

Editors' Introduction

Recognition and Registration: The Infrastructure of Personhood in World History

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Introduction

AROUND THE WORLD STATES REQUIRE that their citizens register as tax-payers, property owners, school students, patients, drivers, welfare recipients, and insured workers. The modern state seems almost to have become a registering machine, with the act of registration replacing taxation as the citizen's most common encounter with the state. This is because registration lies at the centre of the process of 'textually mediated organisation' that Giddens (following Weber and many others) has observed as the *raison d'être* of the modern state (Giddens 1985, 2: 185; Sankar 1992, 9). Civil registration – the administrative recording of the birth, death, and marital status of individual citizens – is the linchpin of this web of obligations and rights. The significance of birth registration, in particular, as the 'foundation for the fulfillment of other rights' is reflected in Article 7 of the 1989 UN Convention on the Rights of the Child, which places the right to a name and nationality immediately after the primary right that children have to life itself (Szreter 2007, 68; Mackenzie 2008, 534).

Yet many people, perhaps as many as half of the global population, live out their lives unrecorded by any state system of civil registration: Unicef (2005, 3) estimated that 36 per cent of births worldwide went unregistered. This is an even more disabling birthright lottery than the inequalities that go with registration, as expounded by Shachar (2009). These undocumented peoples exist on the margins of all societies, but the largest contiguous blocks of unregistered populations live in South Asia and on the African continent, where, until very recently, national systems of civil registration have not succeeded in recording even a majority of births (Setel *et al.* 2007, 1570; Kwankye 1999, 430; Jewkes and Wood 1998). This situation is changing rapidly as universal systems of civil registration, often complemented by biometric identification schemes aimed at adults, are being fostered by donor aid oriented towards meeting the Millennium Development Goals and other statistically-measured public health projects. One non-governmental organization in particular,

Plan International, has been driving a global campaign for universal birth registration. The results, to date, are impressive, with significant improvements in the scope of birth registration in countries like Angola and Ghana (Mackenzie 2008, 522).

The implementation of universal civil registration is difficult and expensive everywhere, but it has been Herculean in Africa and in South Asia, where the colonial state in the nineteenth and early twentieth century showed little enthusiasm for the long-term effort required to build the necessary administrative infrastructure. One consequence of this informational void is that administrators in Africa and South Asia have begun to opt for biometric population registers that will allow them to identify the current generation of adult citizens. The most ambitious of these national population registration schemes is the biometric Unique Identity Authority currently under development in India (Economist 2012), but almost identical projects (often with the publicly announced objective of increasing the size of the banking population) are under way in most developing countries.

These biometric registration systems, which primarily target adult citizens, promise to bypass the difficulties of building a birth and death registration infrastructure. Typically they involve a single government tender for a paperless and automated registration process which is delivered, managed and maintained by one of the global corporations, such as Sagem, Accenture, NEC or De La Rue, that dominate the field of biometric administration. In comparison the work of delivering a national system of birth and death registration may involve the opening of hundreds of offices and the training of thousands, often tens of thousands, of officials – an expensive official commitment that will last for decades. Yet the political and economic effects of the relatively cheap and efficient biometric population registers have still to be assessed. They may strengthen the workings and effects of the civil registry, or undermine it. As has been acknowledged recently by some of the leading epidemiological and demographic experts involved in designing them, earlier attempts from the 1960s onwards to substitute for the absence of full civil registration schemes, such as sample registration and indirect estimation techniques, may unfortunately have turned what were supposed to be only interim measures for analytical purposes into cheap alternatives to proper citizen registration (Hill *et al.* 2007). Rather than consigning civil registration systems to the dustbin of history, these novel schemes heighten the urgency of exploring the social and political effects of the older systems.

Establishing an understanding of the social and economic value of civil registration is especially important because of the tenacity required to make these systems work in the absence of a supporting state infrastructure. After several years of initial enthusiasm for universal population registration, the advocates of these schemes have begun to wilt in the face of the costs and administrative difficulties of deploying a nationwide registration system and enrolling a sometimes unenthusiastic population. In Ghana and Nigeria – which both inherited very limited birth registration systems from colonial rule (see Kuczynski 1948) – national projects of population registration have foundered after several months of energetic

delivery, leaving officials and citizens wondering what the effort of civil registration is actually meant to produce (Breckenridge 2010, 2011).

This book aims to explore this question – examining the work of registration in societies around the world through the last millennium and more. In the process the volume opens up the politics of registration as a major new topic for historical and comparative research. The individual studies of regional practices of registration gathered here, although widely separated in time and space, address a set of themes that allow us to bring into a common framework of analysis societies that have typically been treated as dissimilar. Perhaps because it is one of the basic activities of state-making, the problem of registration, like class, gender or the state itself, provides a conceptual vocabulary that supports illuminating global comparisons.

Considered together the chapters that follow present several points of argument of wide significance. Scholars, and historians in particular, have tended to explain registration as part of an often vaguely conceived technology of writing tightly associated with the rise of state power. We show here that it is possible, and productive, to disaggregate the different types and functions of registration. Similarly, there have been many non-state agents of registration typically associated with the provision and policing of different kinds of welfare. The global trajectories of registration are much more complicated and contested than much social science theory currently allows, such that many societies, including those with elaborate administrations like modern Spain or the nineteenth-century United States, have dismantled or resisted the creation of such systems. Performative, or oral, challenges to the capacities of the written documents of registration have been tenacious and they have remained dominant in many societies into the twenty-first century (Sadiq 2009). Viewed globally, societies, and the individuals within them, seem to be very variably shaped by what we might call cultures of registration; some like the Netherlands and Japan have exalted the authority of the registry over the reputation of individuals, while others, like the Spanish territories, India and most African states, have relied on the social and oral authorities as arbiters of identification. Finally, it is important for our social science to recognize that the Chinese state, and its mandarin state neighbours (Woodside 2006), had in place a registration order, aimed at measuring and preserving the well-being of its population, at least one millennium before the nineteenth-century processes that scholars have explored as key elements in the 'science of population' (see Chapters 1 and 4). As our readers can probably perceive, viewed in combination these arguments present a challenge to some of the simplifying effects of Foucault's arguments about the emergence of biopower and governmentality.

What is registration?

Registration, in its most basic form, is the act of producing a written record. In Chinese (and the Japanese script derived from it) the word has such immense time-

depth that its etymology is impossible to discern. The earliest uses of the word *registrum* in medieval European history, as Clanchy has shown, referred to the recording, usually in a book or a scroll, of copies of the contents of other important documents such as land-titles or letters. Registers provided fragile documents a measure of security for posterity but they were also, from the beginning, tools for abstracting from a larger body of information. Registration produced the capacity to generate selective lists, often, like Domesday, sorted by the name of the title-holder or the correspondent. These lists also served as tests of authenticity after the twelfth century as the ascendancy of written documents of entitlement placed an increasing premium on forgery (Clanchy 1979, 11, 55, 75, 92, 266; McCrank 1993).

List-making is an intrinsic feature of registers wherever they have been found. This may not be quite as banal as it seems. Goody and Ong have both claimed that lists were impossible in societies without writing (Goody 1986, 52–111; Ong 2002, 96). These sorts of binary claims about the epistemological rupture between written and oral cultures have mostly not survived the detailed research on literacy in Africa, and we should probably treat them with some scepticism (Halverson 1992; Hawkins 2002). But the indexing function of registers does seem particularly important. In this volume, for example, von Glahn shows that the twelfth-century Chinese texts we call household registers took three different forms: one was organized by the location of land, identifying its owner or tenant; another was ordered by the households' surnames, providing an inventory of their property; and a third, called 'rat-tail registers', listed all the households in each district according to the size of the tax-assessment levied on them (see Chapter 1, p. 54, note 17).

Registration seems always to involve multiple obligations and rights, although some of these mutually constructed implications may have been more convincing than others. Colonial officials in South Africa, for instance, routinely attempted to justify the requirement that black people were subjected to an onerous pass regime by suggesting, rather morbidly, that the passes were indispensable in the identification of dead bodies (Wilson 1912). A very common example of these interlocking obligations was the connection between the security of property holding and the liability for tax which were products of the medieval chancery registers. Another more recent, and perhaps even more typical, example was the Maoist state's stipulation of officially sanctioned marriage registration as a condition for successful registration as an urban resident (Diamant 2001, 459).

