

The Deportation Gap as a Statistical Chimera: How Nonknowledge Informs Migration Policies

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ABSTRACT

Since the 2015 ‘migration crisis’, various measures have been introduced in Europe to enforce deportations. They include detention in prison-like facilities, unannounced executions of deportations at night-time and the scraping of legal safeguards like medical reasons prohibiting deportations. These evidently violent measures are justified with alarmist reports which suggest, supported by statistical knowledge, an ever-widening ‘deportation gap’. The term refers to the divergence between the number of migrants issued with a return order and the much smaller number of deportations. Illustrated through the case of Germany, this article combines insights from ignorance studies with a sociology of translation to show that the claim of a widening deportation gap is a statistical chimera that is based on various kinds and sources of nonknowledge. Contrary to actor-based approaches in ignorance studies, it is argued that this nonknowledge is not reducible to the production of ‘strategic ignorance’ (McGoey 2019) by policy actors seeking to advance their agenda. Rather, the production and circulation of nonknowledge appears to be dispersed and messy as it is facilitated by complex and fragile sociotechnical networks. In this way, a sociology of translation allows scholars to avoid the impression of entertaining a conspirational logic in the study of strategic ignorance and other forms of nonknowledge.

Introduction

In February 2024, the *Law for the Improvement of Returns* (Rückführungsverbesserungsgesetz) came into force in Germany. It was the third law passed in Germany within the period of 7 years that explicitly aimed at increasing the number of deportations after the first and second ‘Law for Better Enforcement of Returns’ from 2017 to 2019. Like its predecessors, the new law introduces a range of highly restrictive measures, some of which violate the fundamental rights of migrants. Among others, the new law authorises officials to detain not only deportable migrants but also people whose asylum proceedings

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are still ongoing and who are therefore actually entitled to stay in Germany. Furthermore, police looking for deportable migrants are allowed to enter any room in refugee accommodations – not just the room of the person who is to be deported. The increase of the maximum duration of so-called ‘return detention’ from 10 to 28 days has also been criticised by lawyers as unconstitutional, especially in cases in which migrants are detained even though there is no proven risk of absconding, or in cases in which children are separated from their parents as a result (Bauer 2024).

The central concern of this article is, however, that all these laws, and the highly restrictive, partly openly violent measures they contain, are justified as necessary means to close, or at least minimise, the so-called ‘deportation gap’. The notion of a deportation-gap refers to the divergence between the number of migrants issued with a return order (and thus officially requested to leave the territory of a particular nation-state) and the (usually smaller) number of recorded returns, including the forceful removal of migrants by means of deportation (Gibney and Hansen 2003). In the debate about a renewal of the EU return directive, which coincided with the preparation of the *Law for the Improvement of Returns*, a parliamentarian of the German liberal party argued, for instance: ‘We need a new return directive to bring rejected asylum seekers back to their home countries [sic!] more quickly. [...] There are more than 55,000 asylum seekers in Germany who are required to leave the country, and we carry out around 15,000 deportations per year. We have to do better’ (cited in Reiche 2024).

This article demonstrates, in contrast, that the deportation gap constitutes, to a significant extent, a statistical chimera that is based on the assembling of different kinds and sources of nonknowledge.¹ In this way, the article demonstrates that not only the production of knowledge but also the production of nonknowledge shapes migration policies. This argument is developed through an analysis of a commissioned study that informed and justified the first *Law for the Better Enforcement of Returns* (Deutscher Bundestag 2017d) through the claim of a dramatically widening deportation gap in the aftermath of the so-called ‘refugee crisis’.

In 2015, the German government commissioned a study on ‘deportation obstacles’ which was conducted by consultancy company McKinsey (2016). As the following analysis will demonstrate, the study combines questionable data from Germany foreigner’s register (hereafter AZR²) with dubious projections on the future number of deportable migrants. Thus, the study enacts the looming reality of a significantly widening deportation-gap to call for tougher measures in the field of return. This assembling and strategic use of different sources and forms of nonknowledge proved to be successful as the German government was able to introduce two new laws – within a period of 3 years – that were explicitly designed for facilitating a ‘better enforcement of returns’ (Deutscher Bundestag 2017c, 2019). What this example demonstrates is how

the production and circulation of nonknowledge, and not only the production of knowledge, informs and shapes contemporary migration policies. In this way, the article contributes to the small but growing body of the literature in critical border and migration studies that draws on concepts and insights from ignorance studies to show how ‘strategic ignorance’ (McGoey 2019) and other forms of nonknowledge feature in contemporary border and migration management (e.g. Aradau and Perret 2022; Borrelli 2018; Boswell and Badenhoop 2021; Krause 2022; Scheel and Ustek-Spilda 2019; Stel 2016; Tazzioli 2021; Walters 2023).

Moreover, the article makes a conceptual contribution to this body of the literature and the field of ignorance studies in general by proposing an approach that permits scholars to study and expose how powerful actors like international organisations, transnational companies or state institutions mobilise various kinds of nonknowledge for political or economic gain without being prone to the critique of entertaining a ‘conspirational logic’ (Frickel and Edwards 2014). This accusation has become a general point of critique against the field of study as a whole and has been launched, in particular, against many early works of ignorance studies (cf. Gross, McGoey, and Gross 2015). It is important to address this critique in order to assure that analyses exposing the production and mobilisation of nonknowledge for economic or political gain and related critiques and political interventions make the impact they deserve and cannot be easily dismissed as conspiracy theories.

