which we live […] as a form of prolonged state of exception” (Bigo, quoted in Vaughan-Williams 2012:11). The debate on exceptionalism following Schmitt and Agamben runs the risk of reifying and naturalising exceptions and exceptionalism by considering them “latent structural inevitabilities” of liberal democracy. Andrew W. Neal draws on Butler’s (2004) analysis that “instead of considering sovereign exceptionalism as a product of the always-already-securitised ‘limit’, Butler theorises exceptionalism as the instrumental manipulation of law as a ‘tactic’” (Neal 2011:47). By understanding exceptionalism as an innovative modality of government, constituted and normalised through performative repetition, the necessity of the exception is moved from deterministic structural limits to particular political choices and practices (Neal 2011).

That exceptionalism can be usefully understood as a tactical discourse and practice does not mean that it is the best way of theorising the border in internal control of foreigners. Butler’s (2004) argument relates specifically to Guantanamo Bay and the Bush government’s use of exception in the context of the ‘war on terror’. In the Swedish policy and discourse on internal control of foreigners, rather than a focus on states of emergency and exceptional practices, there is an emphasis on achieving “a migration politics that is humane, following rule of law and ordered” (Regeringen – Miljöpartiet 2011). In other words, while the control is securitised, as previously discussed, it does not follow that it is articulated as or governed through the tactic of exceptionalism: rather the securitised control is normalised and considered necessary for and part of a humane and ordered migration politics.

For Vaughan-Williams, the main theoretical problem with the generalised biopolitical border is that it still relies on an inside/outside way of thinking, where one is always only one or the other. Drawing on Derrida’s way of deconstructing the binaries of Western thought, he then suggests a theorisation of borders as “frames of intelligibility” that secure an inside from an outside, thus understanding the concept of the border itself as operating as a discourse of the limit between outside and inside. The generalised biopolitical border is then simply an alternate framework, with distinct political implications from the classical frame of the geopolitical border of the state (Vaughan-Williams 2012:145-158).

The practice of internal control of foreigners draws attention to how the bordering function is extended in both time and space into society. It attempts to secure the community – and the identity of the community – by policing that belonging is appropriately performed. This is connected to and intertwined with a range of processes of governmentality in the use of profiling, large-scale surveillance, biometric registration in identity documents and databases in the complex biopolitics of migration control and border politics.

6 Conclusion

The shifting sorting functions of the borders in the European migration regime, one of which is the internal control of foreigners, should not simply be understood as a brute racist sorting of white from not-white, European from non-European. It is more complicated and operates in complex and sometimes insidious ways. Sometimes that sorting does take expression through violent exclusions, restricting access to legal entryways and letting migrants drown while attempting to cross the Mediterranean. However, it also involves a complicated sorting of the already European population, differentiated by economic means, social class, education, national and ethnic belonging and majority/minority status, through classification of their potential productive contributions to society as residents, through categorisations of dangerousness or suspicious behaviour in digital tracks or under the watchful eye of a police officer in the street. This is one reason not to read internal control only in abstract terms as a rejection of the Other or of "otherness as such". As Étienne Balibar cautions, that risks reproducing the racist discourse itself (Balibar 2002:44). "The Other" is not a monolith, not a clearly definable entity with essential characteristics that is possible to effectively once and for all reject and expulse.

As the preceding chapters have shown, internal control of foreigners in Sweden today is deeply integrated into a common European framework, where intensified external border control and internal (border) policing are understood as fundamental for ensuring the security of the territory and population, and in turn securing and demanding freedom of movement. In a Foucauldian reading, security and freedom, circulation and control appear as co-constitutive, producing one another. Within the Schengen cooperation and the European Union the internal control of foreigners is articulated as a compensatory measure for the abolishment of the "internal borders" between member states, thereby making the control itself appear fundamentally European in nature, securing the freedom of movement for European citizens by intensifying the surveillance and control of the potentially dangerous non-Europeans. Internal control as a compensatory measure is then made necessary through a taken for granted relation between freedom, security and control, where the freedom to move is a desirable value in itself that must be protected from various threatening side effects and secured through intensified control. Internal control becomes a securitised and securitising practice through its incorporation into the deeply securitised European migration and border control regime, both if we understand securitisation as primarily speech acts in the Copenhagen School sense, and in a more critical sense as part of a continuum of (in)security, and in the Foucauldian understanding of security as the biopolitical imperative operationalized governmentally.

However, a genealogical reading also makes it evident that Swedish internal control of foreigners was an existing national practice with deep historical roots in nationalist politics with explicitly eugenic biopolitical aims. When this control is rearticulated as a European practice, it can be made to appear newly necessary with reference to changing circumstances. This makes it simultaneously possible to intensify and extend the control and to bypass and silence its historical roots and its specific exclusions, such as the targeting of the Roma. When the internal control of foreigners is read as specifically Swedish, it also brings into focus the differentiation in the Swedish law and policies on the control between the *Swedish citizen* and the *foreigner*. The Swedish citizen is the subject who is exempt from control, who is to be protected and secured. Who the foreigner is comes into focus as historically contingent and contested – and how *the foreigner* is constituted in turn determines the boundaries of *the citizen*. As discussed in chapter four, the Swedish Roma minority appear more foreign than citizens of other Nordic countries. In the Schengen regulations the truly foreign is always a non-European, but the member states do in varying ways attempt to get around it to be able to control and exclude the "less desirable" Europeans, such as the French and Italian mass expulsions of Roma and the Austrian control focused on Eastern Europeans.

The deeply Eurocentric binary division between the citizen and the foreigner hides the complex and highly political boundary drawing behind who is included, excluded or expelled from the community and the territory. The counter discourses on internal control of foreigners that articulate the control as discriminatory racial profiling draw attention to the way citizens get caught up in the control. This then makes evident how internal control of foreigners also attempts to control the citizens, or at least some of them: by drawing a line between those whose belonging is never in question and those who continually have to prove themselves as on the right side of the legal boundary. Through this, we also see how internal control of foreigners acts as a complex bordering practice that requires continuous bodily performances of identity and belonging. It challenges the ways 'border' is theorised through its simultaneous use of complex technological surveillance and normalised, everyday policing reliant on the police officers tacit knowledge and stereotypes of 'the foreigner's' identity and behaviour. This calls for further study of how the forms of this belonging and the inclusions/exclusions of the community is (re)negotiated through performative resistance and political uses of hybridity.

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