A further feature of registers, which follows in part from their intrinsically multi-functional character, is a strong tendency towards reproduction and proliferation. Registers were instrumental in the slow and contested ascendancy of writing, which Clanchy traces from the royal chancery out into the English countryside in the two centuries after the drawing up of the Domesday survey. 'Once the idea of copying documents into books for greater security and convenience became familiar,' he notes, 'the practice took many forms' (Clanchy 1979, 93). These registers were important because they had a dual character as collections of other

documents and as instruments of administrative power in their own right. This double-sided power, especially after chancellery registers of correspondence began from the twelfth century to be viewed as the equivalent of the original documents, made them, as Clanchy acknowledges, instruments of archival government and the 'best measure of the rate of episcopal record-making' (Clanchy 1979, 67). Nor was the proliferation of registers confined to England; Groebner, for example, has claimed that Emperor Frederick II's use of paper for his chancellery register in the mid-thirteenth century 'marked nothing less than the beginning of the history of bureaucracy in Europe' (Groebner 2007, 158; for the same processes in Spain and in the Roman Church, see McCrank 1993, 262, 264). One result of this proliferation of usages is that the problem of researching registration is complicated, as Cooper and Brubaker (2000) showed, by the problematic ambiguities of the word 'identity'. This disabling confusion, as they suggest, makes it all the more important for researchers to give careful attention to the history of the ways in which almost invisible processes of identification and apparatuses of registration have produced the infrastructure of what we now conventionally think of as individuals' identities (Scott *et al.* 2002).

One of the most interesting features of registration, in Europe and in Asia, was its intrinsically religious character and function. The intense forms of village household registration that Saito and Sato describe for modern Japan have their origins in a seventeenth-century religious survey that the Tokugawan state used to expel Christianity (see Chapter 4). In China, as von Glahn shows, registration took on similar ritual and religious functions in extending the rights and powers of village lineages. Similarly, the best evidence we have, from Europe, shows that registration spread out from royal chancelleries into forms of parish government during the late Middle Ages, and that from the sixteenth century it was religious registration, by state-supported and dissenting congregations, that set up the widespread systems of registration in northern Europe. What is clear is that registration, especially of new individuals soon after birth, carried much of the cultural and ritual authority of the church wherever it was implemented (Clanchy 1979, 126; Ong 2002, 102; Loveman 2007, 21; and see Chapter 2 in this volume). Ironically, as Gorski has shown, this intermingling of clerical and religious work in the building of the northern European bureaucracies required a much more significant dependence on ascetic Protestantism than even Weber allowed, whose account of the autonomous and rule-bound bureaucracy placed its emphasis on the demands of capitalist firms and democratic political parties. (For the Prussian case, see Wilke 2004; and for the ascetic revolution in the Protestant states, see Gorski 1993.)

Registration in theory

Registration of property and people is often accorded a key role in theoretical explanations of the administrative elevation of writing, but it has never been

properly investigated. In these accounts registration is typically the agent of the direct and unqualified ascendancy of written bureaucracy, driven by the administrative benefits that accrue to the state from the record-keeping technologies of writing. Two contentions – the technological ascendancy of writing over oral forms of authority; and the simplification of social relationships that apparently derives from it – have been very influential. A third sometimes implicit claim might be described as a misplaced certainty about the universality of the will to know; and a fourth is an unjustifiable preoccupation with developments in Europe in the modern period. In the focused studies of registration that follow almost all of these theoretical claims are systematically challenged.

The title of Jack Goody's book – *The Logic of Writing and the Organization of Society* – aptly summarizes the existing theoretical argument of the effects of literary bureaucracy on society. Writing in these accounts is the state's instrument for reaching into the domestic world of its subjects, primarily as a means to raise taxes (Goody 1986, 63). A key result of the work of registration in Goody's very influential synthesis is the reduction of the thicket of relationships that existed in a world of oral relationships. 'When registration of title takes place . . . complex arrangements often have to be summed up in a single entry in the register that attempts to allocate "ownership" (that is, the total nexus of rights) to one individual rather than specifying all the claims of kith and kin', Goody writes. Adopting Wordsworth's criticism of the book, he argues that 'writing strips the social relationships of its complicating context and "murders to dissect"' ('The Tables Turned', in Wordsworth 1888; Goody 1986, 155). This argument – of the simplification that follows from written registration – has been very important, most notably in James Scott's *Seeing Like a State* (Scott 1998).

Goody presented his account of the political consequences of writing as a supplement to Foucault's account of the rise of governmentality. He suggested that, like the growth of statistics that Foucault saw underpinning the science of population, the rules and practices of written government supported a new kind of power: 'The increase in knowledge by the state represented an increase in its power to govern.' This will to know, he suggests, was carried by the British to India and Africa where 'knowability meant governability, and both entailed the extensive use of the written word' (Goody 1986, 116). This claim, which continues to have strong contemporary scholarly influence in the search for governmentality in colonial Africa and India, seems especially mistaken, as several of the chapters here show (see Chapters 9, 10, 14 and 15). These studies confirm the thrust of Stoler's (2009) reinterpretation of the Dutch colonial archive in Indonesia, showing that African colonial governments, and their modern heirs, typically lacked the resources, long-term administrative tenacity and local political agents required to make civil registration work outside of the scattered cities on the continent.

Foucault's account of the emergence of the science of population as the goal, and justification, of government stresses the European and modern origins of the

bureaucratic science of population. 'We live in the era of a "governmentality"', Foucault writes, 'first discovered in the eighteenth century' (Foucault 1991, 103). Under this new form of state power in Europe a new kind of sovereignty developed, derived, not from the possession of territory or the personality of the sovereign, but from the well-being of the population. Power, Foucault suggested, ceased to be an end itself and became instead an instrument for, and product of, the well-being of the population (Foucault 1991, 100).

In a similar vein Foucault describes a will to truth emerging over centuries in European history, sometimes breaking into its modern form 'at the turn of the sixteenth century (and particularly in England)' (Foucault 1981, 54), at others in the eighteenth (Foucault and Gordon 1980, 100; Foucault 1977, 1991, 100). A key part of his argument, drawing playfully from Nietzsche, is that power and knowledge are mutually constituted. 'There is no power relation without the correlative constitution of a field of knowledge', he writes in *Discipline and Punish*, 'nor any knowledge that does not presuppose and constitute at the same time power relations' (Foucault 1977, 27). This claim has encouraged many scholars to overstate the bureaucratic enthusiasm for information gathering and it has discouraged research into the limits of bureaucratic knowledge. As many of the chapters in this volume show (see Chapters 2, 5, 7, 10, 14 and 15), states frequently sought to restrict, abandon or devolve registration, without any direct effect on their authority and power. This is because registration, unlike enumeration (see below for more on this distinction), is often more valuable, or at least as useful, to individual citizens, as to the state. It has the potential to provide a legal technology and resource for individuals which strengthens civic society: a strong state which creates a registration system can be legally empowering of its citizens, rather than disempowering; and this diffused power in the hands of citizens does not equate with any particular form of knowledge sought by or useful to the state.

Written registration plays a similarly key but obscure part in the institutional order that Foucault traces in *Discipline and Punish*. He repeatedly stresses its special significance in the organization of what he calls the power of writing. 'The procedures of examination were accompanied at the same time by a system of intense registration and of documentary accumulation', Foucault writes (1977, 189). And he suggests that the hospitals of the eighteenth century were laboratories for the 'scriptuary and documentary methods' that allowed institutions to isolate and capture the features of individual subjects in "'ignoble" archives' (Foucault 1977, 190). 'Surveillance', he argues, 'is based on a system of permanent registration' (Foucault 1977, 196). But, aside from these very general observations about the importance of registration, Foucault – like Goody – pays little attention to the actual workings of registration, in any of its forms.

A similar thinly conceived but significant emphasis on registration as the motor of state power can be found in Corrigan and Sayer's very influential and important study of the long-wave cultures of authority in England. Drawing on Clanchy's work,

they argue that state-making in England involved a peculiar combination of very old Anglo-Saxon forms of local authority tied to the centralized administration of parliament through the expansion of writing. They explain the rise of the English state – and of English capitalism – as a cultural movement, with the instruments of writing binding ancient local elites to London after the twelfth century. Parish registration, and especially the recording of marriages after 1538, gave the state-church a hold on the most mundane cultural activities (Corrigan and Sayer 1985, 22–23). And Corrigan and Sayer continue this stress on the importance of registration, and the wider obsession with documentary government, in their discussion of the ‘moral revolution of the nineteenth century’ (1985, 124–135, quotation 124).

In these very influential studies by Goody, Foucault, Giddens, and Corrigan and Sayer there is a powerful tendency to regard highly elaborated documentary government, and extensive systems of local registration in particular, as distinctively European. In their discussion of the increase in the administrative capacity of the English ruling classes after the twelfth century, Corrigan and Sayer, for example, claim that the “‘official documentary system’ is unparalleled in its coverage, continuity and comprehensiveness’ (Corrigan and Sayer 1985, 21). Chapter 1 by von Glahn and Chapter 4 by Saito and Sato on the workings of Chinese and Japanese household registration, and the studies by Szreter (Chapter 2) and Herzog (Chapter 7) on the limits of registration in the Spanish and English empires, suggest that these claims of European distinctiveness are misconceived at best.