To address this critique, it is argued that, scholars need to go beyond anthropocentric, actor – centred accounts by highlighting the irreducibly sociotechnical, dispersed and often messy nature of the production and circulation of nonknowledge. This is of particular relevance for studies that operate in research contexts – such as border and migration control – which are characterised by highly asymmetric power relations. To do so, scholars in ignorance studies need to show how unintended side-effects, moments of friction, failure, slippage and breakdown of technical artefacts, information infrastructures and other non-humans feature in the production and circulation of nonknowledge.

To develop such an approach, I propose an understanding of nonknowledge as dispersed, sociotechnical and performative, as it has been advanced by socio-material approaches in Science and Technology Studies (STS) for the production of knowledge and scientific facts (e.g. Knorr-Cetina 2013; Latour and Woolgar 1986; Shapin and Schaffer 2011). In brief, I propose to apply the principle of ‘generalised symmetry’ (Callon 1986) – according to which non-human actors featuring in the production of knowledge and ‘scientific facts’ should be analysed with the same methods and on the same terms as human actors – also to the production and circulation of nonknowledge. To this end, I develop an analytical framework that combines insights from ignorance studies with a sociology of translation in the tradition of actor-network theory

(ANT) that is complemented by a vocabulary of treason (Scheel 2021, 2023). Such a sociology of translation and treason allows us to show how human actors often have to grapple with, that is, negotiate and handle, different forms of nonknowledge emanating from the impasses, errors, limitations and affordances of sociotechnical networks that are mobilised for the production of knowledge and which human actors do not, or at least not fully, control.

In the following, I develop these arguments in three sections. After outlining the continued dominance of actor-centred approaches in ignorance studies and their proneness to the critique of entertaining a conspirational logic, the first section introduces a sociology of translation and treason as a viable approach for the study of strategic uses of nonknowledge. The second section traces multiple sources and forms of nonknowledge in the data on deportable migrants that informs the alarmist projection of a significantly widening deportation gap in the McKinsey study. The third and final section demonstrates, in turn, that highlighting the dispersed, messy and socio-technical nature of nonknowledge does not imply that scholars lose the capacity to point out and criticise particular actors for the production, circulation and use of ignorance and other strategic unknowns. For what my analysis suggests is that the McKinsey study combines different sources of nonknowledge with projections based on dubious assumption to translate them into an ever-widening deportation gap calling for immediate political action.

Beyond Conspirational Logics: Studying Nonknowledge with a Sociology of Translation and Treason

Early works in agnotology and ignorance studies have established an understanding of nonknowledge as productive and produced. Accordingly, nonknowledge should not be reduced to the negative of knowledge in the sense of a zero-sum game in which the production of ever more knowledge pushes back the realm of nonknowledge (Proctor 2008). Rather, knowledge production is often intertwined with the production and circulation of nonknowledge in multiple, complex ways. Hence, just like knowledge, nonknowledge must be actively produced through particular methods and practices. Moreover, scholars in ignorance studies distinguish between different types of nonknowledge, which may co-exist, such as uncertainty (Aradau 2017), doubt (Biddle and Leuschner 2015), secrecy (Walters 2020), 'strategic unknowns' (McGoey 2012a), or 'undone science' (Hess 2015). Hence, scholars of agnotology ask what we do not know, why we do not know it, how this nonknowledge is produced and sustained and what kind of effects different types of nonknowledge have (Proctor 2008). Starting from these questions, scholars have shown that the production and circulation of various types of nonknowledge constitutes an important source of power for influential actors and institutions.

However, these important insights and political interventions risk being tainted by the impression that many works entertain a conspirational logic (Frickel and Edwards 2014). This criticism is justified insofar as many works in ignorance studies tend to provide accounts in which (networks of) all-powerful, seemingly omniscient actors furnish secret plans behind the scenes to produce various types of nonknowledge that help to accomplish pre-defined objectives and agendas. In her book *The Unknowers* Linsey McGoey defines strategic ignorance, for example, as ‘any actions which mobilize, manufacture or exploit unknowns in a wider environment to avoid liability for earlier actions’ as well as ‘situations where *people* create or magnify unknowns in an offensive rather than a defensive way to generate support for political initiatives’ (McGoey 2019, 3; my emphasis). This understanding of strategic ignorance is quite anthropocentric and actor-centred. The production and circulation of ignorance and other types of nonknowledge appear as nothing but the intended outcome of wilful human action. It is precisely these features of the concept which favour the impression that works in agnotology and ignorance studies lend themselves towards a conspirational logic. As a result, analyses drawing the notion of strategic ignorance may not be taken as seriously as they should and may, ultimately, not have the political impact they deserve. To overcome such actor-centred, anthropocentric accounts, I propose an approach which allows scholars to show that the production of nonknowledge is a dispersed and messy process which operates under the constraints, limitations, break-downs, failures and affordances of the sociotechnical networks upon which the circulation and strategic use of (non)knowledge are based.

To develop a reading of strategic ignorance and other types of nonknowledge as dispersed, assembled and sociotechnical, I propose an approach that I call a sociology of translation and treason. The basic premise of a sociology of translation is that it conceives of any entity as the performative effect of fragile, mutable networks that comprise both human and non-human elements which are enmeshed in webs of relations. In this context, the notion of translation is used to describe the processes through which actors relate to one another in sociotechnical networks (Callon 1986; Latour and Woolgar 1986). The point is that the actors themselves are transformed (or translated) in the process (Law 1992) because ‘all things are what they are in relation to other things, not because of essential qualities’ (Gad and Jensen 2010, 58). If the relationship of any entity to any other entity within the network changes, this will affect the composition of the network as a whole and thus also its performative effects. Hence, the task of an ANT-inspired analysis is to ‘follow the actors themselves’ (Latour 2005, 12) from one situation to the next and to describe how they change through their engagement in sociotechnical networks.

