



Performativity, Pragmatism and Border Control Technologies: Democratising the Ontologies of Border Criminology

Samuel Singler

University of Oxford, United Kingdom

Abstract

This article seeks to expand debates about Southernising border criminology to include an ontological dimension. In the context of increasingly technological border control practices, critical analysis of the global circuits of mobility control requires explicit theorisation of the ontological status of humans vis-a-vis their material environment. Such theorisation can also imbue border criminology scholarship with a radical democratic openness to Southern worldviews by destabilising traditional Northern forms of knowledge production about borders and migration. To this end, I synthesise insights from the framework of performativity and the philosophical tradition of pragmatism to propose a framework for analysing the deployment of novel border control technologies in the Global South. The resultant framework challenges state-centric and Northern-centric perspectives on crimmigration control by foregrounding Southern agency and explicitly challenging technicist framings of border control technologies that represent these tools as neutral technical components within a broader global system of state-based ‘migration management’.

Keywords: Southern criminology; border control; technology; ontology; crimmigration.

Introduction

Globalisation has contributed to ongoing transformations of the relationship between borders, state sovereignty and identity. Cross-border mobility is viewed as politically and economically essential, yet its control is simultaneously a key marker of states’ sovereign authority, inviting new, geographically dispersed practices of migration management by states seeking to reassert their authority (Brown 2017; Longo 2018). This deterritorialisation has taken place against the broader backdrop of postcolonial global hierarchies; migration and border control constitute core practices through which relations of ‘global privilege and scarcity’ are both upheld and contested (Franko 2020: 168). It is not only states in the Global North that are instituting new forms of social exclusion at and beyond their borders. States in the Global South are also engaging in novel practices of border control, often supported by Northern states and international organisations (IOs) such as the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees.

As attempts to Southernise and decolonise criminology have picked up momentum (Aliverti et al. 2021; Carrington et al. 2018), so too have border criminologists recognised that much of migration and its control take place in the Global South. Practices and logics of ‘crimmigration control’ are also pioneered in the South and by Southern actors as part of a broader system of ‘global mobility control’ (Bowling and Westera 2018: 178). Thus, as Katja Franko (Franko Aas 2012b: 16) has argued, developing more globally democratic forms of knowledge production about border control ‘is not only a question of epistemological justice, but increasingly also an analytical imperative and an opportunity for theoretical innovation’.



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In this article, I synthesise insights from the theory of performativity and the philosophical tradition of pragmatism to theorise the deployment of new border control technologies in the Global South. In doing so, I contribute to the broader project of Southernising border criminology by demonstrating the analytical utility of more radically democratic ontologies for this field of research. While the main contribution of this article is theoretical, I illustrate my claims with reference to empirical material gathered during a research project examining the deployment of the IOM's Migration Information and Data Analysis System (MIDAS) in Nigeria. The material consists of interviews with IOM officials between January and April 2021 and field observations in Abuja, Nigeria, carried out between July and September 2021 (see also Singler 2021). MIDAS is a digital border management system that the IOM offers to its member states free of charge, which 'automatically captures travelers' biographic and biometric data using document readers, webcams and fingerprint readers' (IOM n.d.: 2). Currently operational in 20 states across the Global South, the most comprehensive rollout of the system thus far is in Nigeria.

The framework set out below expands the scope of border criminology scholarship that has highlighted the postcolonial legacies of crimmigration control in the North by focusing on practices and technologies deployed in the Global South. Border criminologists have shown how Southern actors assert their agency by resisting Northern border control practices and by reshaping and enacting these practices in novel ways (Mehta 2016, 2018; Sanchez 2017; Vigneswaran 2013; Vigneswaran and Landau 2012). I seek to build on this scholarship while avoiding the essentialisation of 'the South' either as a helpless victim of Northern neo-imperial control or a passive recipient of technical assistance from Northern states or supposedly neutral organisations. Democratising the ontological horizons of border criminology can illuminate how postcolonial legacies influence not only who the targets of crimmigration control in the Global North are, but also who the actors shaping the logics and practices of border control in the Global South are and what technical tools they use in these practices.

I begin the article with a discussion of existing contributions in border criminology regarding the relationship between Northern and Southern epistemologies, global hierarchies and border control technologies. I then argue that the framework of performativity can contribute to this scholarship by explicitly theorising the relationship between existing social structures—such as postcolonial hierarchies and dominant norms regarding territorial sovereignty—and the political agency of the actors that operate within and on those structures. When applied to material objects and technologies, the notion of performativity raises difficult questions regarding the subject position of humans relative to non-human technologies. Such questions suggest a need for more open ontologies that allow objects and tools to also exert political effects independently of their human designers and operators. Assemblage theories represent a popular solution to this analytical problem, yet they risk depoliticising border control tools by obscuring human accountability in the development of these systems. Below, I demonstrate that pragmatism can guard against this risk of depoliticisation. On this basis, I demonstrate how performativity and pragmatism can be synthesised and applied to the field of crimmigration control.