The concept that currently has the most powerful explanatory traction in the study of the state may be James Scott’s notion of legibility (Scott 1998; Diamant 2001; Loveman 2007; on the influence of Scott’s term, see Caplan 2009). Like the scholars who have approached this subject before him, Scott arrives at the problem of registration from a surprising direction. His interest is primarily in map-making, and, in particular, in the conflicts between the dense thickets of customary forms of land tenure and the bureaucratic urge for the simplification of spaces, human relationships and mobility. His analysis was chiefly metaphorical, interpreting the bureaucratic interest in a fixed address as the ‘state’s attempt to make a society legible, to arrange the population in ways that simplified the classic state functions of taxation, conscription, and prevention of rebellion’ (Scott 1998, 2). He does examine, briefly, the administrative arrangements in early-modern Tuscany and in the mid-nineteenth-century Philippines, but the great influence of his study is derived much more from its elegance than his interest in the complexity of the processes of registration he is describing (Scott 1998, 66–69, see also 372, n.42). Scott’s emphasis on ‘authoritarian high-modernism’ as the source of the grand project of social engineering has also encouraged the notion that legibility was a product of the late nineteenth century, and was primarily European.

In his recent history of the 100 million people who live in the highland territories of Southeast Asia, *The Art of Not Being Governed*, Scott’s theory of legibility has changed in significant ways (Scott 2009). Gone now is the emphasis on European

authoritarian modernism; it is replaced by the long-wave power of the rice-growing states of Southeast Asia. Legibility remains an all-purpose description of knowing, typically derived metaphorically. Grain farming, especially rice-growing, he argues, was much more 'legible to the state' than the production of root crops (Scott 2009, 41). But the idea is also distinguished by the very long history of literary state-building in Asia. This prompts an entirely new, and important, emphasis on the history and politics of Asian state-making. 'Nonliterate peoples in the Southeast Asian massif', he argues, 'have for more than two thousand years lived in contact with one or more states with small literate minorities, texts, and written records. They have had to position themselves vis-à-vis such states' (Scott 2009, 221). Registration, once again, is attributed a critical, but in fact empirically largely unexamined, role in the development of these states. 'It is hard to conceive', Scott writes, 'of a padi state without cadastral maps of taxable land, registration lists for corvée labor, receipts, record keeping, royal decrees, legal codes, specific agreements and contracts, and lists, lists, lists – in short, without writing' (Scott 2009, law 228).

What is particularly provocative about Scott's new argument is his claim that the peoples of the hills have deliberately crafted their own marginalization from the padi states, and that the key instrument of their independence was illiteracy, a conscious rejection or abandonment of writing. For these hill societies – which Scott describes as democratic, economically unhierarchical and 'egalitarian in gender terms' (2009, 218) – the technologies of the documentary state are a threat; 'the world of literacy and writing', he writes, was 'a clear and present danger' (Scott 2009, 229).¹

Scott's writing resonates with a pervasive academic scepticism about bureaucracy and state-driven development in the international social sciences, which affects the way the social sciences have approached registration. There are certainly well-established grounds, dating back to the 1930s, to view the developmental promises of the state in Africa and India with mistrust, and to doubt the beneficial effects that officials and experts profess in the design of development programmes (Ferguson 1990, 1999, 1–81, 234–254; Cooper 1996, esp. 57–170, 2002, 38–65, 85–132; Ferguson and Gupta 2002). A major part of this international scholarly

¹ Scott intends this study to have broader significance than a local account of the hill peoples of Southeast Asia. He suggests that similar processes were at work in the makings of the independence of the Cossacks of the Ukrainian steppe and the scattered highland peoples of Africa. And there is certainly power in his suggestive discussions of the effects of terrain on states' abilities to project their power. In southern Africa, the independence of the highland people of Swaziland and Lesotho (or the Berg-Dama of Namibia) was certainly aided by the difficulties that both white and black forces faced in the nineteenth century entering their terrain. But there is, in the present at least, little of the political virtue that Scott perceives in the societies of the hill peoples. Quite apart from their fiercely patriarchal and undemocratic social order, both Swaziland and Lesotho have paid a terrible price for their administrative independence. Life expectancy at birth in both countries has collapsed to the low-thirties in the face of the AIDS epidemic, and large numbers of people in both countries have called for the abolition of their independence because the state is unable to provide basic services (Smith 2010).

cynicism about the possibility of the state ever providing meaningful remedies for the poor derives from the very widespread rejection of nationalism and communism amongst Indian scholars in the wake of the 1975 Emergency (Guha 2008; Menon 2005, 2006, x). A similar mood of angry disillusion has become common in many African countries (Ake 1987; Thiong'o 2007). Nor is the state the only villain in the social science of this development predicament. Historians have re-examined the role of expert knowledge (Mitchell 2002; Hodge 2007), and anthropologists have looked closely at the de-politicizing effects of the campaigns of donor-funded human rights organizations (Englund 2006; Brown 2004).

Yet there are also good contemporary grounds to be cautious about the dismissive inclination that follows from viewing registration, as Scott and many others have, as intrinsically coercive. The most obvious is that there seems to be a performative contradiction at work between the glorification of escape and marginality for the poor while the wealthy in the industrial democracies (including many social scientists) scramble to secure access for their families to state-supported schools, well-policed neighbourhoods, properties, hospitals and universities (all of which function on the basis of civil registration systems). Another only apparently trivial reason is that the determined Nietzschean scepticism about the intellectual aims of the modern state can, and probably will, very quickly dissolve into a glorification of the unregulated (because unregistered) market, or provide an inadvertent rationalization for the preservation of an inequitable status quo.

But the most important reason to re-examine the politics of registration is that it highlights the very different state form that exists in many of the regions of the world with weak or non-existent infrastructures for recording their citizens' vital events. African historians have called this state, which is typical of both the colony and its successor, the 'gatekeeper'. Fred Cooper, who has analysed its character and limits in many works, shows that African gatekeeper states 'had weak instruments for entering the social and cultural realm' and, critically, that they survived by standing 'astride the intersection of the colonial territory and the outside world' (Cooper 2002, 5, 1996, 465–466). Far from an oppressive and ubiquitous will to know, African states were built in an informational void without the ability to 'track the individual body or understand the dynamics of the social body' (Cooper 1996, 335). Many important studies have discussed the forms of cheap indirect rule, blind tax-farming and skeletal physical and administrative infrastructure that characterized the colonial state (Berry 1993, 22–42; Herbst 2000, 161–170; Mamdani 1996, 37–61; Young 1994, 100–129; Rodney 1982, 208–209; Ake 1991, 38). Typically the colonial state in Africa was built to control the railway, a harbour, or the city, and it relied heavily on revenues from the export of a single commodity. This has changed little in the post-colonial era, with only the state's ability to 'defend the gate' undergoing any significant variation. The chapters here by Doyle (Chapter 10), Breckenridge (Chapter 14), Cooper (Chapter 15) and Lund (Chapter 18) examine efforts to extend the infrastructure of states in Africa by adopting systems

of universal registration. These studies suggest some of the possibilities and the limits of the very influential rights-based approach to development policy.

In development economics, political science, and policy making, Amartya Sen's effort to combine the statistical insights of economics with the normative calculus of philosophy may be the most influential body of scholarly work that currently exists (Sen 1982, 1999; Dreze and Sen 1989). Key to the new 'human science of development' that Sen has pioneered is the idea that remedies for poverty are political, organized around the recognition of entitlements. As many of the chapters here show, much of the ability to couch claims about entitlements, or secondary rights, to land, welfare, education, and health in a process of 'open public reasoning' has typically depended on the infrastructure of an existing system of civil registration (Sen 2004, 356; see also Nancy Fraser's discussion of needs-talk in the welfare state (Fraser 1989, 161–183)). Certainly, as Lund's study here of the South African Child Support Grant shows, large-scale systems of social assistance require working civil registration (see Chapter 18). One of the key questions that Ferguson examines in his chapter on the history and theory of welfare in Africa is whether the new biometric technologies will support new kinds of universally distributed secondary rights without requiring an elaborate, and onerous, administrative infrastructure (see Chapter 19).

There are, of course, many critics of these rights-based arguments for development policy, especially in Africa and particularly where the rights at issue are liberal or first-order freedoms. A long time ago Claude Ake pointed out that most Africans face a 'totally consuming struggle' that leaves them little time or interest in freedoms of speech or assembly. 'There is', as he put it, 'no freedom for hungry people' (Ake 1987). Other scholars have suggested that human rights arguments may actually be an 'antipolitical politics of suffering' generating new forms of undemocratic institutional power and avenues for elite accumulation (Brown 2004, 461). This is the conclusion also of Englund's ethnography of non-governmental human rights in contemporary Malawi (Englund 2006).

Yet some of the most thoughtful commentators on the politics of contemporary Africa have suggested that it is only in the provision of an infrastructure of second-order rights that the African poor can begin to reverse the ongoing decline in quality of life on the continent. Even Ake has argued that if 'a bill of rights is to make any sense, it must include among others, a right to work and to a living wage, a right to shelter, to health, to education' (Ake 1987, 10). And the eminent Ugandan legal scholar, Joe Oloka-Onyango, has argued that 'without a strategy that combines both the aspirations for political liberation with the imperatives of economic sustenance and empowerment, any gains will quickly disintegrate' (Oloka-Onyango 1995). In South Africa, much of the political debate of the last decade has been focused on the question of how these rights, enshrined in the 1994 constitution, can actually be secured. Chapter 19 by Ferguson examines how these difficult struggles coalesced in the demand for, and debates around, a Basic Income Grant; Chapter

18 by Lund looks at the project of secondary rights that was implemented by a committee she chaired that made recommendations for a new form of support for poor children. This Child Support Grant is an important part of a more comprehensive set of welfare benefits that are received by one-third of the South African population and serves as a global model for addressing poverty.

