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Pilot Programmes and Postcolonial Pivots: Pioneering “DNA Fingerprinting” on Britain’s Borders (accepted version, *Comparative Studies in Society and History*)

Abstract: Developed in Britain and the USA in the 1980s, genetic profiling has since become a global technology. Today, it is widely regarded as the evidentiary ‘gold standard’ in individual and forensic identification. However, its origins as a technology of post-empire at Britain’s externalised borders in South Asia have remained unexamined. This article will argue that the first state-sanctioned use of ‘DNA fingerprints’, a pilot programme exploring its value in disputed cases of family reunification migration from Bangladesh and Pakistan to Britain’s postcolonial cities, repays closer examination. National and transnational responses to the advent of genetic profiling as an identification technology demonstrate the interplay between imperial and postcolonial models and networks of power and truth production. At the same time, this experiment pre-figured and conditioned the wider reception of DNA profiling in matters of kinship. Far from being a footnote, the use of genetic profiling by migrants determined to exercise their legal rights in the face of a hostile state also worked to naturalise genetic ties as the markers of ‘true’ familial relationships.

Keywords: DNA fingerprinting; genetic profiling; Britain; Bangladesh; migration; family reunification; genetic citizenship; border control.

Today, DNA has become a ubiquitous marker of identity, and tool in identification. It is used by states, sold by corporations, interpreted by cultural producers, and adopted by members of the public as a synecdoche for the unique, individual self. Moreover, human DNA is commonly understood to speak not only of our individual present (and presence), but of our

ancestral pasts (and historical presences).¹ The cultural permeation of genetic understandings of selfhood has been matched by an explosion of technologies operationalising the capacity of DNA to fix, and to affix distinct identities to individual actors.² As Sarah Franklin has recently argued for in vitro fertilisation, such genetic tools have been profoundly disruptive.³ One of them, genetic profiling – strategically christened ‘DNA fingerprinting’ by its inventor, Alec Jeffreys, in 1985 – has become intimately associated with criminal investigations. Perhaps because of its ubiquity in forensics, the rapid emergence of DNA profiling as the archetypal technology of biosurveillance and self-making has become detached from its own specifically postcolonial history. However, like the conventional fingerprinting which preceded it, the ‘DNA fingerprint’ emerged from and was shaped by the context of empire.⁴

¹ Yulia Egorova, “DNA Evidence? The Impact of Genetic Research on Historical Debates,” *BioSocieties*, 5: 3 (2010), 348-365; eadem, “The Substance that Empowers? DNA in South Asia,” *Contemporary South Asia*, 21: 3 (2013), 291-303; Keith Wailoo, Alondra Nelson, Catherine Lee, eds, *Genetics and the Unsettled Past : The Collision of DNA, Race, and History* (Rutgers University Press, 2012).

² Dorothy Nelkin and Susan Lindee, *The DNA Mystique: The Gene as a Cultural Icon*, Second Edition (University of Michigan Press, 2004); Alondra Nelson, *The Social Life of DNA: Race, Reparations, and Reconciliation after the Genome* (Beacon Press, 2016);

³ Sarah Franklin, “Developmental Landmarks and the Warnock Report: A Sociological Account of Biological Translation,” *Comparative Studies in Society and History* 61: 4 (2019), 743-773.

⁴ Keith Breckenridge, *Biometric State: The Global Politics of Identification and Surveillance in South Africa, 1850 to the Present* (Cambridge University Press, 2014); Simon Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (Harvard

It is no secret that ‘DNA fingerprints’ were first introduced as legal evidence in an immigration appeal in Britain in 1985; this fact appears in a number of scholarly accounts exploring the technology.⁵ However, the importance of its origins in immigration control has been obscured by scholarly fascination with the controversies which accompanied its commodification and introduction into the criminal courts (particularly in the United States), and which have since swirled around the collection and use of DNA profiles and databases by policing and counter-terrorism organisations. Indeed, scholarship across disciplines today routinely treats the use of DNA (and other biometric systems) to manage migration as a more recent phenomenon, linked to and indicative of the emergence of a fused ‘crimmigrant’ identity imposed by Global North destination states on irregular migrants from the Global South.⁶ Like its migrant subjects, DNA’s postcolonial history has been marginalised in

University Press, 2002); Chandak Sengoopta, *Imprint of the Raj: How Fingerprinting was Born in Colonial India* (Macmillan, 2003).

⁵ E.g., Jay Aronson, ‘DNA Fingerprinting on Trial: The Dramatic Early History of a New Forensic Technique’, *Endeavour* 29: 3 (September 2005), 126-131; Michael Lynch, “God’s Signature: DNA Profiling, The New Gold Standard in Forensic Science,” *Endeavour* 27: 2 (June 2003), 93-97. Michael Lynch, *Truth Machine: The Contentious History of DNA Profiling* (Chicago University Press, 2008).

⁶ See for example, Katja Franko Aas, “‘Crimmigrant’ Bodies and Bona Fide Travellers: Surveillance, Citizenship and Global Governance,” *Theoretical Criminology* 15: 3 (2011), 331-346; Ruha Benjamin, “The Emperor’s New Genes: Science, Public Policy, and the Allure of Objectivity,” *Annals of the American Academy of Political and Social Science* 661 (September 2015), 130-142; Ilpo Helen, Anna-Maria Tapaninen, “Biological Citizenship Across Borders: Politics of DNA Profiling for Family Reunification,” *Distinktion:*

favour of histories focused on DNA profiling within the lives of ‘genetic citizens’ and civic society.

Here, I argue that the history of DNA profiling’s introduction and validation as a ‘truth machine’⁷ at (chronologically and socio-politically) post-imperial borderlands is more than a footnote to the dominant story of its forensic and biomedical impacts; and that migrants are more than casualties of that history. This original context prefigured and conditioned later global perceptions of the technology, working to naturalise the use of DNA as an arbiter of kinship and belonging at and beyond national borders. The first state intervention to geneticize familial identity was the UK’s pioneering 1987 pilot trial of ‘DNA fingerprinting’ on family reunification migrants seeking to take up their legal entitlement to settle in Britain (itself a complex and contested legacy of Britain’s imperial past). From conception to conclusion, this trial laid bare the interplay between established networks of

Scandinavian Journal of Social Theory 15:3 (2014), 343-360; Torsten Heinemann and Thomas Lemke, “Biological Citizenship Reconsidered: The Use of DNA Analysis by Immigration Authorities in Germany,” *Science, Technology and Human Values* 39: 4 (2013), 488-510; Janice Villiers, “Brave New World: The Uses and Potential Misuses of DNA Technology in Immigration Law,” *Boston College Third World Law Journal*, 30: 2 (Spring 2010), 239-272. Exceptionally, Martin Weiss, “Strange DNA: The Rise of DNA Analysis for Family Reunification and Its Ethical Implications,” *Genomics, Society and Policy* 7 (2011), 1-9 acknowledges the UK pilot. Contrastingly, legal journals address the UK example almost immediately, e.g. Robin White and Jeremy Greenwood, “DNA Fingerprinting and the Law,” *Modern Law Review* 51: 2 (March 1988), 145-155.

⁷ Former US Attorney John Ashcroft, quoted in Jay Aronson, *Genetic Witness: Science, Law and Controversy in the Making of DNA Profiling* (Rutgers University Press, 2007), p.1.

power and scientific knowledge production rooted in empire, and new networks generated by emerging transnational communities. The appropriation of such networks to serve UK governmental agendas, like subsequent efforts by the British state to dilute and restrict DNA's unexpectedly empowering effects for migrant families who appropriated its probative force in order to exercise their mobility entitlements, demonstrates the persistence of Britain's post-imperial but still-hegemonic view of postcolonial relations.

Here, I explore four stages of what would become the world's first governmental experiment with DNA profiling. The article begins with the specifically post-colonial 'problem' which prompted UK scientists and politicians to see DNA as a solution: the unpopular but – until 1988 – legally and politically unstoppable movement of 'entitled' family reunification migration from South Asia to the UK in the 1970s and 1980s. Its second section addresses the challenges that the persistence of imperial assumptions posed for the implementation of the DNA fingerprinting pilot programme, initially planned for Bangladesh. In the third section, I examine Whitehall's⁸ pivot to a previously little-considered model for shaping international relations: the active mobilisation of transnational networks and political organisations built by migrants themselves. Finally, I argue that the empirical outcomes and media and policy responses stimulated by the pilot programme both demonstrated and deliberately foreclosed a possible future in which DNA profiling operated as a disruptive (and expansive) technology of citizenship for postcolonial migrants. That future was replaced by the one we know, in which states have monopolised the tools and even the meaning of 'identification' at their borders, reducing (some, largely racialised) migrants to their abject physicality and denying them access to the social, cultural and civic

⁸ A metonym for UK central government, and especially the Civil Service.

identities promoted for ‘genetic citizens’, just as the colonial state monopolised ‘brutality’ and the medical evidence legitimating its worst effects.⁹

I. The ‘Problem’

What motivated the UK’s strikingly early official interest in an unproven, experimental technology of identification? To understand this radical turn towards innovation in two of Britain’s most powerful ministries, the Home Office [HO] and the Foreign and Commonwealth Office [FCO], it is worth quickly reviewing the problems to which DNA fingerprinting came to look like a solution. Much has been written on the historical emergence of a territorial British citizenship from the more capacious imperial categories of ‘British Subject’ and ‘Citizen of the UK and Colonies’ [CUKC] which preceded it.¹⁰ Crucially for the history of genetic profiling, while the British Nationality Act of 1981 [BNA81] finally

⁹ On “genetic citizenship”, Deborah Heath, Rayna Rapp, Karen-Sue Taussig, “Genetic Citizenship,” in David Nugent and Joan Vincent, eds, *A Companion to the Anthropology of Politics* (Blackwell, 2004), 152-167; on brutality, Jordanna Bailkin, “The Boot and the Spleen: When was Murder Possible in British India,” *Comparative Studies of Society and History* 48: 2 (2006), 462-493.