Alongside developing more democratic epistemologies (Aliverti et al. 2021; Franko Aas 2012b), ontological discussions can also play an important role in destabilising traditional Northern forms of criminological scholarship, thus paving the way for frameworks that foreground a Southern perspective on border control. While my research focuses on technical tools, expanding the ontological horizons of border criminology also has bearing on issues such as incorporating Indigenous worldviews and conceptions of nature and sovereignty into academic analyses (Goyes and South 2021; Lightfoot 2021; van Uhm and Grigore 2021).

'Racial Technologies' of Border Control and the Southernising Agenda

Border criminologists have contextualised recent Northern migration and border control policies against the backdrop of global hierarchy (Barker 2018; Bowling and Westera 2018; Franko Aas 2012b). In this way, authors have considered what Leanne Weber and Jude McCulloch (2019: 509) have termed the 'who of border control' by highlighting the role of postcolonial legacies in determining who the targets of contemporary crimmigration laws, border control practices and risk assessment technologies are in the Global North. Indeed, as Jennifer Chacón and Susan Coutin (2018) have argued, border control practices are not only influenced by racial profiling, but also directly racialise minority groups and immigrants. Alpa Parmar (2019: 939) has demonstrated that policing technologies in a border control context draw 'on established racial tropes while also accommodating new modes of racialization'. She has called attention to such dynamics by describing these technical tools as 'racial technologies' (Parmar 2019).

Illuminating the postcolonial and racialised dimensions of contemporary border control practices in the Global North is analytically and politically invaluable. A consideration of the 'who' of border control can also justify a shift of analytical focus away from the boundaries of the Global North and into the Global South by asking who is deploying crimmigration control measures and digital border control technologies in other geographical and social contexts. This analytical shift is central to the

project of Southernising border criminology, and interdisciplinary scholarship on borders and migration has already indicated some of the interconnections between global hierarchies and Southern border control practices. Several authors have demonstrated how Northern states engage in direct border control interventions in the Global South under the policy rationales of security, development and humanitarianism (Frowd 2018; Lohne and Sandvik 2017; Pallister-Wilkins 2022a). Southern bordering practices have been analysed through the lens of neo-imperial or post-imperial influence (Andrijasevic and Walters 2010), and these notions are certainly important for understanding the diffusion of novel border control technologies as well. Ana Beduschi (2021: 579) has shown how the incorporation of new technologies, such as artificial intelligence, in border control contexts ‘can amplify the so-called digital divide between states with more advanced technologies and those lacking such technologies’. In this context, the diffusion of border control technologies can cement existing global hierarchies because Northern states ‘would be placed at the forefront of the global efforts to manage migration in the years to come ... states with less advanced technological means could be further isolated’ (Beduschi 2021: 579). The practices of IOs such as the United Nations High Commissioner for Refugees and the IOM are central to the maintenance of this digital divide, as they spread and uphold new technologised global norms of migration management (Frowd 2018; Pécoud 2018).

The importance of insights produced by border criminologists regarding practices in the Global North and the post-imperial dimensions of Northern interventions in the Global South is undeniable. Nonetheless, while the rise of crimmigration law and punitive border control practices has been described as a global phenomenon (Menjívar, Gómez Cervantes and Alvord 2018), ‘the extent to which specific countries have embraced this governmental logic is a matter for further empirical research, and raises important questions about the contrasting situations of countries within the Global South and Global North’ (Weber and McCulloch 2019: 509). Border criminologists have demonstrated that Southern actors can redeploy and reshape Northern logics of border control in novel ways (Vigneswaran 2013). Similarly, Inken Bartels (2018: 63-64) has argued that:

the dissemination of knowledge by IOs in the context of the externalization of European migration policies is not a smooth top-down process but marked by struggles and strategies among and within the various state and non-state actors involved, including those that are otherwise often conceived as its passive recipients.

This view indicates the need to inquire into the mechanisms through which Northern logics of border control diffuse across borders and are translated into local contexts, and more broadly to examine Southern practices of border control not only in terms of Northern policy goals but rather local political interests and identities. How do Southern actors productively utilise the logics and practices of border control to pursue their own political ends? If the ‘racial technologies’ of border control have directly contributed to the racialisation of the postcolonial ‘other’ at Northern borders, how should we characterise the deployment of similar technologies in the Global South by Southern actors themselves?