Birth, death and marriage registration systems may, then, be the most extensive, and important, of the informational infrastructures that have been highlighted by Bowker and Starr (1999). They are, like almost all similar systems, shot through with standards and categories whose historical evolution is often obscured in a paradoxically undocumented provenance, stretching deep into the past, as this volume shows; and, like most such infrastructures, they are practically invisible, until they break down or face well-organized political opposition.

When critics of Sen's argument about the necessity of extending secondary rights to the world's poor question its feasibility as compared to the liberal, first-order rights which are 'not difficult to institute' (Maurice Cranston, cited in Sen 2004, 348), they are, in effect, pointing to the difficulty of building a currently non-existent infrastructure of documentary registration that would be vital, in the first instance, to ensure recognition to the very existence of all of the individuals of the human population on the planet. Many of the chapters here show that it has been registration – despite its many onerous features – that has been the crucial primary instrument for realizing entitlements and secondary rights wherever they exist, by providing this fundamental condition of recognition. (For contemporary rights, mostly of basic security, see Powell 1980; Setel *et al.* 2007.) It is possible to discern a great range of political effects flowing from these systems of registration. They may, as Setel *et al.* have recently argued, demonstrate the state's political determination to adopt the role of 'stewardship' towards their populace and also the equally important matter of 'reciprocal trust in their government by the registered population' (Setel *et al.* 2007, 1575). A more likely outcome, however, may be a bad-tempered embrace between those with property and income and those without.

Of course, registration, as Kafka would insist, may also contribute very significantly to the inflated, and exasperating, self-authorizing powers of bureaucracy. It can encourage, as Fahrmeir's study of Prussia (Chapter 3) suggests, open-ended and probably fruitless exercises of information gathering, something which was already present in seventeenth-century England (Slack 2004, 57) and which certainly seems to be a significant problem of the contemporary British state today, which has adopted the role of global outrider in the development of intrusive databases (Anderson *et al.* 2009). Commonly, onerous and coercive systems of registration can create conditions for subversion and opportunities for rent-seeking that defeat the ends that officials have in mind (as Chapter 9 by MacDonald shows). But registration systems can also collapse or become stagnant or partial operations surviving among only some parts of a population (as Chapter 2 by Szreter notes of several US states); they may (as von Glahn shows in Chapter 1) construct an

alienated administrative representation that bears little or no relationship with the world of living human beings; or they may be subordinated (as Herzog shows in Chapter 7) to other legal and reputational practices. The point, surely, is that there are very significant grounds to examine and conceptualize these contingent histories much more carefully than scholars have managed to date.

Registration in history

In the broader historical accounts of twentieth-century state formation, as in the theory, registration appears only indirectly and fleetingly. Theda Skocpol's study of the paradoxical interaction of democratic politics, gender and reform in the distinctive history of the welfare state in the US is a good example of this approach (Skocpol 1992). She shows that in the 1920s women's organizations were able to use the reformers' fear of the corrupting effects of pensions for Civil War veterans, and the multi-layered architecture of the US Federal system, to foster the development of the Federal Children's Bureau and pensions for needy (and deserving) mothers. A key tool in the feminist organizations' campaign for mothers' pensions, and also in the activities of the short-lived Federal Children's Bureau, was the effort to improve the scope and accuracy of birth registration. By the end of the 1920s both political parties had lost their earlier concern for explicitly women's issues. The Depression provided the fiscal context required for the American Medical Association to re-establish private doctors' responsibility for birth registration, and the abolition of the Children's Bureau and mothers' pensions. While Skocpol shows that registration campaigns were key in both women's mobilization and the implementation of the new forms of social welfare, especially for black and Hispanic populations, her massive study offers little more than a mention of this fact, with the details of the diverse practices of birth registration left to the reader's imagination (Skocpol 1992, 511, 513; and see Chapter 17 by Marshall in this volume for further information).

For the social historians who have confronted registration directly as a tool of segregation, it is the meticulous administrative arrangements of twentieth-century genocide that have loomed ominously in the analytical background. The most influential study in this vein in English is Gareth Stedman Jones's *Outcast London*, which highlighted middle-class reformers' enthusiasm for registration as part of an ambitious and coercive (but mostly unrealized) project of segregating the irredeemably poor urban residuum (Jones 1971, 331, 334–335). This theme, of the register as a threat to the social body, has remained very powerful in historiography; it can be seen, for example, in Overy's recent study of England in the inter-war years, which highlights the popular appeal of the eugenicists' interest in Galtonian registers of the able and the unfit well into the 1930s (Overy 2009: 109–114).

Amongst twentieth-century historians, the study by Aly and Roth on the bewildering array of population registers in the racial order of the Third Reich is

the most systematic study of registration as a tool of genocide (Aly and Roth 2000). Their book, which provided much of the empirical material for Black's popular *IBM and the Holocaust* (2001), also shows that the Nazi state's ambitions for the orderly gathering of individualized racial statistics were mostly undone by the costs of registration and the chaos of war. And, perhaps most importantly for our purposes here, they show that the blunt tool of the census was more valuable to the Nazi state in the selection of its Jewish victims than the fine-grained individual data in the many registers (Aly and Roth 2000, 119–120; Luebke and Milton 1994; Seltzer 1998). The European genocide does provide at least one instance in which individualized registration served as an invaluable tool of genocide, and this is the infamous case of the annihilation of the Jews of the Netherlands with the aid of a sophisticated population register (though a centralized national population register is, of course, a different technology from a system of civil registration) (de Jong 1995, 5: 422–430).

The theme of the register – especially the police register – as an instrument of marginalization is common to many societies of the Atlantic (see the essays in Caplan and Torpey 2001; Cole 2001; Sankar 1992; Sekula 1986). And it has very deep historical roots. Valentin Groebner's recent book on the history of identification shows that the church and municipalities were using registers to record the names and behaviour of suspect populations long before the rise of centralized government. Groebner tracks, often on the basis of limited evidence, the church's use of registers and certificates in the monitoring of confessions from the early thirteenth century, and the municipalities' use of registers to track migrants, debtors and criminals. By the sixteenth century Groebner describes a pervasive concern to 'register everyone and everything' which affected officials, travellers, migrants, and the urban poor (Groebner 2007, 200).

This interest in registration as an instrument of an expanding and centralizing state power has also been influential in the study of Empire. Much research has been focused on the colonial census and scholars have casually blurred the distinction between enumeration and registration in the debate over the political effects of census categories. Cohn and Dirks, for example, in their 1988 essay on colonial technologies of power argue that the 'state documentation project . . . individualizes and controls through such seemingly neutral activities as assigning census numbers, birth and marriage certificates, draft cards, drivers' licenses' (Cohn and Dirks 1988, 225). While the colonial state in India adopted its predecessor's interest in the census as an instrument of government and taxation, neither body had the capacity for a mass programme of either household or individual registration (for an overview, see Chapter 11 by Gopinath; Guha 2003, 148–151).

Registration in colonial India (see Chapter 11) was actually very limited in comparison with nineteenth-century Egypt, eleventh-century China, or seventeenth-century England, as the chapters by Fahmy (Chapter 13), von Glahn (Chapter 1) and Szreter (Chapter 2) show. The police, especially during the period of Edward Henry's tenure as Commissioner of Police in Bengal in the 1890s, were responsible

for the development of the most influential forms of fingerprint registration directed at criminals (Sengoopta 2003). Yet for much of the nineteenth century the colonial state relied on crude and brutal forms of body marking, and officials continued to argue for the preservation of tattooing into the 1870s (Singha 2000; Anderson 2004, 15–42). This familiarity with marking the body and the absence of a workable system of registration were key motivations behind the interest in bertillonage in India. And even after Henry's fingerprinting system had become official policy, day-to-day transactions (as Gandhi often complained in his conflict with the Transvaal state) were simply authenticated by means of a single finger-print that was not recorded in a government register (Singha 2000, 183).

The colonial society that has experienced the most systematic and enduring forms of individual registration is unmistakably South Africa. By the high-water mark of apartheid, some seventy years after the British occupation of the Transvaal initiated the grand schemes that have shaped South African society, the Native Affairs Department's obsession with registration was simply astonishing (Posel 2000, 132). Labour registration, usually targeting male migrants to the diamond, sugar and gold industries, was the heart of this order, but it expanded outward to produce an elaborate web of centralized national record-sets, culminating in the 1950s in the national Population Register, the linchpin of racial classification (Kahn 1949; Chanock 2001, 410–422; Harries 1994, 18–46; van Onselen 1985; Breckenridge 2005; Bowker and Starr 1999, 195–225; Cole 1967; Savage 1986). Yet even the South African state showed little enthusiasm before 1995 for the project of maintaining a system of civil registration for the vast majority of its people. And, as Lund shows in Chapter 18, the Population Register, formally stripped of its racial categories, has provided the democratic state with the means to deliver welfare grants to over a third of the national population.

