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# Latin American Borders on the Lookout: Recreating borders through art in the Mercosul

Anne-Laure Amilhat Szary

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PLACING THE BORDER IN EVERYDAY LIFE

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# Placing the Border in Everyday Life

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ASHGATE

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41 hands across the conflict divide. 41  
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# Chapter 1

## Where is the Border?

Corey Johnson and Reece Jones

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The busiest land crossing into the European Union is at a remote place called Kapitan Andreevo, near the tripoint where Bulgaria, Turkey, and Greece meet. It is a typical hectic border crossing scene, a place where dozens of trucks and a steady lineup of cars and people on foot back up on either side of the border. The trucks, loaded with Turkish tomatoes and consumer goods, and cars full of tourists and migrants, await the mundane, technocratic processing so familiar to contemporary border crossers.

The region around Kapitan Andreevo is a good place to study the past and present of borders. At 100-years-old, this border is young by European standards, but makes up for its relative youth in its prominent position in the annals of regional and national folklore. Unnoticed by most border crossers is a statue of Captain Andreev—the namesake for the crossing—who was killed during the First Balkan War (1912–13) and through his martyrdom helped to secure a victory for Bulgaria over the mighty Ottoman Empire. Nearby towns and villages embody Billig’s (Billig 1995) “banal nationalism” with public art celebrating border guards’ service to the nation. In a 1980 census, one county had 13 stone statues depicting border guards, with six in a single village (Scarboro 2007).

Bulgaria is not alone in mythologizing its border agents. States around the world elevate the bravery of those who protect the Motherland from unwanted incursions, which keeps the home pure and protects the sanctity of sovereign borders between states. Romanticized statues of armed border guards, often accompanied by a canine companion, dot the borderscapes in many parts of the world, and serve as reminders of the vaunted place in national mythologizing reserved for these agents in the past.

During the Cold War in Europe, the tragic human stories of the Berlin Wall took their toll on this mythology—the heroes became not the lone sentry with his trusty dog, but the illicit border crossers themselves. The memory of these heroes is enshrined in countless indelible black and white photographs of escapees as they sought freedom on the other side of *die Todesstreife* (the death strip). All too often, of course, their treks ended in tragedy at the hands of border guards, who were not perceived as protectors of the Motherland, but instead symbolized in the public consciousness the cruelty of restricted human movement. The Berlin Wall came to symbolize the violence and exclusion of the East German state and the images of its fall in 1989 signified the collapse of the entire system.

1 These anecdotes of historical bordering, in spite of their key differences, share 1  
2 two things in common. First, in each case the geographical location of the border 2  
3 was explicit. The border was materially marked and cartographically mapped. It 3  
4 was patrolled by agents of the state who sought to control or prevent movement 4  
5 across the line, and those agents' jurisdictions typically were limited to the zone 5  
6 immediately adjacent to the border. The human experience with borders coincided 6  
7 with an encounter with the borderline itself, or the "razor's edge," across which 7  
8 travel was difficult but the promise of unimpeded movement once on the other 8  
9 side an ample reward (Schofield and Blake 2002, Cox 2008). Second, for the 9  
10 vast majority of people the experience was atypical; border crossing was an 10  
11 exceptional, not an everyday, experience. Humans were less mobile over long 11  
12 distances than they are today, a fact that globalization has changed for a substantial 12  
13 percentage of the world's population. The state viewed the political border as the 13  
14 key site to protect its sovereignty and thus the primary place where entry and 14  
15 egress was controlled. 15

16 State borders were never as strictly patrolled as these romanticized stories 16  
17 suggest. In many places borders were only firmly under the control of the state at 17  
18 the crossing points and the vast stretches between them were unguarded or lightly 18  
19 patrolled. The US–Mexico border, for example, was established in 1848 but the 19  
20 Border Patrol was not created until 1924 (Hernández 2010). Even then it was a 20  
21 small and underfunded force tasked with patrolling a 1969-mile border through 21  
22 rough, arid terrain. As late as 1990, the US–Mexico border did not have any 22  
23 fencing and the Border Patrol had just over 3,000 agents (Jones 2012). In 2013, 23  
24 there are over 21,000 agents and 670 miles of fence. Despite the mythologizing 24  
25 of a past golden era of borders, it is nevertheless true that in previous eras the vast 25  
26 majority of border work happened at the borderline and was carried out by the 26  
27 officers of the state. 27

28 Contrast these historical experiences of the border with a third anecdote from 28  
29 November 2011 in the United States. In the town of Vance, Alabama, a traffic cop 29  
30 made a routine stop because the license plate on a vehicle was not visible. The 30  
31 vehicle was driven by Detlev Hager, a German Mercedes-Benz executive visiting 31  
32 a factory in the town. In addition to checking the vehicle's license plate, the officer 32  
33 was also obligated to check the immigration status of the driver who had a foreign 33  
34 accent. Hager did not have his passport with him and was arrested and taken to jail 34  
35 on an immigration violation. A few weeks later a Japanese Honda executive was 35  
36 similarly arrested at a temporary police checkpoint in Alabama. 36

37 These stories about the auto executives made the news because the detained 37  
38 individuals were part of the supposedly borderless world of global commerce, 38  
39 but their experiences demonstrate a substantive shift in who does border work 39  
40 and where they do it. Whereas encounters with an international border were once 40  
41 exceedingly rare, today they are for many a daily occurrence, and increasingly 41  
42 not at the actual borderline. Contemporary borders, and by consequence the study 42  
43 of them, are decentered; the act of bordering happens far away from the border 43  
44 itself, as well as beyond the traditional realm of securing territory from unwanted 44

1 incursions. In addition, more actors are called upon—or see it as their calling—to 1  
 2 be the agents of the state in making the border. Indeed, the Alabama law and 2  
 3 traffic checkpoints are specifically designed to identify and detain undocumented 3  
 4 Latino workers in the state. The border checkpoint, in essence, briefly materializes 4  
 5 thousands of miles from the actual line on a road in rural Alabama and is manned 5  
 6 not by a federal agent but a local police officer. The border does appear to be 6  
 7 everywhere (Balibar 2004). 7

8 However, the contributions to this book demonstrate that Balibar’s assertion 8  
 9 is only half right. There is no doubt that border work is now done at many new 9  
 10 sites and by many new people but the fact that the arrest of the auto executives 10  
 11 was newsworthy also demonstrates that these new borders are not designed to 11  
 12 ensnare everyone, everywhere. Instead, the arrests were remarkable specifically 12  
 13 because there is an assumption that there should not be a border for these wealthy 13  
 14 executives. The implication is that there indeed is, and should be, a border in 14  
 15 Alabama for poor undocumented workers. In this volume, we delineate precisely 15  
 16 where these new borders are implemented, who is doing the new border work, and 16  
 17 who specifically they are meant to locate. 17

18  
 19

20 **The Everyday of Bordering: Conceptual and Theoretical Background** 20

21

22 This book delves into the more recent geographies of border work, and it suggests 22  
 23 that the previous reality of bordering—although it was never as tidy as it was 23  
 24 represented or remembered—has nevertheless been both geographically displaced 24  
 25 and partially supplanted by a new, more variegated reality. For every dramatic, hair- 25  
 26 raising scramble across a wall or fence, there are multiple, mundane encounters with 26  
 27 the border and its agents. Contemporary border work is technocratic, bureaucratic, 27  
 28 and political—anything but romantic (though still sometimes romanticized). 28  
 29 Border work is directed not only at transgressions of borders in the narrow sense 29  
 30 of preventing a human from violating territorial sovereignty by crossing a line 30  
 31 at the margins of a state’s sovereignty, but also at border crossing by particular 31  
 32 undesirable categories of goods and services, specific types of information, certain 32  
 33 classes of humans, and nature. Yet even if the actual site of the border is less in 33  
 34 focus than it was in pre-war Bulgaria or 1960s Berlin, for most people borders 34  
 35 have become a more, not less, prominent feature of everyday life. This is true not 35  
 36 only for the labor migrant or refugee, but also for the tourist, prisoner, protester, or 36  
 37 auto executive on the way to a factory. For border scholars, this presents a host of 37  
 38 new methodological and conceptual challenges: not only where do we go to find 38  
 39 the border at work, but how does the concept maintain any sense of coherence 39  
 40 once it is decentered. 40

41 This book offers some insights on these questions, but we acknowledge 41  
 42 that much border work is still done by agents of the state at the border. Fences, 42  
 43 walls, and even the lonely stone marker on an otherwise featureless landscape 43  
 44 continue to serve their function in demarcating sovereign states’ territorial limits 44

1 and impeding free movements, but globalization and other structural changes 1  
2 altered the dynamic in notable ways (Johnson 2009, Newman 2001). Since the 2  
3 end of the cold war, the dominant way of conceptualizing borders has been as a 3  
4 dialectical relationship between the breaking down of borders and their increasing 4  
5 permeability on the one hand, and the maintenance and even fortification of 5  
6 borders on the other (Jones 2009, Newman 2006). Initially, the end of the cold 6  
7 war and emergence of the process of globalization were thought to be creating an 7  
8 increasingly borderless world where the dominance of liberal democracies and 8  
9 advances in transportation and communication technologies would connect distant 9  
10 places economically, culturally, and politically (Fukuyama 1992). The fall of the 10  
11 Berlin Wall, the removal of border checkpoints within the EU, and the creation 11  
12 of regional trade zones such as NAFTA all appeared to herald the possibility of a 12  
13 borderless world (Ohmae 1995, 1990). 13

14 Many other scholars disputed the claim of a borderless world by demonstrating 14  
15 that globalization was producing uneven boundary effects in which some 15  
16 movements were facilitated while others were restricted (Newman 1999, Ó Tuathail 16  
17 2000, Sparke 2006). These seemingly opposing processes are in fact intricately 17  
18 interrelated: Some borders are opened to the movement of goods, capital, and 18  
19 certain desirable classes of humans while other boundaries are erected specifically 19  
20 to restrict undesirable classes of humans (“illegal immigrants,” terrorists, etc.) 20  
21 (Geddes 2003, Häkli 2007, Mountz 2004). Much like other changes brought 21  
22 about by globalization, the shifting nature of political borders have both global 22  
23 as well as local significance. It is no coincidence, for example, that the European 23  
24 Commission calls their action plan on protecting its borders a “Global Approach to 24  
25 Migration: Priority Actions in Africa and the Mediterranean.” The US Homeland 25  
26 Security strategy, meanwhile, advocates an extraterritorial approach to border 26  
27 security by “pushing borders out” beyond US sovereign territory (Hobbing 27  
28 and Koslowski 2009). Other scholars have also identified an inward gaze as 28  
29 boundary work that reinforces the border—from creating identity documents to 29  
30 raids to arrest undocumented immigrants—increasingly occurs away from the 30  
31 border itself within a sovereign state’s territory (Amoore 2006, Appadurai 2006, 31  
32 Coleman 2005, 2009). 32

33 In the past 10 years the stigma associated with fortifying political borders 33  
34 disappeared and at least 23 security barriers were initiated or expanded worldwide, 34  
35 or more than double the number that were built during the entire Cold War (Hassner 35  
36 and Wittenberg 2009, Jones 2012). These include well-known projects in the 36  
37 United States (Nevins 2010) and Israel (Weizman 2007) but also in countries as 37  
38 diverse as Botswana, Thailand, Saudi Arabia, and Uzbekistan. Many more borders 38  
39 were hardened through the deployment of new security practices from increased 39  
40 patrols to new surveillance systems. In 2013, we estimate approximately 20,000 km 40  
41 (12,400 miles) of the world’s borders are now marked with walls or barriers 41  
42 (Foucher 2007). An additional 18,000 km are “hardened” but unfenced boundaries 42  
43 (Rosière and Jones 2012). Contrary to expectations at the end of the Cold War, 43  
44 the current era of globalization has resulted in the most intensive and extensive 44

1 period of bordering in the history of the world. These examples demonstrate that 1  
 2 the process of globalization is accompanied by the rise of governance strategies, 2  
 3 which are designed to cope with the risks inherent to the increasing mobility of 3  
 4 humans and goods by patrolling beyond and within the territorial boundaries of 4  
 5 the state (cf. Beck 1999). 5

6 While border security at the line is an important aspect of the everyday of 6  
 7 bordering, we argue that sovereign bordering must be understood in a much 7  
 8 broader context. The geographies of borders are more expansive, and as a result 8  
 9 the conceptual tools we use to understand them must be expanded. This book, 9  
 10 therefore, builds on recent work in geography and allied disciplines that has 10  
 11 examined realignments in the relationship between concepts of territory, borders, 11  
 12 and sovereignty (Brown 2010, Elden 2010) and on governmentality and security 12  
 13 (Walters 2006, Bigo 2011). With the immigration reform debate in the US still 13  
 14 unresolved and comparable discussions occurring in countries across the globe, 14  
 15 border security is a topic of pressing concern in policy and academic communities 15  
 16 alike. At the heart of these discussions is not only a debate about whether strategies 16  
 17 by states to restrict access to its territory through barriers and expanded security 17  
 18 practices are effective, but also ethical and philosophical questions about how, 18  
 19 where, why, and by whom it is being done. 19

20

21

22 **Non-traditional Actors and Locations for Border Work** 22

23

24 The book makes three central arguments. The first is to identify the rescaling and 24  
 25 expansion of border enforcement away from a top-down model of agents at border 25  
 26 lines to border work by multiple local actors within the state’s territory. “The 26  
 27 implosion of border enforcement,” as Mat Coleman and Angela Stuesse term it 27  
 28 in their contribution to this volume, makes it clear that, not only are many non- 28  
 29 state actors involved in the process of defining the boundaries of the group, but in 29  
 30 many countries the work of patrolling the border often happens at sites away from 30  
 31 the line. This process is evident in the post-9/11 refrain of “if you see something, 31  
 32 say something,” which deputizes every citizen to be the eyes and ears of the state 32  
 33 (Vaughan-Williams 2008). More formally, in the US, the federal government is 33  
 34 training local police officials in immigration enforcement which gives them the 34  
 35 authority to inquire about immigration status and check documents. Previously this 35  
 36 was solely the duty of the federal government but these new “secure communities” 36  
 37 agreements move this authority to other non-federal actors at a variety of scales. 37  
 38 This volume will analyze how and why sovereign states are expanding the power to 38  
 39 enforce immigration laws to local law enforcement officials and the consequences 39  
 40 this has for the lives of people within state territory. 40

41 In addition to the expansion of state border enforcement practices to interior 41  
 42 locations, there is a growing number of state, quasi-state, and non-state actors doing 42  
 43 the work of border making and enforcement at a range of locations that were not 43  
 44 previously associated with the border. We theorize a shift away from the state itself 44

1 to the position that a range of non-traditional actors have an interest in making 1  
2 borders and enforcing restrictions on movement both at the border and within 2  
3 the territory of the state (Parker and Vaughan-Williams 2009). The underlying 3  
4 argument is that borders are not just lines on the ground, but rather that they form 4  
5 an important part of our political imaginary that is predicated on an idea that a 5  
6 territory exists, that states inhabit it, and that people are bounded by it. As such, 6  
7 these borders in our minds are a fiction that shapes our conception of the world, our 7  
8 place in it, and our relationship to other humans (Castells 2010). In so doing, this 8  
9 fiction becomes a very powerful fact for the large numbers of people who encounter 9  
10 borders in their multiple locations in their daily lives. At the core of this book is the 10  
11 contested and often contradictory relationship between the narratives and practices 11  
12 of bordering the nation-state—the creation of inside and outside—on the one hand, 12  
13 and the real-life physical encounters with bordering practices on the other. 13

14 When the border is seen this way, as not simply a state artifact but a potent 14  
15 symbol that is firmly in the hands of individuals and organizations engaged in group 15  
16 making, it opens up a whole new range of actors who do border work every day for 16  
17 a variety of purposes (Walters 2006). These non-traditional border workers often 17  
18 have divergent goals that result in what Anthony Cooper, Chris Perkins, and Chris 18  
19 Rumford call, in a contribution to this volume, “the vernacularization of borders.” 19  
20 Examples of this type of border work abound: right-wing organizations that want 20  
21 to protect a particular version of the cultural identity of the state; corporations 21  
22 involved in funding border security that rely on a narrative of insecurity and threat; 22  
23 and, in the US, state level legislation such as Arizona’s SB 1070 or Alabama’s 23  
24 HB 56 that complicate the lives of undocumented workers and result in a much 24  
25 broader definition of who does not belong. In the case of both pieces of anti- 25  
26 immigration legislation, one individual—a law professor, consultant, and later the 26  
27 Secretary of State of Kansas named Kris Kobach—played a central role in drafting 27  
28 the laws, himself becoming a border worker from his home in Kansas, as far from 28  
29 the US border as one can be. Other acts of everyday bordering are evident in the 29  
30 controversies over the construction of mosques in the US both near the World Trade 30  
31 Center site in New York, but also in places like rural Tennessee where the site of 31  
32 a proposed Islamic community center was protested and repeatedly vandalized, 32  
33 or in “price tag attacks” by Jewish settlers directed at Muslim citizens in Israel. 33  
34 Border work by non-traditional actors has multiple dimensions and functions and 34  
35 is carried out by different people in particular moments. What these instances 35  
36 share is a notion of insecurity in daily life that is projected onto the border. 36

37 The third contribution of this volume is to consider the concomitant devolution 37  
38 of border work to local officials and citizens and the everyday reimagining of 38  
39 the border in social practices through a critical geographic perspective that draws 39  
40 on qualitative and ethnographic field work. These empirical chapters ground the 40  
41 theoretical insights of border work done at multiple sites and scales by multiple 41  
42 actors in an analysis that identifies who these individuals are but also why they are 42  
43 engaging in this border work. These chapters range from investigations of how 43  
44 producers of television shows create a version of the reality on the US–Mexico 44

1 border to Native American resource management practices to border work by local 1  
 2 village councils along the Thai–Burma border. The diverse field sites in Africa, 2  
 3 Asia, Europe, and North and South America demonstrate the range of locations 3  
 4 and diversity of individuals engaging in contemporary border work. Informed by 4  
 5 the rich output of border and border-related research during the past decade, this 5  
 6 volume is an important guidepost to understand the rationale for examining the 6  
 7 everyday politics of the border. 7

8 8

9 9

## 10 **Conclusion: The New Face of Border Work** 10

11 11

12 In the villages near Kapitan Andreevo, locals barely take notice of the border 12  
 13 traffic, even the occasional illicit border crosser from Afghanistan or North Africa 13  
 14 who has chosen this route to find a better life in Europe. In Berlin, meanwhile, the 14  
 15 memory of the serious and lethal border work of the East German border guards 15  
 16 has been reduced in some places to Disney-like kitsch. Nostalgia-seeking tourists, 16  
 17 who have arrived in Berlin after breezing across Europe’s Schengenland scarcely 17  
 18 noticing borders between states, pause briefly to pose for photos with border 18  
 19 guards dressed in authentic costume at Checkpoint Charlie. 19

20 Both Kapitan Andreevo and the former Berlin Wall symbolize the modern, 20  
 21 sovereign state “container space” of the post-seventeenth century, which was a 21  
 22 departure from prior forms of state bordering practices that were often overlapping 22  
 23 and discontinuous. The idea of the state as a container and the border as a line 23  
 24 on the map clarified belonging, compelled loyalties in all aspects of quotidian 24  
 25 life, and shaped economic, cultural, and political interactions (Tilly 1990, 25  
 26 Rokkan 1974). Much of the existing academic work on borders, in our view, has 26  
 27 tended to analyze border securitization by accepting the core tenets of exclusive 27  
 28 sovereign territory in the modern state system. In much of this work sovereignty 28  
 29 serves, in John Agnew’s words, more as “a background assumption than as a 29  
 30 central theme of analysis” (Agnew 2009: 26). By showing how and in what forms 30  
 31 border security discourses reflect and inform practice in border spaces themselves, 31  
 32 and by tracing the networks security discourses and practices traverse, we argue 32  
 33 that recent developments are anything but sovereign states acting alone on behalf 33  
 34 of security. Instead, these changes represent a complex interplay of actors through 34  
 35 which sovereignty is contingent and mediated at multiple scales which require 35  
 36 new ways of thinking about who borders and how they do it. 36

37 Borders are key sites where sovereignty and territory, on the one hand, and 37  
 38 networks and flows, on the other, intersect: they are at one level the quintessential 38  
 39 manifestation of sovereignty and a territorial world, yet their very transformation 39  
 40 over the past decade has been brought about by the reorganization of human 40  
 41 migration, capital flows, and trade at the global scale. We need to move beyond 41  
 42 the simple binary of *methodological territorialism* (Scholte 2005) on the one 42  
 43 hand, and a type of *methodological networkism* on the other. The most naïve post- 43  
 44 Cold War narratives of a flat world and the death of geography have been largely 44

1 put to rest, but literature under a range of guises still maintains that globalization 1  
2 deterritorializes socio-spatial relations; that states are in decline (Brown 2010); 2  
3 that a distance-less world is emerging along with possibilities for a cosmopolitan 3  
4 politics; and that the world is composed of positive linkages between nodes of 4  
5 economic and political power. Echoes of this end of the spectrum can be found in 5  
6 geography in the “relational turn” (Jones 2010); discussions of a “flat ontology” 6  
7 without scale (Marston, Jones, and Woodward 2005); and non-representational 7  
8 theory (Thrift 2008). At the other end of the spectrum, scholars have posited that 8  
9 a postmodern world is still deeply territorially linked, and not even particularly 9  
10 postmodern. Much of this literature is coming from a realist IR perspective 10  
11 (e.g. Deudney 2007), but to some degree recent examinations of “territory” as an 11  
12 analytical category within geography exhibit this as well (Elden 2009). As Paasi has 12  
13 pointed out, territory versus network should not really be an “either—or” question 13  
14 (Paasi 2009), and there are promising suggestions of how to hybridize these 14  
15 positions such as the TPSN framework (Territories, Places, Scales, and Networks) 15  
16 (Jessop, Brenner, and Jones 2008). The contributions to this book demonstrate that 16  
17 border security is a spatial–territorial strategy of coping with the upheavals of an 17  
18 increasingly globalized world and that it is but one of a series of tightly regulated, 18  
19 seclusionary spaces of security humans have created in response. 19

20 The book is arranged into three sections. The first section makes the theoretical 20  
21 case for how to locate the who and where of contemporary border work. Chapter 2 21  
22 by Anthony Cooper, Chris Perkins, and Chris Rumford argues for understanding 22  
23 the border work by non-state actors away from the border as the vernacularization 23  
24 of borders. In Chapter 3, Mat Coleman and Angela Stuesse identify the connections 24  
25 between a geopolitical approach to border policing at the line and a biopolitical 25  
26 strategy of creating uncertainty in the daily lives of immigrants through the 26  
27 devolution of border enforcement to local law enforcement. These two trends, 27  
28 explained in detail above, come together to move the border to multiple sites in 28  
29 our everyday lives. 29

