Article

Biometric statehood, transnational solutionism and security devices: The performative dimensions of the IOM's MIDAS

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Abstract

This article contributes to border criminology and transnational criminal justice research into the role of transnational actors in shaping practices of global justice, punishment and control, as well as to the criminological analysis of penal technologies. I examine the performative effects of the Migration Information and Data Analysis System (MIDAS) developed by the International Organization for Migration (IOM), and I argue that these effects are multidimensional. For beneficiary states, the deployment of MIDAS constitutes a performance of sovereign territorial power, affirming membership in the international society of (biometrically capable) states. For the IOM, the development and deployment of MIDAS and carrying out training sessions operate as pedagogical interventions legitimizing the organization as a neutral, technical expert of migration management. Finally, MIDAS itself performatively acts upon its targets, constituting 'the migrant' as a governable, potentially risky subject and constituting 'migration' as a problem amenable to depoliticized techno-solutionist interventions.

Keywords

Biometrics, border criminology, IOM, performativity, solutionism, territorial sovereignty

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Introduction

Border criminologists have highlighted the increasing importance of understanding immigration law and migration control as key factors of contemporary practices of punishment, control and social exclusion (Bosworth et al., 2018). In an age of globalization, states—particularly in the Global North—increasingly deploy the criminal justice system to control migration and to discipline migrants, while also utilizing the legal frameworks and practices of immigration control in a penal manner (Bosworth, 2008; Hernández, 2018; Stumpf, 2006). This merging of criminal justice and migration control is now regularly referred to as 'crimmigration control', emerging in the context of globalization (Bowling and Westenra, 2018). Yet 'globalization' cannot be understood simply as a set of external material pressures to which states have responded with the development of crimmigration control practices. In the words of Katja Franko (Franko Aas, 2012a: 236): 'through the emerging forms of globalism, criminal justice is plugging into trans-border circuits of circulation of people, forms of knowledge and social and political action'. Meanwhile, scholars of Transnational Criminal Justice (TCJ) have shown how the global scale of contemporary forms of punishment and control are not only distinct from earlier statist forms of penal practice, but also challenge the field of criminology to re-evaluate its earlier commitments to state-centric theorizing by asking 'how does international criminal justice challenge conventional ideas of sovereignty, the penal state and of penal power in a globalizing context?' (Lohne, 2020: 146).

Against this backdrop, in this article I critically analyse an influential yet underexamined transnational actor in the field of global migration management, the International Organization for Migration (IOM). Border criminologists have conducted illuminating research into the role of non-state actors such as private corporations and non-governmental organizations in shaping crimmigration control practices (Bhatia and Canning, 2020; Infantino, 2016; Martin, 2017). Nonetheless, the IOM has thus far received only limited attention, usually by scholars of migration studies and international political sociology (Bartels, 2018; Dini, 2018; Fine, 2018; Frowd, 2020; Pécoud, 2018). If indeed migration control is a key dimension of contemporary penal power which operates at the scale of 'the global', then a critical examination of transnational actors of migration control is relevant to the contemporary projects of border criminology and TCJ.

The IOM is one of the most influential and multidimensional transnational actors operating in the field of global migration management (Frowd, 2018). An intergovernmental organization with 173 Member States, the IOM employs over 15,000 staff members across 590 offices in over 100 countries globally (IOM, 2021b). The IOM is a key intermediary between wealthier donor states in the Global North and beneficiary states in the Global South, providing border management trainings, humanitarian support and technical and material assistance 'to support governments to build capacity for the governance of migration' (IOM, 2021b: 1). In recent years, a key component of the IOM's work in the Global South has been the provision of its Migration Information and Data Analysis System (MIDAS) free of charge to beneficiary states. MIDAS is a biometric border management information system (BMIS) that gathers and stores biographical and biometric data, travel document information, entry/exit data, visa data and vehicle/flight/vessel data (IOM, 2018b). Operational in over 20 countries in the Global South, mainly

in Africa, MIDAS has caused some concern among journalists and activists, who argue that it is the latest component of 'the EU's strategy in the War on Migration' aimed at reducing obstacles to deportation from the EU to Africa (Privacy International, 2019; Zandonini, 2019).

I draw on existing interdisciplinary literature on the role of technical objects in shaping political practices in order to analyse the impact of the IOM and MIDAS on crimmigration control and TCJ (Amicelle et al., 2015; Franko Aas et al., 2009). I utilize the theoretical framework of performativity (Butler, 2010) to conceptualize the political effects of MIDAS. I argue that a performative analysis of the IOM's MIDAS foregrounds some of the key political and theoretical stakes in border criminology and TCJ research: it resists northern-centric and state-centric readings of global migration control practices; it highlights complex and emergent forms of both human and non-human agency, while retaining an intimate focus on questions of power and politics; and it allows for a more thoroughgoing 'onto-political' (Connolly, 1992) critique of contemporary migration control and TCJ practices on a global level. Below, I analyse the multidimensional performative effects of MIDAS in terms of the beneficiary states, the IOM and the technical devices themselves. For beneficiary states, the deployment of MIDAS constitutes a performance of sovereign territorial power, affirming membership in the international society of (biometrically capable) states. For the IOM, developing and deploying MIDAS and carrying out training sessions operate as performances of pedagogical competence, technical expertise and political neutrality. Finally, MIDAS itself performatively acts upon its targets, constituting 'the migrant' as a governable, potentially risky subject and constituting 'migration' as a problem amenable to depoliticized techno-solutionist interventions.