The crucial point is that non-humans can also be actors: in a sociology of translation *anyone or anything* that makes a difference is considered as an actor (Latour 2005, 71). This stance is encapsulated in the ‘principle of generalised symmetry’ (Callon 1986) which stipulates that a sociology of translation has to proceed symmetrically in the sense that it provides the same space to human and non-human entities while studying them on the same terms.

Due to these features, a sociology of translation is very well equipped to overcome the tendency of many works in ignorance studies of making the impression to entertain conspiracy theories. The production of nonknowledge – just like the production of knowledge – no longer emerges as the outcome of intentional or wilful human practices. They emerge as the effect – or better still: as an accomplishment – of fragile sociotechnical networks, which may break down or be interrupted in unexpected ways. The related principle of generalised symmetry offers, in turn, an effective antidote against the anthropocentric character of many analyses in ignorance studies.

These analytical advantages are more valuable because the sociology of translation has been used in particularly productive ways for studying knowledge production and, more specifically, the assembling of credibility and scientific facts (Aradau and Huysmans 2018; Callon 1986; Karin 1999; Latour and Woolgar 1986). In contrast to representationalist and realist ontologies, a sociology of translation embraces a ‘flat ontology’ that does not assume a gap between knowledge and the ›reality‹ to which this knowledge refers. Instead, entities are composed and recomposed – i.e., translated – through material-semiotic practices of meaning-making that rely on always-shifting sociotechnical networks. These practices facilitate the process of translations that produce a chain of references, as ‘each sequence in the process [of translation] refers back to a prior object’ (De Goede 2017, 29). For instance, through a sociology of translation, Latour (1998) traces how samples of soil from the Amazonian basin are collected, marked, made transportable, analysed in a laboratory with the help of various devices and experiments, converted into inscriptions that are debated, and eventually converted into scientific facts that are published in an academic journal.

However, translation is also always treason. Law (1997) underlines this aspect of translation to underscore that ‘all representation also betrays its object’. While treason might initially sound like a term that carries – similar to the notion of strategic ignorance – the connotation of intentional deceit, one should recall that translators are often not aware how their work resembles a particular interpretation of the original. Just as translators have to work with but cannot fully control the polyvalences and connotations of the words they use, actors cannot fully control the effects of the sociotechnical networks they mobilise and rely on in the processes of translation. To emphasise this dimension of translation is of particular importance for the development of an approach that is meant to overcome accounts in which the production of

nonknowledge appears as the intentional outcome of wilful human practices. Hence, I follow Galis and Lee (2014) who propose to complement a sociology of translation with a *grammar of treason* that is able to ‘explore the dark side of the translation process and the disruption of actor network[s]’ (Galis and Lee 2014, 156). Such an approach allows to stress that the production of nonknowledge may (partly) result from instances of friction, breakdown or interruption of sociotechnical networks, rather than solely from wilful human actions. In the following, I mobilise a sociology of translation and treason to investigate how the consultancy firm McKinsey has assembled various sources of nonknowledge in a commissioned study in order to claim the existence of an ever-widening deportation gap. In this way, I demonstrate that a sociology of translation and treason provides accounts of the production of nonknowledge for strategic gain that are no longer prone to the critique of following the logic of conspiracy theories.

The Messy Business of Producing Ignorance for Strategic Gain

On a Tuesday morning, a few days before the start of the summer holidays, all three children of a family living in a small town in Southern Germany were missing from school. The teachers tried to reach the parents via phone, but nobody was answering. After work Julie, a member of staff of the nursery looking after Gabriel, the family’s youngest, drove to the family’s home. She found the apartment deserted. Eventually, neighbours told her that the police had arrived at 2 am the previous night and taken all family members to deport them to Nigeria. By the time Julie was talking to the neighbours, the deportation flight had already landed in Lagos (Merkur 2022).

This account illustrates the practical consequences of the *Law for Improving the Enforcements of Returns* from July 2017. Among others, it allows authorities to execute unannounced deportations by night-time. Other measures introduced by the law include the legal requirement for rejected asylum seekers to live in centralised accommodation for up to 24 months, the extraction and analysis of data from asylum seeker’s mobile phones to assist authorities in determining an applicant’s country of origin (Josipovic 2024; Scheel 2024) and the introduction of much higher standards for deportation obstacles on medical grounds (Deutscher Bundestag 2017d). However, already a few months later the government initiated a debate about a *Second Law for Improving the Enforcement of Returns*, which entered into force in August 2019. Among others, it permits authorities to detain deportable migrants in prisons, to legally exempt migrants refusing to cooperate with authorities in the establishment of their identity from ever receiving a legal status in Germany and to subject them to ‘cooperation detention’ [Mitwirkungshaft], while the police is allowed to enter deportable migrants’ accommodation without a search warrant (Deutscher Bundestag 2019).