30 The second section of the book analyzes border work by non-traditional 30  
31 actors in border areas. In Chapter 4, Emma Norman describes the challenges of 31  
32 transboundary governance of natural resources along the US–Canada border where 32  
33 citizens and environmental activists tried to develop cross border associations to 33  
34 regulate water pollution. Chapter 5 takes us south to the US–Mexico border where 34  
35 Ken Madsen explains the challenges faced by the Tohono O’odham community, 35  
36 whose ancestral lands cross both sides of the border and produce an array of 36  
37 different borders between communities on both sides. In Chapter 6, Vanessa Lamb 37  
38 describes how local residents and regional officials talk about the Thai–Burma 38  
39 border as it is potentially transformed by a large dam project. Chapter 7, by Judith 39  
40 Miggelbrink, wraps up the second section by describing how local small-scale 40  
41 traders negotiate the changing border regimes after the expansion of the European 41  
42 Union in Eastern Europe. These chapters demonstrate the multitude of individuals 42  
43 who do work that makes and unmakes the meaning and material existence of the 43  
44 border in their lives at the borderline. 44

1 The third section of the book analyzes border work by non-traditional actors 1  
 2 away from the borderline. In Chapter 8, Yakubo Joseph and Rainer Rothfuss look at 2  
 3 how local practices create boundaries between different ethnic and religious groups 3  
 4 both in people's minds and in the urban landscape of Jos, Nigeria. In Chapter 9, 4  
 5 Reece Jones argues that the producers of the National Geographic television show 5  
 6 *Border Wars* create an imaginary story of the border in their television studio that 6  
 7 valorizes the Border Patrol while dehumanizing and criminalizing immigrants. 7  
 8 In Chapter 10, Anne-Laure Amilhat Szary discusses how the artists MT Ponce 8  
 9 and E Nassar reflect on the recent evolutions of Latin American borders to tackle 9  
 10 the territorial contradictions between transnational flows and nationalist politics. 10  
 11 Chapter 11, by Jennifer Turner, points to prisons as another site where the inside 11  
 12 and outside of the border is created through social and political practices. These 12  
 13 chapters illustrate that the work of creating the border is often done far away the 13  
 14 line on the map and the border on the ground. 14

15 The terms “freedom” and “security” are central facets of the political discourse 15  
 16 in many parts of the world—perhaps even the defining concepts of these times. 16  
 17 It is at borders, in the liminal spaces between polities, cultures, economies, and 17  
 18 natures, where these concepts find their fullest expression as states seek to cope 18  
 19 with the flows and movements that characterize our increasingly global world, and 19  
 20 where humans are most exposed to the realities of our persistently territorial world. 20  
 21 This book contends that there are very real symbolic and material consequences to 21  
 22 bordering which reify, reinforce, and rework the connections between a sovereign 22  
 23 state, a particular people, and a clearly defined bounded territory. However, the 23  
 24 border work of the state in the twenty-first century is just as often done by non- 24  
 25 state officials and at multiple sites within and beyond the territory of the state. This 25  
 26 book contributes to our understanding of these new bordering practices by asking 26  
 27 where the border is materialized and who makes borders in everyday life. 27

28

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SECTION I  
Theorizing the Border in  
Everyday Life

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## Chapter 2

# The Vernacularization of Borders

Anthony Cooper, Chris Perkins, and Chris Rumford

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### 10 Introduction

12 A major shift in border studies in recent years has been away from an exclusive 12  
13 and primary concern with conventional nation-state borders (the external edges 13  
14 of a polity) to a concern with borders being dispersed throughout society and 14  
15 found “wherever the movement of information, people and things is happening 15  
16 and is controlled” (Balibar 2004: 1). This move towards the study of “diffused” 16  
17 borders has been partially offset by the post-9/11 preoccupation with securitization 17  
18 and surveillance. Rosière and Jones (2012) have noted the “hardening” of 18  
19 diffused borders through the construction of walls or fences, a process they 19  
20 term “teichopolitics.” The resultant and somewhat contradictory dynamics of 20  
21 contemporary border studies are summed up by Lyon (2013: 6) in the following 21  
22 terms, “Even national borders, which once had geographical locations—however 22  
23 arbitrary—now appear in airports distant from the ‘edge’ of the territory and, more 23  
24 significantly, in databases that may not even be ‘in’ the country in question.” The 24  
25 “biometric border” (Amoore 2006) is emblematic of these major shifts, as is the 25  
26 idea of “remote control” (obliging airlines to conduct their own security checks 26  
27 on passengers and their travel documents) (Guiraudon and Lahav 2000). The 27  
28 study of borders which no longer only take the form of securitized perimeters, 28  
29 and which are sometimes enacted by commercial agents, and can possibly be 29  
30 controlled from a distant center suggests a radically transformed landscape of 30  
31 borders and bordering. However, certain key aspects of borders (and the way 31  
32 we study them) remain largely untouched by much current thinking, including a 32  
33 continued preoccupation with the borders of the state. Similarly, the role of citizens 33  
34 in bordering activity remains largely the same in the border studies imagination 34  
35 despite the ability of “remote control” to recruit a range of actors to carry out work 35  
36 on behalf of the state. 36

37 There is evidence of dissatisfaction with the state/security/mobility agenda 37  
38 which continues to dominate the field of border studies. The need to identify new 38  
39 meanings of the border not tied to the state (Bauder 2011) has emerged as a key theme 39  
40 in the critical literature, as has its corollary, the inadequacy of conceptualizations 40  
41 of the border (Rovisco 2010). In this chapter we seek to advance this emerging 41  
42 agenda by shifting the focus in a particular direction, one that acknowledges both 42  
43 the role of ordinary people in making, shifting, and removing borders—the idea 43  
44 of “borderwork” (Rumford 2007, 2008, 2012, forthcoming) and the variety of 44

1 roles that borders can fulfill in addition to being markers of (state) division. A 1  
 2 border studies which embraces the vernacularization of borders allows for a shift 2  
 3 of emphasis from state bordering, securitization, and the regulation of mobilities 3  
 4 to a concern both with the role of borders in “the politics of everyday fear” 4  
 5 (Massumi 1993) and bordering as a political resource for citizens who are able 5  
 6 to both contest nation-state bordering practices and institute their own versions 6  
 7 of borders. Borders can be political resources in the sense that they can be drawn 7  
 8 upon by a range of actors who seek to either selectively regulate mobility, use 8  
 9 the border as a staging post which connects to the wider world, or simply use the 9  
 10 border as a way of navigating the multiplicity of spaces which characterize a world 10  
 11 in perpetual motion. 11

12 Arguably the single most important conceptual development laying the ground 12  
 13 for the emergence of a vernacularized study of borders is Balibar’s insight that 13  
 14 borders are increasingly diffused. To sit alongside this we propose a second key 14  
 15 innovation: the idea of borders as “engines of connectivity.” Borders not only divide; 15  
 16 they also connect, both to the other side of the border and also, on occasions, far 16  
 17 beyond (see Cooper, forthcoming). To better understand how borders can be utilized 17  
 18 for connectivity, at various sites, by various actors in their everyday practices we 18  
 19 need to engage with the idea of “scale” in relation to borders, drawing upon van 19  
 20 Schendel’s (2005) insight that borders make it possible for those at the border to 20  
 21 “jump scales,” thereby making possible global connectivity. We develop this idea 21  
 22 at length later in the chapter. Before turning our attention to scales and connectivity 22  
 23 we must look at one other key factor in the emergence of a vernacularized border 23  
 24 studies, without which the conceptual advances represented by “diffused” borders 24  
 25 and “scale jumping” would have not found much purchase. This is the recognition 25  
 26 that borders have changed in significant ways in a “world in motion” and that 26  
 27 what is needed is a conceptual toolbox for apprehending this changed landscape 27  
 28 of borders and bordering. A good indicator that borders are changing is to be found 28  
 29 in the range of approaches that now exist in contemporary borders cartography. 29  
 30 Representing borderlands, diffuse borders and networked borders, for example, 30  
 31 in conventional cartographic terms is problematic (Walters 2009, Gschrey 2011, 31  
 32 Kopper 2012). Nevertheless, some very interesting work on alternative border 32  
 33 mapping has emerged (Multiplicity 2005, Casas-Cortes and Cobarrubias 2010, 33  
 34 Kramsch 2011). For example, Multiplicity’s (2005) mapping of border flows and 34  
 35 categorization of the border (as funnels, pipes, folds, sponges, enclosures, and 35  
 36 “phantom limbs”) creates a visually arresting depiction of human traffic in border 36  
 37 zones. It is an attempt to represent the changing nature of borders through non- 37  
 38 conventional mapping techniques. 38

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#### 41 **The Changing Nature of Borders** 41

42  
 43 It is important to outline the key changes in the nature of borders that have 43  
 44 emerged in the contemporary literature and the debates contained therein. The 44

1 first change is the idea already mentioned above that “borders are everywhere.” 1  
2 Importantly, this is more than the recognition that multiple sites of bordering now 2  
3 exist: at airports, Eurostar terminals, and maritime ports. It suggests that borders 3  
4 exist at other locations, many of which would not be thought of as borders in the 4  
5 conventional sense: in travel agencies and other offices where travel documents 5  
6 are issued and databases checked, along motorways where trucks are scanned 6  
7 and car number plates monitored (Walters 2006), and on the internet where 7  
8 credit card shopping makes possible the “transaction mining” of information for 8  
9 security purposes (Amoore and de Goede 2008). The border can even be said 9  
10 to exist at private airfields and on farms where the security of small aircraft and 10  
11 supplies of fertilizer is an anti-terrorist priority. In respect of the latter, in the UK 11  
12 the National Counter Terrorism Security Office (NaCTSO) has urged farmers to 12  
13 secure inorganic nitrogenous fertilizers against the possibility of appropriation by 13  
14 terrorists ([www.secureyourfertiliser.gov.uk](http://www.secureyourfertiliser.gov.uk)). 14

15 The second change is the recognition that borders mean different things to 15  
16 different people and act differently on different groups; borders are designed to 16  
17 separate and filter. Taking up this theme in a recently published reference volume, 17  
18 Wastl-Walter (2012) writes that borders: 18

19  
20 are manifested in diverse ways, and have various functions and roles. They can 20  
21 be material or non-material and may appear in the form of a barbed-wire fence, 21  
22 a brick wall, a door, a heavily armed border guard or as symbolic boundaries ... 22  
23 while a brick wall may represent security for some, for others, it may be a 23  
24 symbol of suppression. 24  
25

26 It could be argued that Wastl-Walter does not go far enough in this statement. 26  
27 There are many kinds of borders that exist between brick walls and “symbolic 27  
28 boundaries,” such as e-borders and the “juxtaposed” borders found along the 28  
29 Eurostar route, not to mention the non-state borders that we argue are increasingly 29  
30 important. Nevertheless, what is particularly interesting about Wastl-Walter’s 30  
31 formulation is the recognition that borders can mean different things to different 31  
32 people: security or suppression, walls or bridges, barriers or turnstiles. This 32  
33 change is also captured by Balibar’s (2002) idea of polysemy which suggests that 33  
34 borders are becoming “asymmetrical membranes” (Hedetoft 2003) or acting like 34  
35 “firewalls” (Walters 2006). All of these metaphors point to borders being designed 35  
36 to allow the passage of “desirables” while keeping out “undesirables.” The UK 36  
37 has developed polysemic borders in an attempt to create “security in a global hub” 37  
38 (Cabinet Office 2007) through e-borders designed to be “open to business but 38  
39 closed to terrorists and traffickers.” The border is polysemic precisely because it 39  
40 works very differently on those who have “trusted traveler” status compared to 40  
41 those upon whom suspicion falls on (or before) entry, e.g. those travelling on a 41  
42 student visa, or those without adequate documentation. 42

43 The third change is further recognition that the location of borders is changing, 43  
44 away from the edges of a nation-state. It was a key element in a recent “state of 44

1 the debate” report published by the European Commission: “the study of borders 1  
 2 has moved away from an almost exclusive concern with the borders between 2  
 3 States in the international system, to the study of borders at diverse socio-spatial 3  
 4 and geographical scales, ranging from the local and the municipal, to the global, 4  
 5 regional and supra-State ...” (Kolossoff 2012: 3). In fact, borders can now be 5  
 6 remote and distant from the territory they are designed to protect. The UK is now 6  
 7 developing “offshore borders all over the world”<sup>1</sup> in order to prevent undesirables 7  
 8 from starting their journey to the UK. The Eurostar train link has introduced 8  
 9 “juxtaposed” borders so that UK passport control takes place at Gard du Nord and 9  
 10 French passport control at St Pancras. Paraphrasing Lahav and Guiraudon’s (2000) 10  
 11 we can say that “borders are not always at the border.” The fourth change follows 11  
 12 logically from the first three: borders are increasingly becoming mechanisms to 12  
 13 “control mobility rather than territory” (Dürschmidt and Taylor 2007: 56). The 13  
 14 traditional idea that borders lock down territory or form a security perimeter for the 14  
 15 sovereign nation-state is supplemented with the idea of the border as a manageable 15  
 16 conduit, speeding up transit where necessary, blocking passage when required. 16  
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#### 19 **Dimensions of Vernacular Borders** 19

20 20  
 21 Having established the context for the emergence of, and need for, vernacularized 21  
 22 border studies let us now turn our attention to the research agenda to which it gives 22  
 23 rise. After outlining the three key dimensions of vernacularized border studies the 23  
 24 focus in subsequent sections will be on one of them; “bordering as connectivity,” 24  
 25 the aim being to better establish the potential of this particular perspective. The 25  
 26 first dimension stems from the idea that bordering is no longer only the business of 26  
 27 the nation-state, which should not be taken to imply that only bottom-up bordering 27  
 28 is of interest. In Europe, the EU has emerged as a major actor in the business of 28  
 29 creating, relocating, and dismissing borders. The EU shifts the borders of Europe 29  
 30 every time it enlarges, it turns national borders into European borders, it regulates 30  
 31 and harmonizes European borders through Frontex, its borders agency, and it 31  
 32 has the power to decide where the important borders in Europe are to be found 32  
 33 (Rumford 2006). Elsewhere, one of us has argued that this is evidence that Europe 33  
 34 possesses “cosmopolitan borders” (Rumford 2007). It could be argued that EU 34  
 35 bordering is state bordering by a different name, and, as such, the EU’s ability to re- 35  
 36 border Europe does not advance the vernacularization thesis. But as Papadopoulos 36  
 37 et al. (2008) point out, Europe’s borders are constructed wherever they are needed 37  
 38 by the EU, not according to nation-state preferences. In any case, the key element 38  
 39 here is that bordering activity in Europe is increasingly conducted both above the 39  
 40 level of the state and below it. From the vernacularization perspective it is more 40  
 41 important to consider the activity of ordinary people in contributing to processes 41  
 42 42

43 1 Home Office Minister, Liam Byrne, quoted in Home Office News Release 43  
 44 (106/2007) issued by The Government News Network on 18 June 2007. 44

1 of bordering, introduced here under the rubric of “borderwork.” Good examples 1  
 2 of this phenomenon can be found in the UK: at Berwick-upon-Tweed, on the 2  
 3 English–Scottish border, where residents have sought to redraw the Scottish border 3  
 4 to include their town, and in a number of English towns (e.g. Totnes, Brixton, 4  
 5 Lewes, Bristol) where business people have championed the creation of local 5  
 6 currencies so as to stop money leaching away from the local economy (as part 6  
 7 of the wider Transition Towns initiative). The introduction of this local currency 7  
 8 effectively draws a new boundary around the town designed to (symbolically) 8  
 9 regulate capital flows and build confidence in the local economy. This dimension 9  
 10 of citizen bordering is largely absent from the regular border studies literature in 10  
 11 which it is understood that people can utilize borders for their own advantage, as 11  
 12 smugglers, tourists, and market traders frequently do, and that people are active in 12  
 13 marking the state border through shows of nationalist fervor or grass-roots protest, 13  
 14 for example. However, what is rarely considered is that citizens (and indeed 14  
 15 non-citizens) may be active in constructing or dismantling borders as a form of 15  
 16 political opportunism or self-empowerment. This borderwork may or may not take 16  
 17 place at the edge of a polity, but is in fact more likely to take the form of bordering 17  
 18 dispersed throughout society, as Balibar has theorized. 18

19 The second dimension is the importance of including a perspective from 19  
 20 the border. This builds upon existing work on the border as a potential site of 20  
 21 cosmopolitan activity. For example, Walter D. Mignolo has argued that “border 21  
 22 thinking” is a core component of critical cosmopolitanism. For Mignolo, critical 22  
 23 cosmopolitanism comes from the “exterior of modernity,” in other words 23  
 24 coloniality (Mignolo 2000: 724). Border thinking—“the transformation of the 24  
 25 hegemonic imaginary” from the perspective of the excluded—is a tool of critical 25  
 26 cosmopolitanism (Mignolo 2000: 736–37). We can usefully extend this and 26  
 27 propose that “seeing from the border” is a key dimension of the vernacularization 27  
 28 of borders. “Seeing from the border” cannot be reduced to the idea that it is possible 28  
 29 to view a border from both sides (Rumford 2011). More than “looking both ways” 29  
 30 *across* a border we need to aspire to look *from* the border. As borders can be found 30  
 31 “wherever selective controls are to be found” (Balibar 2002: 84–85), seeing like 31  
 32 a border does not equate to “being on the outside and looking in” (or looking out 32  
 33 from the watchtower to the wilderness beyond). As we have seen, borders are not 33  
 34 necessarily always working in the service of the state. When seeing like a state 34  
 35 one is committed to seeing borders as lines of securitized defense (Scott 1998). 35  
 36 Borders do not always conform to this model. In a desire to shore up what may be 36  
 37 perceived as the ineffectual borders of the nation-state, borderworkers may engage 37  
 38 in local bordering activity designed to enhance status or regulate mobility: gated 38  
 39 communities, respect zones, resilient communities of CCTV watching citizens. 39  
 40 These borders are not necessarily designed to enhance national security. 40

41 The third dimension is borders as connective tissue, an idea, as we have already 41  
 42 seen, which builds upon van Schendel’s (2005) notion that borderlanders are able 42  
 43 to “jump” scales (local, national, regional, global) through their everyday practices 43  
 44 and therefore do not experience the national border only as a limit: what forms a 44

1 barrier to some can present itself as a gateway to others. People can “invoke” the 1  
2 scale of the border themselves: as a “local” phenomenon, a nation-state “edge,” 2  
3 or as a transnational staging post, thereby allowing them to experience the border 3  
4 as a conduit. This insight means that we can take issue with the more mainstream 4  
5 idea, expressed for example by Häkli and Kaplan (2002: 7), that “cross-border 5  
6 interactions are more likely to occur when the ‘other side’ is easily accessible, 6  
7 in contrast to when people live farther away from the border.” People can not 7  
8 only possess an interest in distant borders but have realistic expectations of 8  
9 having a ‘presence’ there. Consider, for example, the locals in an Australian bar 9  
10 who spend time online monitoring the US–Mexico border via live webcam links. 10  
11 In fact the US–Mexico border can now be policed by anyone with an Internet 11  
12 connection. “Once logged in the volunteers spend hours studying the landscape 12  
13 and are encouraged to email authorities when they see anyone on foot, in vehicles 13  
14 or aboard boats heading towards US territory from Mexico” (Luscombe 2009). 14  
15 In this way, borders can work to provide transnational or global connectivity by 15  
16 allowing people to project themselves beyond their locality by constructing new 16  
17 networking opportunities. 17

18  
19

## 20 **Borders as Engines of Non-proximate Connectivity** 20

21

22 We will now continue to look at connectivity as a key dimension of border 22  
23 vernacularization in much more detail. More specifically, in this section we have 23  
24 a particular interest in how border/ing can be utilized (or have the potential) to 24  
25 connect well beyond localities within which the border may be situated. As well 25  
26 as being a novel aspect of border vernacularization that merits detailed discussion 26  
27 in its own right, looking at borders through a lens of non-proximate connectivity is 27  
28 useful in the way it overlaps with the other two aspects detailed above. First, such 28  
29 connectivity does not simply involve traditional state borders; on the contrary, 29  
30 non-state borders, such as PGI (Protective Geographic Indication) designation, 30  
31 UNESCO World Heritage designation, or monument sites (see Cooper and 31  
32 Rumford 2013) can be used for connective ends just as much as state borders. 32  
33 Secondly, this bordering connectivity can take place well away from state edges 33  
34 and peripheries, providing a novel way in which important and tangible borders 34  
35 are dispersed throughout society. A final advantage of such a focus is that non- 35  
36 state actors produce and maintain this connectivity vis-à-vis borders. As discussed 36  
37 in the introduction, this offers a particular aspect of borderwork in the sense that 37  
38 ordinary people can use the connectivity potential afforded by particular borders 38  
39 as political resources. 39

40 Certain aspects of borders have often been discussed in terms of connectivity. 40  
41 Conceptually, they connect an inside to some outside (van Houtum, Kramsch and 41  
42 Zierhofer 2005), they can form “in-between” spaces of contact and negotiation 42  
43 (Martinez 1994, Boer 2006, Konrad and Nicol 2008) and, particularly in the 43  
44 context of securitization, have been described as “membranes” (Hedetoft 2003) 44

1 that simultaneously channel (connect) some while blocking others. Conceptual 1  
2 geopolitical imagery and securitization aside, such connectivity relies on, or is 2  
3 the product of, proximate crossing and contact, often further framed in terms of 3  
4 the experiences of border crossers and borderland dwellers (see, for example, 4  
5 Strüver 2004). In this sense the border, as Konrad and Nicol (1998: 32) put 5  
6 it, becomes a “zone of interaction where people on one side of the border share 6  
7 values, beliefs feelings and expectations with people on the other side of the 7  
8 border.” Although it is worth mentioning here that Martinez (1994: 2–4) would 8  
9 qualify this level of “openness” as an example of an “interdependent borderland,” 9  
10 in which favorable international relations between two or more states conditions 10  
11 cross-border interdependence, rather than the less favorable “alienated” or 11  
12 “co-existent” borderlands within which cross-border interaction is severely 12  
13 limited if at all present. Yet as far as this chapter is concerned, outlining as it does 13  
14 a case for vernacular perspectives on borders, the connectivity briefly outlined 14  
15 thus far—the crossing, interactions and encounters—tend to rely on what is 15  
16 immediately on either side of the border. Likewise there is a sense that the state 16  
17 (border) dominates and thus frames the type of connections taking place because 17  
18 these connections tend to be situated within the close proximity of a recognizable 18  
19 state border. 19

20 Looking at the relationship between borders and scale provides a good 20  
21 foundation upon which we can begin to understand *non-proximate* connectivity. 21  
22 It has, of course, been observed that borders are “multi-scalar,” operating and 22  
23 transforming at different geographical levels and should be studied accordingly 23  
24 (Newman and Paasi 1998: 200). That said common discussions concerning scale 24  
25 and borders more often than not refer to, or at the very least privilege, the state as 25  
26 the dominant frame in which to study borders (Kramsch 2010). When discussing 26  
27 scale, for example, Newman and Paasi (1998: 197) posit that while borders should 27  
28 be examined at all levels of scale it is the local sphere of everyday life “where the 28  
29 meanings of (state) boundaries are ultimately reproduced and contested.” 29