Performativity, agency and security devices

The concept of performativity connotes theatrical performances, stages, scripts and actors. In this view, activist campaigns exposing the bodily suffering of prisoners have been analysed as a form of 'protest theater' (Corcoran, 2020: 653); policing practices have been characterized as a 'dance' to the tune of the 'music' of the 'structure of policing' (Manning, 2008: 22); and borders have been understood as 'the performance of various state actors in an elaborate dance with ordinary people who seek freedom of movement and identification' (Wonders, 2006: 64). Importantly, this work reminds us that practices of policing, justice, control and resistance should not always be taken at face value but should in addition be analysed in terms of their intended and unintended communicative effects. As Mackenzie and Green (2008: 150) argue, in many cases criminal justice practices are 'primarily about performance rather than about substance, and [are] in this sense fake or superficial'.

Yet, by implying that practices are sometimes 'fake', the theatrical metaphor begs the question of what an 'authentic' practice looks like. Ontologically, performativity understood as a theatrical metaphor assumes the existence of subjects with 'real' identities prior to and independent of their actions, who are then able to engage in either authentic practices or superficial performances. This assumption comes to the fore when scholars argue that the object of performances—such as migration as an object of 'citizenship

performances'—should '*accurately* be reframed' in terms that diverge from dominant understandings (Wonders and Jones, 2018: 147, emphasis added), or that 'border constructions and enforcement should be more closely linked to the *actual dangers* posed by various kinds of border crossers' (Wonders, 2006: 65, emphasis added). However, the basis for claims about authenticity, accuracy and actuality remains unclear, yet some criminologists have expressed unease at embracing a more ontologically radical conception of performativity. Critics argue that this latter framework 'provides no grounds for contesting its knowledge claims' and so undermines the epistemic coherence of the criminological endeavour (Edwards and Hughes, 2008: 66).

In spite of such warnings, border criminologists and scholars of TCJ have recently demonstrated the full critical potential of performativity, based on Judith Butler's formulation of the concept in her *Gender Trouble* and later writings (Butler, 2007, 2010). In her analysis of gender, Butler does not simply suggest that pre-existing subjects choose to perform either masculine or feminine gender 'roles', but more radically that there exists no gendered subject independent of these performances; they are *constitutive* of gendered identities, in the sense that 'gender is always a doing, though not a doing by a subject who might be said to preexist the deed' (Butler, 2007: 34). Deploying this framework in the context of border criminology, Giulia Fabini (2019: 177, emphasis in original) argues that '[t]alking about border *performativity* is tantamount to saying that borders do not exist before the individuals who cross them. Borders and migrants are mutually constitutive through border performances.' This conception of performativity is more radical than the theatrical metaphor in suggesting that there is no 'real' or 'accurate' conception of borders or migrants beneath these performances. This is not to say that borders are performatively 'produced *ex nihilo* at every instant, but only that [their] apparently seamless regeneration brings about naturalized effects' (Butler, 2010: 149). In other words, performances are based on, constrained and shaped by existing social and material structures (Weber, 1998). Seen in this light, the lens of performativity provides an avenue for critically examining how—through what discourses, practices and material interventions—statehood, global crimmigration control and 'the migrant' as a political subject are constituted and naturalized in a globalized age.

Although based on the speech act theory of JL Austin (1955), the lens of performativity brings into view more than just language and discourse. Butler's (2010) framework can also be used to highlight the performative effects of repeated embodied practices as well as techniques of calculation and governance. Moreover, performativity is not limited to an analysis of human subjects engaging in discursive and practical performances, as 'performativity is challenged by the heterogeneity of socio-technical assemblages and the proliferation of devices', thus calling for a performative 'analytics of devices' (Amicelle et al., 2015: 299). This performative analytics of devices relates to actor-network theory and 'associational' approaches deployed in science and technology studies and critical security studies (Jeandesboz, 2016), yet it shifts focus away from explaining the emergence and durability of actor-networks to asking instead how the political identities of these actors and the categories of governance which they deploy are constituted through technologically mediated practices. Criminologists have already demonstrated the importance of technical devices such as surveillance cameras, databases and biometric identification systems to contemporary practices of security and criminal justice (Franko Aas

et al., 2009). Border criminologists have argued that border control technologies have become so integral to crimmigration control practices that 'the exercise of power, including in the penal domain, is essentially technological' (Franko, 2020: 25). A performative analysis adds to these insights by asking not only how new technical systems shape crimmigration control practices, but also how norms governing the use of these technologies have been 'created, assembled, displaced, or adopted' on a global level (Frowd, 2020: 61). Amicelle et al. (2015: 298) outline how security devices exert performative effects:

> they (re)configure social spaces, (re)draw boundaries and (re)distribute meanings. Therefore, security devices are performative in that they do not only enact or alter particular realities and categories depending on the successful stabilization of complex socio-technical configurations, but also draw legal, gender, race or class boundaries and lines of exclusion.