¹⁰ I.R.G. Spencer, *British Immigration Policy Since 1939 : The Making of Multi-Racial Britain*, (Routledge, 1997); Randall Hansen, *Citizenship and Immigration in Post-War Britain: The Institutional Origins of a Multicultural Nation* (Oxford University Press, 2000); Reiko Karatani, *Defining British Citizenship: Empire, Commonwealth and Modern Britain* (Routledge, 2003); Nadine El-Enany, *(B)Ordering Britain: Law, Race and Empire* (Manchester University Press, 2020).

established such a citizenship, it did not eliminate all of the UK's historical obligations to its former imperial subjects. Primary migrants from the Commonwealth who had legally settled in the UK before the 1973 enactment of the racially discriminatory 1971 Commonwealth Immigrants Act [CIA71] retained one crucial right: that of bringing their spouses and under-age children to join them in Britain. Since an existing 'right of abode' became co-terminus with 'British citizenship' under BNA81, those migrants with 'right of abode' (and thus citizenship) in 1981 thus also gained the right which had been defined as 'patriality' a decade earlier: that of passing their citizenship on by descent, even to children and grandchildren born abroad. Such children, now British by blood, could not initially be required to seek entry clearance before departure to the UK, throwing up yet another (to the HO, resoundingly unwelcome) set of legal complexities at Britain's borders.¹¹ Successive administrative adjustments to immigration rules whittled away at these prerogatives over the course of the 1970s and 1980s. However, family reunification would continue to represent between 30 and 37 percent of the UK's annual immigration totals across the 1980s; and between 20 and 37 percent across the 1990s; by 2019, 45% of the UK's foreign-born population were family migrants.¹²

¹¹ The rights of this small population persisted until BNA81 was reformed in 1988 specifically to close this and other 'loopholes' preserving rights historically linked to White British ancestry, but newly accessible to the descendants of settled and naturalised Black and Asian Britons.

¹² Peter William Welsh, "Family Migration to the UK," Migration Observatory at the University of Oxford, 6 July 2021

<https://migrationobservatory.ox.ac.uk/resources/briefings/family-migration-to-the-uk/>

(accessed 3 September 2021); David Owen, "Ethnic Minorities in Great Britain: Patterns of

There was little political appetite in the UK to welcome these families, and the then-governing Conservative party's amplified rhetoric of immigration 'control' left the ministries and departments charged with managing migration facing intense scrutiny with little room to manoeuvre.¹³ But governments were not the only committed actors in these debates. Britain's diverse South Asian communities amplified their own voices through a host of new organisations, notably including the Bangladesh Divided Families Campaign and the Federation of Bangladesh Associations [FOBA].¹⁴ They were joined by established immigration lobbying groups like the Joint Council on the Welfare of Immigrants [JCWI] and UK Immigrants Advisory Service [UKIAS, part funded by the FCO], while the new activist Law Centres movement (focused on improving access to the courts for disadvantaged

Population Change, 1981-1991," (Centre for Research in Ethnic Relations/ESRC, 1995).

<https://warwick.ac.uk/fac/soc/crer/research/publications/nemda/nemda1991sp10.pdf>.

(Accessed 25 July, 2021).

¹³ Hansen, *Citizenship and Immigration*, 209-212; Spencer, *British Immigration Policy*, 147-150; El-Anany, *(B)Ordering Britain*, 134-5.

¹⁴ FOBA was founded by 1974 to promote charitable interventions targeting poverty and promoting education among UK-based Bangladeshis; and from c.1985, challenging discrimination against them and improving relations between Bangladeshis and "persons of other racial groups." It ceased activity by 2000. <https://register-of-charities.charitycommission.gov.uk/charity-search/-/charity-details/327043/governing-document> (accessed 25 April 2022). The BDFC was founded in Oldham and became nationally visible by the early 1980s, working closely with the Manchester Law Centre.

communities) mounted ferocious, media-savvy legal challenges on behalf of would-be migrants and their settled British sponsors.¹⁵

Controversial individual cases; sporadic and unpredictable surges in migration from individual nations; the persistent expense and potential embarrassment of defending endless immigration appeals; and extensive hostile coverage of the UK's restrictionary border practices all drove Home and Foreign and Commonwealth Office officials' willingness to innovate. However, they were interested only in innovations that promised to reduce inward migration flows without challenging the traditionally opaque operations of the UK's external and internal border control systems. If they could silence criticisms of the UK's border control systems and agents as racially biased, so much the better. Consequently, when the prestigious science journal *Nature* published Dr Alec Jeffreys, Victoria Wilson and Swee Lay Thein's claim that they had developed (and were preparing to patent) a new genetic technique able to provide "individual-specific DNA 'fingerprint[s]'" and complete family "pedigrees" in March 1985, HO officials were eager to learn more.¹⁶ The paper also attracted immediate media and legal attention. Most influential was an article in the left-leaning national *Guardian* newspaper which noted, inter alia, that Jeffreys and his team had "tested blood samples from an extended Indian Gujarati family – 54 people spanning four generations...

¹⁵ Philip Leask, "Law Centres in England and Wales," *Law and Policy* 7: 1 (January 1985), 61-76; Roger Smith, "Clinics in a Cold Climate: Community Law Centres in England and Wales," *Osgoode Hall Law Journal* 35: 3-4 (Fall/Winter 1997), 895-924.

¹⁶ Alec J. Jeffreys, Victoria Wilson, Swee Lay Thein, "Individual-specific 'Fingerprints' of Human DNA," *Nature* 316: 6023 (7 March 1985), 76-79.

they were able to distinguish every individual, even the children of a first-cousin marriage ... and to trace the fragments of DNA back from child to parent.”¹⁷

Shortly thereafter, solicitor Sheona York of the Hammersmith and Fulham Community Law Centre approached Jeffreys. York sought his help in the case of thirteen-year old Andrew Gyimah, threatened with deportation because the HO did not accept that he was his mother’s son. Jeffreys readily agreed to test blood samples from the affected family.¹⁸ His results offered conclusive evidence, immediately added to the Appeal’s case files, that Gyimah was the biological son of his legally settled Ghanaian mother, and thus a British citizen by birth. While reserving their right to contest the still-novel and legally untested DNA profile evidence, internal HO memos make it clear that by May, civil servants were already considering “its deliberate application to resolving immigration cases.”¹⁹ On 13th June, the “DNA fingerprint” was formally entered in evidence at an immigration appeal tribunal, garnering considerable press attention. The boy’s appeal was granted, though not on grounds of DNA, when the Home Office withdrew its case.²⁰

¹⁷ Andrew Veitch, “Genetic ‘Print’ that Could Point the Finger,” *Guardian*, 11 March 1985, 1.

¹⁸ Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case and Summary of Results from Initial Immigration and Paternity Cases Processed in Lab 1985-6.”

¹⁹ Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.” T.M. Harris to Daddow, 20 May 1985.

²⁰ Aronson, “DNA Fingerprinting on Trial”; Aronson, *Genetic Witness*, 7-32. Aronson’s analysis, however, fails to capture the full significance of their concession. See Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.”

By July 25th, the HO's Central Research Establishment had requested, under conditions of strictest confidentiality, sample probes from the Lister Institute, and on 2 September 1985, backed by the Forensic Science Service, the HO's Immigration and Nationality Division [IND] hosted a meeting with Jeffreys and the Lister Institute to explore the matter further.²¹ Just a month later, the FCO's Migration and Visas Department [MVD] praised the technique to its High Commission in Dhaka, Bangladesh: "Our Home Office colleagues have become very interested in the application of recent advances in the field of genetics to immigration control. One such technique is DNA fingerprinting." As a "relatively cheap and extremely accurate" way to prove family relationships, they recognised DNA profiling's potential significance in immigration control. Moreover, they stressed, it had successfully established a parental relationship even where "falsified" documentary evidence and "discrepancies" in interview testimony had prompted a prior refusal.²² Already the HO, as "prime mover," sought information about whether Dhaka could host a pilot study to test what would be "a major change in control." However, their FCO colleagues cautioned – correctly, as it turned out – any such proposal "must be handled with great delicacy."²³

It was no coincidence that FCO turned first to its Dhaka post when considering "DNA Identification Techniques ('fingerprinting')." By far the majority of prospective family reunification migrants relying on CIA71 entitlements were by this point coming to the UK from Bangladesh. This was where Britain's High Commission was under the greatest pressure to (expensively) expand its establishment to reduce shocking, sometimes years-long

²¹ TNA HO394/810 Letter, G.J. Roderick to R.J. Fries, 2 December 1985.

²² TNA HO394/810 Letter, Dennis O Amy to A. E. Jakeman, 4 October 1985.

²³ TNA HO394/810 Amy to Jakeman, 4 October 1985.

queues. Bangladeshi (and to a lesser degree, Pakistani) UK settlers and their families produced the bulk of immigration reapplications emerging to clog High Commissions and appeals tribunals. Still worse from the perspective of the HO, Bangladeshi settlers' self-organised and vocal resistance to the hostile border regime attracted international and domestic media and public attention to contentious and opaque border procedures that had previously been offshore and out of sight.

Meanwhile, Bangladeshi migrants to Britain, along with their Pakistani counterparts, suffered disproportionately from the intensification of British immigration restriction efforts after the 1973 implementation of CIA71. The Act, along with an array of supplementary regulations eroding migrants' rights to family reunification, led to some 30,000 child refusals "on relationship grounds" between 1977 and 1986. Such refusals were, of course, devastating to the families directly affected, many of whom remained mired in "queues" for entry certificates, and appeals against their refusal for months, years, and occasionally decades.²⁴ Reflecting the persistence of Hamlin's "Raj paralyzed by deception anxiety," migrants seeking to exercise their entitlement to join a sponsor legally established in the UK faced intensive scrutiny.²⁵ They endured demands for extensive documentation of identity – documentation that often did not exist, having never been created by the migrants' nations of origin; lengthy and minutely detailed interviews pitting individual family members' testimony against each other; medical examinations focusing on testing biologically claims about social identity; and the sifting of migrants' UK-settled sponsors' existing tax records

²⁴ TNA HO 394/810.

²⁵ Christopher Hamlin, "Forensic Facts: The Guts of Rights" in Ian Burney and Christopher Hamlin, eds, *Global Forensic Cultures: Making Fact and Justice in the Modern Era* (Johns Hopkins University Press, 2019), 1-36 at p. 20.

and claims.²⁶ Studies by non-governmental organisations in the UK also found that while ECOs demanded copious documentary evidence, they gave little credence to such papers when submitted (often on the grounds that forgeries were common).²⁷

Dhaka regularly figured in official reporting as an especially problematic outpost of post-empire. Testimony presented before Parliament's Home Affairs Subcommittee on Race Relations and Immigration [SCORRI] in December 1985 by officials from all of the Whitehall bodies who collectively administered subcontinental migration positioned the management of Bangladeshi migration as uniquely challenging.²⁸ Committee members and their civil service witnesses alike were desperate for a solution to one specific 'problem': what they perceived as an almost all-encompassing history of deception by both the settled

²⁶ On the process as it was experienced by migrants, see Janet M. Ihenacho, "The Effect of the Introduction of DNA Testing on Immigration Control Procedures: Case Studies of Bangladeshi Families," Research Paper in Ethnic Relations No. 16 (ESRC Centre for Research in Ethnic Relations, 1991), 17-19.