In general, historians, even in South Africa, have discussed registration at a polite distance, and there are strikingly few detailed histories of civil registration in particular. As a study of Maoist China has observed, 'an exhaustive search of the social science and historical literature uncovered only one article dealing with marriage registration in the context of state building'. This was, predictably, Posel's study of African marriage registration in South Africa (Diamant 2001, 449; Posel 1995; on the same point, see Loveman 2007, 9). The entire body of published work in English by historians dealing with civil registration directly, reviewed here, amounts to little more than a handful of studies. This is intriguing in the light of the significance of these acts of registration both for the form of the state and for the individuals being registered. One of the reasons may be that civil registration has many inter-related social effects and historians have tended to approach the subject indirectly using a lens adopted from the subject of state documentation, illegitimacy, marriage, welfare, or social statistics.

Where historians have properly examined the development of the large-scale registers of the precocious English state directly, they have been struck by their

beneficial quality. The largest and most effective government registers all provided citizens with regulated access to social goods that were provided or protected by the state. Higgs has shown that the Victorian General Register's Office worked mainly as a tool for the resolution of disputes over inherited property. In the twentieth century the largest database of identification, and the '*de facto* identity card', was a product of the registration of drivers' licences. Even the project of building a Universal Population Register, which has recently collapsed yet again in the face of widespread popular anxiety, worked in this way. Initially a product of Milner and Kitchener's concern to maximize recruitment, the National Register had administrative roots in the earlier National Insurance Register and it was fostered by its functions as a ration card (Agar 2003, 121–142; Higgs 2004, 134–143).

There is good evidence to suggest that large systems of registration, whether of people or of things, tend to work only when they provide an obvious benefit to the people being targeted. Coercive systems, like the Nazi-era *Volkskartei* and the apartheid *Bewysburo*, seem sufficiently vulnerable to subversion and escape to defeat their intended purposes (Aly and Roth 2000, 119–131; Breckenridge 2005). More importantly, as Szreter's study of the introduction of compulsory registration of subjects of the Crown in England in 1538 shows, this system of registration worked because it provided the means for the poor to make claims on the law, a direct good that seems to have produced many indirect benefits (Szreter 2007). Rosental also emphasizes the importance of consent, offering a complementary revisionist account of the evolution of the importance of the juridical and administrative concept of civil status (*état civil*) in nineteenth-century and early twentieth-century France (see Chapter 5). He argues that French historiography since Foucault has been preoccupied with the policing aspects of identity information and the theme of state control over individuals. Consequently it has neglected to listen to the voices of French citizens from this period who were focused primarily on the importance to them of being able to create certainty of their legal identities for pursuit of their commercial activities in the market economy. Chapter 15 by Cooper confirms that by 1951 the value of the *état civil* was so pervasively understood in this way that in contemplating how to 'develop' French Africa on the model of the metropole it was self-evident to the French minister concerned that this required a commitment to create and fund a universal identity registration, since for him, 'French citizens have a right to an *état-civil* and the right to certain identification'.

Registration and recognition

As Flemming's chapter on the classical world emphasizes, registration is derivative from the more fundamental and universal need of human individuals in groups for mutual recognition, as among the Athenian and Roman citizenry (see Chapter 6). Acknowledgement of membership in a collectivity and of one's publicly known

place within it can be – and often in history was – achieved by a variety of performed rituals. Initiation rites have been studied throughout the world by anthropologists and found to be manifold in their diversity. In the medieval world, performance of witnessed oaths of fealty, usually sworn on the bible, a sacred object, was the standard practice for publicly affirming political and military membership, while in the Catholic church, after the fourth Lateran council of 1215 emphasis was increasingly laid on personal attendance at the annual Easter service, for verbal affirmation witnessed by a priest, as defining and confirming one's continuing membership of the flock (Reynolds 2001, 488; see Chapter 2 by Szreter, note 8). Most of these rituals were performative and did not involve documentation but their aim was the same as that of registration, namely to fix a record in the collective memory of the individual's identity and place within a group. As Rosental argues in Chapter 5, this has, for instance, been one of the crucial functions of the process of identification by civil status for both individuals and their families throughout the last two centuries in modern France. It is also simultaneously the case that publicly affirming membership of a defined group typically establishes some form of obligation towards the other members and the shared authority structure of the group; and reciprocally it is also perceived by the individuals to offer them some valued benefits (non-exclusion, at the least). The nature of this mix of obligations and benefits engenders various reasons why certain rules about membership and participation usually arise, and why, as many of the chapters here show, they are subject to much negotiation, as circumstances and the interests of individuals, families and the various registering authorities are all subject to change. They define criteria of inclusion and exclusion in relation to the larger universe of 'other' individuals, with whom the group may be in communication and with whom they may share or contest a physical and socio-cultural environment. While there has been much historical study of the processes and consequences of exclusion, inclusion also needs to be problematized by historical research into the agencies involved and the diversity of forms that result.

Thus, that central aspect of registration which concerns public recognition may well constitute an eternal and universal characteristic of all human communities, with or without literacy or a technology of written records. However, this diverse history of a community registration of its members' mutual recognition often only becomes available for us to study in detail when it occurred in societies which documented their recognition processes and where written records have survived, in the form of registers. There is likely therefore to be a profound bias in the documented comparative historical record, which provides us mainly with a history of registration which appears to be strongly tied to those most powerful, persisting state-like forms of government which generated and archived most efficiently the records of their processes of registration. This has perhaps misled earlier, pioneering and influential scholars such as Foucault, Goody and Scott to over-emphasize the extent to which the registration of any and all information about persons and their

properties is indicative primarily of the powers of states and their interests, expressed in the seminal historiographical concepts of ‘governmentality’ and ‘legibility’.

Yet, as a number of the studies in the following chapters show, in early modern Europe it was less nation states, and more likely to be the established church (the Roman Catholic Church in Spain and France), congregational denominations (in the Netherlands, and the Quakers in England), parishes and communities (among the English in England and overseas; and among the Germans with their *Ortsipppbucheren*), towns and cities (in colonial and republican North America), or civic associations (the Orphan books in Amsterdam) which attempted to maintain comprehensive (for their purposes) forms of registration (and, for the significance of baptismal registration in Russia and in Brazil, see Steinwedel 2001; Loveman 2007). As Saito and Sato show in Chapter 4, very similar local imperatives were also key to the workings of registration in Japan. Often the purposes of the registers were related to the need of these communities, organizations and networks legally and practically to regulate access to forms of collectively-provided assistance, benefits or privileges. Only much later – typically during the course of the nineteenth century – did nation states create the civil, criminal and other registration systems which served their purposes (Caplan 2001). The influence of Foucault’s writings has been to obscure these and other distinctions by wrapping all these activities up as part of grandiose concepts of governmentality and biopower, where the various practices of human accounting are subsumed together as variant manifestations of a single ‘modernizing’ historical trend, variously dated in his writings either from the eighteenth or the sixteenth century, whereby states create certain characteristic forms of official and legal knowledge about their citizens (Sekula 1986, 10–13; Chakrabarty 2002, 82–86).

The conflation of all registering activity with the purposes of the state leads to a tendency in the historical and social science literature to fail to make any significant distinction between registration and enumeration, and the respective records they create (Cohn and Dirks 1988, 225). As a result historians appear to have been too often content to assume that the many interesting historical studies that have been published of the census activities and classification systems of national and colonial governments, and the political ideologies and projects which they can be shown to project, tell us everything we need to know about the processes of documentation of individuals in history and their relationships with institutions of government or governance. Both enumeration and registration can be viewed, from a state perspective, as just different forms of human accounting; and it is true that states have often created and used registers – for their own tax and enlistment purposes for instance, though these are typically only partial registers – often relatively uninterested in female identities, as the chapters here on ancient and early modern Rome, China and Japan all demonstrate.

However, the diverse history of registration reveals the potential which the concept also contains for quite different usages and practices, which may have

almost nothing directly to do with states, their powers and interests (on the ways that families can use registration to make claims on more affluent kin, see, in addition to Chapters 4 and 7 in this volume, Diamant 2001, 4; Mackenzie 2008, 527). Registration can involve quite the opposite process to the command and control logic of enumeration. Enumeration and all census-like activities (including the making by authorities of certain kinds of lists of named individuals which are often called 'registers', such as the twentieth-century population registers of the Netherlands) are, by definition, unilateral interventions by governmental agencies to extract defined items of information for administrative and policy purposes. By contrast, that form of registration involved in the process of determining inclusion or exclusion of recognition of membership in a defined collectivity can entail – and often has entailed – a much more bilateral process, in which the aims and interests of the person being registered may play a significant role. This is, first, in terms of the motive for the process to happen at all with respect to the individual in question: such registration systems frequently fail to persist without the voluntary cooperation of those being registered, as has been seen in many African, Asian and Latin American countries, as well as the eighteenth- and nineteenth-century USA. Second, this is in terms of negotiating – or even determining – what kind of identity information is registered as the outcome of the process, as Herzog (Chapter 7) and Doyle (Chapter 10) clearly show. To view registration exclusively as something imposed by the state or by a superordinate group on a populace of subordinate individuals is an unhelpfully limiting assumption.