Some critics argue that the notion of the performative constitution of identities and political categories privileges the structuring effects of discourses that give meaning to identity, and thereby 'reintroduces determinism and essentialism' as 'language determines the meanings, beliefs and so actions of individual agents' (Bevir, 2011: 10). However, this criticism overlooks how performativity provides a way to highlight agency—and therefore politics—within criminological analysis by locating it in the interstices between pre-existing discursive, practical and material structures on the one hand and the constitutive performances of agents on the other. In other words, political agency is foregrounded by showing how 'the speaking/writing subject can move within and between discourses, can see precisely how they subject her, can use the terms of one discourse to counteract, modify, refuse or go beyond the other' (Davies, 1991: 46).

This discussion of structure and agency in performative analysis brings into view the political stakes of border criminology and TCJ. Moving beyond the nation-state as 'the natural unit of criminological inquiry' is crucial (Franko Aas, 2007: 286), and the lens of performativity provides analytical tools to do so while avoiding the opposite extreme of assuming that states no longer matter. This perspective asks instead how exactly contemporary states are able to 'govern through' their seeming deterritorialization (Infantino, 2016: 4), and how the 'territorial trap' itself is produced (Agnew, 2017). A related challenge is to move beyond northern-centric frameworks of analysis by expanding the 'spatial imagination' of criminology to include an analysis of agency and knowledge production in the Global South (Franko Aas, 2012a: 236). Performativity is useful in avoiding northern-centric readings of global crimmigration practices either as apolitical technical interventions or as a straightforward form of neo-imperial control, by highlighting the agency of southern actors in accepting, modifying, reappropriating and resisting northern logics and techniques of crimmigration control (Bartels, 2018; Vigneswaran, 2013). Finally, an ever-expanding socio-technical network of border control technologies and their operators challenges scholars of border criminology and TCJ to account for the importance of material objects in constituting and shaping global practices of crimmigration control (Milivojevic, 2019). A performative analysis highlights how these technical systems constitute 'the migrant' as a political subject and 'migration' as a governable, technical 'problem'. Below, I substantiate these claims through a performative analysis of the IOM's MIDAS.

Methods

The analysis below is based primarily on semi-structured elite interviews with officials from the IOM's Immigration and Border Management (IBM) Division, and analysis of the IOM's publicly available documentation on MIDAS and its other capacity-building efforts. In January–April 2021, I conducted 23 online interviews with officials from the IOM Border and Identity Solutions Unit, located in the IOM headquarters in Geneva, as well as field project managers involved in rolling out MIDAS in over a dozen African states. All interviewees have been given a pseudonym and country names have been omitted from interview material to protect the anonymity of participants.

Interview participants are characterized as elites due to their 'important social networks, social capital and strategic positions' within the field of global migration management (Harvey, 2011: 433). As Anne Koch (2014: 910) has noted in the context of her interview-based research into the IOM, elite interviews 'constitute an appropriate empirical source' for generating insights into the self-perceptions of individuals intimately involved in shaping and enacting crimmigration control at a global level. The interviews have been essential to grasping the performative effects of MIDAS, by highlighting how IOM officials make sense of gaps between policy discourse and realities on the ground (Davies, 2001). Moreover, in these interviews officials continuously performatively enacted the IOM's role as a neutral technical expert operating within the global crimmigration control system.

The global COVID-19 pandemic created significant obstacles to this research. Travel restrictions delayed fieldwork visits to the IOM's African Capacity Building Centre and MIDAS-equipped border posts. For this reason, the arguments regarding the performative effects of MIDAS are currently based on primary interview material with IOM officials working in specific country contexts. Although IOM officials' accounts of the internal politics of recipient states provide only a partial understanding of biometric statehood as outlined below, they nonetheless provide ample insights into how the agency of African states shapes the roll-out and impact of MIDAS, on which this article focuses.

An important cautionary methodological note relates to the positionality of the researcher. Despite my aim to destabilize certain ontological assumptions of criminological theory and contribute to a broader project of 'provincializing Europe' (Chakrabarty, 2008), I have conducted the research from within a northern academic institutional context. Nonetheless, I follow Juanita Sundberg and others in arguing that northern-produced scholarship has an important role to play in decolonizing academia, by engaging in what Gayatri Spivak has termed 'homework', that is, 'the activity involved in identifying the coordinates of one's own location' (Sundberg, 2014: 39; see also Spivak, 1990). In this context, the critical framework deployed in this article seeks precisely to contribute more broadly to a criminological project of 'self-reflexive analysis of one's own epistemological and ontological assumptions; in other words, examining how these have been naturalized in and through geopolitical and institutional power relations/practices' (Sundberg, 2014: 39; see also Santos, 2016).