What both laws and similar policy initiatives on the European level (e.g. European Commission 2023) highlight is that calls for more efficient return policies implicate ever more intrusive and outward violent measures for deportable migrants, some of which are effectively curtailing fundamental human rights. Importantly, all these measures are justified with an allegedly ever-widening deportation gap. In practice, the deportation gap relies on statistical knowledge about return migration. It is established by juxtaposing the number of issued return orders with the number of officially recorded returns. For example, in its operational strategy from 2023, the European Commission underlines the need for a more effective return policy by citing Eurostat statistics. Accordingly, ‘out of the 340 515 number of return decisions issued in 2021, 21% were effectively carried out’ (European Commission 2023, 4). Similar arguments and allusions to a significant, or even widening deportation gap can be found in nearly all policy initiatives in the field of return (for the case of Germany, see Deutscher Bundestag 2017d, 2019; for other examples of the European case see the documents cited in ECRE 2019).

However, statistics on return migration are unreliable and feature numerous sources of uncertainty, unknowns and other forms of nonknowledge. Taking a study as an example that significantly shaped the debate about the first *Law for Improving the Enforcement of Returns* in Germany, the following analysis shows that the claim of an ever-widening deportation gap rests on the assembling of various sources of nonknowledge into ‘strategic ignorance’ (McGoey 2012b, 2019). While the following analysis shows the production of nonknowledge to be messy, dispersed and sociotechnical, it also illustrates that there are identifiable actors that mobilise and translate multiple sources and forms of nonknowledge into strategic ignorance. In the present case, this actor is the consultancy company McKinsey, which was paid more than 1.8 million euros by the Federal Agency for Migration and Refugees (BAMF) to conduct a study on *Processes and Potentials for Optimisation* in the field of return.

The study’s central claim was that the number of deportable migrants would more than double within the period of 1 year in the aftermath of the refugee crisis:

[In 2017] the total number of deportable migrants will increase significantly in view of the high number of pending asylum claims (about 580.000 in September 2016), the number of expected asylum claims for 2017 and the relatively low number of returns (85.000 in 2016 and forecasted for 2017). [...] this is likely to result in an increase of the number of deportable migrants in Germany to ca. 485.000 by the end of 2017. [...] In comparison to 2016, this would require a seven-fold increase of returns, if all deportable migrants should be returned by the end of 2017. (McKinsey & Company 2016, 9)

Based on the alleged need to increase the number of annually executed deportations by a factor of seven, the second part of the study is devoted to

the resolution of ‘deportation obstacles’. Importantly, many of the proposed measures – such as the proposal to no longer announce deportations in advance, or the obligation for rejected asylum seekers to live in centralised accommodation, or a much stricter approach towards the issuance of tolerations – found their way in the first and the second law for the better enforcement of returns. Moreover, both laws were justified with the need to counter the widening deportation gap diagnosed by the McKinsey study. The justification of the first *Law for Improving the Enforcement of Returns* in the law’s preamble paraphrases the central passage of the McKinsey study cited above: ‘On 31st January 2017, 213.439 deportable migrants resided in Germany according to Germany’s foreigners’ register [AZR]. In the coming months, the Federal Office for Migration and Refugees [BAMF] is expected to reject a high number of asylum applications of people not in need of protection. The number of nonreturned deportable migrants will thus increase further in 2017. Hence, legislative measures are needed to achieve improvements in the area of returns’ (Deutscher Bundestag 2017d, 1).³

While the McKinsey study and the laws informed by it certainly constitute an example for ‘policy-driven evidence’ (Wallace 2017), the following analysis shows that the making of this evidence was entangled with the assembling of different types of nonknowledge into strategic ignorance. What is ignored in the McKinsey study and the political claims of a dramatically widening deportation gap are known uncertainties, outdated data and known limitations of AZR-data about deportable migrants. To develop and illustrate this argument, the following analysis follows the chain of references underpinning the central claim of the McKinsey study – the looming reality of an ever-widening deportation gap epitomised by the number of ‘485.000 [deportable migrants] by the end of 2017’ (McKinsey & Company 2016, 16) – back to sites of data production.

Enacting a Widening Deportation Gap Through Conceptual Conflation

In terms of a sociology of translation, the central estimate of the McKinsey study – 485,000 deportable migrants by the end of 2017 – is enacted through a sociotechnical network. This network combines data practices of McKinsey’s analysts with a set of numerical facts about pending asylum claims (i.e. ‘about 580.000 in September 2016’), ‘the low number of returns (i.e. ‘85.000 in 2016 and forecasted for 2017’) and the number of deportable migrants registered in the AZR (215,000 in July 2016). These numerical facts are based on data from the AZR and are, thus, themselves the effect of a set of complex sociotechnical networks. The data practices of McKinsey’s analysts emerge, in turn, in a couple of tacit assumptions that help to enact the looming reality of 485,000 deportable migrants. These tacit assumptions operate as self-

fulfilling prophecies. Their efficiency derives from the fact that they remain mostly implicit as they are embedded in the data practices of McKinsey's analysts (cf. Law, Ruppert, and Savage 2011, 12).

For example, the analysts of McKinsey *infer* the number of deportations for 2017 from the 'relatively low number of returns' in 2016 to *forecast* an equally low number of returns for 2017. The tacit assumption here is that the situation in 2017 will remain unchanged. Likewise, McKinsey's analysts *derive* a twofold increase in the number of deportable migrants in 2017 through a couple of interrelated assumptions which *define* the situation in 2017 based on existing parameters. They concern the (unspecified) success rate of court proceedings and the average protection rate for asylum applications in previous years. Through these data practices of inferring, forecasting, defining and deriving McKinsey's analysts arrive at the following 'assumption-based prediction' (McKinsey & Company 2016, 9): 'Taking into account the average protection rate of approx. 53% for pending [asylum] procedures and assumptions regarding success rates of legal proceedings, the number of persons obliged to leave the country is likely to increase in Germany to around 485,000 by the end of 2017' (ibid). However, all the assumptions on which this estimate is based are questionable and haunted by all sorts of uncertainties (Pro Asyl 2017).