An examination of these technologies should avoid the essentialisation of ‘the South’ either as a helpless victim of Northern neo-imperial control or a passive recipient of neutral technical interventions by more technologically ‘advanced’ states (Bartels 2018). Indeed, the notion of the ‘Global South’ is itself mutable when used to refer to ‘contradictions in wealth, living standards and patterns of oppression across national boundaries’ (Fonseca 2018: 712). Thus, Southernising border criminology will benefit from explicit theorisation of the relationship between the social and material structures of global hierarchy on the one hand, and the political agency of Northern and Southern state actors, IOs, migrants and new digital technologies on the other. Recent scholarship on border control and transnational criminal justice has indicated the value of doing so through the framework of performativity (Franko 2021; Palmer 2021; Sausdal and Lohne 2021; Singler 2021; Stambøl 2021); below, I demonstrate the strengths and a potential shortcoming of this perspective with reference to the bordering practices of Nigerian federal authorities.

Global Hierarchy, Southern Agency and Performativity

Pioneered by feminist philosopher Judith Butler (2007), the notion of performativity seeks to move away analytically from essentialised and fixed understandings of social identities. In her analysis of gender, Butler argued that there exist no gendered subjects independent of performances of gender ‘roles’. Rather than pre-existing masculine or feminine subjects acting out these ‘roles’, the performances themselves 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). Similarly, a performative analysis of technologically mediated crimmigration practices does not assume the pre-existence of political subjects prior to the performative enactment of borders. Rather, the analysis focuses on highlighting how these subjects are constituted through the performative effects of practices and discourses related to border control. For instance, Eva Magdalena Stambøl (2021) has argued that certain West African state authorities have deployed new digital border checkpoints to perform territorial statehood to international donors. In the West African context, political power is, in fact, ‘expressed more as control over people rather than territory, meaning that networks of patronage, not territorial presence (as assumed by the Westphalian state model), are a

more predominant method of social control' (Stambøl 2021: 487). Nonetheless, performances of territoriality bring 'the state' into being as an authoritative political actor even where de facto governing capacity is still largely in question.

So too, during my fieldwork in Nigeria, federal authorities acknowledged the material limitations to the effectiveness of MIDAS on the ground, yet simultaneously argued that the system is politically useful despite these limitations. Domestically, operating a digital border control system with a centralised database at the Nigerian Immigration Service (NIS) headquarters performs federal political authority vis-a-vis the constituent states of Nigeria. As NIS official Benjamin explained to me, 'MIDAS has made it clear that it is the federal government, not the states, who is in charge here' (Personal interview, 26 August 2021).¹ Internationally, the system is utilised in performances of 'biometric statehood' to an international audience (Muller 2010; Singler 2021). As NIS official Gabriel put it, 'having a modern, biometric system is needed for us to be active in the international system' (Personal interview, 26 August 2021).

This reference to an international audience reflects the structuring effects of postcolonial hierarchies on Southern performances of statehood. Not only do Northern donors directly assist Southern states in the deployment of new migration control technologies, but Northern-produced technological and policy standards exert pressure on Southern state actors to 'modernise' their borders. Yet, Nigerian authorities' strategic deployment of MIDAS in pursuit of their domestic political goals also demonstrates that Southern actors are creatively responding to these structures of global inequality. In a similar vein, Eva Stambøl and Randi Solhjell (2021: 505, 506) have argued that while dominant 'Global North problem formulations' exert significant structuring effects on crimmigration control practices in West Africa, local actors' performances of transnational criminal justice are marked by 'contestations and frictions, and sometimes outright resistance'. In this way, performativity foregrounds Southern agency while recognising that these performances are carried out in the context of existing material and social structures.

However, a common critique of the performativity framework is its privileging of discursive performances over material and embodied practices (Harrison 2000). Moreover, the framework of performativity is often understood in a human-centric register whereby 'people perform surrounded by material props' (Law and Singleton 2000: 771). Nonetheless, the increasing importance of novel digital technologies within border control and surveillance practices, combined with the increasing autonomy of these technical tools from their human designers and operators (Milivojevic 2021), necessitates theorisation of the role of technologies in shaping human practices by exerting performative effects independently from humans. As Sanja Milivojevic and Elizabeth Radulski (2020: 198) have argued, the impact of new technologies 'on human agency and autonomy is just one of the many conundrums social scientists, including lawyers and criminologists will have to unpack in the near future'. So too, an examination of the global diffusion of border control technologies requires theorisation of the status of these technical tools relative to their human designers, operators and targets. Doing so will also lay the groundwork for more democratic ontologies and ensure that Southernising border criminology involves more than the addition of Southern empirical examples to traditional Northern epistemological frameworks, by destabilising the foundations of these traditionally human-centric forms of knowledge production.