A golden touch? The performative dimensions of MIDAS

According to the IOM (2018b), MIDAS is a 'high-quality, user-friendly and fully customizable Border Management Information System (BMIS) for States in need

of a cost-effective and comprehensive solution'. It is an entry–exit system that gathers passenger data through a fingerprint scanner, a document scanner and a webcam for facial recognition, and then stores these in a centralized depository of all traveller data. MIDAS can be configured to check passenger data against national and international alert lists, though the extent of such interoperability varies significantly between states. The IOM argues that digital BMISs are crucial to facilitating 'orderly, safe, regular and responsible migration and mobility of people' (IOM, 2018a: 2). Biometric technology specifically 'is vital for protecting identity and preventing identity or entitlement fraud', facilitating 'regular and safe cross-border mobility and migration' and enhancing 'security in migration and border management processes' (IOM, 2018a: 3). As of April 2021, MIDAS is operational in 23 states, most of which are located on the African continent.

The framework of performativity outlined above suggests that MIDAS should not be conceptualized merely as a neutral technical tool that human actors use instrumentally to obtain pre-existing political goals. Rather, an analysis of the performative effects of MIDAS demonstrates that border security technologies have 'productive dimensions', in the sense that 'they contribute to the constitution of new domains of political intervention and new modalities of divisibility' (Jacobsen, 2015: 44). This insight does not excise human agency from the analysis, but rather seeks to incorporate MIDAS as one component within the broader socio-technical configuration of global crimmigration control. In this section, I analyse three distinct dimensions of the performative effects of MIDAS: performances of (biometric) sovereign statehood by beneficiary states; performances of neutrality and expertise by the IOM; and the performative constitution of 'migration' as a governable 'problem' by the technical components of MIDAS itself.

Southern agency and biometric statehood

The impact of globalization on state power and sovereignty has been the focus of much academic scholarship (Agnew, 2017). Following earlier arguments about the 'waning' and 'hollowing out' of the state (Brown, 2017; Rhodes, 1994), scholars have later highlighted how the 'disassembling' of the state has not necessarily undermined sovereign power (Sassen, 2007). On the one hand, state power often underwrites processes of privatization and transnationalization, allowing states to govern '*through* the distance' by 'decentralizing responsibility and putting policy recipients at a distance' (Infantino, 2016: 4, 79, emphasis in original). On the other hand, borders continue to matter as zones of high security scrutiny and limited judicial safeguards against state power (Zedner, 2019). More broadly, in spite of the deterritorialization of state power, the norm of territorial sovereignty continues to structure contemporary practices of crimmigration control and TCJ, which are based on the presumptive legitimacy of an 'international community' of sovereign territorial states (Leader, 2020).

Questions of sovereign power and territoriality are complex in the context of African states, which historically have occupied a marginal position in western-centric analyses and whose 'statehood' has repeatedly been called into question (Abrahamsen, 2019; Grovogui, 2002; Jackson and Rosberg, 1986). Although a northern-centric attitude is immediately evident in interpreting African statehood as a 'failure' to live up to northern norms, so too can presenting sovereign territoriality in Africa as solely a colonial

imposition overlook the agency of local political actors. According to Camille Lefebvre (2011: 202), such critiques, 'by marking African territorial organization with the stamp of colonial artificiality [. . .] denied Africa of a history which could, with time, have served a national or political discourse'. To avoid these pitfalls, a performative analysis of MIDAS interrogates how African states themselves engage in politically significant performances of sovereign territoriality. As Darshan Vigneswaran (2013: 123) has argued in the context of South Africa, local political actors have significant influence over global crimmigration control practices: 'criminalizing mobility is not simply taught or imposed in a top-down fashion by global agencies concerned with migration dynamics and problems'.

The agency of African states is immediately apparent in IOM officials' views on the relationship between the IOM and beneficiary states. As an intergovernmental organization, the IOM views its operational mandate as entirely determined by its Member States:

> There's one point we cannot forget, and this is important for us: there's a line you cannot cross, it's state sovereignty. We cannot tell, let's say [country], 'You have to do this, this and this.' They do whatever they want, they are a sovereign country.

> (José, IOM)

Many African states directly requested MIDAS; it was not necessarily imposed or even proposed by the IOM or its northern donors. As IOM official Tom described this process: 'The government is advocating for MIDAS [. . .] IOM develops projects, and the government identifies the border posts where they want MIDAS to be installed.' Thus, local political struggles, economic interests, election cycles and sometimes corruption significantly influence whether IOM is able to deploy MIDAS in a particular country. In sharp contrast to journalistic accounts which present MIDAS as a tool for facilitating deportations from Europe to Africa (Privacy International, 2019; Zandonini, 2019), all MIDAS data are fully owned by beneficiary states (IOM, 2018b). According to IOM official Maria, states zealously guard against the IOM's promotion of greater international interoperability between systems: 'The issue of data comes up quite regularly, always in the same terms, but without any progress.'