Most of the criticisms of refugee support organisations and some opposition parties aimed at McKinsey's alarmist projection concerned the uncritical adoption of AZR-data, which are known to suffer from quality issues and uncertainties (Deutscher Bundestag 2011, 2015, 2017b; Hessischer Landtag 2017). In March 2017 – 3 months after the publication of the McKinsey-study, the government's Refugee Management Officer published *Guidelines for improving data quality in the Central Register of Foreigners* [hereafter: AZR-guidelines]. The introduction starts with the following assessment: 'Given the central importance of the AZR for strategic and administrative decision-making and for reporting in the political arena, incomplete or erroneous datasets have far-reaching consequences. Data deficiencies can lead to serious errors in decision-making at various levels' (Beauftragter für Flüchtlingsmanagement 2017, 5).

While McKinsey's analysts acknowledge that data in the AZR are imprecise, they decided, nevertheless, to work with these data from the AZR, rather than adjusting them or trying to consider the implications of the known limitations and weakness of available data about deportable migrants in Germany. Moreover, they do not provide any explanation for this central methodological decision. Instead, they just state: 'For the present study, the figures officially recorded in the AZR were used' (McKinsey & Company 2016, 8). Hence, the starting point of McKinsey's study is that 'at end of July 2016, according to the Central Register of Foreigners (AZR), there were around 215,000 people in Germany who were obliged to leave the country' (McKinsey & Company 2016, 18).

In the debate that ensued after the publication of the McKinsey study, many critics noted that the number of 215,000 deportable migrants also included many people with a toleration. In § 60 of Germany's residency law, a toleration [*Duldung*] is defined as a 'temporary suspension of the deportation'. A toleration is thus not a residence title, and it does not offer a legal right to remain in Germany. In legal terms, migrants issued with a toleration are thus still obliged to leave the country. However, in practice, many migrants live in Germany for years with a repeatedly renewed toleration, and they often have very legitimate reasons to do so.

This is also emphasised by the refugee support organisation *Pro Asyl* in a comment on the use of AZR-data in debates about an allegedly ever-widening deportation gap: 'Even supposedly incorruptible statistics, which are invoked again and again, must be questioned. In the political argumentation – apparently quite deliberately – only partially valid data from the AZR are used and many aspects are mixed up' (Pro Asyl 2020).

The underlying critique concerns the undifferentiated inclusion of all tolerated migrants in the count of non-returned deportable migrants. This view is also shared by other stakeholders, such as the government of the Federal State Hesse, which emphasises in its response to a parliamentary inquiry that tolerations are issued for a wide variety of reasons. They include medical conditions implicating an inability to travel, dangerous situations in war-torn countries of origin like Afghanistan or Iraq precluding the execution of a deportation, vocational training or the lodging of a follow-up application for asylum (Hessischer Landtag 2017). In all these cases, the obligation to leave the country is no longer executable [*vollziehbar*, in German legalese]. Hence, a large share of migrants living with a toleration in Germany is actually *not* obliged to leave the country because their obligation to leave the country is considered to not be executable in practice [in German: nicht vollziehbar ausreisepflichtig].⁴ A manual check of files of all deportable persons residing in the federal state of Hesse concluded that 'only 63% [of the approximately 11,000 persons concerned] were actually subject to the obligation to leave the country' (Hessischer Landtag 2017, 1). While officials have identified numerous reasons for this mismatch, the classification and counting of tolerated migrants with non-executable return orders as deportable migrants is cited as a major cause.

A closer look at the underlying chain of references shows that this translation features treason as it is based on *conceptual conflation*. This betrayal becomes apparent if we consider how deportable migrants are counted in the AZR. The register's software calculates the total number of deportable migrants by linking data on all migrants registered as residing in Germany, whose datasets in the AZR feature one of the following characteristics: (1) expulsions, (2) deportations, (3) refoulements/rejection

and (4) tolerations. To this are added all people whose data do not show any of these four characteristics but who ‘have a tolerated status’ (Beauftragter für Flüchtlingsmanagement 2017, 13–14). This way of counting – which is inscribed in the software settings of the AZR – treats tolerated migrants as equivalent to deportable migrants. However, this conceptual conflation ignores crucial distinctions between different groups of tolerated migrants and related legal specifics such as the fine but important difference between an executable and a non-executable return order.

Importantly, the McKinsey study embraces the nonknowledge that is generated by this conceptual conflation instead of questioning the practice of counting all tolerated migrants as deportable migrants. To be sure, the McKinsey study also raises the large share of deportable migrants with a toleration (‘approximately 75% of those required to leave the country’) as a concern (McKinsey & Company 2016, 40). It also discusses related data quality issues and their implications for an efficient return policy (ibid). However, instead of attempting an analysis of the different situations and conditions leading to the issuance of a toleration – which may have prompted the emergence of an alternative sociotechnical network that distinguishes between executable and non-executable return orders – McKinsey’s analysts decided to embrace the AZR’s conceptual conflation and the resulting (mis-) translation of all tolerated migrants into deportable migrants.