30 Scale is also implicit in van Schendel’s work on the Bangladeshi borderlands in 30  
31 which he acknowledges the importance of local everyday life but also departs from 31  
32 it, at least in the way Newman and Paasi describe it. Placing his work in context, 32  
33 van Schendel is keen to move away from previous/still dominant geopolitical 33  
34 imaginaries that posit a neat and easy correlation between state, territory, society, 34  
35 and nationhood. To this end, observing the spatiality of the border as a case in 35  
36 point, van Schendel (2005: 44) argues that “borders not only join what is different 36  
37 but also divide what is similar.” Like Newman and Paasi, van Schendel (2005: 44) 37  
38 looks at the ways in which border meanings are contested and reproduced within 38  
39 the local sphere, but deviates from conventional interpretations in the sense 39  
40 that international borders are “crucial localities” for observing “how global 40  
41 restructuring affects territoriality.” Unlike Newman and Paasi, therefore, borders 41  
42 must be “understood as dynamic sites of transnational reconfiguration” (*ibid.*), 42  
43 with the driving force being the ability for borderlanders to also “jump scales,” 43  
44 that is, to scale beyond the state rather than simply constructing, reaffirming, 44

1 and contesting it from a local perspective. For van Schendel's borderlanders, 1  
2 the state border is not an intermediary level between the local and the global, 2  
3 but rather represents both the local and the global giving borderlands the ability 3  
4 to be involved in transnational processes in their everyday lives. Van Schendel 4  
5 (2005: 49) sums this up thus: 5

6  
7 For borderlanders, the state scale is not overarching and does not encompass 7  
8 the more 'local' scales of community, family, the household or the body. On the 8  
9 contrary, to them it is the state that, in many ways, represents the local and the 9  
10 confining, seeking to restrict the spatiality of borderlanders' everyday relations. 10  
11 Scales that most heartlanders experience as neatly nested within the state 11  
12 scale—face-to-face relations of production, marketing networks, or community 12  
13 identities—are experienced very differently by borderlanders. In their case, 13  
14 these scales are often less 'local' than the state; they breach the confines of that 14  
15 scale, spill over its limits, escape its mediating pretensions, and therefore set the 15  
16 scene for a specific borderland politics of scale. 16

17  
18 It is useful to point out here that, for van Schendel, scale politics involves the 18  
19 inability of the state scale to prevent clandestine (unauthorized) cross border 19  
20 activity. The state scale, in other words, is unable to achieve complete hegemony 20  
21 because it is constantly being challenged by the restructuring/rescaling capabilities 21  
22 of borderlanders—what van Schendel (2005: 55) has summed up as “everyday 22  
23 transnationality.” A crucial component of this everyday transnationality is the 23  
24 ability to construct internal cognitive maps, whereby borderlanders can envisage 24  
25 and situate themselves across multiple scales of which the state is only one. Borders 25  
26 for van Schendel, therefore, are defined as being more than barriers or limits 26  
27 however much they are institutionalized by nation states. State borders represent 27  
28 only one important scale amongst others and, in this regard, the state border does 28  
29 not operate as an all-defining framework, which encompasses “lower” scales such 29  
30 as the “local” or the “community” and so on. Acting as a staging post, the (state) 30  
31 border can be utilized to project and connect identities and social relations outside 31  
32 of and beyond the immediate border. 32

33 Importantly for us, van Schendel's work begins to move away from a 33  
34 hierarchical model of scale, which is vital to discussing non-proximate connectivity 34  
35 in relation to borders. In this regard, Leitner (2004) argues that conventional 35  
36 approaches to observing scale—defined as level and size—fail to take into account 36  
37 the relations amongst different scales, as well as the ways in which processes 37  
38 supposedly operating at different scale levels influence each other. Leitner (ibid.) 38  
39 argues that scale politics is about “relations of power and authority by actors and 39  
40 institutions operating and situating themselves at different spatial scales.” There 40  
41 is a tendency for the reproduction of hierarchical imaginaries of scale—small, 41  
42 large, and so on—to override more horizontal forms of social relations. Yet for 42  
43 Leitner (2004: 252), the different spatiality of networks ruptures “the familiar 43  
44 44

1 scaled political map,” and in doing so they “connect to places horizontally across 1  
2 the bounded spaces of political territorial entities, which themselves are part of 2  
3 scalar state structures.” This is similar to what Brenner (2004: 605) has observed 3  
4 as tangled scalar hierarchies: 4

5  
6 The meaning, function, history and dynamics of any one geographical scale can 6  
7 only be grasped relationally, in terms of upwards, downwards and sideways 7  
8 links to other geographical scales situated within tangled scalar hierarchies and 8  
9 dispersed interscalar networks. 9

10  
11 Importantly, we argue that borders have the capacity to “make horizontal” the 11  
12 hierarchical scale structure they are often implicit within and/or the product 12  
13 of. That is to say horizontal networks do not simply traverse borders—indicative 13  
14 of what Bude and Dürrschmidt (2010) term “flow speak”—that rather borders 14  
15 in and of themselves can function as “interfaces” that “level out” socio-spatial 15  
16 relations (Cooper and Rumford 2013). The border, when theorized in terms of the 16  
17 connection on offer here, reduces the verticality and compartmentalized nature of 17  
18 scale traditionally understood, making it tangled, warped, and more horizontal, 18  
19 and allowing contact with “Others” that would normally be hierarchically 19  
20 separated and distant (see also Cooper, forthcoming). By seeing from the border, 20  
21 non-proximate connectivity is brought to the fore, and we can begin to understand 21  
22 that what appears to be distant, unfamiliar and “beyond” to some (a vertical 22  
23 imposition of scale), can be equally local, similar and “near” to others (what 23  
24 could be described as a more horizontal imposition of scale). 24

25 This way of looking at borders further resonates with the idea of vernacularization 25  
26 because it also takes into account different types of border, constructed, maintained, 26  
27 and/or performed by different people. Our understanding of borders as engines 27  
28 of non-proximate connectivity, in other words, need not be limited to, or be 28  
29 under the exclusive remit of, recognizable borderlands and borderlanders. The 29  
30 residents of the English town of Berwick-upon-Tweed, for example, have shown 30  
31 a remarkable capacity to use the close proximity of the English–Scottish border 31  
32 to project their uniqueness—that is neither English nor Scottish—well beyond the 32  
33 locality of the border by forging networks and creating cultural events of global 33  
34 significance that would not be possible without the border. Likewise, but located 34  
35 well away from more traditional national borders/borderlands, the English town 35  
36 of Melton Mowbray has successfully established PGI (Protective Geographical 36  
37 Indication) designation (bestowed by the European Commission) that extends its 37  
38 identity well beyond the locality of the PGI border, projecting the town onto the 38  
39 “global food map” (see Cooper and Rumford 2011). In the next section, we will 39  
40 discuss a more detailed and nuanced example of border vernacularization taking 40  
41 place in Japan which shows how non-state borders are not only being created and 41  
42 dispersed, but also how “citizens” can move between institutional layers creating 42  
43 new connections because of the borderwork taking place. 43

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44

<b>1 Sakaguchi Kyōhei's Use of the Vernacularized Border</b>	<b>1</b>
2	2
3 This final section offers a case study that illustrates the three different elements of	3
4 the vernacularized border detailed above. Taking cues from the work of Amoore	4
5 and Hall (2010, 2013), who have explored bordering practices, performance, and	5
6 artistic interventions, we focus on the work of Japanese activist and performance	6
7 artist Sakaguchi Kyōhei (2012), who set about constructing a new state as a	7
8 critique of the Japanese government's response to Japan's March 2011 triple	8
9 disaster. Sakaguchi's ad hoc state problematizes sovereignty, state territory, and	9
10 established bordering practices, and although Sakaguchi does not explicitly talk	10
11 about his work in terms of bordering, as we show in the following, he nevertheless	11
12 draws attention to the performative, connective, and scalar aspects of borders.	12
13 Sakaguchi's example also illustrates what Bauder (2011) refers to as "aspect-	13
14 seeing" in relation to the border. Bauder (2011: 1132) argues that the concept	14
15 of aspect-seeing draws attention to the different "uses of a border and border	15
16 practices," and that "various aspects of the border represent meanings and material	16
17 practices that cannot be unified into a stable and coherent concept." Sakaguchi	17
18 himself plays on this concept of aspect seeing, which he refers to as seeing different	18
19 layers ( <i>reyā</i> ) of action within public space. This forms and integral component of	19
20 his political project, which seeks to destabilize the routinized articulation of the	20
21 state and territorial sovereignty by drawing new borders both within and beyond	21
22 the Japanese state.	22
23 Finally this example illustrates another component essential to understanding	23
24 the conditions in which vernacularization of the border becomes possible,	24
25 namely the importance of changes in what Cooper and Perkins (2012) call the	25
26 "background assumptions" that naturalize particular institutional arrangements.	26
27 In other words, a bordering process that appears natural may be thrown into a	27
28 different light due to changes in the background conditions in which the bordering	28
29 process developed, and it is these changes that draw attention to different aspects,	29
30 meanings, and material practices of the border. Similarly, vernacularization of	30
31 the border also relies on particular background conditions that enable actors to	31
32 legitimize their borderwork. To draw on the example of Transition Towns discussed	32
33 above, Perkins and Rumford (2013: 278) have argued that the 2008 financial crisis	33
34 produced both discursive and material conditions that enabled residents of Stroud	34
35 to set up an economic border in the form of the Stroud Pound. Advocates of this	35
36 economic border justify it through appeals to generalized worries over capital	36
37 flight, jobs, and the continued salience of local practices, while simultaneously	37
38 linking their town to other Transition Towns running similar schemes both in the	38
39 UK and abroad ( <i>ibid.</i> ).	39
40 Japan's 2011 triple disaster provides the context for Sakaguchi's borderwork.	40
41 The earthquake, which struck on March 11, 2011, was the fourth biggest in	41
42 recorded history and produced a tsunami that devastated the northeastern	42
43 seaboard of Japan. This tsunami also breached the protective wall surrounding	43
44 the Fukushima Daiichi nuclear plant, causing damage that led to a meltdown.	44

1 To date Japanese authorities have counted 15,854 dead from the earthquake and 1  
 2 tsunami (BBC 2012), while the impact of the nuclear meltdown remains uncertain. 2  
 3 Furthermore, the government's perceived weakness and poor policy response 3  
 4 led to large protests across the country. In the weeks and months following the 4  
 5 disaster, information regarding the structural links between the Japanese state and 5  
 6 Tokyo Electric Power Company (TEPCO), the electricity company that built the 6  
 7 Daiichi plant, emerged, and citizen's groups and "free" journalists have criticized 7  
 8 the mainstream media for what was perceived as overly conservative coverage of 8  
 9 the unfolding disaster and the protest movement. This event can be conceptualized 9  
 10 as producing a crisis of state legitimacy which enabled various actors in Japan to 10  
 11 "see" hitherto suppressed contradictions internal to the Japanese state, such as the 11  
 12 conflict between Japan's experience of nuclear devastation and its championing of 12  
 13 nuclear power in the postwar era (Shun'ya and Loh 2012). Sakaguchi has himself 13  
 14 recognized the importance of 3/11 in shifting the context for debate in Japan, 14  
 15 arguing that: 15

16  
 17 If you talked about these things in the past people would talk about you as if you 17  
 18 were crazy, but when something like 3.11 happens everything flips over ... It's 18  
 19 certainly the case that nature changes people. (Asahi Shimbun 2013: n.p.) 19  
 20 20

21 The gestalt shift enabled by 3/11 meshed with Sakaguchi's previous project, 21  
 22 which focused on housing to interrogate the relationship between work, home 22  
 23 ownership and social relationships in contemporary Japanese society. Drawing 23  
 24 inspiration from the self-reliance displayed by homeless men in Tokyo, Sakaguchi 24  
 25 constructed a number of mobile houses with low cost materials and exploited legal 25  
 26 loopholes, such as unresolved land claim disputes that effectively render pockets 26  
 27 of land ownerless, to extract himself from the traditional state-citizen relationship. 27  
 28 Arguing that this move enabled people to live within a different layer in the city, 28  
 29 Sakaguchi used his "Oyen" houses to look at how different approaches to housing 29  
 30 produces alternative frameworks for conceptualizing public space and ultimately 30  
 31 to alternative social relationships and value systems. In Lefebvre's terms, the Oyen 31  
 32 house project interrogated the ways in which lived space is produced through 32  
 33 the complex interaction of perceived (material, concrete) space, and conceived 33  
 34 (mentally constructed) space (Purcell 2002), and his independent state can be seen 34  
 35 as a radicalization of this initial investigation. 35

36 After the events of March 2011 Sakaguchi's activities scaled up to include 36  
 37 bordering processes. In response to the perceived failure of the state apparatus to 37  
 38 provide for people in the disaster zone, Sakaguchi declared a state of emergency 38  
 39 and relocated to the city of Kumamoto in Japan's southernmost island, Kyūshū. 39  
 40 Here he declared himself the head of an independent state (*dokuritsu kokka*) and 40  
 41 offered retreats for children displaced by the Fukushima meltdown. In order 41  
 42 to legitimize this new polity he draws upon international legal conventions, 42  
 43 such as the Montevideo convention on the recognition of states, which, in 43  
 44 Article 1, declares that: "The state as a person of international law should possess 44

1 the following qualifications: a) a permanent population; b) a defined territory; 1  
2 c) government; and d) capacity to enter relations with other states” ([http://www.cfr.](http://www.cfr.org/sovereignty/montevideo-convention-rights-duties-states/p15897) 2  
3 [org/sovereignty/montevideo-convention-rights-duties-states/p15897](http://www.cfr.org/sovereignty/montevideo-convention-rights-duties-states/p15897)). Sakaguchi 3  
4 fulfills the conditions of the Montevideo convention, by designating his 31,248 4  
5 (at time of writing) Twitter followers as the permanent population (a), setting up 5  
6 a seat of government from an old house in Kumamoto (c), and travelling abroad 6  
7 to give lectures on the Oyen and mobile house project (d). He has also released his 7  
8 contact details, including bank account details, via his website and Twitter. 8

9 To help facilitate shifts in conceptual space, Sakaguchi has set up a website 9  
10 called “zeroPublic,” and it is here that an important part of his borderwork takes 10  
11 place. Here citizens can mark plots of land in Japan that, due to legally ambiguous 11  
12 ownership status or simply by virtue of being empty, may be included in the new 12  
13 state territory (<http://www.zero-public.com/>). This has the effect of diffusing 13  
14 Sakaguchi’s border throughout the physical space of Japan and the virtual space of 14  
15 the Internet, which as a result offers a conceptual challenge to the state’s monopoly 15  
16 over the production of space. It also has the effect of connecting non-proximate 16  
17 parcels of land distributed across Japan by virtue of the process of bordering, a 17  
18 process radicalized by the fact that all of Sakaguchi’s citizens are authorized to 18  
19 speak in the name of his state and produce territory via bordering. Indeed, the 19  
20 fact that the production of borders has been delegated to people spread across 20  
21 Japan is a further indication of the potential for connectivity inherent in bordering 21  
22 practices. This being said, Sakaguchi recognizes that expanding his territory is, at 22  
23 least potentially, a challenge to the established Japanese state. However, again 23  
24 drawing on his concepts of layers, he argues that by using the land but rejecting 24  
25 the right to own it, his citizens can “escape from the current government’s layer” 25  
26 which takes the notion of property rights as a constitutive principle of the polity 26  
27 (<http://www.zero-public.com/>). By rejecting property rights Sakaguchi’s borders 27  
28 become oxymoronic and can simply disappear if the state were to exercise its right 28  
29 to territorial sovereignty. This neatly mirrors, and effectively parodies, state and 29  
30 supra state bordering practices, whereby borders increasingly pop-up whenever 30  
31 they are needed. But the borders also become connective in the sense that they 31  
32 produce open public spaces for chance encounters by virtue of their designation 32  
33 via the website. 33

34 In Japan’s rapidly ageing, low birth-rate society this attempt to reclaim unused, 34  
35 or as Sakaguchi terms it “left over,” property is a significant challenge to the 35  
36 normative life progression of the post-war years. Indeed, by using the border to 36  
37 draw attention to property and land that has fallen through the cracks between 37  
38 institutions involved in the production of lived space in Japan, Sakaguchi challenges 38  
39 naturalized attitudes towards property ownership established in the post-war period 39  
40 (Forrest and Hirayama 2009, Hirayama and Ronald 2008). Therefore this praxis 40  
41 experiment (Perkins and Rumford 2013: 279) in borderwork also highlights the 41  
42 relationship between borders, the production of space, and questions of justice, by 42  
43 demonstrating how they combine to allocate value to people and things within a 43  
44 polity. Returning to Lefebvre’s idea of space introduced above, Sakaguchi’s playful 44

1 use of the border can be seen as facilitating a change in lived space by enabling 1  
2 people within the territory of Japan to look again at the physical, perceived space 2  
3 around them unencumbered by the cognitive category of Japan (Brubaker, Loveman, 3  
4 and Stamatov 2004). For example, the goal of owning a new home became firmly 4  
5 embedded within hegemonic life courses in the post-war period (Hirayama and 5  
6 Ronald 2008), and the short term cycle of construction and destruction of housing 6  
7 provides a large stimulus for Japan's construction industry. However, by shedding 7  
8 the cognitive category of Japan, which has within it any number of naturalized 8  
9 prescriptions regarding proper ways of interacting with and placing value on space, 9  
10 the value of empty old property can be reassessed. It is here that concerns regarding 10  
11 the state's response to 3/11 become fused with his previous project. 11

12 It is Sakaguchi's invocation of an independent state, and thus a border, that 12  
13 facilitates this interface between different political projects at different scales, 13  
14 making use of international legal frameworks to justify sub-national political 14  
15 action. In this sense Sakaguchi's project is an example of the concept of bordering 15  
16 being used as a political resource (Perkins and Rumford 2013) and to defamiliarize 16  
17 the familiar and imagine different political articulations of space that cut across 17  
18 established notions of state boundedness. But what is the status of the politics in 18  
19 this example? As Amooore and Hall (2010: 311) argue, artistic interventions of 19  
20 this kind raise tricky questions about "how one considers a particular intervention 20  
21 to be political, or to have political effects, without engaging in an exercise of 21  
22 'what counts' that simply authorizes certain forms of politics." As such it is 22  
23 difficult to measure the impact of his project. He has certainly been successful 23  
24 in terms of generating media interest. His 2012 book was a best seller, and he 24  
25 has gained some traction with the mainstream media, with interviews and review 25  
26 pieces appearing in major newspapers including both the Asahi and Yomiuri. In 26  
27 an opinion piece for the Asahi, philosopher Takahashi Genichiro went as far as 27  
28 likening Sakaguchi's claims to those made by famous figures of Japan's Meiji 28  
29 restoration in 1868, who also called for a new state in a period of acute crisis 29  
30 (Takahashi 2012). Also, Sakaguchi was recently awarded the Second Yoshizaka 30  
31 Architecture Award for work that makes interventions in political and economic 31  
32 life—quite an achievement for an architect who refuses to build anything ([http://](http://www.yosizaka-award.org/) 32  
33 [www.yosizaka-award.org/](http://www.yosizaka-award.org/)). 33

34 But to return to the question of politics, it would be easy to dismiss Sakaguchi's 34  
35 project as politically insignificant because it does not fit into "what counts" as 35  
36 politics; similarly it would be easy to dismiss his project as bordering because it is 36  
37 not part of Japan's state bordering practices. However we would be quick to reject 37  
38 this evaluation. Sakaguchi's performative invocation of a state, and with it a border, 38  
39 becomes not only a method of doing politics, but also a way of interrogating what 39  
40 Mouffe (2006) refers to as the "ontological political": the constitutive principles 40  
41 of politics itself. Sakaguchi's borderwork fulfills the important political role of 41  
42 producing alternative imaginaries of public space and political arrangements, 42  
43 which in turn provoke a reconsideration of the naturalized processes that sit in the 43  
44 background of our daily lives. 44

1 Sakaguchi is also involved in imagining a new scalar politics. Sakaguchi's 1  
2 state that rejects property rights, justifies itself via international conventions, and 2  
3 devolves bordering practices to its citizens (all of which go on within an already 3  
4 established nation-state) subverts the nested hierarchies of the Westphalian system 4  
5 by making horizontal connections and the spontaneous production of space 5  
6 possible. Therefore Sakaguchi's ad hoc state draws attention to the contingency of 6  
7 sovereignty, state territory, and established bordering practices. To quote Amoore 7  
8 and Hall (2010: 314) once more, this interruption of the everyday is "the true 8  
9 potential of art's political provocation; to make us notice and look again so that 9  
10 nothing is quite as it seems." 10

11

12

### 13 **Concluding Remarks** 13

14

15 This chapter has sought to bring attention to, and importantly push forward 15  
16 an agenda for, a border studies that embraces vernacularization. Such an 16  
17 agenda shifts emphasis away from the state as the primary borderer of choice 17  
18 and draws attention to other, equally important, borders and actors doing their 18  
19 borderwork well away from territorial edges and peripheries. Likewise, seeing 19  
20 from the border, rather than looking across borders or seeing like a state, allows 20  
21 researchers to take into account the integral relationship between less visible 21  
22 and less traditional borders, borderers as well as those who are bordered. Such 22  
23 an agenda also brings connectivity to the forefront of study in such a way that 23  
24 departs from observations of contact and cooperation within what Martinez (1994) 24  
25 would term "interdependent" or "integrated" borderlands defined and framed as 25  
26 they are by recognizable (and benign) state borders. Taking into account non- 26  
27 state borderworkers doing their borderwork in non-traditional locations, different 27  
28 types of borders—state and non-state alike—can be conceptualized as engines 28  
29 or tissues of non-proximate connectivity, placing borders more centrally within 29  
30 wider processes of global connectivity. In the final section of the chapter, our 30  
31 three dimensions of vernacularization cumulated with a focus on Sakaguchi's 31  
32 borderwork in Japan. The example highlighted how borderwork could be 32  
33 employed as a political resource in order to challenge institutional failings and 33  
34 inadequacies by the Japanese government in light of the March 2011 triple disaster. 34  
35 By evocatively promoting a diffuse and horizontal (non-)state—connecting non- 35  
36 proximate parcels of land within and across the conventional state of Japan—and 36  
37 rejecting the institutionalized bordering between public and private property 37  
38 ownership often attributed to the traditional Westphalian state model, we showed 38  
39 how Sakaguchi's borderwork challenges and subverts the ability of the state to fix 39  
40 conventional space and associated scale hierarchies. In other words, focusing on 40  
41 border vernacularization (and seeing from the border), has shown how Sakaguchi's 41  
42 protest has used borderwork to produce alternative, more spontaneous imaginaries 42  
43 of space that uncover and problematize seemingly naturalized and institutionalized 43  
44 bordering processes that permeate our daily lives. Overall, and in this regard, we 44