It is not only that African states already possess enough capability to resist external interventions and exert their own influence; deploying MIDAS and limiting external intervention and integration also performatively enact the territorial sovereignty of African states. In this sense, 'there is no sovereign state or state identity behind expressions of state sovereignty' (Weber, 1998: 90). That the deployment of MIDAS constitutes a performance of territorial statehood becomes particularly apparent whenever the gap between this performance and the recognizable material effects on the ground is particularly wide. Even in contexts where the selection of border posts to be equipped with MIDAS seems not to be based on capacity-building considerations, states still brandish MIDAS to enact their membership in the international community of territorial states by showing that 'they can control their borders too', according to IOM official Jayden.

While it is important to highlight the agency of African states in deploying MIDAS performatively, this policy choice must also be contextualized within the broader

structuring effects of existing global discourses, practices and materialities relating to sovereign power. In other words, performances of territorial statehood in Africa partly gain political significance through 'integration (at a regulatory level) and emulation (at a normative level)' of existing global norms (Frowd, 2020: 4). In the age of digital border controls, the norm of sovereign territoriality that African states performatively enact is one of *biometric statehood*. In the context of globalization, states conceptualize cross-border movements as both 'integral to trans-boundary communities [and] international commerce and trade' as well as 'something dangerous, threatening and potentially risky' (Muller, 2010: 15). Rather than stopping migration, states seek new technological solutions to 'order' or 'filter' cross-border movements in a quest to simultaneously facilitate mobility and increase security (Longo, 2018: 141). Biometric identification technologies have been particularly 'vital in identifying the undesirable populations in the new global order', due to the perception of biometrics as 'almost impossible to forge because our bodies, or rather the information extracted from our bodies, are unique tokens of identification' (Franko Aas, 2006: 145–146). Indeed, although a key motivation for requesting the IOM to install MIDAS is the perception that the system 'is going to strengthen the security part [of borders] very much' according to IOM official Amare, it is more precisely the logic of 'social sorting' (Lyon, 2003) associated with biometric systems that appeals to beneficiary states. As José from the IOM explained:

> There is always the need for the government to make sure that, you know, to let the good guys in and keep the bad guys out, something like that. So, this is what the use of biometrics is all about.

African states' performative deployment of MIDAS aims to affirm membership in the international community of biometrically capable states, not only through demonstrating security capacity, but more generally by demonstrating their capacity in terms of 'embracing' their citizens and making their territory and population 'legible' (Frowd, 2020; Scott, 1998; Torpey, 2000). IOM officials explained that 'the objective is not only to enhance [. . .] border security' (Luca, IOM) but also to 'regulate migration movements' for the purposes of trade, taxation and protection (Diego, IOM). MIDAS is also seen as a potential first step towards a more general project of making the population legible to the state: 'if you want [. . .] a massive national registration, you can already use what's there, and you may go backwards and go from MIDAS to National ID registration' (Mohammed, IOM).

The extent to which these performances of biometric statehood are structured by existing international norms and standards is evident in the routine characterization of biometric border controls as 'a step forward' and 'modern' (José, IOM). To be 'left behind'—that is, to not have a biometric BMIS—is a cause of embarrassment and 'jealousy', and according to in-country IOM officials 'there is this sort of emulation aspect' in requesting MIDAS once neighbouring states have adopted the system (Louise, IOM). Indeed, many African states requested MIDAS even when IOM officials were not convinced that a biometric BMIS would be a suitable solution to country-specific issues: 'I think in many states where we have MIDAS projects, I'm not sure if it really lacks biometric data collection at the borders to increase security in their country' (Zahra, IOM).

Nonetheless, according to IOM officials, states themselves are 'proud' to demonstrate their biometric statehood through the deployment of MIDAS: 'I think for them, it's a sovereignty tool. [. . .] They're quite proud to have their own system' (Mohammed, IOM).

The lens of performativity allows us to conceptualize assertions of biometric statehood by African states as more than 'fake' or 'superficial'. Although there may be an empirical gap between public discourses of biometric capability and operational realities, the deployment of MIDAS has very real effects in constituting the biometric statehood of beneficiary states. African states are not simply 'passive recipients' (Bartels, 2018: 64), but rather active agents who adopt, modify and naturalize the norm of biometric statehood through their performative deployment of MIDAS. A recognition of this agency is crucial to the avoidance of western-centric theorizing in border criminology and TCJ, which is 'not only a question of epistemological justice, but increasingly also an analytical imperative and an opportunity for theoretical innovation' (Franko Aas, 2012b: 16). Nonetheless, southern states' agency does not exist in a vacuum. It is conditioned by the contemporary global norm of biometric statehood, and the IOM plays an important role in producing, reaffirming and spreading this norm.

Pedagogical performances: Neutrality, expertise and techno-solutionism in the IOM

Scholars of TCJ have highlighted the centrality of transnational actors and intergovernmental organizations in producing the 'rules, standards and norms' that condition global practices of governance, care and control (Lohne and Sandvik, 2017). The IOM (2021a) produces and disseminates norms relating to 'the orderly and humane management of migration' by 'providing services and advice to governments and migrants'. Yet this language obscures the significant political impact that the IOM's activities have on crimmigration control. As others have argued, the IOM contributes to the normalization of exclusionary migration control practices (Fine, 2018), reifies state power to the detriment of undocumented migrants (Dini, 2018), legitimizes a 'postimperial' global order (Andrijasevic and Walters, 2009) and carries out 'migration-related services that governments find themselves unable or unwilling to carry out for legal and political purposes' (Ashutosh and Mountz, 2011: 22).