Outdated Data: Bureaucratic Indifference, Data Temporalities and ‘Technical Issues’

Conceptual conflation is not the only source of nonknowledge in the AZR. Following the AZR-guidelines, 20.4% of the migrants registered as deportable in the AZR were still in an ongoing asylum procedure on 28.02.2017 (Beauftragter für Flüchtlingsmanagement 2017, 10, 14). These data are inconsistent because ‘[i]n principle, a person with ongoing asylum proceedings cannot be obliged to leave the country’ (ibid, 21). The AZR-guidelines attribute this inconsistency to the failure of foreigners’ offices and the BAMF to update data on the resident status of initially rejected asylum seekers deciding to lodge a follow-up application (ibid, 10). If their follow-up application is considered to be admissible, asylum seekers will be issued a temporary residence permit and are, consequently, no longer deportable.

The failure to update the residency status of many people concerned in the AZR points to the temporal dimension of data or ‘data temporalities’ (Leese and Pollozek 2023). Due to non-occurring or delayed updates, datasets become outdated and people with a resident permit continue to be registered (and counted) as deportable migrants in the AZR, thus contributing to the enactment of a deportation gap.

Outdated data constitute a form of nonknowledge that exercises a strong influence on public debates and political decision-making precisely because these data are considered as evidence, as numerical facts which can provide the basis for evidence-based policy-making (Beauftragter für Flüchtlingsmanagement 2017, 5). Importantly, the number of outdated datasets on deportable migrants in the AZR is significant. This is well summarised in a parliamentary inquiry that concludes after citing the number of 20.4% of people registered as deportable who are still in an active asylum procedure:

A further 4.4 percent of those (allegedly) obliged to leave the country are EU citizens. However, no loss of freedom of movement [within the Schengen area] is recorded for them in the AZR. Furthermore, the AZR lists some recognized refugees and persons with subsidiary protection status as deportable (0.8 percent). In sum, there exist considerable doubts for more than 25 percent of the people listed in the AZR as 'obliged to leave the country' [deportable] whether they are actually obliged to leave the country or whether these are incorrect entries or outdated information. (Deutscher Bundestag 2017b, 2)

While the sources and causes for this form of nonknowledge are diverse, outdated data in the AZR result from the combined effect of bureaucratic indifference (Herzfeld 1993), overworked case workers and a software setting in the AZR. The latter implies that case workers are not prompted by the software to update data on a person's residency status because it is not mandatory in the AZR to enter deadlines for updating or deleting data (Lincoln 2022, 12–13). Due to this coming together of social, institutional and technical factors and forces, many case workers fail to update data on migrants registered as deportable in the AZR.

This has in turn severe consequences, not only for the accuracy and timeliness of AZR-data but also for migrants whose records become outdated. In 2017, it became, for example, known that the BAMF had sent several thousand final decisions on rejecting asylum claims to local foreigners' offices, which in turn had contacted people concerned to initiate deportation procedures, despite the fact that the latter had appealed against these decisions (Deutscher Bundestag 2017a). A parliamentary inquiry attributes these erroneous final decisions to outdated AZR-data: 'The reason for the hitch is said to be the overburdening of the BAMF's litigation department, which had not entered pending lawsuits and follow-up applications into the appropriate database, so that another department of the BAMF had sent out final decisions, even though appeals had been filed' (ibid, 1).

In terms of sociology of translation and treason, outdated data result from the non-occurrence of processes of translation which would be needed to update or delete – the data in question. Hence, the chain of references remains unchanged. What explains the non-occurrence of the translation processes is instances of *distortion*, that is, practices, constellations and tactics that prevent the definition and attribution of roles to

migrants within the socio-technical network of the AZR that are different to the one already assigned to them, namely that of a deportable migrant (Galis and Lee 2014). Furthermore, the sources and causes of outdated data outlined above illustrate that problematisation – the definition of particular roles for the participants of a network (cf. Callon 1986) works in tandem with the distortion of alternative problematisations (cf. Scheel 2023).

To be sure: McKinsey is not to blame for the large-scale production of outdated data in the AZR, understood as a powerful form of nonknowledge that is able to disguise itself and act as evidence. Rather, the sources and causes for outdated AZR-data are dispersed, multiple and sociotechnical. They are more-than-human in the sense that they all result from the combined effect of a range of factors and forces, such as institutional constraints, software settings and other ‘technical issues’, overworked case workers, data friction between institutions and so forth. Nevertheless, McKinsey’s analysts must have learned about these data quality issues during their research. The study’s introductory chapter emphasises – as a way to assemble credibility for its findings and projections – that the study is based on interviews and consultations with representatives of all institutions involved in the maintenance and usage of the AZR, including the BAMF, the Ministry of Interior, the federal police and representatives of several federal states [*Länder*] (McKinsey & Company 2016, 5). However, the issue of outdated data and their underlying causes were known to these stakeholders when McKinsey’s analysts conducted the research, as the AZR-guidelines – which were only published a few months after the McKinsey study – emphasise:

At present, the quality of data shows considerable deficits in some areas. Federal authorities such as the Federal Office for Migration and Refugees (BAMF) and the Federal Office of Administration (BVA), as well as state and social authorities, are already working intensively on this issue. However, updating, supplementing or adapting data has so far taken place individually in each institution without clearly defined quality standards and uniform procedures. (Beauftragter für Flüchtlingsmanagement 2017, 5)

The various issues around outdated data were not only known but already actively addressed when McKinsey’s analysts conducted numerous workshops and interviews with officials for their study. Consequently, it can be concluded that McKinsey’s analysts once again embrace this source of nonknowledge. They do so, by producing strategic ignorance about the known quality issues concerning the timeliness, consistency and reliability of data on deportable migrants in the AZR. In this way, migrants in ongoing asylum procedures, EU-citizens and other migrants with resident titles continue to feature as deportable migrants in the McKinsey study, and thus, as proof for an allegedly ever-widening deportation gap.