- 1 hope that putting forward vernacularization as an agenda or framework for border 1  
 2 studies creates a substantial foundation for researchers to engage in their own 2  
 3 borderwork across the discipline. 3  
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### Chapter 3

# Policing Borders, Policing Bodies: The Territorial and Biopolitical Roots of US Immigration Control

Mathew Coleman and Angela Stuesse

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#### 14 Introduction: Lessons from IRCA

16 In 1981, the bipartisan US Select Commission on Immigration and Refugee Policy 16  
17 (SCIRP)—also known as the Hesburgh Commission—published their much 17  
18 anticipated *US Immigration Policy and the National Interest*. The report detailed the 18  
19 impact of refugee policy, legal immigration quotas, and US-bound undocumented 19  
20 immigration on what lawmakers described as “social, economic, and political 20  
21 conditions in the United States,” “demographic trends,” “the conduct of foreign 21  
22 policy,” and “present and projected unemployment in the United States.” The 22  
23 report makes for strange reading on account of the many interests that were given 23  
24 voice in the document. Martin (1982), for example, described the report shortly 24  
25 after its release as a largely uncommitted “middle position” on what had been said 25  
26 to date by both lawmakers and researchers on the topic of immigration and refugee 26  
27 policy—a problem he attributed to the commissioners’ broad disagreement over 27  
28 key issues such as the demographic and economic consequences of US immigration 28  
29 policy. And yet despite its rehashed and sometimes contradictory nature, the 29  
30 report did maintain a clear focus on global population growth and on what global 30  
31 population pressure could mean for the future of the US as a traditionally white, 31  
32 Anglo-Saxon settler colony. For example, the report dwelled at length on “the fact 32  
33 that we live in a shrinking and interdependent world” and that “tidal movements 33  
34 of people ... propelled by economic forces” necessitate “closing the back door” to 34  
35 undocumented immigration (US Select Commission on Immigration and Refugee 35  
36 Policy 1981b: 3, 11). In order to make the case for “closing the back door,” 36  
37 the report enumerated “serious adverse effects” posed by a growing “fugitive 37  
38 underground class” of undocumented immigrants driven to the US by population- 38  
39 related economic dysfunctionality in Mexico and Central America. These included 39  
40 ethnic tension, cultural enclavism, a possible loss of civic culture and cohesion, 40  
41 job displacement, wage depression, and rising healthcare as well as education 41  
42 costs (US Select Commission on Immigration and Refugee Policy 1981b: 11). 42  
43 Most alarmingly, the report argued that widespread lawlessness was a likely effect 43  
44 of uncontrolled undocumented migration: 44

1 The presence of substantial numbers of undocumented/illegal aliens in the United 1  
 2 States has resulted not only in a disregard for immigration law but in the breaking 2  
 3 of minimum wage and occupational safety laws, and statutes against smuggling 3  
 4 as well. As long as undocumented migration flouts U.S. immigration law, its 4  
 5 most devastating impact may be the disregard it breeds for other U.S. laws. (US 5  
 6 Select Commission on Immigration and Refugee Policy 1981b: 42) 6  
 7 7

8 As the commission wrote elsewhere, it was only via a comprehensive legalization 8  
 9 program that so-called “shadow” populations of undocumented immigrants 9  
 10 and the broader rule of law could be rescued (see “Out of the Shadows: The 10  
 11 Rule of Law Applied” in US Select Commission on Immigration and Refugee 11  
 12 Policy 1981a: 631–664). 12

13 The Hesburgh Commission’s strong language on undocumented immigration 13  
 14 played a very important role in setting immigration legislation during the 1980s 14  
 15 (Zolberg 2006: 337–381). In particular, the Commission’s endorsement of a 15  
 16 three-pronged approach to fending off the impending legal and demographic 16  
 17 consequences of US-bound undocumented immigration—enhanced border 17  
 18 policing, workplace enforcement, and selective legalization—prompted Senator 18  
 19 Alan Simpson (R-WY) and Representative Romano Mazzoli (D-KY) to re-open 19  
 20 the immigration reform effort spearheaded by Representative Peter W. Rodino 20  
 21 (D-NJ) during the Ford and Carter administrations. The Commission’s triplet of 21  
 22 recommendations became the backbone of Simpson and Mazzoli’s Immigration 22  
 23 Reform and Control Act (IRCA), signed into law by President Reagan in 23  
 24 November 1986. IRCA was notable on several grounds. It was the first major 24  
 25 immigration law reform bill to move successfully through both the House and the 25  
 26 Senate in the wake of the 1952 McCarran-Walter Act, and thus stands as one of the 26  
 27 legislative cornerstones of the post-Chinese Exclusion Act period of immigration 27  
 28 lawmaking in the US. IRCA was also the first piece of legislation in the US to 28  
 29 deal in a substantive fashion with undocumented immigration. But perhaps 29  
 30 most remarkable about the law was its nearly singular focus on population as a 30  
 31 problem deserving of sustained state intervention. As Chock (1995) argues, the 31  
 32 entire IRCA edifice hinged on the problem of population. Population was a catch- 32  
 33 all category used broadly by lawmakers during the lead up to IRCA to outline 33  
 34 the apparently biological—or asocial and ahistorical—nature of undocumented 34  
 35 immigrants’ political, economic, and social practices, as well as the problem 35  
 36 of cultural discordance between immigrant and citizen groups and competition 36  
 37 between them for scarce resources. Although key lawmakers like Senator Simpson 37  
 38 may have championed the merits of race-free, class-free, and gender-free debate 38  
 39 about undocumented immigration, Chock shows that their engagement with 39  
 40 population in natural history terms, particularly when discussing the problem 40  
 41 of immigrant acculturation and lawfulness, provided a proxy vocabulary for an 41  
 42 oftentimes explicitly raced, classed, and gendered account of the various social ills 42  
 43 and disturbances associated with undocumented immigration. Indeed, as Coleman 43  
 44 (2008) has outlined elsewhere, IRCA was authored on the back of a wide-ranging, 44

1 mostly conjectural, biopolitical inventory of resident undocumented immigrants' 1  
2 use of scarce schooling, healthcare, and entitlements resources; resident 2  
3 undocumented migrant populations as potential disease vectors; and, resident 3  
4 undocumented migrants' ethnic and linguistic separatism as a threat to the so- 4  
5 called "melting pot" approach to citizenship, as well as to core public values and 5  
6 practices associated with "American" culture. 6

7 It is now commonplace for both supporters and detractors of amnesty to recall 7  
8 IRCA as an overly generous "clean slate" immigration bill. From this standpoint, 8  
9 IRCA was an indiscriminating, quick fix legalization law whose major policing 9  
10 focus was not on amnesty per se but on increasing the Border Patrol presence along 10  
11 the US–Mexico border so as to prevent future growth in the resident undocumented 11  
12 population. This is true to the extent that IRCA kicked off a period of substantial 12  
13 growth in immigration enforcement budgets, most of which was directed at Border 13  
14 Patrol resources along the US–Mexico border (Dixon and Gelatt 2005, Dávila, 14  
15 Pagán, and Grau 1999). Indeed, IRCA can be understood as an important first major 15  
16 salvo in the militarization of the US–Mexico border under the explicit banner of 16  
17 immigration control. For example, in the spirit of the Hesburgh Commission's 17  
18 emphasis on expanding Border Patrol resources as a necessary condition of 18  
19 amnesty, IRCA legislated nearly a billion dollars of additional funding for the 19  
20 Immigration and Naturalization Service (INS) for fiscal years 1986 and 1987 (see 20  
21 budget data in US House of Representatives Judiciary Committee 1986). The bulk 21  
22 of this budget, some 57 percent, was dedicated to border enforcement. This money 22  
23 funded a major expansion in the ranks of the Border Patrol, new helicopters 23  
24 for most Border Patrol sectors, new surveillance equipment at the US–Mexico 24  
25 border, and additional Border Patrol stations, detention facilities, as well as road 25  
26 checkpoint installations across the US Southwest (Meyers 2005). This said, IRCA 26  
27 comprised much more than border enforcement. As Gonzalez-Baker (1997) 27  
28 argues, IRCA struck a balance between the "clean slate" border-centric approach 28  
29 and a "firm equities" approach to legalization, meaning that, in addition to beefing 29  
30 up the border, the law engineered a carefully policed pathway to regularization, 30  
31 and eventually citizenship, for resident undocumented immigrants. In other 31  
32 words, IRCA's amnesty process was highly selective and corrective, rather than a 32  
33 simple blanket reprieve. For example, the law did not apply to all undocumented 33  
34 immigrants but only those deemed lawful, healthy, and economically productive. 34  
35 IRCA barred legalization as well as employment authorization for immigrants 35  
36 convicted of a crime of moral turpitude, a drug offense, any felony with a term 36  
37 of imprisonment exceeding one year, and/or three misdemeanors at any point in 37  
38 their lifetime. It also excluded a range of immigrants on public health grounds, 38  
39 including HIV/AIDS, tuberculosis and syphilis. And perhaps most importantly, 39  
40 the law was conspicuously shaped by what has been called "balanced budget 40  
41 conservatism" (Calavita 1996). Significant congressional attention was given to 41  
42 ensuring that migrants legalized under IRCA would be economically productive 42  
43 and not a drain on taxpayers. This took two principal forms. On the one hand, 43  
44 migrants likely to become a public charge—as measured by food stamp and other 44

1 aid use—were for the most part denied legalization. Lawmakers also ensured 1  
2 that “continuous work documentation preference,” as it was termed, would be 2  
3 a threshold for legalization, which disadvantaged mostly female undocumented 3  
4 workers employed in the underground domestic services industry (Arp, Dantico, 4  
5 and Zatz 1990). Moreover, IRCA made it more or less impossible for migrants, once 5  
6 granted work authorization, to become a ward of the state, as it prohibited—with 6  
7 some exceptions for the elderly, pregnant, and disabled, and in the event of a 7  
8 life-threatening emergency—newly legalized migrants from drawing on aid 8  
9 and services for a five-year temporary residence trial period. In sum, what “firm 9  
10 equities” meant was that even if the initial steps in the legalization process were 10  
11 based on a simple statutory requirement and were thus not per se discretionary, 11  
12 later steps included important regulative caveats and bars-to-admission that first 12  
13 effectively sorted the population of undocumented immigrants into those eligible 13  
14 and ineligible for work permits, and second, closely regulated this population on 14  
15 criminal, health, and economic grounds once admitted. 15

16 We start this chapter off with the above brief recap of the Hesburgh report and 16  
17 IRCA on account of how we understand the immigration reform effort during 17  
18 the early 1980s as focused on policing bodies rather than simply borders. For 18  
19 us, IRCA highlights in a particularly clear manner the biopolitical aspects of US 19  
20 immigration control. By biopolitics we mean techniques of government which 20  
21 seek to minimize certain forms of risk or uncertainty at the level of dynamics 21  
22 and exchanges within a population, and not simply territorially. This is not how 22  
23 IRCA, and indeed US immigration control policy throughout the 1990s, is usually 23  
24 interpreted. The dominant critical reading of post-IRCA US immigration policy is 24  
25 that lawmakers, concerned about US borders as sites of uncontrolled undocumented 25  
26 entry, funded their militarization. Political geographer Joseph Nevins makes this 26  
27 point in his groundbreaking account of the rise of the “gatekeeper state” at the 27  
28 US–Mexico border during the 1990s (Nevins 2002). As Nevins puts it, a general 28  
29 consensus regarding the “geographical crime” of undocumented entry—literally, 29  
30 migrants’ disregard for the territorialization of the law—enabled lawmakers, 30  
31 during the late 1980s and 1990s, to gradually militarize the US–Mexico border 31  
32 as well as criminalize undocumented immigration (Nevins 2002: 141). From 32  
33 this general theoretical position (see also Dunn 1996, Andreas 2000), IRCA and 33  
34 the decade-long border build-up that the law helped spur is to be understood 34  
35 primarily in geopolitical terms as a military-territorial partitioning and/or policing 35  
36 of US borders. Geopolitics, as in controlling access to strategically occupied 36  
37 compartments of topographical space, is clearly part of IRCA’s genetic make-up, as 37  
38 well as part of its legacy. For example, as noted above, IRCA reinvigorated a series 38  
39 of externally-oriented interdiction activities at US borders, and specifically at the 39  
40 US–Mexico border. Moreover, that US borders were overwhelmed by unpoliced, 40  
41 undocumented entry was certainly a very common refrain for lawmakers 41  
42 throughout the frenzied period of immigration lawmaking, bookended on the one 42  
43 hand by the formation of SCIRP and on the other hand by IRCA in 1986. And 43  
44 still more generally, we agree firmly that the perceived sanctity of legal-territorial 44

1 borders in an abstract rule-of-law sense is an extremely important touchstone for 1  
2 immigration reform lawmakers and their publics (Purcell and Nevins 2005). At 2  
3 the same time, our brief summary of IRCA as concerned with the demographic 3  
4 and legal impact of “out of control” undocumented immigrant populations is 4  
5 meant to point out that less explicitly territorial concerns can be woven into legal- 5  
6 territorial justifications for immigration law reform. Indeed, what strikes us as 6  
7 most important about IRCA is how the law, but certainly US immigration policy 7  
8 more generally, focused on immigration control as doubly a problem of unpoliced 8  
9 borders and unpoliced populations. This leads us to the position that geopolitics 9  
10 and biopolitics, particularly in the context of research on US immigration 10  
11 enforcement, need to be understood as deeply intertwined, as opposed to distinct, 11  
12 technologies of governance. 12

13 In this chapter we seek to close the gap between what we see as competing 13  
14 geopolitical and biopolitical analyses of US immigration control policy. We 14  
15 see this debate as reflecting a more general impasse across the social sciences 15  
16 and humanities which insists on biopolitics and geopolitics as opposed models 16  
17 of power. Although both can be understood as mechanisms employed by states 17  
18 to cope with threat and (in)security, geopolitics and biopolitics are usually 18  
19 differentiated on account of their respective concerns for space and time, or what 19  
20 we describe here as topography and topology. For example, whereas geopolitics 20  
21 is typically characterized as a strategy of territorial control focused on the 21  
22 fortification of state-territorial borders (see critique in Agnew 1994), biopolitics 22  
23 is usually defined as an abandonment of spatial or territorial control per se due 23  
24 to its focus on the “everywhere” management of populations. Indeed, in place of 24  
25 the geopolitical focus on partitioning and policing territorial space, biopolitics is 25  
26 usually conceptualized as a way of dealing with an anticipated but never quite 26  
27 known calendar of possibly destabilizing and/or threatening events, anywhere. In 27  
28 other words, whereas geopolitics has been conceptualized as a locational approach 28  
29 to security—in terms of a defensive array of barriers to movement, membership, 29  
30 exchange, circulation, etc.—biopolitics has been conceptualized non-locationally 30  
31 as ensuring that over time certain practices—deemed undesirable—are made less 31  
32 and less viable. We hope to undermine this distinction, and in so doing provide 32  
33 a hybrid geopolitical and biopolitical account of US immigration control today. 33

34 Our chapter comprises two basic sections. In a first section, we review 34  
35 two approaches to the study of borders, which we label “topographical” and 35  
36 “topological.” Our goal in this section is to point out that while each approach has 36  
37 its merits they are largely missing out on what the other has to contribute to border 37  
38 studies. In a second section, we focus our argument on present-day immigration 38  
39 control policy in the US. We argue that the growth of interior enforcement, away 39  
40 from US territorial borders such that any number of routine practices and/or 40  
41 encounters can result in detention and deportation for undocumented immigrants, 41  
42 can be described as a form of biopolitics in the sense that its strategic goal is 42  
43 to destabilize the lived everyday of immigrant laborers to the point that social 43  
44 reproduction is impossible. But this does not mean that geopolitical borders 44

1 are unimportant to immigration enforcement. Indeed, our argument is that the 1  
 2 topographical/geopolitical tactic of making the US–Mexico border increasingly 2  
 3 hard to cross is an ongoing precondition for the topological/biopolitical strategy 3  
 4 of radically increasing levels of day-to-day uncertainty for immigrant populations. 4

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### 7 **Theorizing Borders: Topography, Topology, and Biopolitics** 7

8

9 Border studies is not a coherent enterprise. One reason why this is the case is 9  
 10 because the field is broadly interdisciplinary. As anthropologists Donnan and 10  
 11 Wilson suggest in a recent survey, the fact that border studies scholars come from 11  
 12 across the humanities and social sciences, and that they bring with them a large 12  
 13 variety of disciplinary best practices, has earned border studies a “fashionable 13  
 14 branding” in academia. But, as they go on to argue, border studies’ interdisciplinarity 14  
 15 has also tended towards “an uncritical accumulation or juxtaposition of different 15  
 16 perspectives which in itself did not advance the study of borders very far” (Wilson 16  
 17 and Donnan 2012: 15). We would add to this problem that border studies has, 17  
 18 until quite recently, been a mostly empirical undertaking that has prioritized a 18  
 19 catalogue-style approach to border research at the expense of more theoretically- 19  
 20 minded claims about how borders work, and why. There are some notable 20  
 21 exceptions to this claim. One very important case in point is Gloria Anzaldúa’s 21  
 22 groundbreaking account of borders as infrastructures built from contradictory 22  
 23 moments of resistance and reconstruction—and moreover her insistence that 23  
 24 borderlands exceed state territorial borders as such (Anzaldúa 1987). We note also 24  
 25 Jean Gottmann’s pioneering work on borders as psychosomatic geographies caught 25  
 26 between what he described as opposing geopolitical and geoeconomic logics of 26  
 27 closure and openness, respectively (Gottmann 1973). More generally, we recognize 27  
 28 the significant work of Mexican American/Chicano Studies scholars theorizing the 28  
 29 US–Mexico cultural borderlands and the power dynamics that saturate everyday 29  
 30 life there, too often overlooked by those ensconced in disciplinary silos (see, 30  
 31 for example, Flores 2002, Limón 1994, Paredes 1958, Pérez 1999, Rosas 2012, 31  
 32 Saldívar 1997, Trujillo 2009, Vélez-Ibañez 1996). But for the most part border 32  
 33 studies has shied away from this sort of theoretical work, and has instead adopted 33  
 34 an area studies approach (see discussion in Paasi 2005, Newman 2006, Newman 34  
 35 and Paasi 1998, Kolossov 2005). 35

36 Border studies’ general neglect of theory is, of course, now very much in 36  
 37 question. Although the descriptive approach to borders remains an important part 37  
 38 of the field, border studies began to engage in much more theoretically-minded 38  
 39 research in the late 1990s (Newman 2002). A major theme during this period 39  
 40 was on the importance of borders as “socially constructed” by groups as well as 40  
 41 crucial to individual and group identity formation (e.g. Paasi 1996). As a result, it 41  
 42 is now much more commonplace for border studies scholars to draw on a range 42  
 43 of theories regarding power, political economy, and social difference to generalize 43  
 44 about borders. It is also commonplace for border scholars to be at the forefront 44

1 of exciting new theoretical innovations on these topics, and moreover for border 1  
2 theory to be at the center of broader debates about empire, law, neoliberalism, and 2  
3 so on. What interests us specifically about the recent theoretical turn in border 3  
4 studies is the disagreement that it has spawned about borders, which as objects of 4  
5 academic scrutiny are arguably more in question today than they were during the 5  
6 reign of descriptive research. Indeed, in the wake of its largely empiricist as well 6  
7 as idiographic past, borders themselves have emerged as “essentially contested 7  
8 concepts” (Connolly 1974) in border studies scholarship. 8

9 Our point in raising the problem of borders as “essentially contested” is 9  
10 not to clear ground in the name of a new general theory of borders, or to take 10  
11 sides. Rather, we see the complexity and openness of the current debate around 11  
12 borders (Jones 2009, Rumford 2006) as an opportunity to engage in creative work 12  
13 across competing schools of thought concerning specifically how borders work, 13  
14 and crucially *where* we might go about finding them (see various viewpoints on 14  
15 offer in Johnson et al. 2011). Perhaps too crudely we see two primary theoretical 15  
16 approaches to borders in border studies today. The first approach is topographical. 16  
17 By this we mean that borders are theorized as territorially concrete and identifiable 17  
18 measures of space. From this standpoint, borders are geopolitical-territorial lines 18  
19 of division that describe units of space (or territories) in relation to one another, 19  
20 which are themselves characterized by some form of measurable spatial extent or 20  
21 reach. This is not to say that a topographical account of borders treats the latter, 21  
22 or the spaces that they divide, as quasi-natural realities (Fall 2010). Rather, to 22  
23 approach borders topographically is to insist that spaces of differentiation and 23  
24 segmentation, if social as well as political economic, are nonetheless materially 24  
25 locational in some robust sense. Indeed, a topographical approach to borders 25  
26 would conceptualize them as relatively durable architectures without succumbing 26  
27 to the “territorial trap” of seeing them as the fixed outer edges of some apparently 27  
28 natural social, political, and/or economic container (Agnew 2008). 28

29 This important distinction between topography and spatial fixity reflects a 29  
30 larger concern for the production of place inherent in the concept of topography. 30  
31 For example, Katz explains topography as a way of conceptualizing the local and 31  
32 non-local aspects of place-making as well as the ongoing conflicts integral to this 32  
33 process—which, as she sees it, allows for a dynamic theorization of place amidst a 33  
34 larger uneven geography of flows and connections (Katz 2001: 1214, for a similar 34  
35 appreciation of topography, see Staeheli and Nagel 2006, Nagar et al. 2002, 35  
36 Martin 2005). In this sense, topography does not embrace the idea of place as 36  
37 an essential location, in contrast to the abstract place-spanning force field called 37  
38 space (see Massey 1991). Nonetheless, in the border studies context, we would 38  
39 argue that the topographical approach tends to conceptualize borders as some 39  
40 of the most located, most concretized, and most durable of social geographies. 40  
41 Even as this literature in general problematizes borders as “social constructions” 41  
42 of “insiderness” and “outsiderness” rather than as natural entities and some have 42  
43 insisted we recognize the hybridity and heteroglossia of borderlands, borders 43  
44 are on the whole understood from the topographical standpoint in terms of a 44

1 relatively straightforward territorial ontology of inside/outside—and as such are 1  
2 remarkably muscular “social constructions.” Moreover, the significant majority 2  
3 of the topographical border studies research has, in our opinion, proceeded much 3  
4 too narrowly in terms of what counts as a border. The focus in this work has been 4  
5 overwhelmingly on one particular category of border and its affirmation of the 5  
6 inside/outside binary: the geopolitical, and sometimes also geophysical, borders 6  
7 separating states. 7