How, then, is the IOM able to continue presenting itself as a neutral service-provider? Analysing its public discourses, operational practices and technical tools from a performative perspective suggests that the IOM's political reputation of neutrality is the product of 'a lot of hard work' (Weber, 1998: 79). More specifically, the IOM performatively constitutes its organizational identity as a politically neutral actor through *pedagogical performances* of migration management. In so doing, the IOM has established political influence in shaping global crimmigration control practices, while simultaneously undermining external calls for political responsibility and accountability. IOM officials explicitly view their work in pedagogical terms, 'teaching states about security' and giving 'briefings and lectures [. . .] to make people understand how you cannot possibly live in a modern world today without digitized information' (Diego, IOM).

Of course, a pedagogical role as such does not yet confer upon the teacher the status of neutrality. As Philippe Frowd (2020: 72) argues, the IOM's educational practices are 'dependent on the prior existence of an unequal distribution of capital between teacher and learner, which the pedagogical act maintains or even exacerbates.' Indeed, IOM officials are acutely aware of the 'postimperial' implications of the organization's position as a mainly northern-funded actor operating in the Global South: 'We're not dealing with colonial children, but we're dealing with the children of colonial children [. . .] There is a suspicion [of our] computer systems' (Diego, IOM). Moreover, officials recognize that the global standard of biometric statehood has been heavily influenced by the political concerns of powerful donors such as the United States:

> I think this goes back to all the security resolutions, which came after 9/11. And I mean, I don't necessarily agree with that. I don't think biometrics are the way to go for migration. [. . .] I would also say that the US played quite a big role in that [. . .] the US is the biggest single donor. [. . .] I think that this has played a major role in developing this norm of having biometric data systems for border controls.

> (Zahra, IOM)

This unease towards the postimperial implications of the IOM's work is further reflected in officials' acknowledgement that the development of new border technologies may effectively institute what Matthew Longo (2018: 205) has termed a 'global firewall' whereby 'states that have data on their citizens are able to align forces and trust each other, whereas those that are data "dark" are vilified and excluded'. As IOM official José described this issue:

> When you launch all these new technologies, you have, European Union can do it. You have US, Canada, and you know, New Zealand, Australia, China, and Singapore that can do it. But what about the rest? What about the African continent? Nobody will be able to do it. We're talking about 44, 45 countries. So, if they don't do it, you don't trust [them].

Additional performative work is thus required to present the IOM as politically neutral if the label of a 'postimperial' institution is to be avoided. To this end, the IOM performatively constitutes itself as not only a border control educator, but more specifically as a technical expert organization. Kjersti Lohne (2020: 157) has argued that TCJ actors such as the International Criminal Court legitimize and depoliticize their interventions through 'non-democratic claims to efficiency, economics, rationality—and humanitarianism'. Indeed, IOM officials routinely describe the organization as promoting efficiency and rationality in border management and characterize the IOM as 'proud of being a non-norm setting organization' (Zahra, IOM). The IOM's claims to neutrality hinge on its performances of technical expertise. Although systems like MIDAS play a crucial role in entrenching and naturalizing the norm of territorial sovereignty (Ashutosh and Mountz, 2011), IOM officials represent these systems as components of a neutral technical project of providing 'training and capacity building for the government' (Tom, IOM). These performances of technical expertise are not merely 'superficial', but constitute the IOM

as a neutral, technical expert of 'migration management', with whom beneficiary states are more willing to work compared to donor countries:

> MIDAS is rolled out in [country], and it's funded by the Americans [but] the government does not want the Americans there. [. . .] the US was not really present, they never negotiated, or they never met with the [state officials] directly. It was really through IOM. So, I think sometimes it also changes how present the donor is, in the view of the receiving government.

> (Zahra, IOM)

The performative nature of the IOM's provision of technical equipment and assistance to countries is reflected in the 'solutionist' attitude of the organization towards these technical capacity-building projects. Evgeny Morozov (2013: 6) uses the term 'solutionism' to refer to a preoccupation with narrow, technical fixes 'to problems that, on careful examination, do not have to be defined in the singular and all-encompassing ways that "solutionists" have defined them; what's contentious, then, is not their proposed solution but their very definition of the problem itself'. IOM officials recognize the importance of framing migration control as a technical issue to which MIDAS is the solution: 'Sometimes it's a bit seen as this technical solution to security problems. Just the framing of it, I think it can come across as quite a solutionist approach to fragile states' (Zahra, IOM). In essence, the IOM acts as a solutionist policy 'entrepreneur' that takes 'initiatives to venture into new policy arenas' (Pécoud, 2018: 1626). Importantly, this solutionist entrepreneurialism has performative effects in constituting the IOM as the authoritative, neutral expert to be trusted with providing technical solutions to the 'problem' of migration. According to IOM official Diego, MIDAS is offered as a 'foundational building system for Member States' to begin gathering and analysing migration data, and 'all of this data eventually allows us to actually put on more projects' by suggesting potential avenues for further technical solutions.