Thus, in conformity with its central, age-old function of providing the service of mutual recognition, the act of registration has an irreducible performative and dialectical element to it, which has less scope – or is almost entirely lacking – where enumeration is concerned. Negotiation and performativity are almost ubiquitously part of the processes of human interaction, deposition and enquiry, which comprise the primary activity, whereby an act of registration occurs – and is agreed to have occurred – by the parties involved in recording it. This authorizing and performative background to registration, and the widespread suspicion of written documents, is well described in the chapters by Flemming (Chapter 6), Herzog (Chapter 7), Fahmy (Chapter 13) and Cooper (Chapter 15) (on the long-contested struggle over the authority of written documents, see also Clanchy 1979, 7; Ong 2002, 105). The information created in the process of registration is typically a 'representational' production. In this negotiated process the possibly diverging interests and aims of the registering and registered agents can provide a dynamic of dialectic. In general the registering agent has tended to be interested in capturing fixed identities, reflecting certain analytic or legal status categories of use to the registering authorities. Registering individuals may wish to fix upon themselves different identities from those perceived as valid by the registering agent; or they may wish to deliberately give 'false' identities or to be able to preserve the possibility of multiple or changed identities, for instance (exemplified in Chapters 7, 8,

9 and 10). The process of registration must always therefore entail some form of dialectical tension between the legalistic fiction or convention of fixed, defined or stated identities, and the more messy social and cultural reality of individuals' capacities for having multiple attributed, aspirational, or imagined relations of identity and goals for their self-representation.

This may not always be obvious from the surviving documents which appear to record information merely in fairly standardized forms, but through historical research we can sometimes recover an understanding of the representational performances being recorded at registration. For instance, the entries in Domesday Book were understood at the time as the record of a performative legal process involving the adjudication of sworn affirmations between competing protagonists over title to land and movable property ownership, which occurred in many local contests held before commissioners holding court around the country (Baxter 2012). As several of the chapters here exemplify and eloquently demonstrate, the information in identity registration documents can be the outcome of a strongly performative and highly negotiated process. Chapter 7 by Herzog on the Spanish in early modern Spain and colonial Latin America, Chapter 9 by MacDonald on Indian Ocean migrants seeking entry to South Africa, Chapter 10 by Doyle on those migrants making choices of the names they wished to register in twentieth-century Uganda in order best to assimilate, and the opening and closing story presented by Looijesteijn and van Leeuwen (Chapter 8), each skilfully demonstrate and document these processes of negotiation, which are not usually available for us to see in the written record. However, as all of these chapters also make clear in their diverse contexts, that performative negotiation is in fact a ubiquitous option – albeit often a surreptitious and therefore hidden one – whenever official and legal categories are registered. Some individuals amass great legal competence and dialectic skill in dealing with official procedures and the registering technologies they confronted, to achieve the representational outcomes for registration that they wanted (Sadiq 2009).

Identity registration systems can provide several valued services at once to different constituencies, so that even when it can be shown that a central state created any particular system for a specific purpose – perhaps even a repressive purpose – that does not necessarily exhaust its historical importance and cultural significance for the registering populace in question. As shown in the chapters on England and Japan, it seems most plausible that identity registration systems were set up in each of these two early modern states with the motive to flush-out and suppress religious unorthodoxy. But in both cases the technologies persisted because they were found useful by officials and subjects for a number of further reasons. Notably in England and Wales parish records of baptisms, burials and marriages, registered for free by the church's ministers and maintained for consultation in Diocesan archives, provided an invaluable practical tool for the efficient operation of the law in relation to property transfers between individuals and also for settling

disputes over legal rights to relief (the absolute entitlement of all subjects of the Crown in England and Wales to material support from their parish of settlement, as recently shown by Charlesworth (2010)). However this was not the case, for instance, in early modern France. Here, despite a royal edict to establish parish registers almost simultaneous with Henry VIII's innovation in sixteenth-century England, the French registers failed to attract the full participation of the populace to become an established and well-maintained nationwide system as they did in England and Wales. In his chapter on France, Rosental notes that there the state's efforts prioritized the systematic registration of property, rather than people, delegating this crucial tax-related function primarily to notaries and a separate state Registry, not to parish priests and their parochial registers (see Chapter 5). There never developed in France a mechanism tightly linking registration to demotic welfare rights. Thus, parish registration in England and Wales – but not in France – has, since its origins, had a crucial role to play in the sphere of law and of subjects' and citizens' social security and economic rights within the law.

Registration and legal empowerment

This relates to a further major limitation in the historiographical inheritance from Foucault and Scott. This has been the tendency of their sweeping historical interpretations to flatten distinctions between the province of law and that of the state. Scott's notion of an 'authoritarian high modernism', exemplified in the notorious usage of population registers in the twentieth century for thoroughgoing state planning – and worse – by the totalitarian Nazi, Soviet and East European 'communist' regimes, along with the labour and migration-regulating registers of imperialist powers such as the British in East and South Africa, has contributed to the strong impression in this area of scholarship that, where identity registration is concerned, state and law are synonymous. The state makes the laws according to its plans and supervises the resulting information systems for its own purposes. According to this viewpoint the primary task of historical scholarship is to demonstrate the many ways in which legal forms of identity documentation reflect the power and will to knowledge of the state, a perspective apparent in many of the pioneering contributory chapters in Caplan and Torpey (2001).

However the sphere of law is not at all necessarily one and the same thing as the sphere of state policy and legislation, at least not in the Anglo-Saxon common law legal tradition, which, via the USA and the British Empire, has been adapted into the legal systems of many parts of the world. For instance, the identity registration systems provided by the parish and non-conformists' registers played such a valued role for propertied citizens in their legal transactions in early modern England and Wales, that, as Szreter shows in Chapter 2, laws creating such legal services for all were passed by English communities, including dissenters, wherever

they settled overseas in North America and the Caribbean during the seventeenth and early eighteenth centuries. Indeed, while in England, by the end of the seventeenth century, the dissenting Quakers had created their own efficient registers, the extraordinary evidence presented in Chapter 8 by Looijesteijn and van Leeuwen shows the proliferation at this time of non-state registering bodies for a host of different purposes in the Netherlands. It could therefore be argued that both in England and in Holland, arguably the two most militarily, fiscally and commercially effective states of the late seventeenth and early eighteenth centuries, the strong state, itself supporting systems of registration for its own purposes, was not expanding its information-processing apparatus at the expense of civil society, but rather that a rich and self-registering civil society was partly piggy-backing on the state's systems and partly creating its own commercial and legal information systems in parallel, as the two – strong state and strong civil society – operated in synergy (see Higgs 2004 for the English history of this process).

The essential point here is that, unlike census and other enumerative exercises, identity registration systems, including those sponsored and maintained by the state, represent a *legal* technology and resource which can be empowering and of high economic and social utility to individuals, by enabling their legally-recognized personhoods to pursue their own self-interested purposes, completely independently of the state's policies and plans. Accessible registration systems can provide an important service which reduces transaction costs and facilitates security and confidence in the way in which the rule of law mediates economic and social life, thereby contributing to the expansion and vigour of civic society, quite independently of the activities of the state. In the terminology of law, identity registration systems have been crucial practical tools which have facilitated the endowing of all individuals with legal personhood, which is defined as the entity to which rights and duties are ascribed in law. This is true today of human rights, which mean little in practice if they are not conferred on identified and self-identifiable individuals with recognized membership of a national jurisdiction – this is a practical condition for the individual to enjoy actionable legal personhood. Registration – official recognition of existence and an identity – is the grounding and basis for personhood and human rights.

Whether, however, registration systems do, in fact, come to play such a role, empowering individual subjects and citizens in this way or, alternatively, disempowering and controlling them, according to the more historiographically familiar accounts of the state's uses of such systems, is a historically contingent matter, related to many diverse influences. The scholarly contributions in the chapters collected here document many rich examples of that historical diversity and enable us to discern the nature of some of these important influences on the form that registration has taken, resulting in such different outcomes.