²⁷ Helena Wray, *Regulating Marriage Migration into the UK: A Stranger in the Home* (Routledge, 2016), 112. Contemporary interviews with ECOs in David Rose, "The Keepers of the Gate: The Little White Ghetto in Gulshan," *Guardian*, 24 February 1986, p. 19 support Wray's analysis. On medical examinations, Roberta Bivins, "'Suspect' Screening: The Limits of Britain's Medicalised Borders, 1962-1981," in Sevasti Trubeta, Christian Promitzer and Paul Weindling, (eds), *Medicalising Borders: Selection, Containment and Quarantine Since 1800* (Manchester University Press, 2021), 227-255; Evan Smith and Marinella Marmo, *Race, Gender and the Body in British Immigration Control: Subject to Examination* (Palgrave Macmillan, 2014).

²⁸ That is, the HO and IND; FCO and MVD.

Bangladeshi men who sought to sponsor their families and by the families and communities remaining in Bangladesh. “There is such a vast amount of forgery, particularly in Bangladesh,” one committee member complained; “[i]s there ... a better way of interviewing?”²⁹ Responding to such questions, David Waddington, HO Minister of State affirmed the “appalling history of fraud in Dhaka in particular.” Revealingly, he supported this assertion with an anecdote specifically about the complexities and frustration of “unravel[ing]” what he regarded as an “obvious” fraud (rather than an example of social parenthood): a man who claimed as his own a child conceived when he was out of the country.³⁰ Deflecting a challenge about anti-immigrant bias among ECOs, the civil servants assured the panel that “90 per cent of reapplications have some element of confession [that is, to attempted deception, largely in relation to settled migrants’ past tax claims listing as-yet-unborn child dependants] involved.” By implication, ECOs could reasonably regard all migrants as probable deceivers.³¹

This discourse of a deceptive Asian other has deep historical roots. Imperial scholars have documented visions of South Asian populations as prone to reflexive deception, and

²⁹ Jeremy Hanley, “Immigration from the Indian Subcontinent: Minutes of Evidence Monday 9 December 1985,” Home Affairs Sub Committee on Race Relations and Immigration [SCORRI], House of Commons Parliamentary Papers Online, 142. On Raj suspicions of and responses to documentary evidence, Projit Bihari Mukharji, “Handwriting Analysis as a Dynamic Artisanal Science: The Hardless Detective Dynasty and the Forensic Cultures of the British Raj,” in Burney and Hamlin, *Global Forensic Cultures*, 86-111.

³⁰ David Waddington, “Minutes of Evidence, SCORRI, 9 December 1985,” 143. In the UK, of course, any child born in wedlock was legally presumed to be the husband’s.

³¹ Nicholas J Barrington, “Minutes of Evidence, SCORRI, 9 December 1985,” 143.

naturally opaque to the official/imperial gaze. These proved as mobile as South Asians themselves, circulating among Britain's colonies and flourishing among returned civil servants on Whitehall.³² "Native mendacity" was a colonial narrative that ignored the possibility that 'deception' might rather, as Sharafi has suggested, represent either "legal pluralism" or creative local repurposing of imposed, unsatisfying or culturally illegitimate imperial processes. Simultaneously, it rendered suspicion and even overt bigotry and violence on the part of Britain's agents innocent.³³

The presumption of official 'innocence' – even when official bias and discrimination was recognised -- too evidently persisted. One member of the Sub Committee, for example, sympathetically suggested that such high rates of admitted historic false testimony would unavoidably have "clouded" officers' perceptions of Bangladeshi applicants. Again, officialdom ignored the possibility that such claims might represent migrants' efforts to fit the UK's rigid tax code – predicated on nuclear families -- to the complex financial obligations they owed to Bangladeshi extended families; or even simple misunderstandings rooted in a Bangladeshi model of family and kinship where cousins can be thought of and

³² E.g, Brekenridge, *Biometric State*, 83-87; Chandak Sengoopta, "Treacherous Minds, Submissive Bodies: Corporeal Technologies and Human Experimentation in Colonial India," in Rohan Deb Roy, Guy Attewell, (eds.) *Locating the Medical: Explorations in South Asian History* (Oxford University Press, 2018), no page numbers.

³³ Mitra Sharafi, 'The Imperial Serologist and Punitive Self-Harm: Bloodstains and Legal Pluralism in British India', in Burney and Hamlin, *Global Forensic Cultures*, 60-85, "native mendacity" at p. 67; Bailkin, "Boot and Spleen."

described as siblings.³⁴ Instead, for Waddington, any confession of past falsehoods confirmed the applicant as “a liar,” even if his current claims were entirely true.³⁵ A *Guardian* newspaper investigation of life in the Dhaka High Commission documented the blatant hostility which prevailed among ECOs towards the migrants whose fates they determined. In the three-part “The Keepers of the Gate” series, reporter David Rose quoted unnamed ECOs complaining about their work as “conveyor belt” “detection of fraud” and exposure of “bogus applicants,” while fantasising about “abolishing the appeal system.” Senior staff expressed even stronger prejudices. The Deputy High Commissioner was quoted as saying that “we should let none of these people in.”³⁶

In this context – one which assumed “a great web of deceit” on the part of applicants through the Dhaka outpost, but also appreciated the hardship experienced by entitled wives and children unnecessarily delayed or drawn into deception through no fault of their own – technological solutions to ease mutual distrust and reduce delays came to look especially attractive.³⁷ For instance, SCORRI members suggested computerising the relevant files, and tape-recording all EC interviews, as well as the apparently revolutionary step of appointing ECOs from Britain’s growing ethnic minority communities, none of whom were yet

³⁴ On the relationship between relatedness, obligation, and migration in Bangladesh, see Katy Gardner and Zahir Ahmed, “Degrees of Separation: Informal Social Protection, Relatedness and Migration in Biswanath, Bangladesh,” *Journal of Development Studies* 45: 1 (January 2009), 124-149.

³⁵ Gerald Bermingham, “Minutes of Evidence, SCORRI, 9 December 1985,” 144.

³⁶ David Rose, “The Keepers of the Gate: The Little White Ghetto in Gulshan,” *Guardian*, 24 February 1986, p. 19.

³⁷ Waddington, “Minutes of Evidence, SCORRI, 9 December 1985,” 144.

represented amongst the ECO contingent.³⁸ Civil servants adamantly resisted all of these changes; as well as increasing labour and costs, each would have brought new – and unwelcome – transparency to existing interview and assessment procedures.

In sharp contrast, however, when Sub-Committee member John Hunt (Conservative MP for the London constituency of Ravensbourne) suggested that DNA fingerprinting might offer an “almost foolproof” solution to “the sheer scale of deceit and dishonesty,” the officials’ tone shifted from resistance to enthusiasm. Nicholas Barrington, Assistant Under-Secretary of State at the FCO immediately reported on plans for “a controlled experiment” in Dhaka. DNA, he concluded, “offers some interesting prospects ... particularly in Bangladesh ... where the parentage of children is a very key element, and relationships.”³⁹

Influenced by extensive testimony asserting almost universal fraudulence and deception among familial migration applications, the Sub-Committee’s final report enthusiastically “welcomed” a speedy introduction of DNA fingerprinting into the entry clearance process. “Apart from DNA fingerprinting,” they reported, no other “conceivable” reform of entry clearance procedures “could introduce anything like certainty into decisions,” or replace “the complex and often ambiguous” mesh of contradictory details that characterised existing evidence. Indeed, so eager were they to add DNA to the ECO’s repertoire that they initially suggested that the UK government should pay for the tests; this was stricken from the final report.⁴⁰ The report confidently concluded, “We regard any

³⁸ “Minutes of Evidence, SCORRI, 9 December 1985,” 145.

³⁹ Barrington, “Minutes of Evidence, SCORRI, 9 December 1985,” 149.

⁴⁰ Home Affairs Committee, *Second Report: Immigration from the Indian Subcontinent 1986*, Vol 1 House of Commons Parliamentary Papers Online. Minutes, Draft report, p. xxxvii vs p. ix, Final Report.

decision on its use to be *solely a matter for the British Government*.⁴¹ Events on the ground would prove this assumption to be outdated. As the next section will illustrate, Bangladesh, like other postcolonial states, fiercely resisted encroachment on its sovereignty, and its government too sought to monopolise the right to ‘know’ and to identify Bangladeshi citizens, whether bodily or through documentation.⁴²

II. The Plan

By the time SCORRI was affirming its enthusiasm for a genetic solution to the ‘problem’ of Bangladeshi family reunification migration, the HO was already months into planning a pilot study.⁴³ While diplomats at the Bangladesh High Commission cautioned that trialling and introducing DNA evidence into immigration procedures would require careful negotiation,

⁴¹ Home Affairs Committee, *Second Report 1986*, Vol 1, xvii, ix. Emphasis added.

⁴² Ruha Benjamin, “A Lab of Their Own: Genomic Sovereignty as Postcolonial Science Policy,” *Policy and Society*, 28:4 (2009), 341-355 explores the “genealogy” of similar insistence on, and mobilizations of sovereignty in relation to genomics among postcolonial states. The HO pilot offers an additional – if perhaps complicating -- historical precedent for the lability and “dexterity” she assesses here and in eadem, “Racial Destiny or Dexterity: The Global Circulation of Genomics as an Empowerment Idiom,” in Susan Bell and Anne E. Figert, eds, *Reimagining (Bio) Medicalization, Pharmaceuticals and Genetics: Old Critiques and New Engagements* (Routledge, 2015), pp. 197-215.

⁴³ HO394/810; Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case”; and Jeffreys-Leicester, “Home Office Pilot Immigration Study,” 1987.

few on Whitehall shared their concern. Instead, civil servants overflowed with eagerness, predicting “important manpower and resource savings” from the use of DNA fingerprinting. It could improve “community relations” by allowing applications to be handled swiftly and “more confidently.” Evidence of parentage provided by children’s DNA could even supply credible “evidence” of their parents’ often-undocumented marital status.⁴⁴ Those at an initial meeting with Jeffreys and officials from Leicester University (where he worked) and the Lister Institute (which funded his research) were encouraged to think of other applications for DNA within the HO portfolio. Jeffreys’ own annotations suggested that its use in paternity testing for affiliation cases was “guaranteed” (indeed, a case had successfully gone to trial in a UK Magistrates court over the summer), while it remained “early days” for investigations of its utility in criminal forensics. Scant mention was made of “political considerations” and these principally related to domestic UK politics.⁴⁵

Instead of considering how the governments and citizens of sending nations might regard the experimental introduction of DNA testing, HO and FCO correspondence and internal memos focused on a narrow set of technical issues. These included how to obtain and securely transmit to the UK “guaranteed” blood samples linked irrevocably to the applicant-donors; how to gather the blood of the sponsoring parent in the UK; and “what it will cost and who will pay.”⁴⁶ But officials had also to consider how to gain applicants’ consent for taking these samples; clearly the shadow of UK public and professional disdain for invasive

⁴⁴Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case,” “Background Note: The Possible Use of DNA Fingerprinting in Immigration Work,” 16 August 1985.