Unknown Unknowns: Disrupted Chains of Reference in Self-Organised Return Migration

The AZR-guidelines mention another group of people that may be erroneously registered as non-returned deportable migrants in the AZR: 4.4% of the persons registered as non-returned deportable migrants hold a toleration that has expired more than a year ago (Beauftragter für Flüchtlingsmanagement 2017, 10). The guidelines assume that a significant share of these persons have already left Germany, albeit without notifying authorities. Since their status is not updated in the AZR, they continue to be registered and counted as non-returned, deportable migrants.

Again, this is a known data quality issue. Already in 2015, the opposition inquired why there were so many deportable migrants without a toleration recorded in the AZR, despite the legal requirement to either immediately return a deportable migrant or to issue that person a toleration. At the beginning of 2015, 40970 deportable migrants with an expired toleration were registered in the AZR. Of these people, 12,950 received benefits under the Asylum Seeker Support Law (*Asylbewerberleistungsgesetz*), indicating that they had not left Germany (Deutscher Bundestag 2015, 74). Regarding the remaining 28,000 people, the government responded: 'It can be assumed that a *not insignificant* number of deportable migrants without a toleration have either absconded or left Germany without foreigners' offices' knowledge. Probably, these cases are not always pursued by foreigners' offices in charge so that relevant data (e.g. 'place of residence unknown') are either updated with delay in the AZR or not updated at all. The consequence is that people concerned continue to be registered as 'deportable without toleration' in the AZR' (ibid).

If one thinks about these data records in terms of a sociology of translation and treason, one can say that an unknown number of deportable migrants has been *lost in translation*. An unknown number of deportable migrants that left Germany autonomously have not been translated into administrative records confirming their return. The reason for this non-translation resides in a disruption of the sociotechnical networks that sustain the chains of reference which are meant to facilitate the translation of returned migrants into administrative records. These sociotechnical networks and the chains of reference enacted by them may easily be disrupted when it comes to self-organised return migration, that is, deportable migrants who have 'left Germany without foreigners' offices' knowledge' (Deutscher Bundestag 2015, 74).

In general, a deportable migrant is issued a return order, an official document specifying a date by which the person concerned is legally required to leave Germany. Moreover, the person will receive a second document – the 'border-crossing confirmation' [*Grenzübertrittsbescheinigung*, hereafter: GÜB]. To be registered as a returned migrant in the AZR, migrants must

have their GÜB signed and stamped at the border-crossing point they use to leave Germany. The lower part of the GÜB is kept by the border guard, who has to sign, stamp, and post the document back to the foreigners' office that issued the return order (see the image of a sample GÜB in Scheel 2021). The caseworker in the foreigners' office then has to scan the GÜB, add it to the person's digital file, and register the person concerned as a returned migrant in the AZR. Only if all these steps are completed, the returned migrant will be translated into an administrative record confirming the migrants' 'move abroad/unknown' [*Fortzug ins Ausland/unbekannt*]. And only if this translation process has been completed, the person concerned will no longer feature in the AZR's calculation of non-returned deportable migrants.

However, the processes sustaining the translation of deportable migrants into officially returned migrants are, in many instances, distorted, as the German government conceded in its reply to the parliamentary inquiry (Deutscher Bundestag 2015). This occurs when the sociotechnical networks sustaining the chains of reference do not hold. One important source for the failure of these sociotechnical networks is, once more, overworked staff in foreigners' offices who may forget to scan the GÜB, add it to the person's digital file and create an entry about the person's departure in the AZR.

Another important source for the disruption of the chain of reference concerns the GÜB itself. If returning migrants travel directly by plane from Germany to their country of origin, it is relatively easy for them to return the lower part of the GÜB to a member of the German border police at the airport and to follow the established procedure outlined above. However, Germany is surrounded by other Schengen member states. Consequently, there are no border checkpoints at Germany's land borders where returning migrants can have their GÜB signed, stamped, and sent back to the issuing foreigners' office. Since border guards of other Schengen member states are not required to deal with paperwork of the German state, and since migrants could easily re-enter Germany from another Schengen member state due to the absence of border controls, migrants cannot return their GÜB when leaving Germany if they do so via a land border or if they take a connecting flight through another Schengen member state. In these cases, deportable migrants are asked to bring their GÜB to the nearest German consulate in their country of origin after their return. However, it is reasonable to assume that many migrants do not follow this request. Given that German consulates are usually overcrowded and that the nearest German consulate may be hundreds of kilometres away from the migrants' place of residence, it is quite likely that many returned migrants decide to pay no heed to their GÜB. In Germany, the foreigners' office in charge of their case will at some point realise that the person concerned no longer lives at the address recorded in the AZR. The caseworker will then register the person as 'moved to unknown place of residence' [*Fortzug nach unbekannt*]. In these cases, migrants have physically left

Germany, but they continue to be registered (and counted) as a deportable, non-returned migrant in the AZR, thus contributing to the enactment of a deportation gap. This treason occurs because these returned migrants have literally been lost in translation.