8 We understand the topographical tendency to see borders as constructed 8  
9 and yet enduring points of division (and connection) between specifically state 9  
10 territories as, in large measure, a knock-on effect of the critical geopolitics and 10  
11 critical international relations revolutions, which started during the mid-1980s 11  
12 (see overview in Kuus 2010). Critical geopolitics and critical international 12  
13 relations, despite some considerable differences of opinion, collectively urged a 13  
14 rethinking of, first, the state as a uniform and bounded space, and second, state 14  
15 power as a rational enterprise. Although the emphasis in this debate was on 15  
16 upsetting established models of state power in mainstream political geography 16  
17 and international relations theory, the problem of state borders was always at 17  
18 hand. For example, critical geopolitics and critical international relations scholars 18  
19 pushed for borders to be recast not as simple pedagogic givens in the international 19  
20 space “between” states but, crucially, as part of the performative infrastructure 20  
21 of states (Newman 2003). Or, as Agnew noted in the aftermath of the critical 21  
22 geopolitics revolution, borders “are not simply practical phenomena that can be 22  
23 taken as a given. They are complex human creations that are perpetually open 23  
24 to question” (Agnew 2008: 2). And yet, if we look at political geography and 24  
25 political science literature on borders authored in response to these post-Cold 25  
26 War theoretical innovations, we see very familiar objects of analysis rather than 26  
27 geographies “open to question.” A good example of this is the theoretically- 27  
28 minded research identified with the “Territory, Identities, Movement” as well 28  
29 as “Identities, Borders, Orders” research groups (Brock 1999, Albert and 29  
30 Brock 1996, Agnew 1999, Albert, Jacobson, and Lapid 2001). This scholarship 30  
31 very usefully undermined conventional approaches to the state and its borders by 31  
32 insisting, among other things, that borders are socially created and maintained. 32  
33 At the same time, this body of research re-centered our attention on precisely 33  
34 inter-state landscapes as preeminently important locations for thinking through 34  
35 the precarious materialization of “world-constituting distinctions ... such as 35  
36 inside/outside, anarchy/hierarchy, domestic/foreign, self/other, here/there, and so 36  
37 on” (Lapid 2001: 11). Put slightly differently, although this literature allowed 37  
38 us to shake loose both an essentialist and primordialist approach to borders by 38  
39 querying the unthought inside/outside ontology at the heart of disciplines like 39  
40 political geography and international relations, its focus on criticizing this 40  
41 “territorialist” ontology paradoxically led to a repetition of borders in terms of 41  
42 the problem of state spatiality, albeit under the decidedly less glorious rubric 42  
43 of “social construction.” Moreover, we note more generally that some of the 43  
44 most important work today in border studies theorizes borders primarily in terms 44

1 of the external bounding processes constitutive of state spatiality (Diener and 1  
2 Hagen 2010, Donnan and Wilson 2010, Brunet-Jailly 2007). This is, to be clear, 2  
3 not to underplay the importance of borders as locationally robust infrastructures 3  
4 which claim, rather than simply represent, an inside/outside threshold. For 4  
5 example, in the US–Mexico case, which we know better than other cases, the 5  
6 border between these two countries is without doubt a very significant marker 6  
7 of social difference, belonging, and political economic privilege. But it is not 7  
8 the only border at work in terms of the US–Mexico relationship. Moreover, we 8  
9 would argue that the US–Mexico border is matched in its intensity and violence 9  
10 by other sorts of more mobile borders “on the inside” of the US. We will look in 10  
11 more detail at the US–Mexico case study in the following section. 11

12 A second, much less dominant, approach to the theoretical study of borders 12  
13 foregrounds the problem of topology. Topology, broadly, refers to non-planar, 13  
14 non-linear, non-territorial, and non-distance based accounts of space and place, 14  
15 and their production (Belcher et al. 2008). A topological approach to the problems 15  
16 space and place—the former usually interpreted as general and intrusive, and 16  
17 the latter as grounded and bounded—de-differentiates the two such that the 17  
18 inside/outside ontology at the heart of the space/place distinction dissolves. As 18  
19 Amin explains it, topology concerns “geographies constituted through ... folds, 19  
20 undulations, and overlaps that natural and social practices normally assume, 20  
21 without any a priori assumption of relations nested in territorial or geometric 21  
22 space” (Amin 2002: 389, see also Allen 2009). The concept of topology boils down 22  
23 to three basic claims. First, the usual priority placed on propinquity, or nearness, 23  
24 when it comes to understanding what happens in a certain site is replaced by 24  
25 an emphasis on non-metric connectivity (Amin 2004). Second, topology draws 25  
26 attention to the transductive or in-formation quality of social relations in specific 26  
27 sites (Dodge and Kitchin 2005). Indeed, topology has been at the center of recent 27  
28 debates in political geography on the relationship between power and space, 28  
29 largely on account of the ascendancy of Actor Network Theory’s insistence on 29  
30 the contingencies of socio-spatial practice in particular locations (Latour 2005, 30  
31 Thrift 2008). Third, and most important for us, topology throws borders into 31  
32 question as precisely located infrastructures. The basic point of the topological 32  
33 approach, especially for those interested in the coupled problems of power and 33  
34 bordering, is that there is indeed no necessary coupling. The concept of topology 34  
35 suggests that there is no static and stable material domain called “the social” 35  
36 which can be meaningfully divided into units or chunks of space, either vertically 36  
37 in terms of “scale” or horizontally in terms of “regions,” and which can then be 37  
38 used to theorize either the deployment of power or its effects (Woodward 2010, 38  
39 Marston, Jones, and Woodward 2005). 39

40 We note too that there has been an explosion of work on biopolitics in border 40  
41 studies which has tried to destabilize borders in terms of state-based tactics of areal 41  
42 differentiation and the practice of territorial capture. This trend is obviously of a 42  
43 piece with the research on topology, as above, even if the latter is not always cited. 43  
44 For example, borrowing heavily from Michel Foucault’s work on the governance 44

1 of sexuality, scholars have sought to shift the problem of state power away from 1  
2 the surveillance and policing of territory to the mass surveillance and policing 2  
3 of mobile populations. Some of this work uses population alongside territory, in 3  
4 the sense that the governance of populations can be understood as a proxy for 4  
5 territorial control and yet as a different way of calculating space (see, for example, 5  
6 Elden 2007). But by far the bulk of the biopolitics research has posed territory as 6  
7 a disappearing object of governance, and territorial control as an outmoded art of 7  
8 governance. Dillon, to pick one of many possible scholars working in this area, 8  
9 has argued, for example, that Foucault's work on biopolitics "opens up an entirely 9  
10 different spatial configuration of security" based on the problem of circulation 10  
11 rather than interdiction or distribution (Dillon 2007: 11). As Dillon explains, 11  
12 whereas "distribution signals a world to be divided between sovereign territorial 12  
13 political subjects and their competing hegemonies, circulation concerns a world 13  
14 understood in terms of the biological structures and functions of species existence 14  
15 together with the relations that obtain between species life and all of its contingent 15  
16 local and global correlations" (Dillon 2007: 11). Dillon concludes by noting that 16  
17 biopolitics has effected a "shift in the referent object of security from sovereign 17  
18 territoriality to life" (Dillon 2007: 11). 18

19 This basic Foucault-inspired distinction between power in terms of territory 19  
20 and power in terms of population, as well as the similarly-spirited move noted 20  
21 above towards topology in border studies, has fueled a range of research on the 21  
22 changing spatial strategies of immigration enforcement, particularly in the US 22  
23 and European contexts. This work points away from borders in terms of states' 23  
24 territorial edges and to the proliferation of "everyday" borders and immigrant 24  
25 policing within states (Walters 2006b, Walters 2006a, Vaughan-Williams 2009, 25  
26 Huysmans 2000, Bigo 2002, Amoore 2005, Parker and Vaughan-Williams 2009). 26  
27 In Bigo's (2001) very provocative turn of phrase, border control has become like 27  
28 a Möbius strip in the sense that it is no longer simply located at states' inside/ 28  
29 outside interface, which itself is increasingly difficult to locate. Importantly, the 29  
30 shift from topography to topology, or from territory to population, does not imply 30  
31 a softening of borders; this is not a cousin of the so-called "borderless worlds" 31  
32 research that emerged in the immediate post-Cold War context. If anything, border 32  
33 studies scholars working from the topological and/or biopolitical standpoints have 33  
34 theorized borders as, unlike state-territorial borders, constantly consequential in 34  
35 their prosaic, topological-biopolitical guise. However, it is certainly the case that 35  
36 this research de-emphasizes states' so-called "hard" borders. And here we note a 36  
37 difficult logic of substitution at work in much of the topological-biopolitical work 37  
38 on borders. In our opinion too much of the topological research, in trying to carve 38  
39 out room against a strictly topographical and/or geopolitical-territorial approach 39  
40 to borders, replaces rather than supplements borders qua state-territorial "edges" 40  
41 with the less located problem of topological and/or biopolitical division. We see 41  
42 this logic of substitution more generally in the human geography literature insofar 42  
43 as topographical space is seen more or less calendrically as an antiquated mode of 43  
44 analysis for a now mostly defunct period of socio-spatial reality (see discussion 44

1 in Coleman 2011, Elden 2011, Latham 2011, Paasi 2011). Rather than overdraw 1  
2 the distinction between the topological and the topographical, and the territorial 2  
3 and the biopolitical, we propose instead investigating their combination. This 3  
4 seems an important move given that, despite the proliferation of new forms of 4  
5 borders and bordering, topographical-territorial borders are far from obsolete 5  
6 (Jones 2012). As Rosière and Jones argue (2012), the “hard” barrier function of 6  
7 borders is arguably now more than ever at work both between and within states, 7  
8 in the form of walls and fences along international borders as much as around 8  
9 gated communities. 9

10 Our attempt to tack between a topographical tradition focused intently on 10  
11 problematizing state-territorial borders and a topological tradition focused on 11  
12 elucidating how biopolitical borders work beyond those topographical parameters 12  
13 has been deeply influenced by the new mobilities turn in human geography. 13  
14 In general this literature has insisted on theorizing the problem of enforced 14  
15 immobilization and borders through both topographical and topological lenses, 15  
16 or as a problem of geopolitics and biopolitics (Turner 2007). Rather than rehearse 16  
17 that field and its debates (see Stuesse and Coleman forthcoming), we want to 17  
18 briefly note here our debt on this question to Sandro Mezzadra and Brett Neilson’s 18  
19 work on the precarity of immigrant labor. We are particularly drawn to Mezzadra 19  
20 and Neilson’s understanding of immigrant policing as a geographically complex 20  
21 strategy which blends external qua exclusive and internal qua modulating modes 21  
22 of immigration control. The first thing to note is Mezzadra and Neilson’s attention 22  
23 to immigrant policing as an obviously geopolitical-topographical problem of state- 23  
24 territorial borders and interdiction practices. For example, Mezzadra and Neilson 24  
25 (2008) emphasize state borders as exclusion-oriented legal-territorial barricades 25  
26 which in a very real sense restrict the movement of laboring bodies between still 26  
27 importantly territorialized labor markets. At the same time, Mezzadra and Neilson 27  
28 note throughout their work that there has been a comprehensive “multiplication of 28  
29 borders,” and that as a result immigrant policing cannot be reduced to a geography 29  
30 of walls and fences. Indeed, in addition to what we might think of as their more 30  
31 traditional geopolitical function as spatial barricades, Mezzadra and Neilson 31  
32 allow that borders work biopolitically, at the level of the population, and then 32  
33 topologically, as in unevenly across space and time. 33

34 In order to unpack the problem of biopolitical-topological borders, as a 34  
35 supplement to borders in a more straightforward sense, Mezzadra and Neilson 35  
36 draw a parallel between the current detention and deportation regime in Fortress 36  
37 Europe and so-called “benching” in labor market “body shops.” The latter 37  
38 refers to a process whereby Indian hi-tech workers abroad are held in reserve 38  
39 by labor market brokers for a period of time so as to raise the price of labor and 39  
40 thereby increase demand (Mezzadra and Neilson 2013: 131–166). Importantly, 40  
41 “benching” is a temporary condition—a “time of forced suspension” or 41  
42 “controlled withdrawal”—which applies to select laborers rather than to an entire 42  
43 population or cohort of workers (Mezzadra and Neilson 2013: 136–137). Indeed, 43  
44 Mezzadra and Neilson characterize benching as a form of “differential inclusion” 44

1 which selectively excerpts and then reinserts laborers into specific labor markets, 1  
2 in order to manipulate demand. As they note: “Inclusion, in this perspective, 2  
3 is not an unambiguous social good, but a differential system of filtering and 3  
4 stratification that functions as a means of hierarchization and control” (Mezzadra 4  
5 and Neilson 2008: no page numbers). Mezzadra and Neilson’s overall point in 5  
6 comparing immigrant policing in Europe with labor market “benching” is twofold. 6  
7 First, they use the example of labor withdrawal at the heart of the “body shop” 7  
8 phenomenon to propose that the practice of detention and deportation does not 8  
9 necessarily contradict the demand for undocumented labor (see also Mezzadra and 9  
10 Neilson 2003 on detention as a “decompression chamber” which places controls 10  
11 on labor market incorporation in the context of widespread capital mobility). 11  
12 This recalls Nevins’ earlier analysis of US–Mexico border enforcement as a sort 12  
13 of demographic mop-up in the wake of the US-imposed neoliberalization of 13  
14 Mexican labor markets post-NAFTA (Nevins 2002, see also Calavita 1992), and 14  
15 as such suggests an uneasy intimacy—rather than a stark opposition—between 15  
16 economy and security regarding the policing of borders and immigration more 16  
17 generally. Second, and for our purposes perhaps most important, Mezzadra and 17  
18 Neilson build on the example of “body shops” to propose a model of immigrant 18  
19 labor control deployed *within* the most privileged spaces of global capitalism, or 19  
20 otherwise in places typically (mis)understood as migrant destinations. As they 20  
21 suggest, detention and deportation is a topological system of forced withdrawal 21  
22 from national labor markets which mimics the dis-locating border-crossing 22  
23 geographies of migrants rather than simply the legal-territorial geography of the 23  
24 Westphalian state system (see also Mezzadra and Neilson 2003: 8). Indeed, in 24  
25 the spirit of Balibar’s analysis of borders as shifting zones rather than unbroken 25  
26 lines (Balibar 2002: 75–103), Mezzadra and Neilson characterize borders as 26  
27 “cut[ting] across and exceed[ing] existing political spaces.” This emphasis on 27  
28 the dis-location of border policing away from states’ territorial edges leads to 28  
29 a further suggestion that immigrant policing transcends a simple inside/outside 29  
30 logic of interdiction, or of capture and geographic removal. To make this specific 30  
31 point, Mezzadra and Neilson develop the notion of “temporal borders,” which 31  
32 is essentially the “body shop” equivalent of labor market withdrawal but in the 32  
33 realm of detention and deportation (Mezzadra and Neilson 2013: 131–166). 33  
34 Temporal borders are not about uniform and enduring interdiction practices and 34  
35 infrastructures at states’ territorial fringes which systematically sort migrating 35  
36 populations according to what has elsewhere been called an “international police 36  
37 of aliens” (Walters 2002). Rather, temporal borders are, like the temporary 37  
38 withdrawal characteristic of “body shops,” fitful in their enforcement, or not 38  
39 always turned on. In sum, the comparison with “body shops” allows Mezzadra and 39  
40 Neilson to model immigrant policing as, first, variously located “on the inside,” 40  
41 and second, as intermittent. The result is an on-and-off patchwork configuration 41  
42 of immigrant policing aimed at resident immigrant populations which is broadly 42  
43 consistent with the geopolitical policing of borders, even if thoroughly different 43  
44 in its implementation. 44

**1 Immigration Control Policy in the US, Post-9/11**

2  
3 In August 1994 the Border Patrol announced a new border control strategy in the  
4 US Southwest. The approach, dubbed “prevention through deterrence,” expanded  
5 the use of fencing, vehicle barriers, lighting, and surveillance technology along  
6 the US–Mexico border in order to deter would-be undocumented migrants  
7 from crossing into the US between official border ports of entry (Nevins 2002,  
8 Dunn 1996, Cornelius 1998, Andreas 2000). The “prevention through deterrence”  
9 strategy was in large part the product of a 1993 Sandia National Laboratories report  
10 commissioned by the White House Office on National Drug Control Policy. The  
11 White House had asked the Lockheed Martin subsidiary to complete a “systematic  
12 analysis of the security along the United States/Mexico border between the ports  
13 of entry and to recommend measures by which control of the border could be  
14 improved” (cited in US Government Accountability Office 1995: 11). In their  
15 report, Sandia recommended that the Border Patrol build and manage a multiple  
16 barrier fence along the most densely urbanized sections of the US–Mexico border  
17 in order to discourage would-be border crossers as well as channel border crossers  
18 to less built-up sites along the border where the Border Patrol could then engage in  
19 mass detention and deportation operations. The Sandia study itself was not entirely  
20 novel. For example, in 1990 the San Diego Border Patrol sector, in conjunction with  
21 the Department of Defense, built a 14 mile steel fence along the most urbanized  
22 section of the California border in order to funnel undocumented migrants away  
23 from San Diego. Similarly, in 1993, the El Paso Border Patrol sector refocused its  
24 efforts on so-called “linewatch” duty directly at the US–Mexico border. The El  
25 Paso strategy was the outcome of a lawsuit against the Border Patrol by students  
26 and teachers at Bowie High School, near the Bridge of the Americas linking El  
27 Paso and Ciudad Juárez. The lawsuit alleged that Border Patrol officers were using  
28 racial profiles to detain suspected undocumented migrants in working class Latino  
29 neighborhoods adjacent to the border. As part of the settlement between the Border  
30 Patrol and the school, the sector chief ended the practice of neighborhood patrols  
31 and focused his resources on deterrent policing directly at the geopolitical border  
32 between the US and Mexico (Dunn 2010).  
33 The new “prevention through deterrence” strategy marked a major break with  
34 past Border Patrol practice. With the exception of the small-scale experiments  
35 in San Diego and El Paso, noted above, the US–Mexico border had not been a  
36 priority enforcement site for the Border Patrol. For example, the wall and fence  
37 infrastructure that is now all-pervasive at the border was more or less non-existent  
38 when the Sandia report was published. Moreover, the Border Patrol’s primary  
39 enforcement focus had been on apprehending undocumented immigrants in  
40 the US interior; preventive enforcement based on the massing of Border Patrol  
41 officers and resources between ports of entry on the US–Mexico border was a  
42 relatively untested strategy. Indeed, in addition to policing neighborhoods and bus  
43 stops near the border for suspected undocumented migrants, the Border Patrol’s  
44 primary focus had been on inspecting vehicles and passengers during roving traffic

1 enforcement operations away from the border, as well as at fixed and temporary 1  
2 traffic checkpoints on key highways leading north from the US–Mexico border (this 2  
3 continues to be an important aspect of Border Patrol strategy, see Stuesse 2010a, 3  
4 Heyman 2010). The rationale for traffic enforcement-based border control was 4  
5 that there were far fewer miles of road to patrol than miles of border, and that the 5  
6 Border Patrol could concentrate its officers at strategic transportation chokepoints 6  
7 north of the border, which a majority of undocumented crossers would be forced 7  
8 to use in order to reach destinations in the US interior. 8

9 Other factors also encouraged the traffic enforcement approach to border 9  
10 control. For example, the Border Patrol had been awarded an exceptionally broad 10  
11 authority to stop cars and ask drivers as well as passengers about their legal 11  
12 status. This power was rooted in a series of Supreme Court rulings in the mid- 12  
13 1970s which significantly reinterpreted Fourth Amendment protections against 13  
14 unreasonable search and seizure for drivers and passengers throughout a so-called 14  
15 “border region” defined by the court as a 100-mile-deep swath of land adjacent to 15  
16 the US–Mexico border. In the landmark case *United States v. Brignoni-Ponce*, the 16  
17 court allowed Border Patrol officers to use “Mexican appearance” as a key factor 17  
18 in deciding whether or not to stop a vehicle and ask the driver as well as passengers 18  
19 about their legal status. The Border Patrol had been granted this authority on 19  
20 account of their claim that traffic enforcement north of the US–Mexico border was 20  
21 the lynchpin of US border control policy and that without race-based criteria for 21  
22 making traffic stops—on the basis of an apparent correlation between “looking 22  
23 Mexican” and legal status—US border control policy would effectively collapse. 23

24 The importance of the “prevention through deterrence” strategy is hard to 24  
25 underestimate. As Nevins has explored in detail in his research, the shift away 25  
26 from interior enforcement to border enforcement per se in the mid-1990s meant 26  
27 that the earlier site-specific border control experiments in San Diego and El Paso 27  
28 quickly morphed into officially sanctioned show-of-force operations in all major 28  
29 urban centers along the US–Mexico border. This entailed a huge increase in the 29  
30 annual US border control budget, which more than doubled during the 1990s 30  
31 (Dixon and Gelatt 2005). One important knock-on effect of this change in policy 31  
32 was a “balloon effect” in which undocumented migrants were forced away from 32  
33 urban areas into more rugged terrain (Madsen 2007, Cornelius 2001). Indeed, by 33  
34 the end of the 1990s undocumented immigrants crossing the US–Mexico border 34  
35 were far more likely to do so at remote locations away from more traditional urban 35  
36 crossing points, and moreover were far less likely to attempt repeat entries during 36  
37 their first 12 months in the US due to the hardships associated with crossing away 37  
38 from more built-up areas along the border (Fernández-Kelly and Massey 2007). 38  
39 Another predictable outcome of the new strategy was a significant increase in 39  
40 border deaths due to exhaustion and dehydration, which by some accounts tripled 40  
41 as a result of the new policy (Eschbach, Hagan, and Rodríguez 2003, Massey, 41  
42 Durand, and Malone 2002, Androff and Tavassoli 2012). 42

43 Despite the significant changes in border control policy brought about by 43  
44 the mid-1990s “prevention through deterrence” strategy, this period of border 44

1 militarization was arguably but an opening act for a more recent round of fence 1  
2 and wall construction at the US–Mexico border. Indeed, what happened during 2  
3 the 1990s at the US–Mexico border pales in comparison to the fence- and wall- 3  
4 building spree that happened at the border in the wake of the September 11 terrorist 4  
5 attacks, which, among other things, suggests that state borders as such are hardly 5  
6 relics of some bygone era (O’Dowd 2010, Anderson 2002). The Border Patrol has, 6  
7 since 2001, opted for a risk-based approach to border control in the US Southwest. 7  
8 This strategy has focused on human resources, and in particular on intelligence 8  
9 gathering as well as the mobile deployment of special operations teams to 9  
10 manage challenges at the border as they develop (see, for example, US Border 10  
11 Patrol 2012a, US Government Accountability Office 2012). The Border Patrol’s 11  
12 new risk-management approach in part reflects its now cautious endorsement of 12  
13 “prevention through deterrence.” For example, there is now compelling evidence 13  
14 that, on the whole, the primary impact of “prevention through deterrence” has 14  
15 been to increase the costs and dangers of undocumented entry rather than reduce 15  
16 undocumented entry as such (Massey et al. 2002, Cornelius 2001). Moreover, 16  
17 studies suggest that the strategy actually decreased the odds of being apprehended 17  
18 by the Border Patrol, as a result of the increased use of professional smugglers 18  
19 as well as the remoteness of passable parts of the border for both undocumented 19  
20 migrants and Border Patrol officers (Massey and Singer 1995, Massey 2005, 20  
21 Spener 2009). Nonetheless, the focus on preventive infrastructure started as a 21  
22 result of the 1994 strategy, initially part of the glossy-format packaging of Border 22  
23 Patrol strategy in the US Southwest (see, for example, Andreas 1998), is perhaps 23  
24 more now than ever central to overall Border Patrol strategy. 24