Making Sense of Technology: The Appeal of Assemblage Thinking

Interdisciplinary research into border controls has noted the increasing importance of new technologies in shaping bordering practices (Aradau and Tazzioli 2020; Dijstelbloem 2021; Milivojevic 2019a). Technical innovations have allowed law enforcement and border control agencies to expand practices of surveillance and social exclusion through the institution of what Kevin Haggerty and Richard Ericson (2000) termed a 'surveillant assemblage' more than two decades ago. One way to understand the deployment of these technologies is to view them in a relatively straightforward instrumentalist sense, as having been deployed to solve particular pre-existing problems relating to security concerns. In adapting this perspective to the context of the performativity framework outlined in the previous section, technologies would figure only as tools that human actors use in their performances of particular identities, and the technologies themselves would exert no performative effects. This view also aligns with a traditional Northern humanist ontology, which foregrounds the role of rational humans knowing and mastering their material environment (van Wingerden 2022).

However, the instrumentalist conception of border technologies overlooks how they 'can also have unintended consequences and side-effects. Although they may be implemented with certain effects in mind, in practice other previously unthought-of effects may materialize ... technology can initiate changes to the social environment' (Dekkers 2020: 1852-1853). For instance, data collection technologies initially intended for a particular context may later contribute to the increased surveillance and perceived suspicion of new target populations, as when access to the European asylum database Eurodac was later granted to law enforcement agencies (Dijstelbloem 2021: 42). Alpa Parmar (2019: 948) has shown how reliance on digital information systems in police custody procedures in the United Kingdom was originally intended to 'limit discriminatory practices', yet her

analysis of the everyday operation of these systems revealed ‘the unintended consequences of these information systems’ in the form of ‘increased levels of scrutiny for target groups such as foreign nationals or black and minority ethnic suspects’.

To foreground the social impacts that non-human technologies can have independently from humans, social scientists focusing on technology have adopted analytical frameworks that to varying extents dissolve ontological distinctions between humans and technologies. Border criminologists have argued that human–technology relations can be grasped by describing networks of humans and non-human objects as ‘assemblages’ (Franko Aas 2012a: 240). The concept of the socio-technical assemblage levels distinctions between the materially determined and socially constructed, in order to argue against both traditional positivist frameworks of science as well as constructivist and post-structuralist perspectives that overlook the importance of the material world in shaping social practices (Brown 2006).

Ontologically levelling the distinctions between humans and non-humans can broadly be referred to as a ‘post-humanist’ orientation towards social inquiry, even though explicit reference to post-humanism is rarely made in criminological scholarship on technology and materiality (Berg 2021: 27). In recognising the growing importance of novel technologies and environmental changes to human societies in the twenty-first century (Milivojevic 2021), the framework of post-humanism espouses a decentering of the traditional human subject of Northern philosophy and social theory (Badmington 2003; Braidotti 2006; Hayles 1999). This approach is in line with the arguments of feminist post-humanists such as Donna Haraway (2016), who have extensively critiqued traditional Northern epistemological dualisms of subject/object and human/non-human in an ontological register that more directly addresses the role of materiality in shaping subjectivity than Butler’s notion of performativity (Butler 2007; Matisons 1998).

Adopting a broadly post-humanist orientation has been a crucial analytical tool utilised by social scientists to bring into view the technologised nature of border control today (Jeandesboz 2016; Pallister-Wilkins 2022b; Squire 2014; Sundberg 2011). For instance, analysing the IOM’s digital migration databases in terms of their performative effects, Corey Robinson (2018: 421, original emphasis) has argued that these new technologies ‘bring migration into being as an object of governance and perform it as a *global reality* to manage in technical and pragmatic ways’. Similarly, Philippe Frowd (2020) has argued that digital technologies have directly shaped how state capacity in the Global South is perceived and measured both locally and globally. Technologies are not only reshaping state practices of migration control, as migrants themselves have also deployed new technological practices to challenge securitised narratives of migration and facilitate mobility (Milivojevic 2019b).