⁴⁵ Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.” T.M. Harris to A.J. Jeffreys, 31 July 1985.

⁴⁶ TNA HO394/810, Amy to Jakeman, 4 October 1985.

medical screening at the border still hung over Whitehall. This departure from the conventions of colonial science reflected increasing awareness of the transparency brought to immigration practices by the outspoken transnationalism of migrant communities and organisations.

The pilot trial that they and Jeffreys favoured involved taking blood samples from some forty randomly chosen “mothers and children” in Dhaka using the High Commission’s existing panel doctors. The samples, accompanied by a few “rogue samples from bogus children,” would travel by diplomatic pouch to Jeffrey’s laboratory for testing. UK-based sponsors would provide their samples through NHS facilities or a HO-certified blood tester.⁴⁷ By 3rd September, Jeffreys had advertised for lab technicians to take on the extra work; his lab could start testing samples by the end of the year.⁴⁸ As late as December 1985, the HO assured Jeffreys that they would “press ahead” with its trial, despite challenges with “the practical arrangements” in Dhaka.⁴⁹ In fact, for reasons quite unrelated to the technical difficulties then envisioned by the HO, the trial would not begin until 1987, and then only after significant changes in form.

So why were Britain’s civil servants so blithely confident that they could proceed -- largely without consultation -- with a trial of an entirely novel, physically invasive technique

⁴⁷ TNA HO394/810 and Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.”

⁴⁸ Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.” Jeffreys to T.M. Harris, 3 September 1985.

⁴⁹ Jeffreys-Leicester, Unnumbered Box, Folder “First Immigration Case.” R.J. Fries to Jeffreys, 23 December 1985.

on the citizens and soil of another sovereign nation? What, in effect, made DNA seem like a ‘natural’ solution to Britain’s ‘problem’ of family reunification migration? In part, their confidence may have been rooted in wider international acceptance of medical examination as a legitimate tool in immigration control, and one already used vigorously (if sometimes controversially) by the UK across the Indian subcontinent.⁵⁰ But the proposed experimental model – an extractive programme of knowledge production using Bangladeshi migrant women and children as experimental subjects -- also replicated well-established practices in Britain’s imperial biomedical research establishment. Consciously or unconsciously emulating generations of colonial researchers, Whitehall civil servants envisioned a process in which the collection of the raw scientific materials would be entrusted to trustworthy agents of the British state based in ‘the field’, while the final analysis and interpretation of those specimens would remain in the hands of metropolitan British experts.⁵¹ The expected

⁵⁰ On international attitudes towards medical screening of migrants, see Alison Bashford, ed., *Medicine at the Border: Disease, Globalisation and Security, 1850 to the Present* (Palgrave, 2014); Roberta Bivins, *Contagious Communities: Medicine, Migration and the NHS in Post-War Britain* (Oxford University Press, 2015), 168-226.

⁵¹ See notes 4, 9, 29, 32-33; David Arnold, “British India and the ‘Beri-Beri Problem’, 1798–1942,” *Medical History* 54 (2010), 295–314; Roberta Bivins, “Re-writing the ‘English Disease’: Migration, Ethnicity and ‘Tropical Rickets’,” in Mark Jackson (ed.), *The Routledge History of Disease* (Routledge, 2016), 257-278; Sabine Clarke, “A Technocratic Imperial State? The Colonial Office and Scientific Research, 1940–1960,” *Twentieth Century British History*, 18: 4 (2007), 453–480; Martin Moore, “Harnessing the Power of Difference: Colonialism and British Chronic Disease Research, 1940–1975,” *Social History of Medicine*

benefits were, as in the past, envisioned as accruing principally to the British state and the populations of the British Isles. While (post)colonial bodies could be the alembics or the subjects of experiment in this model, they and their governments were expected to be passive and compliant. As Sabine Clarke has observed, individual civil servants had recognised by the 1950s that such “high-handed” research practices threatened Britain’s diplomatic relations: “the colonial peoples themselves would soon bitterly resent being considered as almost experimental animals in being subjected to research by outsiders without any control by their own government.”⁵² Clearly by the 1980s, however, this knowledge had been lost – or erased – from Whitehall’s institutional memory.

As a result, it took exactly one junior FCO minister on a perambulatory tour of subcontinental High Commissions to bring the Home Office’s dreams of an imposed pilot study down to (postcolonial) earth. On the 11th of January 1986, the newly installed UK Parliamentary Undersecretary of State for Foreign Affairs, Tim Eggar, blithely announced the planned trial of DNA fingerprinting as a *fait accompli* to an audience of local, regional and international journalists at Dhaka’s airport. He reportedly told them, “We are introducing the system for the first time on an experimental basis in Bangladesh and if it succeeds we might use it in other places.”⁵³ Confidential and increasingly urgent telegrams between Dhaka and

29: 2 (May 2016), 384-404; Helen Tilley, *Africa as Living Laboratory: Empire, Development and the Problem of Scientific Knowledge, 1870–1950* (University of Chicago Press, 2011).

⁵² Clarke, “Technocratic Imperial State,” 478, quoting PRO CO 927/175/1, E.D. Pridie, Chief Medical Adviser to the Colonial Office.

⁵³ Ahmed Fazi, “Immigrants from Bangladesh Face British Blood Test”, *Times*, 11 January 1986.

London following Eggar's airport press conference tease out the factors that made this new addition to the already harsh regime particularly inflammatory.

Certainly, Foreign Secretary and career diplomat Faruq Choudhury was indignant to learn about these plans via the media. Sir Terence Streeton, UK High Commissioner, sought to soothe what he considered an "over-reaction" by pointing to earlier positive press reports on the new technique's potential "in the immigration field," and noting that Eggar *had* already discussed the planned "trial" with Bangladesh's Home Secretary, Kazi Ali. This placatory intervention was ineffective; the Bangladeshi Home Secretary had not appreciated that "a new scientific technique and not traditional fingerprinting was involved," and Choudhury— who did — was unappeased. "The concept of 'blood tests' on would-be immigrants was an emotive issue," Choudhury argued. As Mukharji has demonstrated, the historical connections between blood testing, racial classification, national identity and debates about caste were almost uniquely evident — and recent — in the subcontinent, where research around blood group B generated "serosocial" identities and intervened in critical debates about belonging since the 1930s.⁵⁴ But in the hands of the postcolonial British state, the proposed testing also reminded Choudhury of another recent, and much resented British practice for medically assessing the validity of would-be migrants' claims: "'virginity tests'" on young women migrating from the Indian subcontinent to join fiancés in the UK.⁵⁵ That this "experiment" would be unilaterally imposed by the former imperial power only on

⁵⁴ Projit Mukharji, "From Serosocial to Sanguinary Identities: Caste, Transnational Race Science and the Shifting Metonomies of Blood Group B, India 1918-1960," *Indian Economic and Social History Review*, 51:2 (2014): 143-176.

⁵⁵ TNA HO394/810, Confidential Telegram 019, Streeton to Barrington, Eggar, 14 January 1986.

racialised bodies; that it would involve the invasive extraction of blood samples from a population largely composed of women and children; that these would be tested and interpreted abroad, without input or scrutiny from Bangladesh; and that the biological ‘results’ produced would apparently trump evidence supplied by the Bangladeshi state and the migrants themselves also resonated unappealingly with a rash of scandals exposed in the subcontinental media in the preceding decade. These included Britain’s own existing border programmes of blood testing for exclusion, and its disputed use of radiographic age testing on migrant children, described by journalist B.K. Joshi in 1980 as “snub to the governments of the subcontinent” and “open contempt” for international medical opinion.⁵⁶

Equally problematic was the fact that this experiment exclusively targeted Bangladeshi migrants. Despite Streeton’s claim that immigrants themselves were demanding the tests, Choudhury predicted instead that “Bangladesh public opinion would be outraged,” and that “the matter could become a major irritant in Anglo-Bangladeshi relations.” Choudhury’s own “immediate and personal reaction” was that “the Bangladeshi government would never agree to the technique being carried out in Dhaka on Bangladeshi citizens.”⁵⁷ Formally, Streeton could only await an official reaction from the Bangladesh government. However, he took one revealing preparatory step (of which more below): he urged his UK-

⁵⁶ E.g., a sample from the *Times of India*, hardly the subcontinent’s most radical paper, included: Special Correspondent, “X-ray Tests Done on Kids, Admits UK Govt,” *Times of India*, 9 February 1979; B.K. Joshi, “Need for Joint Action Against UK Indignities,” *Times of India*, 16 February 1979; idem, “UK to go on with X-ray Tests,” *Times of India*, 26 November 1980.

⁵⁷ TNA HO394/810, Confidential Telegram 019, Streeton to Barrington, Eggar 14 January 1986.

based colleagues to inform him of any “pressure ... from immigrants and their organisations for the tests to be introduced” and “any reaction in UK from the immigrants/organisations to Mr Eggar’s announcement.”⁵⁸

Subsequent telegrams between Dhaka, London and other South Asian High Commissions discussed the “furore” in Bangladesh, conventionally ascribing it to “misunderstanding,” “misreporting,” and “a lack of liaison” between the key Bangladeshi Home and Foreign Ministries.⁵⁹ Despite these efforts to downplay the situation, by the 16th, the trial became the subject of a pointed Parliamentary question from Max Maddon, MP for the Bradford West constituency, with its large South Asian population (21% by the 1991 census), asking whether “the children of British citizens” should be forced to “undergo genetic testing.”⁶⁰ Maddon’s phrasing hints at another factor underpinning reactions to DNA profiling: globally widespread popular suspicion of “genetic engineering” in this period, when the arrival of the world’s first test tube baby and genetically engineered crops were linked to fears about cloning, eugenics, and “frankenfoods.” Indeed, some civil servants argued for avoiding references to either “genetics” or “blood” in public discussions of DNA fingerprinting.⁶¹

⁵⁸ TNA HO394/810, Confidential Telegram 019.

⁵⁹ All TNA HO394/810, 15-17 January.

⁶⁰ TNA HO394/810 Cutting from Hansard, HC 16 January 1986 col 1225.