25 Since 2005 and the launch of the so-called “Secure Border Initiative” (SBI) 25  
26 in the US Southwest, tactical infrastructure appropriations for fence- and wall- 26  
27 building have reached historic highs (Rosenblum 2013: 15–16). As a result, 27  
28 since 2005 the number of miles of pedestrian fences and vehicle barricades at 28  
29 the US–Mexico border has more than quadrupled and tripled respectively (US 29  
30 Government Accountability Office 2009, US General Accountability Office 2010). 30  
31 Some version of a border wall or fence—from simple vehicle barriers and the 31  
32 traditional “landing mat” fencing to comprehensive bollard-style walls and triple 32  
33 layer Sandia-style fences (for an inventory, see Madsen 2011)—is now virtually 33  
34 continuous across California, Arizona, and New Mexico, where the bulk of the 34  
35 now nearly 700 miles of fencing and barriers has been installed. In other words, 35  
36 whereas “prevention through deterrence” was mostly an urban practice during 36  
37 the 1990s, it now has a much broader geographical reach. It is also important to 37  
38 note that the ranks of the Border Patrol have grown massively since 2006 in order 38  
39 to deal with unfenced and unwallled sections of the border. For example, Border 39  
40 Patrol staffing in the US Southwest has roughly doubled since 2005, with the 40  
41 large majority of this increase targeted for the Texas-Mexico border where border 41  
42 fencing is not widely used (18,500 of 21,100 agents are assigned to the nine US 42  
43 Southwest Border Patrol sectors, as of 2012; 7,700 of 14,700 agents stationed in 43  
44 the US Southwest are based in Texas; see US Border Patrol 2012b). 44

1 The newest component of “prevention through deterrence” at the US–Mexico 1  
2 border is a practice that a recent comprehensive review of US Border Patrol 2  
3 strategy refers to as “consequences enforcement” (Meissner et al. 2012: 31–33). 3  
4 The goal of this new program is to reduce future undocumented entry by increasing 4  
5 the financial, psychological, and legal costs as well as social hardships associated 5  
6 with apprehension by the Border Patrol in the US–Mexico border zone. The key 6  
7 components of the new “consequences enforcement” approach include: the criminal 7  
8 prosecution of repeat undocumented entrants as felony offenders in the federal 8  
9 court system (Slack et al. 2013); mandatory detention for non-Mexicans caught 9  
10 at the border while they wait for a first immigration hearing; the expanded use of 10  
11 expedited removal (which allows for the extra-judicial removal of undocumented 11  
12 migrants caught within 100 miles of the border) (Coleman 2012a); increased 12  
13 use of repatriation flights to Mexico; and among other aspects, so-called “alien 13  
14 transfer” for first-time entrants (which allows undocumented Mexican nationals 14  
15 to be deported through border ports of entry far removed from where they were 15  
16 apprehended) (De León 2013). The major shift here is away from the practice 16  
17 of so-called “voluntary return”—whereby those caught by the Border Patrol in 17  
18 the US–Mexico border region are allowed to return to their countries of origin, 18  
19 usually Mexico, without legal or other consequences if they waive their right to 19  
20 appear before an immigration judge. In place of “voluntary return,” which is now 20  
21 increasingly limited to humanitarian cases and/or for unaccompanied minors, 21  
22 the new “consequences enforcement” model makes expanded use of detention 22  
23 and typically enforces the maximum discretionary legal penalties associated with 23  
24 undocumented entry. “Voluntary return” cases have all but disappeared over the 24  
25 past decade, from 77 percent of all border region enforcement cases in 2005 to 14 25  
26 percent in 2012. Similarly, the percentage of border region enforcement cases 26  
27 involving formal criminal charges, formal deportation, as well as lateral or remote 27  
28 repatriation jumped from 23 percent of all cases in 2005 to 86 percent of all cases 28  
29 in 2012 (Rosenblum 2013: 6–10). 29

30 US immigration control strategy is still very much about the practice 30  
31 of border control at the US–Mexico border, an important reminder that the 31  
32 regulation of migrant mobility is an enduring component of states’ geopolitical- 32  
33 territorial authority. Yet, we should not assume a simple identity between border 33  
34 enforcement and immigration enforcement in the US case. Indeed, a geopolitical- 34  
35 territorial focus on the border and the problem of border control cannot come at 35  
36 the expense of an analysis of what we see as perhaps the most important trend 36  
37 in US immigration strategy since 2001: the implosion of immigration policing 37  
38 into the US interior as well as its dispersal across an uneven patchwork of state 38  
39 and local law enforcement agencies (LEAs) (Coleman 2007b, Coleman 2007a, 39  
40 Coleman 2009, Chavez and Provine 2009, Gilbert 2009, Golash-Boza 2013, 40  
41 Heyman 2010, Hiemstra 2010, Manges Douglas and Sáenz 2013, Nuñez and 41  
42 Heyman 2007, Varsanyi 2008a, Varsanyi 2008b, Wells 2004, Stuesse 2010b, 42  
43 Walker and Leitner 2011). This development mirrors a similar de-bordering (or 43  
44 re-bordering) of immigration enforcement in the European context (e.g. Bigo and 44

1 Guild 2005, Castañeda 2010), and in general demonstrates that everyday spaces 1  
2 away from state borders are increasingly important sites of immigrant surveillance 2  
3 and regulation immigration authorities. 3

4 There is not the space to go into great detail about these developments, so 4  
5 instead we offer a quick bird's eye view of this process over the past two decades 5  
6 or so. The growth of US immigration enforcement in formally non-border spaces 6  
7 can be traced to federal laws passed in the 1990s, co-terminus with the growth 7  
8 in prison-building in the US, which restructured civil immigration penalties for 8  
9 convicted non-citizens. By the end of the 1990s lawmakers mandated detention and 9  
10 deportation for a range of non-citizen felony, misdemeanor, and minor infraction 10  
11 offenders newly defined in immigration statute in the aggregate as "aggravated 11  
12 felons." The result was a significant growth in the number of non-citizen 12  
13 administrative detainees and a spike in deportations in the late 1990s. However, 13  
14 much more important for the expansion of interior immigration enforcement 14  
15 has been the post-2001 devolution of immigration authority to non-federal law 15  
16 enforcement agencies. Prior to 2001, even if localities enforced the criminal 16  
17 provisions of the Immigration and Nationality Act (INA) (i.e. crimes triggering 17  
18 deportation by federal authorities), the civil aspects of the INA (i.e. relating to 18  
19 immigration status) were deemed off-limits to non-federal authorities (Seghetti, 19  
20 Viña, and Ester 2006). This is no longer the case. For example, a range of programs 20  
21 now allow non-federal officers to act as proxy immigration enforcement agents in 21  
22 the interior on behalf of federal immigration authorities. The two most important 22  
23 are the 287(g) and the Secure Communities programs. Although hard detention 23  
24 and deportation data on these programs is difficult to nail down, the data that is 24  
25 available suggests that since 2002, but for the most part since 2006, millions of 25  
26 individuals have been identified as deportable under these programs and that, of 26  
27 this total, several hundred-thousand individuals, at a minimum, have been formally 27  
28 deported (Immigration and Customs Enforcement 2013b, Rosenblum 2012, 28  
29 Immigration and Customs Enforcement 2013a). The 287(g) authority, available 29  
30 in theory since 1996 but implemented only as of 2002, allows state and local 30  
31 police to investigate immigration cases and make immigration arrests on behalf 31  
32 of federal authorities. Since 2002, 287(g) has taken two basic forms: roving 32  
33 operations in which police ask for immigration status during the course of 33  
34 routine patrolling or, more commonly, an interview procedure for suspected 34  
35 undocumented immigrants booked into state and/or local jails as a result of routine 35  
36 police work. The Secure Communities program is a variation on this second form 36  
37 of 287(g) policing in that it allows non-federal police to run a biometric status 37  
38 check on suspected undocumented immigrants booked into custody. 38

39 There are some important differences between the 287(g) and Secure 39  
40 Communities programs. The biggest operational difference is that the Secure 40  
41 Communities program does not ensure that identified undocumented individuals 41  
42 will be deported; the 287(g) program, in contrast, more or less guarantees a closed 42  
43 custody chain between local and/or state police and federal officials. Another 43  
44 important difference is coverage. For example, the 287(g) program is currently 44

1 operative in just 36 jurisdictions, which represents approximately a 50 percent 1  
2 reduction from the program's high point several years ago (Coleman 2009). In 2  
3 contrast, the Secure Communities program is now operational in each of the 3,144 3  
4 counties in the US, mostly via sheriff's offices. But despite these differences there 4  
5 are some important consistencies between the two programs. We will emphasize 5  
6 three. First, what is important about both the 287(g) and Secure Communities 6  
7 programs is that they allow local authorities to hold an individual so that even 7  
8 when local charges run their course the individual in question is not released. 8  
9 Indeed, an important operational characteristic shared by 287(g) and Secure 9  
10 Communities is that they allow individuals to be held by the state continuously, in 10  
11 relation to first, criminal charges, and second, civil immigration charges, in a way 11  
12 that was literally unheard of 10 years ago. 12

13 A second important characteristic that links the two programs is their focus 13  
14 on non-criminal arrests. This is apparently contradictory in the sense that both 14  
15 programs now require some form of criminal suspicion and arrest on local or 15  
16 state charges, i.e. not on immigration grounds alone, before an immigration 16  
17 investigation can be started. However, being booked into custody by local and/ 17  
18 or state police with either 287(g) or Secure Communities authority should not be 18  
19 confused with conviction or criminality *per se*. For example, since 2006 regularly 19  
20 more than 50 percent of the deportee population arrested under the 287(g) program 20  
21 has not had any criminal charges pending when they were deported. Moreover, 21  
22 if we were to include other lesser offenses such as public order crimes, illegal 22  
23 entry, false citizenship claims, non-payment of alimony, resisting arrest, driving 23  
24 without a license, and such, we would see that those charged with serious crimes 24  
25 rarely exceeds 35 percent of the 287(g) program's total deportee population 25  
26 (Rosenblum 2012: 32). This trend holds also for Secure Communities, although 26  
27 given its nationwide operability far more individuals are affected. For example, 27  
28 cumulative data for 2008 through 2012 shows that less than 50 percent of the 28  
29 individuals deported under Secure Communities can be characterized as 29  
30 serious offenders. Moreover, nationwide nearly 25 percent of the program's 30  
31 deportees are removed under non-criminal grounds (Immigration and Customs 31  
32 Enforcement 2013b). 32

33 Third, and for us by far most important, 287(g) and Secure Communities 33  
34 partners regularly use traffic violations and traffic enforcement to stop individuals 34  
35 and ask about their status (Coleman 2012b). This represents a return, but in a much 35  
36 more spatially extensive way, to the Border Patrol's traffic-based enforcement 36  
37 in the US-Mexico border region prior to the "prevention through deterrence" 37  
38 policy, as discussed above. Indeed, it is while undocumented immigrants are on 38  
39 the move, between non-work spaces (shops, churches, homes, child care centers, 39  
40 recreational facilities, etc.) and worksites, that programs like 287(g) and Secure 40  
41 Communities make their largest impact (Stuesse and Coleman forthcoming, 41  
42 Coleman and Kocher 2011). Accordingly, we characterize the focus on immigrant 42  
43 "automobility" under both 287(g) and Secure Communities enforcement as an 43  
44 "entrapment" strategy (Nuñez and Heyman 2007, Ortiz 2000, Stuesse 2010a) 44

1 focused on immigrant social reproduction, and with class/race stratification 1  
2 as an outcome. By entrapment we mean that traffic enforcement is saturated in 2  
3 immigrant neighborhoods over long periods of time, deployed on feeder roads 3  
4 connecting significant immigrant communities to larger cross-town arteries during 4  
5 commuting hours, and is more concerned with alienage than motoring infractions. 5  
6 As a result, simple social reproduction—the unpaid work required to literally 6  
7 stay alive, which in most US cities today is intimately dependent on automobile 7  
8 use—is recast as an increasingly risky set of practices, with detention and 8  
9 deportation by local and/or state proxies an ever-present possibility. Gilbert refers 9  
10 to this sort of re-bordering away from state borders per se, we think productively, 10  
11 as a strategy of “incapacitation” (Gilbert 2009, see also Coutin 2010b on the 11  
12 increasing “inviability” of immigrant life in the US); De Genova refers to this 12  
13 problem slightly differently as the everyday grind of deportability for resident 13  
14 undocumented communities (De Genova 2002). 14

15 Our overall point in this overview is that contemporary US immigration control 15  
16 is constituted through two important sets of practices. On the one hand, since 16  
17 the mid-1990s, border control in a topographical sense has become an important 17  
18 part of overall US immigration control strategy, with the US–Mexico border a 18  
19 particular point of focus. It should be stressed that this is a recent development, 19  
20 which is indeed part of a global trend towards hardened geopolitical territories 20  
21 since the end of the Cold War (Jones 2012). On the other hand, in the wake of 21  
22 the militarization of the US–Mexico border, brought about by the “prevention 22  
23 through deterrence” doctrine, US immigration control has also become a much 23  
24 more general topological, or unlocatable, problem focused on everyday immigrant 24  
25 life in the US interior. As we hinted at briefly above, this is suggestive of earlier 25  
26 policing tactics by the Border Patrol in the US–Mexico border zone, but taking 26  
27 place at an unprecedented scale. However, there is far more to this than simply 27  
28 two discrete undercurrents to US immigration control. Indeed, we propose that 28  
29 the geopolitical and biopolitical, or topographical and topological, aspects of US 29  
30 immigration control together constitute a condition that might be best referred to 30  
31 as “borders behind a border” (Leerkes, Leach, and Bachmeier 2012). For example, 31  
32 the geopolitical fortification of the US–Mexico border has a generally “hard” 32  
33 carceral function: in making the border much more dangerous, the “prevention 33  
34 through deterrence” strategy has effectively turned the US into a “zone of 34  
35 confinement” (Coutin 2010a) which is both difficult to enter and exit (if re-entry is 35  
36 intended). It is within this generally geopolitical or territorial mode of immigration 36  
37 control qua confinement that we think the more recent turn to interior enforcement 37  
38 is best theorized. Here we think the appropriate analogy is to the relationship 38  
39 between border control and legalization during the early 1980s, as we explored 39  
40 briefly in our introduction, in which amnesty was understood as dependent on 40  
41 border enforcement. But today this relationship is turned inside out and upside 41  
42 down in the sense that the very immigrant enclave communities that laws like 42  
43 IRCA sought to regularize are now being created by the confluence of border 43  
44 and interior enforcement working together. Indeed, we see the relatively new turn 44

1 to interior enforcement, as benchmarked by programs like 287(g) and Secure 1  
 2 Communities, as promoting irregularization. The 287(g) and Secure Communities 2  
 3 programs encourage the growth of what was referred to during the lead-up to 3  
 4 IRCA as “shadow populations”—that is undocumented communities cut 4  
 5 off in social reproduction terms from the rest of the US, and as such largely 5  
 6 invisibilized, even as they remain confined in the US as a crucial constituent of the 6  
 7 contemporary American workforce. In this sense, we see the growth of “shadow 7  
 8 populations” largely as an instance of immigrant social control, rather than, for 8  
 9 example, a concerted attempt to reach down into the social ganglia of the US 9  
 10 population and deport all undocumented migrants—and then keep them out via 10  
 11 fortified geopolitical borders. Much has been made of the apparent US strategy 11  
 12 to deport 100 percent of the resident undocumented immigrant population (see, 12  
 13 for example, the so-called “Endgame” strategy sketched out in Department of 13  
 14 Homeland Security 2010), but for us this is a rhetorical flourish. 14

15 What we understand is transpiring today at the crossroads of geopolitical and 15  
 16 biopolitical immigration control is the production of a “softer” form of social, 16  
 17 economic, and political deportation within the US interior—at least in relation 17  
 18 to the “hard” cement and steel of the US–Mexico border. We are not saying that 18  
 19 deportation no longer takes the classic form of territorial banishment, but that 19  
 20 interior enforcement in the main works by using the looming threat of territorial 20  
 21 banishment as a result of traffic enforcement and other social reproduction-specific 21  
 22 policing, in conjunction with the specter of lethal geopolitical infrastructures like 22  
 23 the US–Mexico border, to regulate the ways in which resident undocumented 23  
 24 immigrant communities learn to socially reproduce as well as work. Insofar as the 24  
 25 result is a form of deportation within which targets immigrant social reproduction, 25  
 26 this is a paradoxical mode of deportation without the usual emphasis on physical 26  
 27 territorial removal. In sum, the geopolitical and biopolitical designs at the heart 27  
 28 of US immigration control come together to produce a sort of exteriorized inside 28  
 29 rather than a simply exteriorized outside. 29

30  
 31

32 **Conclusion: Borders are Not Everywhere** 32  
 33 33

34 In this chapter, we have argued that topography and topology, as well as geopolitics 34  
 35 and biopolitics, should not be read as opposed and antithetical “rule sets” for 35  
 36 modeling how borders work, and why. We have explored this question theoretically, 36  
 37 with reference to the split between topographical and topological research on 37  
 38 borders, but also empirically in terms of the US–Mexico case study, which shows 38  
 39 that US immigration control leans heavily on both geopolitical and biopolitical, 39  
 40 or topographical and topological, borders. Moreover, the increased reliance on 40  
 41 enforcement of topological borders in the current era depends crucially upon the 41  
 42 continued enforcement and escalating militarization of the topographical border. 42  
 43 In a phrase, US immigration control since at least IRCA has policed both borders 43  
 44 and bodies, operating interdependently in the US–Mexico borderlands and beyond. 44

1 We want to conclude by cautioning against what we see as a now relatively 1  
2 common refrain in the humanities and social sciences literature on borders and 2  
3 border control: that borders are, now, everywhere. This refrain is obviously more 3  
4 germane to the topological approach to borders studies. Balibar, for example, notes 4  
5 provocatively that borders “are being thinned out and doubled, becoming border 5  
6 zones, regions, or countries where one can reside and live” (Balibar 2002: 92). 6  
7 Balibar suggests, usefully, that the “quantitative relation between border and 7  
8 territory is being inverted” (Balibar 2002: 92). To be clear, our reading is not that 8  
9 Balibar substitutes the topological for the topographic, or the biopolitical for the 9  
10 geopolitical. Rather, his point is to explore borders not as perimetrical limit points 10  
11 but also as spaces of (policed) residence. In terms of immigration control, this 11  
12 suggests very usefully that border patrol is a police of “things” and “people” as much 12  
13 as it might be a police of “edges.” This is indeed why we use the phrase immigrant 13  
14 policing rather than immigration enforcement in our research—in order to signal 14  
15 that in addition to border control in a narrow topographical sense, immigration 15  
16 control is also about policing what immigrants do (in the interior), and how. But 16  
17 Balibar’s provocation nonetheless risks becoming a simple “rule set” about how 17  
18 to see and understand borders—and indeed we have seen multiple instances of the 18  
19 “borders are everywhere” trope used as a somehow commonsensical shorthand to 19  
20 talk about borders generally at our national conferences. 20

21 The challenge here is twofold. First, we see in the “borders are everywhere” 21  
22 approach a tendency, no doubt unintended, to forget about the now hyper- 22  
23 militarization of state territorial borders. For example, we note that the topographical 23  
24 and topological approaches to borders are too often explained calendrically, as if 24  
25 the era of border militarization was an immediate post-Cold War phenomenon and 25  
26 that now we are on to something new. The big problem here is that a border such as 26  
27 the militarized interface between the US and Mexico cannot simply be folded into 27  
28 a general “borders are everywhere” narrative (here we are inspired by the work of 28  
29 Anzaldúa 1987, Lugo 2000, and Rosaldo 1989, among others). That border is very 29  
30 much not everywhere in the sense that it is exceptionally locationally robust and, 30  
31 we would add, lethal in its territorial rootedness. Indeed, this border is entirely 31  
32 unlike interior borders—such as traffic checkpoints in immigrant neighborhoods 32  
33 by sheriffs enrolled in the Secure Communities program—in the sense that it is a 33  
34 permanent feature of the landscape whose primary goal is to blockade and control 34  
35 entry, in a classical, geopolitical-territorial or topographical sense. To insist that 35  
36 this border be seen as one among other kinds of borders, to us, underplays what it 36  
37 means to cross this international boundary. Second, any generalized claim about 37  
38 interior borders being “everywhere” is fundamentally incorrect. If the US–Mexico 38  
39 border is resolutely somewhere, interior borders are, as Mezzadra and Neilson 39  
40 note in their work, both temporally and spatially intermittent; their overall 40  
41 goal is to modulate in fits and starts rather than to permanently scrutinize. This 41  
42 means that interior borders are sometimes not in play; they are not everywhere, 42  
43 but sometimes everywhere. This is not to suggest that interior borders are 43  
44 somehow less meaningful than geopolitical-territorial borders. Indeed, we see the 44

1 intermittent and patchwork-like quality of interior borders as posing very serious 1  
 2 challenges to resident undocumented immigrant communities in the sense that 2  
 3 they can loom over social reproduction practices and spaces, and in this way can, 3  
 4 as above, be described as social control governance. We also want to stress that 4  
 5 interior borders, in their fitfulness, are far from totalizing; the capture performed 5  
 6 by interior borders, and the constant social reproduction threat they pose, is far 6  
 7 from complete. In particular, there are ample opportunities for creative acts by 7  
 8 immigrant communities in the face of these borders (Nelson and Hiemstra 2008, 8  
 9 Cravey 2003, Ridgley 2008, Lewis et al. 2013, Marrow 2009, Stuesse and 9  
 10 Coleman (forthcoming), Stuesse (in progress), Stuesse, Grant-Thomas, and Staats 10  
 11 (under review)), and we would add that the local and state apparatus which directs 11  
 12 these borders is far from a coherent machinery (see, more broadly, Soguk 2007, 12  
 13 Campbell and Heyman 2007). 13

14

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SECTION II  
Border Work by Non-State  
Actors Near the Border