In Nigeria, conceptualising the IOM’s MIDAS and its operators in terms of socio-technical assemblages can bring into view how the technical logics of the system itself have impacted local border control and identity management practices. The architecture of the system has spurred Nigerian authorities to expand interconnectivity between MIDAS and other national biometric databases, thus presenting previously discrete areas of national policymaking as part of a unified ‘biometric assemblage’ (Madianou 2019). The technical capacity of the system to process Advance Passenger Information (API) data and communicate with Interpol’s I-24/7 alert lists has also resulted in unforeseen levels of inter-agency cooperation between immigration and policing agencies. Cooperation and communication among these authorities have traditionally been scarce. According to IOM official Faiza in Abuja, it has previously been ‘the most political’ and ‘most difficult activity to achieve’ (Personal interview, 28 July 2021). However, establishing a live connection to Interpol’s alert lists and processing API data—that is, unlocking the full technical capacity of MIDAS—requires the establishment of ‘secondary inspection’ procedures among the immigration service, police forces, Ministry of Justice and other agencies. Thus, the technical structure of MIDAS itself not only motivates its human operators to engage in political practices they have previously eschewed, but also constructs migration control as a matter of state security by creating these technological linkages between the fields of migration control and criminal justice. As IOM official Tom put it, the system enacts a particular conception of ‘what is a migrant’ (Personal interview, 24 February 2021; see also Singler 2021)—that is, a conception of migrants as inherently criminally suspicious.

Yet the technical architecture of MIDAS did not come from nowhere. It was designed by IOM officials in Geneva, largely funded by states in the Global North (Frowd 2018; Singler 2021). Representing the political effects of the system as entirely determined by the technical tools themselves overlooks the role of IOM officials in developing and deploying the system in particular local contexts, as well as the role of local state authorities in shaping the political, social and legal frameworks underpinning the system. Although assemblage perspectives are useful in amending a lack of focus on materiality, they can overemphasise the agentic importance of non-humans within ‘actant-networks’ (Brown 2006: 235). There is an overarching risk of losing sight of politics when completely flattening ontological distinctions between humans and non-human technologies.

Jane Bennett’s (2010) analysis of the ‘vitality of matter’ is instructive in this regard. Bennett (2010: 37) views conceptions of human ‘autonomy and strong responsibility’ as ‘empirically false, and thus their invocation seems tinged with injustice’. Her framework therefore ‘presents individuals as simply *incapable of bearing full responsibility for their effects*’ (Bennett 2010:

37, emphasis added). Although Bennett (2010: 104) later argues that the ‘political goal of a vital materialism is not the perfect equality of actants, but a polity with more channels of communication between members’, this perspective is more likely to affirm, rather than challenge, technicist and depoliticised views of contemporary crimmigration control by obscuring the accountability of humans in shaping these technological practices. This example demonstrates how post-humanism ‘risks precisely to off-stage the political’ by concealing the responsibility of the human designers and operators of new technologies underneath the agency of these objects themselves (Swyngedouw and Ernstson 2018: 4).

Pragmatism, Political Accountability and Democratising Border Criminology

While the framework of performativity has already been extensively utilised by border criminologists, pragmatism has not figured as prominently in border criminology or, indeed, criminology more broadly (Wheeldon 2015; Wheeldon and Heidt 2007). The term ‘pragmatic’ has mainly been used to criticise an ‘approach to crime and disorder’ in which ‘getting the job done was more important than legal and philosophical questions about whether issues were crimes or administrative violations’ (Gundhus 2021: 65). However, as Johannes Wheeldon (2015: 399) has argued, this colloquial usage is distinct from the thoroughly self-reflexive and critical orientation espoused by the philosophical pragmatists, who have suggested that ‘pragmatic solutions to philosophic dilemmas required abandoning traditional notions about truth and confronting the logical fallacies associated with traditional appeals to authority’.

The central assertion of pragmatism is that ‘epistemic claims are embedded in some practical context that in large part determines relevant standards of justification and conditions of success. A truth claim is thus to be judged in light of its practical consequences’ (Bohman 2002: 499). As Wheeldon (2015: 400) explained, pragmatism perceives ‘truth as whatever results in productive, useful, pro-social outcomes at that moment’, yet we cannot be confident that this description will forever remain the best one. Criminological scholarship has largely neglected the analytical and normative utility of a pragmatist position, using the term ‘pragmatic’ mainly as a ‘criminological slur’ to refer to analyses that are concerned mainly with practical policy relevance to the detriment of broader theoretical or normative analysis (Wheeldon 2015: 399). For instance, in their critique of mainstream criminology, Hall and Winlow (2018: 51) have argued that ‘the pragmatic investigation of what can be done must be replaced by the realistic investigation of what must be done’. However, the philosophical framework of pragmatism is, in fact, far removed from an uncritical assertion of the need for ‘pragmatic’ crime control efforts, instead highlighting the need for an explicit discussion of the underlying political and normative assumptions guiding both social practices and criminological inquiry itself (Wheeldon 2015).