⁶¹ On perceptions of genetic engineering, Andrew Hogan, “From Precaution to Peril: Public Relations Across Forty Years of Genetic Engineering,” *Endeavour* 40:4 (December 2016), 218-22; Herbert Gottweis, *Governing Molecules: The Discursive Politics of Genetic Engineering in Europe and the United States* (MIT Press, 1998). On avoiding references to genetics, TNA HO394/810.

Eggar came under pressure to offer a positive statement, and drafts of this too burned along the telegraph wires. The proposed language extolled “the application of recent advances in the field of genetic analysis to immigration control,” and described “genetic fingerprinting” as rendering “obsolete” older methods of blood testing, while offering “a rapid and extremely accurate method of proving relationships between parents and children.” Importantly, Eggar’s proposed statement highlighted the successful use of DNA evidence in the 1985 Gyimah immigration appeal. Overall, the text simultaneously promoted the benefits of DNA fingerprinting to legitimate migrants, while implicating their own past deceptions for its necessity.⁶² Thus from the very beginning, the application of the new technique to familial migrants was predicated on two assumptions: first, that such applications were invariably tainted by deception and fraud; and second, that migrants’ bodies were consequently more trustworthy witnesses to their social relationships than their testimony or documents could ever be.

A final factor overdetermining UK enthusiasm for DNA profiling as a tool of immigration control is also evident here. The South Asian women at the heart of the familial reunification movement were deemed to be entirely culture bound to ‘traditional’ and purely biological models of kinship.⁶³ At the same time, they were seen as enmeshed in forms of patriarchal control that rendered their own testimony suspect. As envisioned by both the SCORRI committee and David Waddington of the HO, the women themselves – and not merely their words --required “translating” to the British context, making them always

⁶² All quotes, TNA HO394/810, Confidential Telegram 21, Howe to Dhaka 17 January 1986.

⁶³ Smith and Marmo summarise a rich literature exploring these assumptions and their effects, *Race, Gender and the Body in British Immigration Control*, 75-100.

already the perfect silenced/passive bodies, ready to be rendered both truthful and legible by DNA.⁶⁴

In Bangladesh, Streeton continued to meet with high-ranking Bangladeshi officials to persuade them of the potential benefits of the pilot trial. He met with no success. By the 21st of January, Bangladesh's formal response was in: "The Bangladesh government had concluded that the introduction of DNA testing ... would not serve the best interests of our two countries." Eggar's premature and over-confident announcement had poisoned the well, causing what Bangladeshi Home Secretary Kazi Ali termed "widespread public concern and resentment." Not only did Bangladesh's government explicitly object to "its citizens being used as 'guinea pigs'" but it held that selecting Bangladesh for the trial was discriminatory.⁶⁵ "If HMG wished to carry out an experiment," Ali told Streeton, "it should do so elsewhere."⁶⁶ Ali's evident personal distaste was amplified by the fact that Bangladesh was expecting elections. With public opinion already demanding that the government "dissociate itself" from the plan, he "could not risk fuelling public concern in an emotive issue." "All in all, not a very satisfactory morning," Streeton sighed. A belated offer direct from the British Foreign Secretary to widen the pool of subject to include non-Bangladeshis and extolling Britain's benevolent efforts to "offer [Bangladeshis] the opportunity to benefit from recent advances in technology" proved too little too late.⁶⁷ As the weekly Bengali newspaper

⁶⁴ John Wheeler, David Waddington, "Minutes of Evidence, SCORRI, 9 December 1985," 140

⁶⁵ TNA HO394/810, Confidential Telegram 027, Streeton to Barrington, 21 January 1986.

⁶⁶ TNA HO394/810, Confidential Telegram 028, Streeton to Barrington, 21 January 1986.

⁶⁷ TNA HO394/810, Confidential Telegram 026, Howe to Streeton, 21 January 1986

Janmot reported on 26 January 1986, despite the qualified support of FOBA in the United Kingdom for DNA testing to aid families who had already been refused entry, the Bangladeshi government “objected to the unilateral announcement by Britain and sharply discarded this blood test on principle.” A statement from Bangladesh’s London High Commission observed: “there is no need for the blood test. There are certificates -- these certificates are enough to prove whose son or daughter he or she is. ... If a Bangladeshi produced any certificates which the British High Commissioner suspected, the latter can seek the necessary help from the Government of Bangladesh to verify the certificate.” In other words, Bangladesh expected and demanded treatment on an equal footing with other governments whose identity documents were respected.⁶⁸

Clearly, British officialdom’s original sanguine expectations that postcolonial bodies would remain routinely available for British experimental investigation, and that approaches to Commonwealth immigration could be unilaterally decided by the UK and imposed beyond its borders were dashed on contact with postcolonial realities in Bangladesh. But – as Streeton’s early urgent request that migrant opinion on DNA fingerprinting in the UK itself be assessed indicates -- British civil servants and civil society in the 1980s recognised and sought to mobilise an alternative cultural repertoire harnessing novel rhetoric and agentic migrant and ethnic populations. The following section will track the Home Office’s pivot to co-opt migrant transnationalism as a new international policy lever.

⁶⁸ TNA HO394/810, “For Children, Dhaka Objected to the Question of Blood Test,” *Weekly Janmot* 20th-26th January 1986, translated by Abdul Latif, immigration officer, Heathrow Airport.

III. The Pivot

While Eggar's ill-considered Dhaka announcement of the DNA fingerprinting pilot trial derailed the HO and FCO's original timeline for piloting genetic border controls, neither ministry gave up on the experiment. Implementing it had, however, become a race against time: while the ministries needed results from a formal, controlled trial to set government policy on DNA fingerprinting (later, profiling) in border control, such data were by no means required for its commercial development. The Lister Institute and its industrial partner Imperial Chemical Industries [ICI] were moving rapidly ahead to up-scale the experimental technique, and planned to roll out a commercially available DNA fingerprinting service as soon as possible. And there was a substantial and growing demand for the service from across the UK legal system. To the consternation of the HO, news of the Gyimah case produced unprecedented interest in genetic profiling among Britain's growing ethnic communities, especially those most severely affected by official hostility to family reunification migration. Alec Jeffreys was inundated with requests from individuals, their legal representatives, and especially the overworked solicitors of the Community Law Centres who handled large numbers of immigration appeals. His sympathies lay with the desperate families, and he prioritised those threatened with deportation for ad hoc testing, stretching the limits of his laboratory's limited capacity.⁶⁹

This presented the HO with a nightmare scenario. If they could not develop and test a clear protocol for securely collecting, handling, and testing family blood samples both at

⁶⁹ Jeffreys-Leicester Unnumbered Box, Envelope 2: "DNA fingerprinting, General Enquiries and the Home Office Pilot Study."

home and abroad, *before* ICI's commercial services came on stream, they could be deluged with immigration appeals fought on the basis of cutting edge scientific evidence that might not comply with their preferred anti-fraud requirements. Whitehall urgently needed to persuade the government of Bangladesh to allow a pilot trial. Therefore, in the immediate aftermath of Eggar's press conference, the HO and FCO constructed an alternative form of pressure with which to leverage their policy goals. Working in Bangladesh and in the UK, they mobilised the desperation of divided families within the UK both to assert the benefits to be gained from DNA fingerprinting, and to press their national government to allow the pilot as a way to open up a new, expedited pathway towards family reunification.

Streeton, drawing on four years' experience as High Commissioner in Dhaka, immediately recognised the potential benefits of pivoting discussions of the DNA fingerprinting pilot away from Eggar's controversial presentation of the scheme as a British-imposed *fait accompli*, and towards a re-framing of the experiment as a response to the demands of Bangladeshi citizens both at home and in the UK.⁷⁰ Streeton's FCO colleagues in London were eager to offer him some support. While they could not yet demonstrate "pressure" from "immigrant organisations" to introduce the new technology, they could and did instance one important figure, Sayed Rasul, Chairman of FOBA and vice president of UKIAS. And indeed, his welcome for the scheme as "a positive method of reuniting families rapidly" gained some traction in the Bangladeshi press.⁷¹ Streeton also swiftly introduced

⁷⁰ "Sir Terence Streeton; High Commissioner Who Chose a Demanding Role in Troubled Bangladesh Rather than Opt for a Cushy Posting in Bermuda," *Times*, 31 October 2017.

⁷¹ TNA HO394/810, Restricted Telegram 016, Barrington/Howe to Streeton, 15 January 1986.

this “interest and support” for the DNA pilot in his negotiations with Rezaul Karim, second in command at Bangladesh’s Ministry of Home Affairs.

Initially, these claims bore no fruit; Bangladesh officials were unmoved, and reasserted their firm opposition: despite the “good intentions” behind the trial, its claimed objective of “speedy family reunion could be attained by other means.”⁷² With a domestic election looming, public opinion in Bangladesh – reported by the local press to be strongly and emotionally opposed to the experiment – reigned supreme. Even the “unsolicited intervention” of Leicester general practitioner A. Akram Sayeed, Vice-President of FOBA, was interpreted ambiguously: while Sayeed told the High Commission that he had striven to convince Bangladeshi ministers of the value of DNA testing, both the Bangladeshi Home and Foreign secretaries claimed that he was not an “enthusiastic exponent” for DNA fingerprinting, having “acknowledged ... technical shortcomings which vitiated against its professed aim.”⁷³

Yet undoubtedly, there had been a voluntary intervention from a UK-based Bangladeshi activist, who had been able to arrange meetings with key Bangladeshi ministers of state. Moreover, Sayeed was a more influential figure than Streeton perhaps realised. A respected family doctor practicing in Leicester since 1963, he was active in both the British and Bangladesh medical communities by the 1980s. A founding-member of the UK Overseas Doctors’ Association (which fought against discrimination in the UK medical profession), Sayeed was also an honorary advisor to the Bangladeshi Ministry of Health. Sayeed sat on the UK’s Community Relations Commission from 1968-1977, work recognised with an OBE

⁷² TNA HO394/810, Confidential Telegram 28, Streeton to Barrington, 21 January 1986.