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## Chapter 4

# Locating the Border in Boundary Bay: Non-Point Pollution, Contaminated Shellfish, and Transboundary Governance

Emma S. Norman

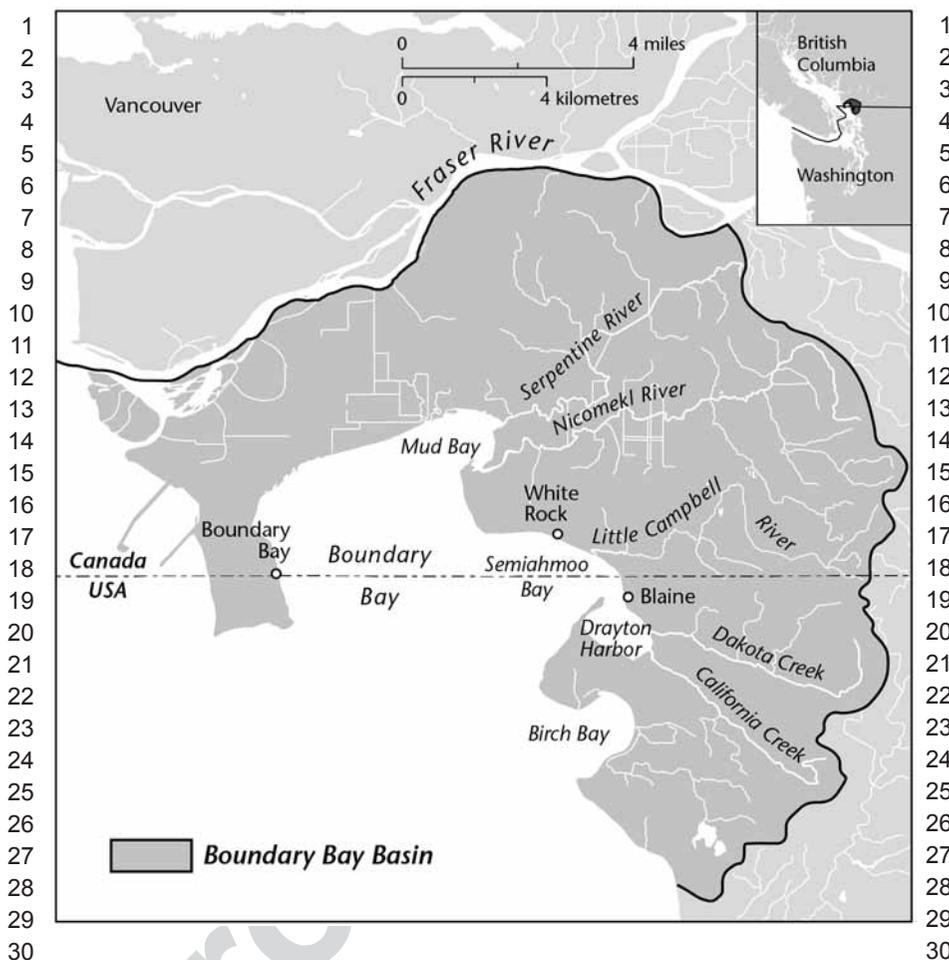
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### 14 Introduction

16 Locating the border in everyday life is, perhaps, slightly easier if you are perched 16  
17 on its edge. The people that live around the waters of Boundary Bay—an inlet of 17  
18 the Strait of Georgia between British Columbia and Washington—are reminded 18  
19 daily of the tensions between the “borderlessness” of nature (particularly water) 19  
20 and the processes and acts of “bordering.” Looking out from its shores, the 20  
21 beautiful waters of Boundary Bay may appear indistinct from other bays in North 21  
22 America. However, the difference becomes clear when those living along the Bay 22  
23 try to visit with the neighbors on the opposite side. Travelling the short distance 23  
24 requires a commitment in time and resources to cross from one sovereign state, 24  
25 Canada, into another, the United States. The uncertainty of long borderlines and 25  
26 the increased police scrutiny at the checkpoints makes the once easy jaunt across 26  
27 the border increasingly difficult—particularly post-9/11. 27

28 In this chapter, I explore how one group attempts to transcend the divisions of 28  
29 the international border through ongoing collaboration. The Shared Waters Alliance 29  
30 (SWA) is a transboundary, multi-stakeholder group that was organized to reduce 30  
31 pollution inputs in Boundary Bay (see Figure 4.1 for a map and Table 4.1 for a list 31  
32 of participants). The analysis of this regional, yet transboundary, environmental 32  
33 organization grapples with questions regarding scale, borders, and governance. 33  
34 Similar to other chapters in this volume, the narrative complicates the connection 34  
35 between borders and the sovereign state. 35

36 The analysis provides the opportunity to continue the engagement with 36  
37 Balibar’s concept of the “everyday border” (2004). In this chapter, I engage with 37  
38 this theme by querying how actors are able to “locate the border in everyday life.” 38  
39 In the Boundary Bay context, I examine the extent to which local actors are able 39  
40 to participate actively, engage, and affect the governance of transboundary waters. 40  
41 The case of Boundary Bay is an important contribution to this volume because 41  
42 it explores how a connected ecosystem can be politically fragmented and the 42  
43 consequences of that fragmentation in terms of water quality and environmental 43  
44 governance. In addition, the case highlights how citizen actors are able to align 44



**Figure 4.1** Map of Boundary Bay Basin, British Columbia (Canada) and Washington (United States)

*Source:* Original map. Cartography by Eric Leinberger, University of British Columbia.

themselves through place (the Bay), rather than through stratified jurisdictions to meet shared goals.

Drawing on empirical evidence from interviews and participant observation,<sup>1</sup> I analyze how the members of the Shared Waters Alliance mobilize to govern water across the international border. To aid in this analysis, I explore the specific

<sup>1</sup> This is part of a wider project that looked at changing transboundary water governance patterns along the Canada–US border. Overall, 75 interviews were conducted between 2006 and 2009. Approximately 10 of those were affiliated with Boundary Bay.

1 techniques that the SWA employs to govern transboundary water. I also show 1  
 2 how the SWA's environmental education campaigns utilize both a nature–society 2  
 3 approach and a cultural, economic approach to promote their cause. Analyzing 3  
 4 these specific techniques helps to engage in concepts of social construction of 4  
 5 borders and borderland identities. Thereby, I explore how the SWA constructs a 5  
 6 discourse of “borderless” or “boundless” nature in terms of “nature” and “resource 6  
 7 use,” while experiencing a very “bordered” environment, organizationally. 7

8

9

## 10 **Background**

11

12 In the Northwestern continental United States and Southwestern Canada lies a 12  
 13 small body of water, aptly named Boundary Bay. Historically, Boundary Bay was 13  
 14 one of the most productive shellfish harvesting locations on the Pacific coast. 14  
 15 Indigenous communities relied successfully on these waters for centuries as 15  
 16 primary sources of food. Between 1920 and 1950, the bay provided upwards of 50 16  
 17 percent of annual commercial oyster harvesting in British Columbia in the early 17  
 18 years of commercial harvesting (MacKenzie 1996). However, degraded upland 18  
 19 environments, bacterial contamination, and excess fecal coliform prompted 19  
 20 governmental officials to close the area for harvesting in 1962.<sup>2</sup> In Washington, the 20  
 21 bay only recently opened for restricted use; it remains closed in British Columbia. 21

22 Political fragmentation and the divided managing authorities for the Bay made 22  
 23 identifying the source of the contamination challenging. Initially, the closures of 23  
 24 the shellfish beds led to finger pointing across the border; the dirty water was 24  
 25 assumed to be the *other* country's responsibility. Americans blamed the Canadians 25  
 26 and the Canadians blamed the Americans for the polluted waters. When asked 26  
 27 about the accountability of the pollution, David, a Canadian stakeholder involved 27  
 28 in the environmental stewardship of Boundary Bay reflected in an interview: 28

29

30 At the beginning, for example, Canadians really believed that the sewage system 30  
 31 on the US side was *soooo* bad that it had to be coming over to the Canadian side. 31

32 And the Americans—I mean it was just kitchen talk on the US side—well the 32  
 33 Canadians are so polluted and the Little Campbell is so polluted, it's got to be 33  
 34 impacting what is happening. 34

35

36 Water quality studies indicated, however, that the primary sources of the 36  
 37 contamination were from sources on both sides of the border and included: 37  
 38 increased population pressures, agricultural runoff, increased urbanization and a 38  
 39 faulty sewage system in Blaine, Washington (Cheung 2003, Hay and Co 2003). In 39  
 40 addition, a survey of outfalls along the Bay (Cheung 2003) indicated that the Little 40

41

42 <sup>2</sup> Fecal coliform bacteria is found in the digestive tracts of warm-blooded animals 42  
 43 and is used as an indicator of pathogens such as the virus hepatitis and the bacteria *E. coli*. 43  
 44 If ingested, it could be a potentially serious human health risk (Picot et al. 2011). 44



1 The SWA is a multi-stakeholder organization working towards the general health 1  
 2 of the Boundary Bay ecosystem. Representatives include state and non-state actors 2  
 3 from both Canada and the US (including federal,<sup>5</sup> provincial, state, and municipal 3  
 4 employees as well as local, NGO, public, and private stakeholders). As a provincial 4  
 5 employee and member of the SWA commented in an interview, “The experiences 5  
 6 of the SWA reflect how a multi-jurisdictional watershed with numerous non-point 6  
 7 sources of pollution can be managed through a coordinated effort among different 7  
 8 stakeholders.” The SWA (2007) describe their primary goal as: 8

9  
 10 To meet shellfish harvesting standards through working with other jurisdictions, 10  
 11 whether dealing with water quality, education or changes in practice initiatives. 11

12  
 13 To meet this goal, they outline the following objectives: 13

- 14  
 15 1. To characterize and identify key sources of contamination to Boundary 15  
 16 Bay; and 16  
 17 2. To undertake outreach and pollution prevention projects which reduce 17  
 18 contamination levels in tributaries and the Bay itself. 18

19  
 20 One of the initial contributions of the group is the facilitation of the *Boundary* 20  
 21 *Bay Circulation Study*, which helped identify the point sources of pollution for 21  
 22 the marine system. The study suggested that the greatest benefit to increasing 22  
 23 the water quality would be to reduce fecal coliform levels in the Little Campbell 23  
 24 River, which feeds into Semiahmoo Bay, and Dakota Creek, which feeds into 24  
 25 Drayton Harbor.<sup>6</sup> 25

26 Participating members of the SWA are all volunteers—there are no paid staff 26  
 27 members or central office. Rather, the members try to streamline their workload 27  
 28 to participate in this project and coordinate grants to run specific projects (such as 28  
 29 the creation of the *Boundary Bay Circulation Study* and the *Boundary Bay Habitat* 29  
 30 *Atlas*) and in-kind contributions (such as alliance members’ time and use of 30  
 31 meeting rooms). The majority of the active participants of the SWA live within the 31  
 32 Boundary Bay basin or—to a lesser degree—in the nearby metropolitan areas of 32  
 33 Vancouver and Seattle. The group holds bimonthly meetings designed to encourage 33  
 34 information exchange and coordination of stewardship and educational activities. 34

35 The creation of the SWA occurred at a time where the political climate has 35  
 36 been amenable to the creation of regional, subnational transboundary groups. The 36  
 37 development was part of a wider shift related to shifting patterns of water governance 37  
 38 along the Canada–US border (see Norman and Bakker 2009). In the Pacific 38  
 39 Coast context, the signing of the British Columbia–Washington Environmental 39  
 40 Cooperation Agreement in 1992, and later the formation of the Puget Sound 40

41

42 5 At the regional level (i.e. Seattle-based and Vancouver-based agencies). 42

43 6 See Shared Waters Alliance website for more details of the organization: 43  
 44 <http://www.sharedwaters.net/>. 44

1 Action Team in 1996 and the Georgia Basin Ecosystem Initiative in 1998, provided 1  
 2 the political momentum for the development of a group such as the SWA. The 2  
 3 founding members, in effect, were riding a wave of interest (and subsequent 3  
 4 funding) in regional, transboundary governance. This approach departs from the 4  
 5 government–government approach found in organizations such as the International 5  
 6 Joint Commission (IJC) and represents a wider trend in environmental governance 6  
 7 where multi-jurisdictional actors, at a subnational scale, are increasingly engaged 7  
 8 in transboundary governance activities (Norman et al. 2013). 8

9  
 10

### 11 **Shared Waters Alliance and the “Local Trap”** 11

12 12

13 The increase of local, non-governmental actors in transboundary water issues 13  
 14 reflects a broad shift from “government” to “governance” of natural resources 14  
 15 (Rhodes 1996; Herod et al. 1998; Swyngedouw 2000a, 2000b; Gibbs et al. 2001; 15  
 16 Jessop 2003, 2004). This change in governance patterns applies to a wide range 16  
 17 of water issues, from the protection of marine habitat to equitable access to and 17  
 18 distribution of water. For the latter, international organizations such the World 18  
 19 Water Council (WWC) consider local authorities as critical to the fulfilment 19  
 20 of community water needs through the provision of water services and access 20  
 21 to water and sanitation. However, limited institutional capacity and few 21  
 22 federal–local partnerships continue to impede the impact of local governance 22  
 23 activities (WWC 2007). Some proponents of governance deploy the concept to 23  
 24 assert the importance and/or necessity of involving actors at local scales. Others 24  
 25 express doubt about the concept’s usefulness, for example querying the conceptual 25  
 26 limits to scalar concepts (such as “the local scale”) as a means of inquiry into 26  
 27 governance issues (Marston 2000; Brenner 2001; Marston et al. 2005; Jonas 2006; 27  
 28 Norman, Bakker, and Cook 2013). 28

29 Some scholars, however, have challenged the uncritical acceptance of the 29  
 30 rhetoric of the local in environmental policy (Evans 2004). This fits with Brown and 30  
 31 Purcell’s (2005) description of the “local trap,” which assumes that organization, 31  
 32 policies, and action at the local scale are inherently more likely to have desired 32  
 33 social and ecological effects than activities organized at other scales.<sup>7</sup> This raises 33  
 34 the risk of treating the involvement of local actors in water management in a 34  
 35 relatively uncritical fashion, particularly with respect to assumptions of equitable 35  
 36 and meaningful participation, significant influence over decision-making, and 36  
 37 accountability or capacity (Van Rooy 1997, 2004, Taylor 2004). 37

38 The SWA case provides insight into the role of local actors in regional, 38  
 39 transboundary water governance. Specifically, the case explores the role of local 39  
 40 actors as either “active participants” and “agents of change,” as scholars such 40

41 41

42 <sup>7</sup> This concept, although originally applied to political ecology, is transferable to the 42  
 43 work within environmental governance, as both have limited engagement with politics of 43  
 44 scale literature. 44

1 as Ostrom (1990) suggest, or as political pawns used for political cachet, which 1  
2 scholars such as Cochrane (1986) suggest. 2

3 Within this context, I discuss techniques employed by the SWA to govern 3  
4 transboundary water. Specifically, I analyze their governance structure and their 4  
5 environmental education programs. 5

6 6

7 7

### 8 **Bordered Spaces and Asymmetrical Governance** 8

9 9

10 On the surface, the SWA looks like a truly balanced binational committee. However, 10  
11 after closer investigation, it becomes apparent that the physical make-up of the 11  
12 committee remains decidedly asymmetrical (and “bounded” by state). For example, 12  
13 although the group’s mandate is binational, the meetings are primarily held in 13  
14 British Columbia (mostly Surrey), leading to significantly more participants from 14  
15 Canada than from the US. The official roster has an equal number of participants 15  
16 listed; however, in a sampling of the past six meetings only one member from the 16  
17 US attended (with an average participation rate of 12 people). Not surprisingly, 17  
18 when the meetings are held in the US, the number of US participants increases. In 18  
19 order to help mitigate this asymmetry, the group leaders recently agreed to meet 19  
20 *at* the border. Although the change in venue provided a neutral setting, minimized 20  
21 the amount of travel for the US participants, and eliminated the need to cross 21  
22 through customs, the asymmetry continued: only one US participant attended. 22  
23 This asymmetrical participation of actors exemplifies wider trends reported by 23  
24 transboundary governance actors, where inconvenient meeting venues created a 24  
25 barrier to fluid borders and a limiting factor for civic engagement. 25

26 Furthermore, internal boundaries within the committee contributed to divisive 26  
27 politics. Although the discourse describing the ecosystem omits the political 27  
28 borders, national divides remain pronounced in the imagination of the actors. 28  
29 When discussion turns to governing the shared ecosystem, national biases and “us 29  
30 and them” terms often prevail, particularly as the SWA committee attempted to find 30  
31 the cause of the pollution in Boundary Bay. Before the circulation study, which 31  
32 generally showed how (and where) the pollution was distributed, participants 32  
33 consistently looked to one another to blame. However, after the study found a 33  
34 relatively even distribution of pollution, the national biases were slightly tempered 34  
35 and the groups could focus their energy on working collaboratively. For example, 35  
36 the group worked on creating a *Boundary Waters Atlas*, coordinated an annual 36  
37 waterway cleanup, and worked to influence decision-makers to support projects 37  
38 that focus on improving water quality of the Bay. 38

39 The reification of borders also occurred beyond the nation-state level. Members 39  
40 made clear distinctions between members of the SWA. These internal boundaries 40  
41 served to position people within the governance process. The most pronounced 41  
42 included governmental and non-governmental; however, other boundaries were 42  
43 also present, including indigenous–non-indigenous and federal–local. The 43  
44 collaborative process in some ways attempts to create an even playing field for the 44

1 actors. However, this process shows that erasing the distinctions between groups of 1  
 2 people is difficult (if not impossible) even in these binational, multi-jurisdictional 2  
 3 fora, which strive to create neutral spaces for negotiation and collaboration. 3

4 In the section below, I illustrate how the SWA attempts to imagine (and enact) 4  
 5 a region based on hydrological rather than political borders. Matthew Sparke's 5  
 6 conceptualization of Cascadia helps with this comparison. 6

7  
 8 *Social Construction of Landscape: Cascadia, the Salish Sea, and the SWA* 8  
 9 9

10 This faltering construction of a borderless bioregion is reminiscent of the Cascadia 10  
 11 project, often employed by environmental movements as a symbol for nature- 11  
 12 based politics. Sparke (2002b: 12) defines Cascadia as: 12

13  
 14 [A] concept cross-border region, an idealized transnational space on the Pacific 14  
 15 coast of North America, bridging the 49th parallel and linking the Canadian 15  
 16 Province of British Columbia and the United States of Washington and Oregon. 16  
 17 17

18 Like the SWA, Cascadia has failed to mobilize in the general population's 18  
 19 imagination as a singular region despite two decades of promotion by environmental 19  
 20 advocates and, more recently, business elite. Interestingly, proponents of Cascadia 20  
 21 still tout the region as an emerging transitional region-state (and a distinct cross- 21  
 22 border region) despite its lack of economic and political integration and the lack 22  
 23 of tangible outcomes prophesized by its ardent supporters. Part of the drive is the 23  
 24 powerful metaphor based on images of a singular, beautiful bioregion. This idea 24  
 25 has also emerged with the new term of Salish Sea, which in 2010 became the 25  
 26 official name to refer to the waters between the Strait of Juan de Fuca and Haro 26  
 27 Strait. The name had been used for more than two decades by environmentalist, 27  
 28 indigenous groups, and scholars, however the official naming was deemed an 28  
 29 important step to publicly recognize the pre-colonial boundaries of the region and 29  
 30 to begin to conceive the region as a connected ecosystem (Tucker 2013). 30

31 The popularization of the Ernest Callenbach's (1975) book *Ecotopia* partly 31  
 32 contributes to the creation of the concept of Cascadia and arguably, the Salish 32  
 33 Sea as a regional identity. The widespread readership of *Ecotopia* helped create 33  
 34 an imagined geography that portrayed the Pacific Northwest as a united (and 34  
 35 uniform) geographic area whose residents were environmentally-minded. Joel 35  
 36 Garreau's 1980s bestseller the *Nine Nations of North America* also puts forward 36  
 37 the idea of Ecotopia—stretching from Santa Barbara, California to Southeast 37  
 38 Alaska—in which a shared conservationist ethic and acceptance of alternative 38  
 39 lifestyles fostered a regional society which transcended national differences 39  
 40 (Coates 2002). These conceptualizations of the Pacific Northwest as a unified 40  
 41 geographic continuum, whose residents, arguably, share a strong environmental 41  
 42 ethic helped lay the groundwork for the *idea* of a shared binational bioregion. 42  
 43 This ideology transformed into an idiom in the late 1980s when environmentalists 43  
 44 started characterizing the coastal Pacific as “Cascadia.” 44

1 The idea of Cascadia aims to be emotive, a geographic imagining that helps 1  
 2 to conjure up images of a “natural landscape.” Cascadia, as Sparke (2002b) notes, 2  
 3 is a long-running project based on continually constructing images of a shared 3  
 4 geography. The branding of Cascadia as a trans-border bioregion is based on the 4  
 5 physical mountain range that runs north–south between British Columbia and 5  
 6 Washington, spanning the Canada–US border (Alper 1996, 1997). Although rooted 6  
 7 in bioregional idealism, the notion of Cascadia has grown to include neoliberal 7  
 8 entrepreneurial projects. 8

9 In fact, Sparke contends that the geoeconomic aims of the region have actually 9  
 10 replaced the earlier environmentally based geopolitical aims. He suggests that 10  
 11 conservative business forces and politicians who view the bioregion as a way 11  
 12 to build economic strongholds now replace the environmental Cascadia of 12  
 13 Callenbach’s imagining. As with the SWA’s positioning of the shellfish industry 13  
 14 (discussed below), this reinvention is part of wider trends, in which “a new 14  
 15 vocabulary of geoeconomics has replaced the old vocabulary of geopolitics” 15  
 16 (Sparke 2002a: 216). 16

17 Thus, despite the constructed discourse of “borderless” or “boundless” nature 17  
 18 in terms of “nature” and “resource use,” both the Cascadia and the SWA projects 18  
 19 experience a very “bordered” environment. Within this context, I explore the 19  
 20 variable techniques the SWA employs to govern transboundary water at a local 20  
 21 scale. In particular, I explore how the relative fluidity and fixity of the border 21  
 22 influence the actors’ ability to govern the shared waters. 22

23

24

### 25 **Local Representation in Multi-Jurisdictional Committees** 25

26

27 As discussed above, the environmental governance literature tends to position 27  
 28 the local actor in a privileged position without a critical engagement with their 28  
 29 actual capacity to govern. Looking closely at the SWA, it becomes clear that while 29  
 30 local actors have many positive contributions, their decision-making capacity is 30  
 31 decidedly limited. 31

32 Local NGO actors provide a number of valuable contributions such as the role 32  
 33 of environmental educator and advocate. Those that work within the SWA, report 33  
 34 that the local ENGO’s played a pivotal role in the organizational structure of the 34  
 35 group through an assumed role of group liaison. For example, the local actors help 35  
 36 to provide momentum for the committee and help to keep the meetings running. 36  
 37 They also relay information between governmental and non-governmental sectors. 37

38 As groups often have the tendency to work within “institutional silos,” these 38  
 39 multi-stakeholder forums help to widen the discussion and perpetuate practices of 39  
 40 inclusive governance. Several respondents involved in environmental governance 40  
 41 noted the importance of information sharing in their work. This is particularly 41  
 42 true in transboundary cases, where asymmetrical governance structures between 42  
 43 Canada and the US governments (as in other border geographies) benefit from 43  
 44 neutral platforms to help “level” the playing field. 44

1 Within the SWA committee, the local organizations tend to function as a 1  
 2 connector of people, ideas, and issues. For example, Margaret Cuthbert, one of 2  
 3 the founding members of the SWA described her role as a “switchboard operator” 3  
 4 where she and her husband, David, were “basically conducting traffic” between 4  
 5 groups. When there was an institutional lull in the committee, she was able to 5  
 6 help prod the governmental employees into assuming different roles. Margaret 6  
 7 reflected in an interview at her home in White Rock, British Columbia on the early 7  
 8 stages of the committee and her role in getting the group organized. 8