Despite the pejorative connotations of the term 'solutionism', this performative analysis does not necessarily suggest that IOM officials are acting out a 'role' that is in some way 'fake'. The IOM is a self-avowedly multidimensional organization, whose work often reflects a 'genuine but overly formalist humanitarianism' (Frowd, 2018: 1658). Officials and departments within the IOM disagree over the political and normative implications of MIDAS projects: 'We have huge discussions with colleagues from the humanitarian side [. . .] because they don't agree at all with some of the projects that IBM is undertaking' (Zahra, IOM). Moreover, attempting to avoid 'postimperial' influence on beneficiary states while simultaneously promoting global human rights standards forces the IOM into a difficult balancing act. The performance of technical neutrality allows the organization to escape this bind. For instance, in her report on digital border technologies, UN Special Rapporteur E Tendayi Achiume (OHCHR, 2020: 20) called on the IOM to mandate equality and non-discrimination protections when offering systems like MIDAS to Member States, 'and prohibit adoption of technologies that cannot be shown to meet equality and non-discrimination requirements'. One IOM official explained how the report had ignited internal debates within the organization, in which the normative desirability of imposing international human rights standards upon

Member States was pitted against the need to avoid postimperial violations of the sovereignty of African states:

> Something that comes up quite often in these discussions [is] 'How far can we go? How much can we recommend, also, in terms of data protection?' Because many times it's also seen as this, 'Oh, just because the Europeans have this really nice and comprehensive framework now, this is not something that we can impose on other Member States.'

> (Zahra, IOM)

Ultimately, this tension is resolved through the IOM's pedagogical performances which constitute the organization as a neutral expert that offers MIDAS as a 'solution' to the supposedly technical issue of migration control. Although we have seen that the constitution of the IOM as a neutral, technical expert requires significant performative work from the organization, it is also apparent that the technological nature of its interventions—particularly the provision of biometric governance through MIDAS—itself confers legitimacy to the IOM's claims to neutrality. This suggests that a final performative dimension of MIDAS relates to the non-human technical systems themselves.

Subjectification, governability and depoliticization: The constitutive effects of MIDAS

Applying the framework of performativity to border security devices themselves suggests the need to reconceptualize the boundaries of agency by highlighting the independent political effects of technical systems. This view need not imply intentionality of non-human objects, but rather brings into view how technical systems 'make a difference' within broader socio-technical configurations (Amicelle et al., 2015: 297). Neither should a focus on non-human agency obscure the ethical and political accountability of humans who deploy technologies. Rather, a performative reading of MIDAS should contribute to the broader project of theorizing 'processes of subject formation'; that is, 'subjectification' within the context of crimmigration control (Squire, 2017: 262). To view technical systems as having performative, constitutive effects is to argue that technology is neither objective and neutral nor merely instrumental to human political interests. Technologies are 'influenced by the ambitions of their generators, the cultural mentalities and personal interest of their operators and the demands of their consumers' (Zedner, 2009: 267), but they also have 'constitutive agency' (Jacobsen, 2015: 48) in that they produce, structure and modify the political contexts in which they operate. We have seen above how African states and the IOM deploy MIDAS performatively to constitute themselves as particular kinds of actors, yet criminologists have noted that in addition to their instrumental and performative use by human actors, technologies both modify human practices and produce the subjects and fields of action upon which they operate. For instance, in his analysis of risk assessment technologies, Robert Werth (2019: 341) notes how they 'exert performative effects through automatic, institutional, and bureaucratic mechanisms independent of, and sometimes in opposition to, beliefs' of human users.

Scholars of policing and borders have highlighted how security technologies exert performative effects on practices of control through mechanisms such as the creation of feedback loops which feed into technological solutionism (Martins and Jumbert, 2020), connotations of neutrality and teleological 'progress' (Frowd, 2020) and a reputation of infallibility when compared to humans (Franko Aas, 2006). These mechanisms are readily apparent in IOM officials' views on the nature of MIDAS. First, the notion of a feedback loop (O'Neil, 2016) highlights how the deployment of MIDAS contributes to the identification of new information gaps that call for the expansion of MIDAS and interlinking it with other systems:

> Our first step was first to get all border posts first computerized, second to get them provincially connected, then to get them centrally connected, and then work with the East African Community [EAC] and the intergovernmental authority by placing central databases at those HQs, and allow for the representatives of Member States that are based at the EAC to monitor their own migration flows from a central data point.

> (Diego, IOM)

In this context, MIDAS is routinely referred to as a 'foundational building system' that subsequently 'facilitates newer systems' (Diego, IOM). Second, IOM officials regularly associate MIDAS with notions of technical neutrality and teleological progress. The adoption and expansion of MIDAS is viewed as a natural 'step forward', which is not the result of a political decision but rather of an accurate understanding of 'what are the advantages, disadvantages, and real possibilities' of the system (Maria, IOM). Conversely, choosing not to deploy the system is attributed to a 'lack of [awareness] of the potential of MIDAS' (Georgi, IOM). Third, the supposed infallibility of biometrics plays a significant role in the legitimization of MIDAS. Recent research into the reliability of biometrics has suggested that:

> Efficiency gains are often overstated and fail to take into account an automated border control mechanism's true ability to process travelers relying instead on the theoretical matching accuracy of a facial recognition algorithm while ignoring real-world accuracy challenges and related but extraneous factors.