⁷³ TNA HO394/810, Confidential Telegram 28.

in 1976. Sayeed's transnational prominence ensured that his public support for DNA testing received positive coverage in both the Bangladesh and UK press.⁷⁴

This could only have confirmed the potential value of Streeton's strategic pivot. With Eggar facing hostile parliamentary questions and embarrassing press inquiries back in Britain, Geoffrey Howe, UK Secretary of State for Foreign and Commonwealth Affairs, urged Streeton back into the fray. He offered conciliatory promises to include other nationalities in the trial (both Indian and Pakistani governments were to be approached as offering "presentational advantages" (a reference to the sensitivity of all three nations to ensuring equality of treatment vis-à-vis their neighbours), and that trial participation would be entirely voluntary. "We have been encouraged," Howe insisted, "by the favourable response of organisations representing immigrants in the UK." And while Sayeed's intervention may have been "unsolicited" by the Foreign and Commonwealth Office, it was certainly supported by FOBA; Rasul put Sayeed in touch with Jeffreys to explore the implications DNA fingerprinting for divided families by July 1985.⁷⁵ Further, Howe called attention to the impact that even the potential availability of DNA testing had exerted on UK appeals tribunals: "The appellate authorities have already adjourned several cases in order that the appellants may have DNA tests despite the fact that there is as yet no formal

⁷⁴ Jeffreys-Leicester, Envelope "Lister Institute Fellowship 1982-1991" includes clippings from the *Bangladesh Times*, the *Bangladesh Observer*, the *New Nation*, and the *Bangladesh Daily News*, as well as local Leicester papers. On Sayeed, see his RCPE obituary <https://www.rcpe.ac.uk/obituary/dr-akram-sayeed-obe-frcp-edin> (accessed 26 April 2022).

⁷⁵ Jeffreys-Leicester, Unnumbered Box, Folder "First Immigration Case," S. A. Rasul to Alec Jeffreys, 23 July 1985.

machinery for doing this.”⁷⁶ These offerings did not immediately turn the tide of Bangladeshi opinion. However, they usefully indicate a newly emerging strategy for bilateral diplomatic negotiations at the FCO that co-opted the self-empowerment of UK migrant and minority ethnic communities to promote the very apparatus of exclusion that drove their need to self-organise.

Accepting the High Commissioner’s advice that progress in Bangladesh would certainly have to wait until the ‘furore’ died down, FCO staff turned their attention to gaining greater support for the pilot programme among affected communities in Britain. Eggar’s much-debated public statement on the planned pilot, originally intended for Bangladesh officialdom, was re-purposed to serve as the basis for interviews with “immigrant communities” in Birmingham, Bradford and other areas with large South Asian heritage communities, as well as for audiences in India and elsewhere on the subcontinent. Dennis Amy, writing to his HO counterpart Richard Fries, commented: “I would hope that the general public both here and in Bangladesh will become interested in the matter and will seek to have this scheme introduced... I do not think this is too much to hope for, indications are that this is already beginning to happen on a small scale.”⁷⁷ The pilot was, after all, “not sinister” and would be “helpful” to migrants themselves. Eggar’s statement thus repeatedly stressed “very large demand” for DNA fingerprinting, describing Jeffreys as “overwhelmed by applications” from families with “urgent” immigration cases.⁷⁸

Members of Parliament for areas with large numbers of affected families also contributed to this effort. Kenyan-born Geoff Lawler, Conservative MP for Bradford North, insisted in a

⁷⁶ TNA HO394/810, Confidential Telegram 26, Howe to Streeton, 22 January 1986.

⁷⁷ TNA HO394/810, D.O. Amy to R.J. Fries, 23 January 1986.

⁷⁸ TNA HO394/810, “DNA Testing”, 23 January 1986.

letter to the Bangladesh High Commission, that DNA testing would be “a tremendous help for all genuine applicants” for reunification, mentioning a “long-running” case among his own constituents recently resolved by DNA profiling. He emphasised that his Bangladeshi constituents were “extremely delighted” that DNA testing would be introduced and asked Bangladesh’s High Commissioner to take the matter up with his own government: “I would not normally seek to interfere in the internal affairs of another country, but on this occasion, it does have an effect upon constituents of mine...”⁷⁹ Prominent Labour MP Clare Short also supported the use of the tests to resolve long-running cases; Eggar enthused to HO Minister of State David Waddington, “such MPs, and here the Labour Members may have a particularly useful role to play, can of course help to put pressure on the Bangladeshi Government.” Moreover, he noted, support from immigrant organisations had produced good publicity for a Foreign Office more usually facing hostility from the UK media.⁸⁰

There were early signs that this state and self-mobilization of community transnationalism could be effective. By the end of January, Streeton reported that Bangladesh’s government was having “second thoughts ... prompted by representations from the immigrants and their organisations in both Bangladesh and UK.” If a face-saving formula could be found, he argued, “Bangladesh acquiescence” could be assured, though this might involve accepting “safe-guards” for applicants unwilling to be tested. Streeton urged a “fresh approach” focused on benefits to migrants themselves and “accompanied by impartial scientific evidence of the efficacy of the DNA cross-matching process.” With just a hint of

⁷⁹ TNA HO394/810 Geoff Lawler to Amsa Amin, 23 January 1986.

⁸⁰ TNA HO394/810 Tim Eggar to David Waddington, 14 February 1986; David Rose, “DNA Passport Offers Hope to the Hopeless,” *Guardian*, 26 February 1986.

complacency, Streeton noted “[w]e had already concluded that the immigrants might be useful allies and have begun measures to enlist their support in Sylhet.”⁸¹

Eggar and his civil servants strove to build on this momentum. Eggar proposed a campaign of discussions with interested migrants’ groups in the UK, explaining the “DNA process,” opening with a seminar led by Alec Jeffreys for representatives of “immigrant groups” and reporters from “the vernacular press and press from the Subcontinent.”⁸² Both in the UK and in Bangladesh, such informal (if encouraged) pressure for testing continued to mount across the spring and summer of 1986. Coverage in the press documented both direct and indirect approaches supporting the pilot programme and the use of DNA as a “modern method” to end the suffering of the tens of thousands of Bangladeshis waiting for entry clearance or recognition of their citizenship by descent.⁸³ Resisting calls from Eggar to prematurely re-open formal discussions, the UK High Commission in Bangladesh awaited the election results while allowing transnational opinions in favour of DNA testing to drive official change. “I assume,” Streeton added, “the Home Office is whipping up support among the immigrant organisations in the UK.”⁸⁴

The process of co-option was not unilateral, however. To gain the support of migrants in the UK, their families in Bangladesh, and the organisations supporting both groups, the

⁸¹ TNA HO394/810 Confidential Telegram 40, Streeton to FCO, 26 January 1986.

⁸² TNA HO394/810 Tim Eggar to David Waddington, 14 February 1986.

⁸³ TNA HO394/810 “Solution B Blood Test,” *Janomot*, 24 February- 2nd March 1986, translated by M. Ray Choudhury, Heathrow Airport.

⁸⁴ TNA HO394/810 Restricted Telegram 76 Streeton to FCO. In fact, Streeton refused even to deliver letters from Eggar to Bangladesh Ministers seeking to re-open discussions while both political parties in Bangladesh had come out against it in campaigning.

Home and Foreign and Commonwealth Offices grudgingly made important changes in their plans for the DNA Fingerprinting pilot. Perhaps most importantly, they were forced to shift their focus from testing the technique only on randomly selected new applicants (already benefiting from improvements in Bangladesh certification procedures, and facing fewer obstacles related to historic practices like the ‘Sylhet tax pattern’ mentioned above) to include those in the much longer and more closely scrutinised ‘reapplication’ queue. These difficult cases included the migrants most disadvantaged by existing procedures of interview and documentary verification, and those who had been separated from family the longest. Of course, in these cases, the FCO had already rejected applications for reunification. If proven wrong by DNA testing, such rejections laid the FCO and its ECOs open to accusations of bias, and might prompt the revival of other rejected applications by families who had given up hope.⁸⁵ Moreover, the UKIAS and JCWI would be allowed to nominate cases for inclusion in the trial, as would MP-advocates of individual divided families.⁸⁶ The HO, already deeply hostile to the “immigration lobby” spent months resisting this change -- already offered by the FCO as part of their outreach to UK ethnic communities and organisations -- but was forced reluctantly to accept it as the price of support from community groups and influential bodies like the JCWI.⁸⁷

Another area on which UK officials reluctantly backtracked involved the use of Bangladesh alone as a trial site. On this point, the Bangladeshi-led National Committee for Divided Families completely concurred with the government of Bangladesh: “[p]eople felt

⁸⁵ Both of these issues are canvassed extensively in TNA HO394/810, HO394/850.

⁸⁶ TNA HO394/810 “Mr Barrington’s Presentation on DNA Pilot Scheme,” April 1986.

⁸⁷ TNA HO394/810, including Vivienne Dews to Phillips, Hudson, 9 April 1986, Barrington to Mactaggart (JCWI) 9 May 1986, Low to Dews, 15 May 1986.

that the fact that the test was to be experimented in Bangladesh was in itself a blatant act of discrimination against the Bangladesh people,” a “slur on Bangladesh,” and an “outrageous way of saying that many hundreds of Bangladesh children were bogus.” As well as including cases from other subcontinental countries and the UK in the pool of applications for the pilot study, the Foreign and Commonwealth Office explicitly stated in briefing notes for Eggar’s seminar that they “would not hesitate to apply the test to cases in ‘white’ Commonwealth countries *where there was any doubt*.”⁸⁸ While this claim was transparently disingenuous, it nonetheless shows that the FCO went into their seminar both expecting and hoping to finesse familiar accusations of racial discrimination.

A final and more practical concern was who would pay. While the UK government had always intended to bear the costs of the pilot trial, here too officials were forced to clarify and explain their position due to demand from the communities they sought to co-opt.⁸⁹ Eggar’s proposed seminar purposefully included attention to each of these concerns, highlighting the FCO’s concessions to an audience including representatives from the JWCI, UKIAS, Commission for Racial Equality, the press, and six organisations representing migrants of South Asian origins or heritage, as well as the Citizen’s Advice Bureau, the National Association of Community Relations Officers, five key community law centres, and the High Commissions of India, Pakistan, Bangladesh, Sri Lanka, Nigeria and Ghana.⁹⁰ The HO were sceptical of Eggar’s view that immigrant organisations could “break the deadlock”;

⁸⁸ TNA HO394/810 “Mr Barrington’s Presentation on DNA Pilot Scheme,” April 1986;

“Note for File, The DNA Seminar in FCO Friday 11 April.” Emphasis added.

⁸⁹ TNA HO394/810 National Committee for Divided Families Campaign, “DNA Blood Testing,” February 1986.

⁹⁰ TNA HO394/810 Tim Eggar to David Waddington, 14 February 1986.