Obviously the ideological predisposition of the state and its rulers and the nature of the political context mattered enormously. However, it is not necessarily the case

that we can expect to read-off simple equations between imperialist states with extractive ideologies and the creation and deployment of registration systems for repressive, disempowering purposes imposed on alien peoples. Two contrasting examples of the interaction between the British state and registration at the same point in time in the early nineteenth century illustrate this. As Engerman shows in Chapter 12, as part of one of the most surprising episodes of the triumph of humanitarian moral sentiment over short-term powerful financial vested interests, abolitionists within British civil society contrived to use officially-created slave registers to serve their purposes to secure immensely costly legislation from the British state to emancipate the registered slaves, the most subordinate of peoples in the colonial Caribbean islands. (See Draper (2009) on the subsequent importance of the slave registers for facilitating the detailed calculations required for the machinery of compensation enabling a 'fair' distribution of the spoils of 20 million pounds among the slave-owners – compensation was not, of course, paid to the slaves.) However, by contrast, the same British state in Westminster made no effort to endow the Catholic peasants of Ireland with the civil registration system created for England and Wales in 1836, despite the 1801 Act of Union having politically integrated Ireland into the United Kingdom. Consequently the brand new Irish Poor Law created in 1838 lacked the essential registration infrastructure (not created for Ireland until 1864), which had enabled the English Poor Law to function so effectively as to have protected the English poor from any dearth-related famine mortality for over two centuries (Szreter 2007). The consequence of creating a mere simulacrum of a Poor Law in Ireland, lacking both a recognized legal right to relief in one's attested parish of settlement and also the associated information system of registration – necessary to record settlement rights – was that the single most disastrous episode of mass death by starvation in British imperial history occurred, not in the colonies, but within the United Kingdom itself (all of Ireland was an integral part of the United Kingdom following the Act of Union of 1801), and as recently as 1846–1849, at a time when the British state represented the most economically advanced and resourceful imperial power on the face of the earth (Charlesworth 2010, 175–180).

Foucauldians have emphasized the disciplinary (and sometimes genocidal) purposes of modern state information systems in moulding the subjectivity of their own citizens (Scott 1998; Burchell *et al.* 1991; Dean 1999; Rose 1991, 1999; Ferguson and Gupta 2002; for the intrinsically genocidal character of biopower, see Agamben 1998, 119–159). However the Irish famine indicates that an even worse fate may befall those in the modern world of market economies who are not recorded at all in such official registers and consequently have no practical legal rights since, as both legal persons and recognized individuals, they do not exist. As Cooper (Chapter 15) and Breckenridge (Chapter 14) show here, both the French and the South African states, at different times in the twentieth century, assessed the costs and benefits of registration for Africans and intentionally chose to abandon their

existing plans for granting such recognition – remaining in ignorance of African individuals may not have been ideal for the colonial authorities but it was perceived to be less expensive to know them only indirectly and work with the headmen. There are also new forms of administrative desolation. Recently Ferguson has pointed to the increasingly common forms of enclave development, especially on the African continent, where all the key elements of government – security, health care, sanitation – are provided by privately owned companies for the sole benefit of multinational mineral firms and their labour forces. Under those circumstances the general poor bear the costs of industrial development, without being able to derive any meaningful entitlements from the companies or the state (Ferguson 2006, 194–210).

Registration and the modern state?

The extraordinary chapter by von Glahn (Chapter 1) drives a coach and horses through another Foucauldian canard, that the registering, planning and controlling state is a product of European modernity somewhere between the sixteenth and eighteenth centuries (see the essays in Burchell *et al.* 1991). Von Glahn narrates a long, complex and continuous history of fully-documented enumeration and registration, articulated at village, prefectural and state levels in China throughout a period of a thousand years or more before the flowering of ‘governmentality’ or ‘biopower’ in the west. He documents familiar motives of preserving social order throughout a large empire, but this was not simply for the sake of control and repression (though there was certainly plenty of that, notably through the ingenious and callous device of imposing collective tax responsibility on all families within a community, as von Glahn shows). Successive Chinese regimes used registers to tax and raise a military levy for external defence, but were equally aware of the need to use population information to promote the food and social security of their peasant populations to ensure internal security. Thus, registration is not, as Foucauldians have supposed, a paradigm exemplification of the novelty of an exclusively western ‘modernity’ intimately associated with the liberal nation-state project of governmentality and western imperialism.

China, for so much longer than anywhere else a continuously politically unified society based, throughout extensive though fluctuating parts of its territory, on a relatively densely settled agrarian economy, was probably among the first to address the informational needs that result from a relatively high labour–land ratio. Such relatively high ratios were also true of Golden Age Holland and early modern southern England and also Japan at the same time in the seventeenth century, where the *koseki* household registration forms were introduced and then widely retained (see Chapter 4). Here, perhaps, we come to another powerful, general influence on the comparative history of identity registrations systems, quite distinct from – though undoubtedly mediated through – politics, culture and ideology: the land–labour ratio.

Goody tracked this association between carefully established land titles (and tax registration) from the first written records in Mesopotamia, and it is a dynamic that informs almost all of the regional studies published here (Goody 1986, 47, 63).

It is striking, given the precocity of Chinese investment in diverse forms of registration of individuals, how contrastingly late to develop and invest in such systems were the peoples of sub-Saharan Africa and North America. Large parts of the African continent and tracts of the United States were equally without effective registration of persons in the period *circa* 1880–1914, a time when registration was relatively ubiquitous in Western Europe, the economic peer of the USA and the effective ruler of much of Africa. Even though they were at that time at opposite poles in terms of commercial and economic development, much of the USA and sub-Saharan Africa did however share an almost equally low land–labour ratio. Egypt, by contrast, the one part of Africa with a long history of population registration since Classical times, always had a much higher land–labour ratio along the banks of the Nile and an island-like accessibility of its population to its rulers owing to their proximity to the communication channel of the Nile. It may be that in some times and places, such as the western and mid-western USA until the 1920s, despite having become part of a commercially vigorous continental economy, well-developed land registers satisfactorily performed one of the key functions of an identity registration system, thereby reducing any economic incentives among the population to perceive an urgent need for a personal identity registration system (De Soto 2000). There are echoes here of the situation in early modern France where a well-developed Registry of property went alongside a more partial and less efficient parish register system. While an identity-bearing information system can serve several purposes, it is also true that systems providing functional identity registration can exist in many forms and can be created both by central and local governments as well as by commercial, religious and other civic organizations. We cannot study the comparative history and uses of registration without taking into account all extant systems of identity information in each society, rather than privileging just one type, such as the census or, indeed, civic registration.

The incomplete and absent nature of personal registration systems for individuals at birth in many of the states of the union became the focus for a reforming campaign spearheaded by public health and census officials in the USA in the opening decades of the twentieth century. One of its protagonists, Cressy Wilbur, Chief Statistician at the Federal Census Bureau in Washington, reviewing the geographical pattern in 1907, was of the view that ‘lack of sufficient density of population is one of the most obvious reasons for failure of extension of adequate registration methods in the United States’ (Wilbur 1907, 398). Chapter 17 by Marshall documents how, as part of this campaign, later in the 1920s the American Child Health Association connected its own primary mission to build a network of institutions to promote child welfare with the need to extend US systems of birth registration. Marshall’s chapter intriguingly demonstrates how similar to this were the arguments of the

links between the two, child welfare and birth registration, which were made at the innovative 1931 Conference on the African Child organized by Save the Children International. Furthermore, Birn also uncovers this political and ideological linkage between welfare and registration in her chapter which argues that Uruguay, the first state in Latin America to pioneer a drive to full vital registration in the late nineteenth century – partly in response to concerns at its low birth rate – may have a claim to have passed the first national legislation which specified the importance of all children's right to a name and to familial identification in its Children's Code of 1934 (see Chapter 16).

After the Second World War under the aegis of the United Nations there was to emerge the famous UN Statement of Human Rights. However, curiously this did not include the right to registration we here see adumbrated in the deliberations and international conferences of various philanthropic voluntary organizations focusing their attentions on child welfare in the USA and Africa, and in the policies of the Uruguayan government during the 1930s. There is an account yet to be fully uncovered (see Chapter 16, note 40) of why such a clause was omitted in 1948 and was not to appear in UN documents until a decade later, finally appearing as Principle 3 of the 1959 Declaration of the Rights of the Child and subsequently as article 24, clause 2 of the ICCPR Covenant of 1966. This was a covenant which did not enter into force, however, until 1976 when thirty-five states had ratified it. By this time, most unfortunately, the incipient and partial registration systems of the many ex-colonial countries, including those in sub-Saharan Africa and the Indian sub-continent, had fallen into all but complete disrepair. The call for action at Geneva in 1931 had never been carried through, as Kuczynski documented in his survey (Kuczynski 1948, 1949). Furthermore, unlike in Latin American Uruguay, such systems of population registration often only had negative associations for the newly-independent nations and their governments in South Asia and in Africa (which emerged during the two decades of decolonization after the Second World War), connected as they were with past systems of colonial taxation or labour and migration control, such as the *kipandi* and Pass systems in Africa. Once again we see here the long-term influence on the comparative history of the infrastructure of registration – both its presence and its absence – of politics and ideology.