Pragmatism is compatible with the framework of performativity in that it sets aside questions of objective truth and ‘real’ identities in favour of a recognition that ‘there is no such thing as the way the thing is in itself, under no description, apart from any use to which human beings might want to put it’ (Rorty 1991: 4). Thus, the political nature of constitutive performances—discursive or practical—is highlighted with reference to their practical impact on particular social or political problems. Solving social problems depends on establishing knowledge about them, yet ‘to establish a truth pragmatically is to settle a controversial or complex issue for the time being, until something comes along to dislodge the comfort and reassurance that has thereby been achieved, forcing inquiry to begin again’ (Cochran 2002: 527). Highlighting the contingency as well as the social and temporal specificity of any particular claims to knowledge foregrounds the inherently political nature of deliberating about how best to conceptualise social problems and potential solutions to them. Crucially, for the project of democratising border criminology, pragmatism’s focus on political deliberation—combined with its ‘anti-foundationalist’ rejection of privileging any particular perspective—results in a radically democratic openness towards Southern worldviews (Hickman 2001). As Michael Eldridge (2011: 131) explained, in the search for solutions to perceived social problems:

we need the alternatives suggested not only by our past practices and imaginations but also our encounters with others in order to make informed choices. We grow through conflict and [the] resolution of these conflicts. Hence the value of democracy with its employment of social intelligence. Better practices come about through experimentation and the creative tension necessary to a healthy collaboration.

Technical tools often constitute a key component of proposed solutions to social problems. Pragmatists conceptualise technology as ‘the invention, development, and cognitive deployment of tools and other artifacts, brought to bear on raw materials and intermediate stock parts, with a view to the resolution of perceived problems’ (Hickman 2001: 12). New technologies can, over time, become cornerstones of the ‘habitualized tools, artifacts, and skills’ (Hickman 2001: 12) that constitute the background conditions of most everyday practices. In such contexts, technologies most powerfully shape human practices by becoming a part of everyday experiences, and their political nature also recedes out of view precisely because of their perceived mundanity. Thus, grasping the underlying politics of novel technologies requires focusing on what kinds of social problems they are meant to resolve; security- and risk-focused migration control tools, for instance, are developed based on a problematisation of human mobility mainly in terms of security threats, rather than human rights or economic facilitation.

Pragmatism can incorporate the insights of performativity—which highlights the plurality of subject positions created through constitutive performances—due to its necessarily anti-totalising ethos. Akin to post-structuralist perspectives, it ‘challenges closure’ (Connolly 1992: 147) and ‘builds contingency into its very *modus operandi* which is open and attentive’ to the importance of alternative worldviews (Glynos and Howarth 2007: 155). This openness follows from the recognition of the context specificity and situatedness of knowledge claims (Hickman 2007). Simultaneously, and distinctly from post-structuralism,² pragmatism incorporates post-humanist insights into the social importance of non-human objects by stressing the embodied and material nature of social practices. Feminist pragmatists such as Shannon Sullivan (2001: 2) have been particularly insightful in arguing that:

one can acknowledge the importance, even the primacy, of corporeality to human life without opposing bodies to the mental, psychological, cultural, or other so-called nonmaterial aspects of human existence. The nonmaterial aspects of human life would not be possible without bodily materiality.

This perspective therefore highlights the importance of both social and material existence by seeking to ‘articulate the categorical structure of the humanly constructed and interpreted world. Technology is naturally a part of that world’ (Pihlström 2021: 172).³

In contrast to post-humanist frameworks and ‘assemblage thinking’ (Amicelle, Aradau and Jeandesboz 2015: 295), pragmatism locates the ultimate source of meanings and interpretations in human beings, even while remaining attentive to the structuring effects of non-human environments and objects: ‘only humans can engage in the kind of *self-critical humanism* that can, for instance, seek to broaden the scope of moral responsibility to include animals or other parts of nature’ (Pihlström 2021: 53, original emphasis).⁴ This self-critical humanism guards against the depoliticising tendencies of post-humanism. Although non-human materiality causally and constitutively shapes subjectivity, ‘relative to other creatures, human beings are *under-determined* by nature, and the possibilities of action available to them that much greater in consequence’ (Soper 2012: 366, original emphasis). In this way, pragmatism allows us to recognise that both human and non-human actors can—through the performative effects of their actions—impact social structures. However, this view distinguishes between ‘decisions taken *within* a structure and decisions taken *about* a structure’ (Howarth 2013: 185, original emphasis). Whereas the former focuses on the role of both humans and non-humans in enacting everyday practices, the latter highlights specifically human political agency. Particularly in ‘moments of crisis and dislocation’, the essential contestability of social and material structures becomes evident to human actors, who must then engage in political ‘acts of identification’ to construct new identities (Howarth 2013: 182-183). Although non-human actors can indeed exert performative effects on these social structures, only humans possess the capacity to normatively deliberate about possible political alternatives and intentionally choose between them.