Once again, McKinsey's analysts embrace this nonknowledge – the mis-translation of returned migrants into deportable migrants – in their study. They do so by ignoring existing knowledge about this known data quality issue. They simply do not mention it all, thus turning it into an absence, despite the fact that this data quality issue is well known to all stakeholders involved in the return policy (Beauftragter für Flüchtlingsmanagement 2017; Deutscher Bundestag 2015, 2017b; Pro Asyl 2020). This ignorance can be considered as strategic insofar as the recording and counting of deportable migrants who have left Germany as non-returned deportable migrants by the AZR contribute to the enactment of an ever-widening deportation gap, which in turn helps to amplify the alleged need for tougher measures in the field of returns. It thus corresponds to the agenda underpinning the McKinsey study.

Nevertheless, it must be emphasised that neither McKinsey nor its analysts should not be mistaken for all-powerful omniscient actors that are aware of facts other actors and the wider public do not know about or that are in full control of the things they want to be known and those they want to ignore and keep unknown. While numerous stakeholders and institutions involved in the use and maintenance of the AZR are aware of the uncertainty in AZR-data resulting from the mistranslation of returned migrants into deportable migrants, no state agency, nor McKinsey knows about the scope of the problem. Just like other stakeholders, McKinsey's analysts have to cope with this unresolved uncertainty in AZR-data, an *unknown unknown* implicated by disrupted chains of reference.

Conclusion: Assembling Nonknowledge into Strategic Ignorance

The analysis of the central claim of the McKinsey study – a significantly widening deportation gap to 485,000 deportable migrants by the end of 2017 – shows that this alarmist projection is, to a significant extent, a *statistical chimera* which is based on the production of strategic ignorance about known quality issues of data on deportable migrants in the AZR. This statistical chimera had very real political effects as it was successfully mobilised for pushing for legislative action in the field of return, leading to the first and second law for better enforcement of returns. What the analysis thus illustrates and demonstrates is how the production and mobilisation of non-knowledge, such as strategic ignorance, informs and shapes contemporary migration policies.

The analysis of McKinsey's study with a sociology of translation and treason also shows, however, that this nonknowledge is not reducible to the

production of strategic ignorance by a powerful actor. What McKinsey's analysts ignore is the available knowledge about various sources and forms of nonknowledge in the AZR, which are subsumed under the umbrella term 'data quality' issues in the McKinsey study. As the analysis shows, the underlying causes of these sources of nonknowledge are multifarious and more-than-human. They result from the combined effect of software settings, overworked case workers, institutional constraints, poor communication channels between institutions and departments, paper-based registration systems for return migration, rigid ways of classifying and counting deportable migrants which are inscribed in the code of the AZR and so forth. While McKinsey's analysts embrace these different kinds and sources of nonknowledge resulting from conceptual conflation, outdated data and disrupted chains of reference, they are not actively producing them. Yet, what McKinsey's analysts do is that they assemble these different forms of nonknowledge into a sociotechnical network that enacts a widening deportation gap – 485,000 deportable migrants by the end of 2017. Through this strategic ignorance of available knowledge about various data quality issues in the AZR, uncertain and potentially inflated numbers on non-returned deportable migrants are translated into numerical evidence for a widening deportation gap. This ignorance can be said to be strategic in the sense of McGoeys as it helps to promote the political agenda which underpins the McKinsey study, namely, to identify and realise 'potentials for optimisation' in the field of return policy.

In this way, the analysis shows the production and circulation of this nonknowledge to be dispersed and sociotechnical. Neither McKinsey nor its analysts nor any government institution involved in the study appear as omniscient, all-powerful actors who silence and undo available knowledge and evidence as they please to further their political or economic agendas. Rather, the production of strategic ignorance and other types of nonknowledge appears as a messy, dispersed and highly contested, sociotechnical process. Both the agencies and institutions maintaining the AZR as well as those trying to mobilise its data as evidence for policymaking have to cope with the constraints, break-downs and affordances of the sociotechnical networks upon which the production, storage and analysis of these data are based. In this way, the analysis illustrates how a sociology of translation and treason provides scholars with a valuable approach to avoid the impression of entertaining a conspirational logic in the study of strategic ignorance and other forms of nonknowledge.

In sum, this article thus yields an important insight for scholars invested in the politics of knowledge production in border and migration management. This field of study revolves around the question of how knowledge production informs and shapes the governance of borders and migrations. However, this study shows that the production of knowledge about (and enactment of) migratory realities is often entwined with the production,

assembling and circulation of different types of nonknowledge. Hence, scholars should not only make knowledge production, but also the production and circulation of nonknowledge, an integral element of the research agenda and object of study of border and migration studies (cf. Amelung, Scheel, and van Reekum 2024). For if it is true that borders as well as the deliberation of migration policies are ‘sites of epistemic struggles’ (Davies, Isakjee, and Obradovic-Wochnik 2023), then the analysis of this article shows that these struggles also have to be thought of as agnotological struggles.

Notes

1. In this article, I follow numerous other authors who observe that nonknowledge, rather than ignorance, is the more adequate overarching term for studies in agnotology (Aradau 2017; Beck and Wehling 2012). Accordingly, I understand ignorance with Scheel and Ustek-Spilda (2019, 669) as a particular type of nonknowledge that ‘involves the obfuscation or suppression of otherwise available knowledge’.
2. AZR is the official acronym for Germany’s foreigner register [Ausländerzentralregister].
3. In a previous version of the legal text, this passage even quoted the estimate of 485,000 non-retained deportable migrants of the McKinsey study.
4. On this important legal distinction, see the answer of the Minister for the Interior to a parliamentary inquiry in the Federal State of Lower Saxony from 2019 (Niedersächsischer Landtag 2019).

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