“dubious” that immigrant organisations would uniformly accept DNA testing⁹¹; and determined to establish their own stake in the outcome – and thus the eventual shape – of the DNA pilot programme. But even they expressed contentment with “the general welcome” which DNA testing was now receiving from British Bangladeshis and their organisations.⁹² In the end Eggar got his seminar (held on 11th April) at the price of a press release that the experimental scheme had been postponed while discussions took place with “community leaders in Britain and Bangladesh.”⁹³ Similarly, the FCO-led pivot to operationalise transnationality would bear international fruit. Recognising “the strength of the pro-DNA immigrant lobby in Britain,” when the Bangladesh High Commissioner in London (a seminar attendee) later became Bangladesh’s Foreign Secretary, the HO and FCO finally got their pilot trial, albeit only after a year’s delay, and significant concessions.⁹⁴

IV. The Pilot

From 1985 through the autumn of 1986, spurred on by regular press reports on migration appeals resolved through the use of DNA evidence, Jeffreys faced intense demand for DNA testing from divided families, their MP-advocates, Law Centres, and immigration advocacy

⁹¹ TNA HO394/810 Richard Fries to Hudson, 29 February 1986

⁹² TNA HO394/810 Waddington to Eggar, 26 February 1986.

⁹³ Carole Dawson, “FO Postpones New Blood Testing Scheme,” *Sunday Telegraph*, 16 March 1986.

⁹⁴ TNA HO394/810 Restricted Telegram 206 Streeton to FCO, 15 May 1986.

organisations.⁹⁵ While FCO officials waited for the right moment to re-start discussions in Bangladesh and their HO peers were pre-occupied by other immigration matters,⁹⁶ settled migrants continued to pursue the new avenue for family reunification created by DNA testing, demonstrating their belief in the empowering potential of DNA to cut the Gordian knot of Britain's exclusionary border practices.⁹⁷

Finally in 1987, all parties were ready to proceed. On the 13th of March, the Home Office wrote to Jeffreys confirming the arrangements. The long-delayed pilot trial was intended to enrol 40 families, all cases in which the right to enter to UK depended on establishing parent/child relationships in the absence of (acceptable) documentary evidence. Addressing Bangladeshi outrage at being singled out, families would be recruited in

⁹⁵ Jeffreys-Leicester, Unnumbered Box, Folder "DNA Fingerprinting some general inquiries and the Home Office Pilot Study" includes a large sample of these requests.

⁹⁶ Specifically, revisions to the existing immigration rules and guidance that would, for the first time, require short term visitors and students from India, Bangladesh, Pakistan, Ghana and Nigeria to have a visa permitting their travel; and intensify and broaden economic tests for UK sponsors of family migrants, foreclosing their entitlement to reunification unless they could support their families "without recourse to public funds" (laying the groundwork for changes to the 1971 Act in what would become the Immigration Act of 1988). The changes provoked lively debate: see Hansard, "Statement of Changes in Immigration Rules," HL Deb 23 October 1985 vol 467 cc1169-88 and Hansard, "Immigration Rules: Statement of Change," HL Deb 05 November 1986 vol 481 cc1108-38.

⁹⁷ On DNA's perceived value as a tool of self-empowerment by disenfranchised communities, and its "dexterity" as a tool for all sides, Benjamin, "Racial Destiny or Dexterity" and Egorova, "The Substance that Empowers."

Islamabad as well as Dhaka. Similarly, driven by the demands of the ethnic communities the FCO had gathered in their pivot to the transnational, the trial would include families nominated by migrants' organisations and their advocates. Confirming the persistence in the HO of colonial stereotypes about sexual and familial relationships in the New Commonwealth, the existence of a child genetically related to both named parents was taken as more reliable proof of marriage than documentary evidence so the trial also included families in which women's marriages were disputed.⁹⁸ In Pakistan and Bangladesh, blood would be taken from all family members under the supervision of the UK's High Commissions; in the UK it would be collected by a recognised NHS doctor (initially a haematologist). In either case, the samples would be sent directly to the processing laboratory -- by this point, Lister Institute's commercial partner ICI-Cellmark, for whom the pilot would serve as an important and highly marketable sign of state confidence.

Once all family samples were linked together, they would be sequenced, and Cellmark would prepare a "DNA fingerprint" for each individual. Jeffreys retained responsibility for interpreting those fingerprints for each family, and balancing the probabilities that they were and were not related as claimed in regular reports to the Home Office. At the same time, additional blood samples taken from each family member would be processed by Professor Barbara Dodd of the London Hospital Medical School, a pioneering expert in blood group identification and analysis, who had volunteered to produce standard

⁹⁸ On British officialdom's identification of Asian women as a site and as victim/agents of perpetual "traditionalism," see Smith and Marmo, *Race, Gender and the Body*, 75- 87, 174-5; Sita Balani, "What's Love Got to Do with It? Marriage and the Security State," *Identities*, July 2021, DOI: [10.1080/1070289X.2021.1949814](https://doi.org/10.1080/1070289X.2021.1949814); Bivins, *Contagious Communities*, 233-303.

blood typing analyses. These would allow the HO to compare the results and accuracy of the two systems – one well-established and inexpensive, but limited; the other novel, expensive, but purportedly more precise – against each other. Crucially, instructions for the pilot trial make it clear that FCO, community, and NGO pressure had forced the HO reluctantly to accept a role for affected communities selecting some of the families for the pilot, rather than retaining complete control over the selection process as they had intended. While thirty-two families were selected randomly, eight were put forward by “representative organisations” and MPs working on behalf of their constituents.⁹⁹

As well as piloting the new technology and testing its results (and costs) against both the established FCO entry clearance regime, and the use of blood group serology, the trial would test the practical feasibility of using DNA fingerprinting to assess kinship in immigration cases dependent on it. This was necessarily a transnational process, given the Home Office’s extreme reluctance to allow family migrants to enter the UK in order to be assessed. As such, the pilot would navigate two very different systems and sets of constraints. The Foreign Office, responsible for collecting and transporting the blood of spouses and children to the UK from High Commissions in Bangladesh and Pakistan, contended with moral and practical, as well as geopolitical barriers. Could consent credibly be offered by candidates, despite often low levels of education, language barriers, and the potentially coercive effects of their desperation? Would the labelling and packaging of blood vials prove to be secure and stable despite the vagaries of international shipping? But they also suffered from concerns directly related to the biases which made DNA testing so attractive in the first place. On one hand, DNA fingerprinting benefitted in society and the courts from the ever-

⁹⁹ Jeffreys-Leicester, Unnumbered Box, Folder “Home Office Pilot Immigration Study 1987,” Vivienne Dews to Alec Jeffreys, 20 March 1987.

growing cultural capital of genetics, and was correspondingly authoritative. Family relationships proved by DNA would be hard to challenge. On the other, the FCO and its High Commission staff remained absolutely convinced that no system which relied on or offered agency to local people could be trust-worthy. As Streeton put it (uncannily echoing colonial rhetoric), “Corruption, like worms, is endemic here. It is a way of life touching all manner of persons no matter how apparently respectable.” Perceptions of DNA testing were conditioned by this climate of suspicion and developed an enduring, ambiguous association with fraud, human fallibility and criminality that would complicate attitudes towards genetic evidence even before it was challenged in US criminal courts.¹⁰⁰

This atmosphere of chronic suspicion drove demands for elaborate arrangements to ensure that samples could be firmly and uniquely linked to the specific individuals named in each claim for entry clearance. As Jeffreys and Cellmark Diagnostics would later complain, however, neither the practical arrangements nor those designed to foil fraud and substitution operated wholly as intended. Samples travelled in packaging that was neither secure nor leakproof, sometimes arriving in such poor condition that they constituted a health hazard to staff (an issue of special concern in the early years of the AIDS epidemic). Moreover, blood samples were not always durably labelled, and the labels that were used sometimes named the individuals involved, creating the conditions for both confusion -- as Jeffreys pointed out dryly, this “creates difficulties with people with similar or identical names (e.g. Mohammed

¹⁰⁰ TNA HO394/810, Restricted Telegram 235, Streeton to FCO, 30 June 1986. On colonial mistrust, see Bailkin, Breckenridge, Hamlin, Mukharji, Sengoopta and Sharafi, notes 4, 9, 26, 30, 33-34. On challenges in criminal law, see Aronson, *Genetic Witness*, Lynch, *Truth Machine*.

Hussain is very common)”— and amplifying opportunities for fraud.¹⁰¹ Normally, Cellmark scientific director Paul Debenham noted, Cellmark’s commercial service demanded a photograph of each donor to accompany documentation signed by the doctor who took the blood, affirming that the image was of the person from whom the sample was taken. Demonstrating the transmissibility of the pervasive suspicion which drove the pilot in the first place and engrained the existing association between ‘fingerprinting’ and criminality, Debenham leapt to supply the HO with additional certainty: “If the Home Office has any concerns about the authenticity of the persons who actually arrive in the country, we can perform a repeat analysis on samples taken from the immigrants to prove that they are who they claim to be.” And some samples never arrived at all, leaving family groups incomplete and preventing effective analysis altogether – a point apparently not understood by the HO staff managing the trial. Debenham’s scepticism (whether of the migrants, or of the procedures used by the HO and FCO) notwithstanding, by September 1987 he was ready to conclude that, while the DNA trial had so far uncovered “several” groups who were not “true genetic families” and “harboured unrelated individuals,” the technique had “fully validated the true nature of many families involved.”¹⁰²

Already Debenham’s language hints at the now familiar divergence between understandings of ‘family’ and kinship for those in the global North, and those in the global South. While the former experienced a growth of rights inhering to the increasingly diverse realm of “social families,” the latter faced a narrowing of kinship to the purely biological.

¹⁰¹ Jeffreys-Leicester, Unnumbered Box, Folder “Home Office Pilot 1987,” Alec Jeffreys, “Questionnaire.”

¹⁰² Jeffreys-Leicester, Unnumbered Box, Folder “Home Office Pilot 1987,” Paul Debenham to Judith Kidd, 4 September 1987.

The emergence of these trends first in relation to family reunification immigration, and subsequently across a range of responses to voluntary and forced human movement, is worthy of note. In just the same way that Jeffreys' canny deployment of analogies with 'fingerprinting' combined with abiding colonial suspicions of South Asian probity to operationalise the new technique as a "truth machine" for bogus postcolonial bodies, so its initial use to prove the accuracy of claims about familial relationships conditioned a conflation of 'genetic' and 'true' families.