An examination of border control technologies in the Global South through the lenses of performativity and pragmatism brings with it analytical, political and normative benefits. This framework can ground a critique of technologised border control practices without basing this critique on claims about the ‘accuracy’, ‘efficiency’ or ‘neutrality’ of the technologies themselves. Contemporary technologised bordering practices are largely based on a technicist framing of ‘migration management’ as a ‘technical, pragmatic and, in short, nonpolitical’ issue (Robinson 2018: 431). Simultaneously, the need to develop more comprehensive and accurate border control and identification technologies is presented in the language of universal rights and needs, for instance, as part of the *United Nations Legal Identity Agenda* (United Nations Statistics Division, n.d.). Hence, claims about the inaccuracy or inefficiency of technical crimmigration control practices can only go so far; apparent ‘failures’ of border control technologies will only serve to justify their future expansion unless subjected to a more general normative and ontological critique. To this end, the framework put forth in this article can serve as a basis for demanding political accountability against the backdrop of contemporary depoliticising rhetoric of ‘evidence-based’ policymaking that obscures how ‘policymaking is considerably broader than technical decision-making, which means that policymakers often compromise on critical issues and act on public perceptions or fears’ (Beduschi 2021: 584).

So too, the above discussion of the effects of MIDAS in Nigeria can be re-politicised by incorporating the pragmatist insight regarding the unique capacity of humans to deliberate about possible political alternatives and intentionally choose between them, particularly in times of crisis, dislocation and innovation (Hickman 2007). Although the system has begun exerting political effects independently of its human designers and operators, these performative effects can only materialise once prior choices have been made regarding the technical design of the system, and once both IOM and local state officials have made the decision to deploy MIDAS on the ground. The merging of migration control and criminal justice in Nigeria has been driven in part by the technical architecture of MIDAS. Yet, it has also required explicit political decisions by Nigerian federal authorities to pursue closer collaboration between previously uncooperative federal agencies. As one official from the Ministry of Justice explained, inter-agency cooperation is ‘always difficult ... Lots of work is needed to get everyone together’ (Personal interview, 29 July 2021). Similarly, NIS official Benjamin recognised that the deployment of MIDAS is driven by political considerations regarding the authority of the Nigerian federal state and the NIS’s influence relative to other federal agencies:

‘what we are really doing, what we are responsible for, is maintaining the strong state. Yes, the police do this, the military do[es] this too, but we are the ones policing the boundaries [of Nigeria]’ (Personal interview, 6 August 2021).

IOM officials also recognised that their decisions can significantly shape what impact MIDAS has on border management practices in Nigeria. In a workshop regarding the processing of API data, one official expressed concern regarding data privacy when allowing law enforcement access to MIDAS:

Nigeria doesn’t have a clear framework for data protection specifically for law enforcement agencies ... Even though data should be deleted if there is not an API hit, I think we need to worry about data protection for innocent people. Who will actually be on these watchlists? Nigerian terrorism laws are very broad. (Workshop communication, 5 August 2021)

Despite this moment of concern, however, deliberations in the workshop were nonetheless shaped by considerations relating to the technical capacities of MIDAS. Another official argued that:

Yes, the law should give them guidelines on what should be done. But what’s most important is to make sure the systems are working properly. The data need to be globally interoperable ... So, we need to find a way to outline procedures for data interoperability. (Workshop communication, 5 August 2021)

These kinds of moments demonstrate how the technical imperatives of MIDAS contribute to the expansion of crimmigration control in Nigeria. However, despite the impact of these technical logics in shaping human perceptions and practices, pragmatism is helpful in tempering claims about technological agency and locating political responsibility for the influence of the system in the humans that have developed and deployed it. Workshops such as those organised by the IOM and Nigerian federal officials constitute moments of rupture and uncertainty, in which humans must engage in normative deliberation and decide how to conceptualise migration as a particular kind of social problem. In other words, by raising concerns about whether expansive biometric tools are suitable and safe in a migration control context, and then answering such questions in the affirmative, officials are actively making decisions about the structure of crimmigration control in the Global South. They are therefore engaging in a uniquely human process of considering ‘whether the normative system they have constructed is righteous or if it requires corrections’ (Pihlström 2021: 53).⁵