> (Israel, 2020: xv)

Nonetheless, IOM officials argue that, compared to non-digital methods, biometric border controls are nearly infallible: 'the level of accuracy, it's amazing. And the level of certainty and integrity of the passport, and the data inside the passport, is almost 100%' (José, IOM). According to IOM official Zahra, perceptions of the infallibility of biometric technology are, 'on a security lens, very attractive', and have been crucial to the widespread adoption of MIDAS.

Through the mechanisms of feedback loops, connotations of neutrality and progress, and the supposed infallibility of biometrics, MIDAS exerts its performative effects. What, then, are these performative effects? Werth (2019) has shown how risk assessment

technologies constitute the 'penal subjects' upon which they operate as necessarily 'risky' individuals, and so too MIDAS constitutes a particular kind of political subject. According to IOM official Tom, MIDAS allows states to 'understand what is a migrant'. The notion that MIDAS performatively produces migrant subjects is reflected in IOM official Gabriel's description of border-crossers who remain unidentified by biometric systems as 'people that do not exist'. Describing individuals as 'identity-less [. . .] pre-supposes that they do not have the kind of identity *required by state bureaucracy*: a sta-ble, objective, unambiguous and thing-like identity' expressed in biometric identifiers (Franko Aas, 2006: 147, emphasis added). By enacting a logic of risk and control related to the 'accurate' identification of individuals at the border, MIDAS sometimes consti-tutes the 'migrant' as suspicious and potentially risky. For instance, according to IOM official Luca, MIDAS acts 'to prevent, you know, criminal activities, counterterrorism, and this kind of transnational crime, and of course, improving the control and the secu-rity of the country'. However, focusing on how MIDAS constitutes marginalized sub-jects as suspicious gives only a partial view of the system's performative effects. In addition to marking out some migrants as suspicious, MIDAS also constitutes the 'trusted' traveller by making all border-crossers equally 'visible', and it is important to recognize that this visibility can have both inclusionary and exclusionary effects (Martin and Taylor, 2021: 51).

More broadly, then, MIDAS constitutes 'migration' itself as a governable 'problem' amenable to techno-solutionist interventions. Rather than simply 'securitizing' migration in terms of threats and risk, MIDAS contributes to 'a global system of standardized iden-tification and [. . .] the *global intelligibility* of populations' (Franko, 2020: 28, emphasis in original). By framing migration in terms of infallible, neutral technologies, MIDAS brings 'migration into being as an object of global governance and perform[s] it as a *global reality* to manage in technical and pragmatic ways' (Robinson, 2018: 421, empha-sis in original). According to IOM official Diego, by adopting MIDAS, African 'states saw and realized that a computerized border has much more to do than just security'. Not all migration is risky or deviant, but all *unordered* migration is risky and deviant. In effect, MIDAS constitutes migration as a field of governance, which is problematic unless it is made visible, ordered and regulated by state power. Cross-border movements themselves are not necessarily problematic and can indeed be a 'win–win [. . .] if migra-tion is orderly'; the problem is 'movements that are not registered in MIDAS' (Tom, IOM).

Conclusion

Uncovering the politics of global crimmigration control practices is central to the pro-jects of border criminology and TCJ. A performative analysis of transnational actors operating in this field—as well as the border control devices they have developed and deployed—can be useful to this academic endeavour, and provides the foundations for a more thoroughgoing 'onto-political' (Connolly, 1992: 119) critique of crimmigration control. Performativity does so by highlighting the political stakes inherent in questions about ontology, agency and subjectivity (Squire, 2017). Claims about accuracy, identifi-cation and technicality implicitly rest upon onto-political assumptions about the

desirability and possibility of technological and biometric governance in the context of migration control. Rather than making claims about the accuracy of biometric technologies or the actuality of dangers posed by migrants—which conform with the ontological assumptions made by technical experts themselves about the 'calculability' (Amoore, 2014) of migration-related problems—performativity provides a basis for contesting crimmigration practices on the level of the ontological and political assumptions that underpin the deployment of technologies such as MIDAS.

In enacting migration as an object of 'global governance', MIDAS paves the way for migration control interventions by transnational actors such as the IOM. In so doing, MIDAS simultaneously depoliticizes these interventions due to its technical nature. As Katja Franko (2020: 29) has argued, global crimmigration control practices are 'of central importance to the preservation of the current social order and to the global allocation of resources. They are vital techniques for maintaining the existing divisions between the global North and South.' Yet the relationship between crimmigration control and global hierarchy—evident in IOM officials' unease towards the 'postimperial' nature of the organization's work—is obscured beneath the supposed neutrality of techno-solutionist interventions.

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