With the exception of nine incomplete cases, the analytical work of the pilot trial finished in late September 1987, and its final report was in preparation from October 1987; a full draft was complete by 14 January 1988. This document, like the preliminary results, confirmed that most of the sampled families were biologically 'related as claimed'. By far the majority of the eventual cohort of 36 claimant families (29 from across Pakistan and Bangladesh and seven already in the UK), were biologically related parents and children. Of 103 children included in the trial, 86 were straightforwardly the progeny of their sponsoring parents. Yet 49 of the 103 had already been refused entry (the remaining 54 were new applicants).¹⁰³

Intense discussions surrounded both the content of the pilot trial report, and the policy directions that it was intended to signal. These produce a number of key insights about the impact (and limits) of the Home and Foreign and Commonwealth Offices' pivot towards marshalling and managing Britain's ethnic communities as an asset in postcolonial policy

¹⁰³ Home Office, "DNA Profiling in Immigration Casework: Report of a Pilot Trial by the Home Office and Foreign and Commonwealth Office," 26 July 1988. Over the next 10 years, studies would show that 95% of the over 18,000 migrants refused entry to the UK on relationship grounds were indeed related as claimed. Weiss, "Strange DNA," 20.

implementation. First, and unsurprisingly, from the perspective of Whitehall, this shift was largely a matter of improving the optics and palatability of an intervention selected for its operational convenience. Certainly both ministries remained focused on constructing and operating exclusionary border apparatus at as low a cost in financial and staffing terms as possible. Nonetheless, the ministries had necessarily become more attentive and even responsive to the migrants and their transnational networks. Thus, the framers of the final report sought to insulate the FCO and HO against “unflattering comparisons” between ECO decisions and DNA results not only in the UK press and political opposition, but from affected families and audiences in the sub-continent.¹⁰⁴ Similarly, all parties eagerly pointed out that the “potential advantage of DNA lies to ‘split families’” in Pakistan and Bangladesh both to justify the implementation of the tests, and the pilot study’s concentration of Bangladeshi and Pakistani nationals.¹⁰⁵

The final report went out to Jeffreys in July 1988, just before an arranged parliamentary question was used to announce it into the House of Commons. Lodged in the House of Commons Library, the Report was never formally published, though copies were available by request from the headquarters of the HO’s immigration operations in Lunar House, Croydon.¹⁰⁶ The delay between the completion of the draft report and its eventual release prompted considerable speculation. Roy Hattersley, Labour’s Shadow Home Affairs minister, accused the Conservatives of deliberately delaying their public acceptance of DNA

¹⁰⁴ TNA HO394/850 “DNA Field Trial: Skeleton Report.”

¹⁰⁵ TNA HO394/850 “DNA Field Trial: Skeleton Report.”

¹⁰⁶ Jeffreys-Leicester, Unnumbered Box, Folder “Home Office Pilot 1987,” N.R. Varney to Jeffreys, 22 July 1988.

evidence in migration cases until they had passed legislation that eliminated the benefits that proof of relationship had previously guaranteed:

It is clearly no coincidence that the Government announced yesterday their acceptance of DNA testing— so-called genetic fingerprinting. In the view of virtually every expert, the pilot study on that system was wholly unnecessary and, to most people's minds, was merely an excuse for delay ... Had the DNA test been applied from the moment when it was available it would have allowed into Britain families whose claims have been denied even though they have the right to be here ... The acceptance and implementation of the test have been held back until other barriers to immigration have been erected.¹⁰⁷

Hattersley's claims were well-informed. In fact, HO and FCO responses to the emergence of DNA profiling were deeply embedded in discussions aimed at unpicking (via the 1988 British Nationality Act and related revisions to the Immigration Rules) the links between citizenship, parental or grandparental UK heritage, and right of abode instituted in the 1971 Commonwealth Immigrants Act, now that those links could benefit migrants from the Caribbean, African and Asia. The Home Office in particular, regarded the "patriality rule" that privileged migrants with British parents or grandparents as a "creature of its time," a "response to pressure from the Old Commonwealth lobby" that should be phased out. Not only was it the target of frequent (entirely justified) criticism as "racially biased," but – as one widely circulated document stated bluntly – "by the late 1990s, significant numbers from the New Commonwealth who have no other claim to admission will begin to qualify" as

¹⁰⁷ Hattersley, Hansard HC Deb 27 July 1988 vol 138 cc418-43

patrials. Unlike the ‘Old Commonwealth’ migration based on patriality across the 1970s and 1980s, the prospect of New Commonwealth patrials was denounced as opening “a new avenue of primary migration.”¹⁰⁸

By 1989, confronted with evidence that DNA testing enabled, rather than restricted family migration, the Home Office worked to limit its effects by raising economic barriers to replace those dismantled by DNA, both by refusing to publicly fund DNA tests for migrants, and by introducing and enforcing new rules mandating that sponsors were required to support entrants without access to public funds or services.¹⁰⁹ DNA profiling continued to operate as a resource for some families, but only those able to mobilise substantial financial resources – and thus comply with the increasingly neoliberal requirements of ‘good citizenship’ and ‘good migrants’ that would shape postcolonial migration into the new century.

V. Conclusions

In mobilising migrant groups as resources and agents to promulgate their preferred approach to testing DNA’s powers as a truth machine at Britain’s external borders, the Home and Foreign Offices took advantage of intense global media interest in developments around DNA and genetic engineering, and of the initial positive impacts of DNA testing for divided families. In Dhaka, Streeton deliberately and repeatedly drew Government of Bangladesh officials’ attention to positive coverage of the use of DNA in migration appeals, and, as previous sections discussed, both ministries amplified and even seeded coverage of these results and migrants’ enthusiastic uptake of the technique to reunite their families (as they

¹⁰⁸ TNA HO394/877/1 “Immigration Rule Changes and Associated Steps,” 9 December 1988.

¹⁰⁹ See, e.g., TNA HO394/847; HO394/848; HO394/850; HO394/873; HO394/878.

were entitled in British law to do). Press and television coverage, particularly in the UK, focused first on the benefits of DNA testing to individual families, and – especially on the Left – on the ways in which the tests themselves challenged the existing, woefully subjective (when not systemically racist) entry clearance system.¹¹⁰

This narrative strongly conditioned a positive public response to genetic kinship-tracing as a tool of self-knowledge and truth-making. It did not preclude sometimes-trenchant criticism of genetic profiling as a tool of migration management both from Government of Bangladesh, as seen above, and from UK NGOs with interests in migrants' rights. For instance, while privately offering a "qualified welcome" for DNA testing in the most challenging cases, the JWCI nonetheless described it publicly as a "grotesque procedure."¹¹¹

¹¹⁰ Clippings in Jeffreys-Leicester, Unnumbered Box, "First Immigration Case" include headlines like "Together: A Revolutionary Genetic "Fingerprint" Technique Has Almost Certainly Stopped the Cruel Parting of a Mother and her 14 Year-Old Son," *Hammersmith Guardian*, 16 May 1985; "A Genetic Test of David Waddington's Credibility," *Guardian*, November 1985; "Breakthrough in 'Stop Deportation' Campaign," *Hammersmith and Fulham Post*, "That's My Boy: Mother Turns to Science in Fight for Son," *Shepherd's Bush Gazette*, 17 May 1985; See also, David Rose, "Society Tomorrow: DNA Passport Offers Hope to the Homeless," *Guardian*, 26 February 1986; John Craig and Nick Rufford, "Genetic Test Stirs Race Row," *Sunday Times*, 31 Jan 1988; "Genetic Fingerprint May Help Migrant's Bid," *Hobart Mercury* (Australia), 24 May, 1989. Television coverage between 1985 and 1989 similarly framed the technique as one of liberation and re-unification.

¹¹¹ TNA HO394/810 Fiona Mactaggart to D.O. Amy, 29 January 1986; "DNA 'Fingerprints'," *Bulletin of the Joint Council for the Welfare of Immigrants*, 2: 8 (January 1986) n.p.

The General Council of the UKIAS, which worked to scrutinise immigration procedures across the subcontinent and appeals processes in the UK, condemned efforts to introduce the new technique as “degrading, insulting, labelling applicants as cheats akin to the pass laws, turning immigration from a civil to a criminal matter and an unwarranted interference with people’s bodies.”¹¹² However, such critical voices were simply drowned out by the pragmatic adoption of the technique by Bangladeshi families, community organisations, and legal advisors, and a succession of stories hailing the reunification of long-separated families, often touchingly illustrated with photos of reunited parents and children.

As Jeffreys himself observed, this early positive coverage had a profound effect on the future of the technique, at least in popular perceptions. Jeffreys’ published accounts of the invention of ‘DNA fingerprinting’ make it clear that the technique was shaped in important ways by its emergence specifically in Leicester, a community notably enriched and transformed by postcolonial migration from East Africa and South Asia since the 1970s. Embedded in this context, Jeffreys immediately grasped the advantages to be gained – both by divided families and for the promotion of his invention – from deploying his new ‘DNA fingerprinting’ technique in family reunification cases. Even before he was approached by the Home Office in relation to the proposed pilot trial, he had agreed to support an immigration appeal as a way to demonstrate the positive (social) value of his invention. In later interviews, Jeffreys has emphasised this, describing its use in the first immigration case as “science acting for the individual against bureaucracy and the state ... it was just wonderful.” He has also acknowledged that had his ‘DNA fingerprint’ disproven Giymah’s claims, the optics would have been entirely different: “what the public would have seen ... would have been

¹¹² TNA HO394/810 Memo, Vivienne Dews to Fries, 2 April 1986.

some poor kid being dragged kicking and screaming onto a plane at Heathrow, being thrown out to Africa... that would have set us back a lot.”¹¹³ Tellingly, when the Home Office later used new immigration rules to bureaucratically constricted the rights of “over-age” or “elderly” children originally refused entry to the UK in the pre-DNA era to enter once their relationships had been genetically proven, their decision provoked outcry from religious bodies and the general public as a deviation from the norms of ‘fairness’ and a rejection of what was seen as a powerful new form of true (self) knowledge.¹¹⁴

Enmeshed in processes for determining ‘true’ kinship from its inception, and endorsed by state support, ‘DNA fingerprinting’ initially confirmed and naturalised existing trends towards the geneticization of ‘family’ and selfhood, at least for those unable to access the less restrictive socio-legal tools of self- and family definition available to the majority populations of the Global North. As subsequent applications of DNA profiling to enforce European borders has shown, the shift to the biological would in time erode the latent potentiality of DNA profiling to disrupt exclusionary border regimes rooted in the unscrutinised power of border officials to interpret evidence demanded from migrants – here, documentation and interview testimony – according to their own biases and those of the governments they served. But crucially, the DNA truth machine was originally applied in a context in which establishing (and accepting) genetic identity temporarily empowered an oppressed minority against a state denying their rights. It was in this light that the technique

¹¹³ See for example, Aronson, “DNA Fingerprinting on Trial,” p. 128; Zoe Corbyn, “The Small Scientist,” *Times Higher Education*, 3 September 2009.

¹¹⁴ See for example, Susan Tirbutt, “Immigrants Face ‘New Barriers’,” *Guardian*, 10 May 1989; letters from the British Council of Churches, and members of the public: “DNA Testing and Immigration,” *Independent*, 16 July 1989.

first acquired its positive gloss and popular appeal, at least in relation to determining kinship and revealing hidden or obscured family history.

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