Registration and the technologies of recognition and representation

Finally the history of technology is also another important influence on the possibilities available to a group for affirming recognition among its members. For registration to acquire the characteristics of a system, four linked processes are involved: registering; recording; archiving; and accessing (or retrieval). These four technical components can each, independently or interactively, be subject to technological innovations; and their characteristics – and any changes in their

character – in turn, imply and require varying forms of social capabilities and cultural resources, both in the registering organizations and among the registering populace. Thus, when we say that today there are no registration systems in many parts of sub-Saharan Africa, and in parts of South Asia and South and Central America, we mean that the groups, networks and communities living in these areas rely mainly on non-literacy-based oral or performative ritual methods for establishing mutual recognition, rights and obligations among themselves. All four processes of registration in fact occur but they do so through the most fundamental technology: oral, performative and mnemonic. There can be only very limited communication or exchange of services between the poor and their national governments in such circumstances.

By contrast, those citizens who live today in one of the economically-advanced OECD countries – the liberal democracies recognizing the rule of law and human rights – interact with many literacy- and numeracy-based registration systems operated by government, commercial, religious and civil organizations. Indeed, the literacy and numeracy technology has become digitalized and computer-automated in these countries and these organizations have access to large, electronically searchable databases of identities, along with a variety of associated information on the registered individuals (Bennett and Lyon 2008). Individuals in these societies typically have rich commerce with their national and local governments, exchanging their tax payments for a range of valued services, while also interacting with many other organizations and networks of individuals, most of whom, in theory, they have chosen to engage with for commercial or vocational reasons (though there is an increasingly sensitive legal issue whenever individuals believe they have not consented to their identity appearing on such a database). Thirdly, there is a diversity of further countries between these two polar types of locally and orally registering versus poly-registering, densely cyber-networked societies. This is where the central government, either *de jure* or *de facto*, holds a virtual monopoly of the more extensive literacy-based and IT registration systems on the population and where these systems exist primarily because the central state has found them to be of use for planning, policy and security purposes. This was the case in the USSR and the Comecon countries before 1989 and remains largely true in the important case of China today, though the Chinese state is struggling to retain a monopoly on such systems in the face of the countervailing attractiveness of the internet to its nation of would-be consumers and the many commercial and other organizations able to use the internet to build large registers of customers and members.

This volume's contributions show, however, that this wide variation in registration practices and implications across the world today is only equal in its diversity to the enormous variety found during the last two millennia. Both contemporary and historic diversity demonstrate not only that changes in technology and in forms of economic exchange produce differences in the registration systems prevailing in different societies, but also that these factors interact with distinctive ideologies

and the political contexts in which states operate. Consequently, as these historical essays document, there has existed and can exist a profusion of distinct ‘registration cultures’. In those communities without literacy-based technologies – but equally in those in which colonial or one-party states hold virtual monopolies of registration – there is likely to be a more limited scope for individuals to enjoy and exploit a diversity of forms of self-representation of their identities and selective association with others, except through their skill in illegally manipulating the rigid system, as the chapters by Herzog (Chapter 7) and MacDonald (Chapter 9) exemplify. Societies which are relatively rich in registering resources offer quite different opportunities for their citizens to deploy their own performative and negotiating skills to become legally adept in arranging their diverse memberships to best suit their various commercial and civic needs. Golden Age Holland of the late sixteenth and seventeenth centuries seems to have been a startling example of this proliferation of a Habermasian public sphere of multiple associations by recognition, subsequently emulated in this density of representational and registering possibilities by the ‘polite and commercial’ urban associational society of eighteenth- and nineteenth-century Britain (Morris 1990). These were registration-rich societies of poly-registering individuals, extra-empowered with their access to and use of multiple networks for representing their identities and recording their mutual recognition in a diversity of commercial and other associations.

A registration crisis? History and policy

This volume provides an intellectual resource of comparative historical knowledge with which to judge whether there may, indeed, currently be a crisis of registration approaching and what form that crisis will take. Biometric identification systems originated as ways to create a non-archival register of criminal identification with tattooing, branding and amputation (Groebner 2007; Higgs 2010). Fingerprinting for sub-sections of the population defined as criminal became the first biometric archival method. Using the pretext since 9/11 of defence against global terrorism, it is proposed, through iris-recognition technology, to apply a fully archival biometrics comprehensively to democratic and non-criminal populations across the world, to confer upon them a security from external threats and also, with the emergence of basic income grants, their internal social security and positive rights (see Chapter 19; Bennett and Lyon 2008). The interaction of this official registering technology with the application of computerized searchable and potentially linkable database information systems, and also with the emerging trend of commercial supply and delivery of these systems to states, has created an extraordinary conjuncture in the history of identity registration that should be of concern to all citizens.

The interaction of these technologies with both state security interests and commercial logics poses significant questions about the necessary regulations

required, which citizens, their elected governments and their judiciaries should wish to consider. Is there, for instance, a question of 'ownership' that should be considered in relation to the right to use information about a person's identity, once that information has been created and verified as authentic? The popular notion of 'identity theft' would appear to suggest that there is such a sense in common understanding, but does this also amount to a legally defensible concept in practice? If 'ownership' is not quite the appropriate concept for legal purposes, what perhaps of a law reflecting principles of permissive 'informed consent' governing the use of such identity information by third parties or commercial organizations (including those companies increasingly bidding for and charged with the contracts to collect the information in the first place)? If such a right can be defended against a commercial corporation, can it also be defended against a sovereign state, in particular the state which also provides the institutional resources and the authorizing and verifying procedures for the registration system itself? What is the relationship between the individual and the state over the question of the right to control or change a registered identity? The individual cannot be a self-authorizing and self-verifying agency in relation to his/her identity. The state and its archiving and legal systems are ultimately necessary to provide this verification and authorization role. There are therefore irreducibly at least two distinct parties with an approximately equal, or at least complementary or reciprocal, stake and claim in creating what we refer to as a legally-valid and enforceable personal identity: the individual in question and the verifying and recording state – or, at least, its devolved legal registration agency. Each such state currently issues passports, for instance – documents which epitomize this duality. If it is considered important that an individual is to have the right to exercise personal choice in changing aspects of his or her legally-recognized identity (gender for instance), then there would need to be agreed and easily-accessible (though secure) procedures for doing this, which could satisfy the state's function as guarantor of the registration of identities. Some states deny or resist the possibility for individuals to vary by choice their identity once the state has made an original determination, which is then treated as permanent. Is this rule simply for the convenience of the state, or because it is claimed to uphold an ethical, legal or security principle of vital importance?

Can history assist with providing a perspective on these current predicaments concerning the future of registration, due to this intense set of international, technological, commercial and political developments that have all come together during the last ten years? At the moment we face these issues as a citizenry and set of experts who are equally uninformed of the rich and deep comparative history of the technologies of representation and recognition. This book provides a set of empirically-researched historical resources with which to address these contemporary problems. There are chapters here which uncover the rich but previously largely invisible histories of the evolution of these important infrastructures of social rights in European, American and Asian societies. There are many chapters

which explore the history of registration in Africa, as well as in India and China, the three greatest population centres of the poor in the world today, where registration is a highly contentious issue affecting a large proportion of the world's populace. There are chapters which explore the curious absence of direct relationship between the modern history of identity registration and the emergence of the international human rights agenda. And there are several contributions which explicitly link the diversity of historical information presented to the highly contemporary policy questions of the future of identity registration in a biometric and commercialized global context preoccupied with internal and external security.

Conclusion: the concept of registration in the humanities

The novelty of registration as a subject of study lies in its differentiation from the previously-studied topics which have addressed other aspects of the history of identifying and accounting for individuals, often within a Foucauldian framework: enumeration and censuses; identification systems developed for policing, labour migration and border control purposes; and the study of vital statistics for public health, demographic and economic uses.

The form of registration which is the subject of study in this volume is the registration of persons for purposes of conferring public recognition of their legal personhood and status. Registration in this sense confers acknowledged rights and obligations in relation to other members of the community of mutual recognition. This might be termed 'civil registration'. However, that term has only previously been used of the administrative practices supposedly originating in post-Enlightenment 'western' liberal, secular democratic polities of the nineteenth and twentieth centuries. The studies collected here indicate the existence of 'registration as recognition' as a fundamental feature of human life in groups – and therefore occurring ubiquitously in a wide variety of other contexts and time periods throughout human history, even though the earliest records of written, documented forms of registration are only available with the rise of literate and powerful state and imperial bureaucracies.

'Registration' has previously been hidden from analytical view to historians and social scientists because of its superficial similarity to several other purely documentary practices requiring the registering and rendering legible of individuals for various governmental purposes. But in fact registration, in the form that has provided the focus for the studies presented in this volume, is an entirely distinct and separable concept.

It is a central argument of this collection of studies that the subject of registration itself needs to be 'registered' in the academic world. Registration needs to be recognized and explicitly acknowledged as a critical concept with the capacity to illuminate comparative historical study in the humanities, as is illustrated by the

many and diverse contributions to this volume. In due course we believe that the concept of registration will require – and sustain – further elucidation and comparative study in its own right, in the way that such other critical concepts as class, gender, the state and community command entire historiographies of historical research in the humanities and theoretical debate in the social sciences. Registration, ultimately, is a conceptual tool for approaching the comparative study of recognition and representation of individual persons in relation to their wider communities and the protean constitution of these crucial relationships throughout human history.

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