Conclusion

Southernising and decolonising border criminology requires shifting ‘the criminological gaze away from the North, while also intending to utilise the lessons gained from such a perspectival shift to comprehensively challenge the foundations of this field of knowledge’ (Aliverti et al. 2021: 299). Historically, Northern ontological positions based on the intrinsic nature of the universal human subject have—relying on a language of scientific neutrality, accuracy and objective reality—‘developed into a civilizational model, which shaped a certain idea of Europe as coinciding with the universalizing powers of self-reflexive reason’ (Braidotti 2013: 13). Such civilisational models are directly linked to the normative privileging of modern territorial statehood as a framework for societal analysis and as a marker of ‘progress’; contemporary notions of state sovereignty were developed as a solution to legal contradictions that arose between notions of universal humanity on the one hand and European colonial domination of Southern populations on the other (Anghie 2004).

Performativity and pragmatism can challenge such essentialist positions by democratising the ontologies of border criminology. By conceptualising border control practices as performative, the framework described in this article highlights how crimmigration control is inevitably situated within particular social, historical and material contexts. In turn, the pragmatist conception of technology unpacks authoritative and supposedly neutral knowledge claims by highlighting the social specificity of developing technical solutions to particular social problems. Thus, this perspective can be used to mount a more general epistemic challenge to Northern-centric forms of knowledge production about migration and criminal justice.

Synthesising insights from the framework of performativity and the tradition of pragmatism can challenge methodological nationalism by traversing traditional levels of sociological and political analysis of international, national and local. The deployment of systems like MIDAS in contexts such as Nigeria cannot be properly understood with reference only to Northern neo-imperial influences, the concerns of the Nigerian state or local-level political interests or technical limitations. Instead, the complex interplay between these levels of social and material structures requires attention. In other words, understanding the deployment of novel crimmigration control technologies in the Global South necessitates an analysis of the structuring effects of postcolonial global hierarchies on the performative deployment of sovereign authority by particular state and non-state actors engaged in border control practices. Such an analysis also requires grasping the multivalent political effects of technologies depending on the social contexts within which they are deployed, as well as the perceived social problems they are meant to solve.

Furthermore, the framing of crimmigration control technologies as neutral technical components within a broader global system of state-based ‘migration management’ can be deconstructed and critically appraised in terms of its role in covering over the essential contestability of state-based migration politics that forecloses non-statist political alternatives. In this endeavour, ‘the insights of anti-racist, Indigenous, and postcolonial scholarship’ will be invaluable (Squire 2020: 291). Performativity is useful in analysing the politically productive dimensions of Southern bordering practices, while pragmatism explicitly focuses on what kinds of alternative perspectives are hidden from view by Northern-centric forms of knowledge production about migration and border control.

Combining performativity and pragmatism foregrounds the recognition that ‘from each positioning the world is seen differently, and thus that any knowledge based on just one positioning is “unfinished”—which is not the same as saying it is “invalid”’ (Yuval-Davis 1999: 94-95). In the context of global crimmigration control practices, this insight encourages border criminologists to examine how—by actively adopting, modifying, reappropriating or resisting Northern logics of crimmigration control—Southern actors enact particular kinds of social and political identities. Although this framework can be utilised to critically analyse the deployment of border control technologies in any context, the theoretical considerations outlined above are particularly relevant in the Global South, where the governing capacities of sovereign states have been repeatedly called into question (Abrahamsen 2017). This context raises the questions of how the human actors representing Southern states respond to ongoing political dislocations, what kinds of identities they enact through their performances of border control and what effects novel border control technologies have on the global practices of crimmigration control.

Correspondence: Samuel Singler, Departmental Lecturer in Criminology, University of Oxford, United Kingdom. samuel.singler@crim.ox.ac.uk

¹ All research participants quoted in this article have been pseudonymised.

² Pragmatism is a diverse tradition in which ontological debates about materiality and subjectivity abound. Readers familiar with pragmatism will note that I specifically espouse a form of pragmatism based primarily on the thought of John Dewey and William James, later developed in the context of theorising technology and humanism by philosophers such as Larry Hickman (2001) and Sami Pihlström (2021). I partly draw on critical insights developed by the ‘postmodern’ neo-pragmatists who have argued against any representational relation between language and material reality, primarily Richard Rorty and Donald Davidson. Nonetheless, in contrast to the ‘anti-representationalist’ or ‘anti-metaphysical’ approach of the neo-pragmatists, the framework developed in this article holds onto the importance of metaphysical and epistemological inquiry, while eschewing any conception of the material world as universally or ‘objectively’ knowable once and for all (see, e.g., Pihlström 2009, 2021).

³ Author’s translation from Finnish.

⁴ Author’s translation from Finnish.

⁵ Author’s translation from Finnish.

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