9  
 10 [At that point] there were no action items—no leadership, nothing. At that 10  
 11 meeting, I went over to [one member of the committee] because she is a real 11  
 12 go-getter. If we can get a chair for this committee, would you be willing to 12  
 13 donate the minutes. She said ‘yes.’ And then, I went over to the province and 13  
 14 I took [the committee member] aside—because I knew his skills—and I said 14  
 15 ‘would you be willing to chair the meeting if someone else took the minutes’ 15  
 16 and he said, ‘I will think about it.’ And, so, I got them to talking to each 16  
 17 other. And then ... there was suddenly a change in the committee ... and the 17  
 18 whole dynamic changed. And everyone now knew that we would have *real* 18  
 19 minutes. Before ... everyone was quite frustrated and yet [the governmental 19  
 20 agencies] weren’t prepared to do it. 20

21  
 22 Here, Margaret drew on personal experience and connections to foster leadership 22  
 23 within the committee. Knowledge of the participants’ personalities and their 23  
 24 professional capacity (i.e. whether they were “action-oriented,” driven by 24  
 25 this specific issue, or had the time to invest in committee work) helped in the 25  
 26 coordination of a new committee structure. Orchestrating the logistical fabric 26  
 27 of the SWA—such as who would be the note-taker, who could provide meeting 27  
 28 venues, and who could chair the meetings—proved a huge asset. The initiative, 28  
 29 local knowledge, and passion for the issues enhance the capacity of the committee. 29

30 Leadership also plays a significant role in the governance process and helps 30  
 31 lessen the impacts of a “bordered” environment. Passionate (and often out-spoken) 31  
 32 local stakeholders provide momentum for the maintenance of the committee. For 32  
 33 example, one state employee involved in the SWA described Geoff—Founder 33  
 34 of Drayton Harbor Community Shellfish—as an “enviro-warrior” who brought 34  
 35 unfaltering determination to the issue of water quality. Geoff was described 35  
 36 as “determined, driven and a true leader” in the environmental field. The state 36  
 37 employee reflected in an interview: 37

38  
 39 With watershed planning, you always need leadership and you need spark plugs 39  
 40 gave both like few I have ever seen. And he is still going. 40

41  
 42 Another role of citizen actors in the SWA members is to maintain momentum 42  
 43 with committee work. The local stakeholders assume the role of advocates for 43  
 44 the environment by instigating action (and warding off complacency) in the 44

1 governance process. They also propel the process by asking questions and probing 1  
 2 governmental employees to take their action further. As Margaret noted: 2  
 3 3  
 4 I think that the real impetus [of the SWA] has been from the grassroots. I 4  
 5 think that the agencies went along because there was an opportunity through 5  
 6 the Georgia Basin Ecosystem Initiative. Then, after the five years the Georgia 6  
 7 Basin Action Plan, there was a motivating factor in terms of funding that gave 7  
 8 staff in Canada something to work with and they wanted to *appear* to be doing 8  
 9 something. But the *real* impetus came from [stakeholders] ... And then when 9  
 10 we came along—and we were just *mouthy*—we were the non-profit kind-of 10  
 11 trying to figure out what the heck’s going on, mouthy volunteers. And slowly 11  
 12 and surely we got to figure out a lot more of what was going on. And I think that 12  
 13 our role has not changed that much. I think we still are the thorn that prods action 13  
 14 and I think that’s a valid description. 14  
 15 15  
 16 Here, Margaret describes the role of citizen actors as “thorn that prods action.” She 16  
 17 suggests that by being visible or “mouthy” they were able to solicit action within 17  
 18 the group. Conversely, she suggests that mandates and the need to “appear” to meet 18  
 19 public expectations largely drive the work of civil servants. A range of respondents 19  
 20 (both governmental and non-governmental actors) made this distinction between 20  
 21 “mandated work” and “principled work.” For example, one Washington state 21  
 22 employee said: 22  
 23 23  
 24 I wish that the government entities could be more like [the environmental 24  
 25 groups]—passionate and dedicated. However, the government employees are 25  
 26 often more conservative—more timid. 26  
 27 27  
 28 Sustaining energy in the group, therefore, proved to be a key role for citizen actors. 28  
 29 The ability for a local group to focus on a specific project (rather than directed by 29  
 30 multiple and sometimes conflicting mandates) helped the group to maintain focus. 30  
 31 This role was particularly important as governmental employees reported that 31  
 32 over-extended schedules, demanding workloads, and a shifting political climate 32  
 33 tended to limit their participation in the stakeholder process.<sup>8</sup> 33  
 34 A tangible example of the local contribution of the SWA is the habitat-mapping 34  
 35 project, which ultimately led to the production of the *Boundary Bay Habitat* 35  
 36 36  
 37 \_\_\_\_\_ 37  
 38 8 This is not to say that the characterization of governmental employees as “passive” 38  
 39 should be extended across the board. Many of the governmental actors interviewed 39  
 40 across the Canada–US border have similar characterizations of those described for the 40  
 41 NGOs (passionate and dedicated) and have made significant gains in transboundary water 41  
 42 governance approaches. However, scale and authorship tend to temper individual laureates 42  
 43 in governmental cases. For example, within the governmental sector individual authorship 43  
 44 is less common (i.e. your work is *for* the Province, the State, the City, or the Nation, writ 44  
 large, rather than a more specific—smaller scale—local group).

1 *Atlas*. The multi-level connections served to bring volunteers together to map the 1  
 2 shoreline using Global Positioning System devices and then enter the information 2  
 3 into digital databases. The local groups organized the mapping project by drawing 3  
 4 on a large volunteer base—in both Washington and British Columbia—through 4  
 5 community outreach campaigns and personal contacts. In the end, funding and 5  
 6 expertise from various levels of governance—both governmental and non- 6  
 7 governmental—and in both Canada and the US helped to complete the project. 7

8 The ability of local actors to remain active participants in multi-jurisdictional 8  
 9 and international issues is, in large part, a matter of timing and the type of issue 9  
 10 addressed. As Van Rooy (1997: 92) finds in her work on civil society, NGOs tend 10  
 11 to have the most influence on “highly salient, low policy issues accompanied by 11  
 12 early and continuous access to decision-makers.” This matches the conditions of 12  
 13 the SWA Boundary Base case, where there is great public interest in the issue, but 13  
 14 it remains a “low-policy issue” because the issue lacks crisis status (*ibid.*). This 14  
 15 situation tends to foster greater involvement at the subnational level, as crises—at 15  
 16 the international level—are likely to attract the attention of federal-level employees. 16  
 17 The involvement of local actors in the early stages of the SWA development 17  
 18 contributed to benefits associated with a vertically integrated governance structure. 18

19  
 20 *Information Sharing and Access to Policy Makers* 20

21  
 22 Information sharing is another benefit of these regional binational groups. SWA 22  
 23 respondents consistently reported this as one of the greatest strengths of the group. 23  
 24 Through the roundtable process, actors gleaned information from different sectors 24  
 25 and different jurisdictions. This information exchange occurs through a variety 25  
 26 of mediums, including: bimonthly meetings, digital listserves, co-investigation of 26  
 27 studies, co-production of reports, field trips, and shared work parties. For example, 27  
 28 the SWA meeting minutes document this type of multi-jurisdictional exchange: 28

29  
 30 Environment Canada is in discussions with the Semiahmoo First Nation regarding 30  
 31 water quality in Semiahmoo Bay and Little Campbell River. Through the Beach 31  
 32 Hero program, we realize that poaching is a big issue, and we are collecting data 32  
 33 on poaching. There is a new regulation in place now that prohibits discharge of 33  
 34 sewage from recreational boaters. There is a possibility of Environment Canada 34  
 35 being able to fund outreach activities through the Georgia Basin Action Plan. 35  
 36 Please contact AC or JB for more information. (October 4, 2006) 36

37  
 38 Another example of the multi-jurisdictional exchange: 38

39  
 40 IJC is working with 4 other Semiahmoo band members to argue against the 40  
 41 new treaties that Gordon Campbell is attempting to establish. They are also 41  
 42 working toward claim for access to marine animals as part of aboriginal right 42  
 43 for sustenance, and also pursuing avenues to facilitate the cleanup of the water 43  
 44 quality in the estuary so that it may be re-opened for the band/public. 44

1 MC voiced concerns regarding the dog off-leash concerns in the East White 1  
 2 Rock beach area. JB noted that she recently received a phone call from a 2  
 3 citizen regarding the issue, and that signage in the area may help with foreshore 3  
 4 education. (August 2, 2006) 4  
 5 5  
 6 In the first case, the Semiahmoo First Nation representative shared information 6  
 7 regarding their work on treaty-rights as well as access to marine mammals. 7  
 8 Grounding these complex issues of treaty-rights to the site of Boundary Bay 8  
 9 helps other members of the SWA connect with the issues and increase the scope 9  
 10 of its relevance beyond the immediate parties. In the second case, the need for 10  
 11 educational signage regarding off-leash dogs makes its way from a concerned 11  
 12 citizen to the committee. The item, flagged for action, goes through the appropriate 12  
 13 jurisdictional channels. Whether this comes to fruition, is largely dependent 13  
 14 on the priority (and funding possibilities) of the responsible office. However, 14  
 15 documenting the concern helps to initiate this process of action. 15  
 16 Another example of information sharing appears in one of the early meeting 16  
 17 minutes (1999): 17  
 18 18  
 19 Washington State Department of Ecology accompanied Environment Canada 19  
 20 and BC MOE staff on a tour of the Little Campbell River watershed in May. The 20  
 21 tour was a good opportunity to discuss the methodology used in Washington 21  
 22 State for watershed analysis and similar challenges on both sides of the border of 22  
 23 Boundary Bay. The Department of Ecology has produced a document outlining 23  
 24 their approach to watershed analysis and a case study of Drayton Harbor and is 24  
 25 now undertaking a case study of Birch Bay. 25  
 26 26  
 27 In this example, the meetings and information exchange of actors helped spur 27  
 28 parallel research studies in Canada and the United States. However, as discussed 28  
 29 below, the coordination of field trips has markedly declined in recent years. 29  
 30 30  
 31 *Mitigating Asymmetry* 31  
 32 32  
 33 The stakeholders' forum also helps to neutralize (although not completely) the 33  
 34 political asymmetries of the actors. In this process, the ENGO group reported that 34  
 35 access to the governmental employees was a tremendous asset to their cause. As 35  
 36 one ENGO participant reflected: 36  
 37 37  
 38 What we find at those meetings, by sharing and having the dialog, they hear from 38  
 39 the grassroots things that they would not hear otherwise. When they are speaking 39  
 40 with each other—they are speaking from a certain perspective, that is what they 40  
 41 are allowed to talk about within a certain mandate and they have to be careful 41  
 42 because of the current political climate. And then they hear something from the 42  
 43 grassroots ... they hear something from the community that is insisting on what 43  
 44 needs to be done—it reminds them of the things that are not getting done. They 44

1 then have the opportunity to take that back, which I think performs a function 1  
 2 which is a really nice opportunity—a nice opportunity for them to really get the 2  
 3 goods and it is a really good opportunity for the community to be inputting. 3

4 4  
 5 In the above passage, the local stakeholders view direct access to policy makers 5  
 6 as a way to advance the community voice into decision-making processes. This 6  
 7 is consistent with Van Rooy's (2004) findings that access to policy makers was 7  
 8 an essential component of building institutional capacity for the NGOs. Dialog 8  
 9 with different scales of government allows the transfer of ideas from "the ground 9  
 10 up." The multi-stakeholder format opens up space for a dialog between different 10  
 11 stakeholder groups and agencies that would not necessarily be in conversation 11  
 12 otherwise. This mixing of groups helps to stave off the silo effect, in which the 12  
 13 decision-making process omits the consideration of other sectors.<sup>9</sup> In this case, 13  
 14 the local groups have political agency—the access to the governmental decision- 14  
 15 makers gives them a sense of power. This agency counters the "local trap" concept 15  
 16 in which local groups tend to be present in name only. 16

17 Access to governmental employees was particularly salient in a transboundary 17  
 18 setting, as local groups received unprecedented access to policymakers from 18  
 19 across the border. The respondents considered this important because the groups 19  
 20 were not as familiar with the political structure or governance processes of the 20  
 21 "other country." Having a forum where the officials and stakeholders from both 21  
 22 sides of the border were present helped the members mitigate the asymmetry of 22  
 23 governance structure and reduce the perceived "impenetrable" bureaucracy of an 23  
 24 unfamiliar government process. 24

25 One group indicated that they, "perhaps naively," thought that the presence of 25  
 26 US governmental officials in the SWA could provide some political advantage for 26  
 27 greater action on the Canadian side. They reflected: 27

28 28  
 29 Maybe the Americans ... maybe if it is proven that there is something that comes 29  
 30 from the Little Campbell and crosses the border—maybe the Americans can 30  
 31 say something to the Canadians that can get us motivated. But, it really has not 31  
 32 been proven in any way, shape, or form and it has become obvious to us that 32  
 33 neighbors at this level—don't make those demands of each other. 33  
 34 34

35 The local NGO stakeholders had envisioned transboundary work to provide 35  
 36 more opportunities to place political pressures at a federal level. This group was 36  
 37 disappointed to find regional governance (i.e. "neighbors at this level") had limited 37  
 38 access to "higher-level" decision-making power (i.e. a direct line to Ottawa or 38  
 39 Washington, DC). More specifically, they were frustrated that US delegates did 39  
 40 not have the capacity (or at least they did not employ that capacity) to pressure 40  
 41 the Canadian government to act more resolutely on the cleanup of Boundary Bay. 41  
 42 42

43 <sup>9</sup> This "silo effect" continually came up in the interviews and the transboundary 43  
 44 workshop as a barrier to transboundary cooperation and local engagement in governance issues. 44

1 This point challenges the governance literature, which often champions local 1  
 2 participation as the most appropriate scale to govern water. However, rarely is 2  
 3 it postulated that the local might engage in this process to have better access 3  
 4 to the federal or supranational scale of governance. This is salient particularly 4  
 5 within a transboundary setting, where the watershed is simultaneously “local” and 5  
 6 “international” and the managers transect across several political jurisdictions. 6

7 Although the SWA members did not always realize the full advantages of 7  
 8 a transboundary forum in terms of politicking, information sharing produced 8  
 9 tangible benefits. For example, the three most common barriers to transboundary 9  
 10 cooperation reported by respondents include: mismatched governance structures, 10  
 11 different governance cultures, and different mandates. Providing a forum where 11  
 12 actors meet on a regular basis and in relatively informal manner provides a great 12  
 13 opportunity to remove these barriers. In general, the meetings foster an information 13  
 14 exchange about current issues (environmental, policy, economic, social) facing 14  
 15 Boundary Bay. For example, every meeting starts with an educational presentation 15  
 16 on environmental or policy issues surrounding Boundary Bay. These presentations 16  
 17 serve multiple purposes. First, it provides the members with up-to-date information 17  
 18 regarding the scientific and policy efforts that are occurring throughout the region. 18  
 19 Second, it provides a chance for a specific actor to discuss his/her individual role, 19  
 20 as well as the role of his/her office, in protecting the Boundary Bay habitat. This 20  
 21 information provides a way to navigate the bordered geographies and complexities 21  
 22 of multi-jurisdictional governance. Even those that are not present at the meeting 22  
 23 receive the meeting minutes in a digital Listserve, which often includes a copy of 23  
 24 the presentation and the presenter’s contact information. This governance structure 24  
 25 fosters an information exchange that contributes to closing the knowledge-gap 25  
 26 between transboundary actors. 26

27 Another asset of the SWA meetings is the dialogue that occurs between 27  
 28 members. The group discussion contributes more than just exchange of facts 28  
 29 and information; it also helps to create a shared vocabulary around the issues. 29  
 30 The SWA members represent a wide range of disciplines, such as: civil servant, 30  
 31 tribal representative, water technician, municipal manager, water engineer, and 31  
 32 environmental education volunteer. Each of these participants comes to the table 32  
 33 with a distinct professional culture, which is rooted in its own nuanced language 33  
 34 and worldview. Several of the SWA members that I interviewed suggested that 34  
 35 having a multi-disciplinary, multi-jurisdictional organization helps members 35  
 36 break down these institutional silos. These reflexive opportunities occur as actors 36  
 37 meet outside of their everyday institutional framework—e.g. while at multi- 37  
 38 stakeholder meetings, workshops, or conferences. The quote below from an 38  
 39 ENGO representative highlights the importance of this interchange: 39

40  
 41 You know, we were sitting around, and I think I mentioned this to you, that 41  
 42 one of the provincial folks—I think she was from up North. She said, ‘well, 42  
 43 we dialog with the local community’ and when I asked her ‘who?’—she named 43  
 44 these groups that are, you know, at such a remote level—I said, ‘well that is *not* 44

1 the grassroots, that is *not* the local community—those are interests that are so 1  
 2 far removed from the real community—how did you ever get real community 2  
 3 input?’ ‘Oh,’ she said, ‘I never thought of it that way.’ 3  
 4 4  
 5 In this case, the provincial employee was referring to working with a non-profit 5  
 6 organization that operates at a province-wide scale, rather than at a local scale. 6  
 7 In the discussion, the provincial employee’s conflation of “non-governmental” 7  
 8 with “local” troubled the ENGO representative. The interchanging of “local,” 8  
 9 “regional,” or “watershed” scales by both the practitioners and theoreticians of 9  
 10 environmental governance also illustrates the ambiguity between jurisdiction and 10  
 11 scale (Paquerot 2007) and the social construction of scale itself (Marston 2005). 11  
 12 One way to mitigate this ambiguity is through dialogue. The governmental and 12  
 13 non-governmental actors were able to negotiate a common understanding of the 13  
 14 term “local” through dialogue, thereby decoupling the assumed local scale with 14  
 15 non-profit status. This reflexive process provided space for a new understanding 15  
 16 of a common term, which held very different meanings to each of the participants. 16  
 17 Through collaborative governance, the different sectors are able to negotiate a 17  
 18 shared discourse, an essential step for project coordination. 18  
 19 The SWA helps to create a neutral setting, where actors representing multiple 19  
 20 scales and multiple professions, can come to the table to discuss issues of shared 20  
 21 concern. This governance process follows the Integrated Watershed Management 21  
 22 (IWM) approach and watershed approach where hydrological borders seek to 22  
 23 replace political borders for the purpose of management. 23  
 24 In this section, I illustrated how local actors contribute to the transboundary 24  
 25 governance process. In the next section, I turn to the specific techniques that 25  
 26 the SWA use to enact environmental governance. I then present the limitations 26  
 27 (barriers) to governance—particularly in a post-9/11 context. 27  
 28 28  
 29 29  
 30 **Environmental Education: Giving Voice to Dirty Water** 30  
 31 31  
 32 A common role for local ENGOs is to give voice to, and raise awareness of, ecological 32  
 33 systems (Van Rooy 1997; Tvedt 2004). Normalizing the concept of “saving” the 33  
 34 environment achieves this heightened awareness by employing techniques of eco- 34  
 35 governmentality<sup>10</sup> and ethopolitics.<sup>11</sup> For Boundary Bay, this voice is enacted both 35  
 36 36  
 37 37  
 38 \_\_\_\_\_ 38  
 39 10 The idea of ecological governmentality builds on Foucault’s idea of biopolitics; 39  
 40 pushing the concept forward by applying it to non-human forms. For an in-depth discussion 40  
 41 of eco-governmentality, see Darier (1999). 41  
 42 11 Rose (1999) defines ethopolitics as a way “to characterize the ways which these 42  
 43 features of human individual and collective existence—sentiments, values, beliefs—have 43  
 44 come to provide the ‘medium’ within which the self-governing of autonomous individual 44  
 45 can be connected up with the imperatives of good government” (477). 44

1 within the wider community, through environmental education campaigns, and 1  
 2 within the stakeholders group meetings as environmental advocates. 2  
 3 ENGOs often employ environmental education campaigns to impress upon the 3  
 4 public the importance of protecting their communities' ecosystem. The SWA uses 4  
 5 two methods in their education campaign for clean water: a nature society approach 5  
 6 and a cultural, economic approach. The former champions the protection of the 6  
 7 environment for "nature's sake," while resource protection, specifically shellfish 7  
 8 harvesting, drives the latter. The latter conflates economic and environment 8  
 9 terminology, thus folding resource economy into the natural world. 9  
 10 SWA members such as Geoff Menzies take the position that protecting water 10  
 11 quality helps to revitalize a local, resource economy. However, unlike other 11  
 12 more public/visible resources (i.e. forestry), part of the education effort requires 12  
 13 normalizing the idea that shellfish harvesting is "worthy" of saving. Because 13  
 14 shellfish harvesting is often outside of the experience (and discourse) of many of 14  
 15 the residents, it is sometimes difficult to obtain wide support. In the SWA case, the 15  
 16 environmental education programs attempt to contextualize the shellfish by using 16  
 17 the (in)ability to harvest as an indicator of the general health of the ecosystem. As 17  
 18 one member of the SWA reflected: 18  
 19  
 20 We like to talk with people about how the shellfish themselves are an indicator. 20  
 21 You can't eat the shellfish, then your water is dirty. People might say, no, no, as 21  
 22 long as you can swim in it it's clean—but that is like saying next year, as long as 22  
 23 you can wash your feet in it, it is clean. 23  
 24  
 25 Here, the stakeholder voices concern that people's expectations for clean water 25  
 26 (and expectations for a viable shellfish population) are continually degraded. 26  
 27 The bay then suffers from continuous neglect as the population views shellfish 27  
 28 harvesting as remnant of the past. 28  
 29 This is particularly challenging in a politically bifurcated watershed, because 29  
 30 the policies towards shellfish beds and water quality are notably different on the 30  
 31 US and Canadian sides of the watershed. In Canada, when Boundary Bay closed 31  
 32 in 1962, the Canadian government in essence turned its back on the problem. The 32  
 33 government closed the shellfish to harvesting; therefore, it became a non-issue. 33  
 34 In the US, however, different political mandates to protect marine waters drove 34  
 35 an effort to address the shellfish closure. The different governmental approaches 35  
 36 to the problem perpetuate different cultural attitudes (see Norman 2013 for full 36  
 37 discussion of this). The work of the SWA helps neutralize the asymmetrical 37  
 38 governance structures—bringing the parties into conversation with each other. 38  
 39 The education campaigns, then, serve multiple purposes: to modify behavior 39  
 40 to improve water quality standards, maintain a (political-economic) culture of 40  
 41 shellfish harvesting, and construct the waterscape as shared (beyond the political 41  
 42 boundary). However, keeping up with the education campaigns proves trying 42  
 43 particularly due to the rapid growth rate in the area. Many of the people moving 43  
 44 to the Boundary Bay region have no historical connection to the place or nostalgia 44

1 for shellfish harvesting (as a resource commodity or cultural practice). As one 1  
 2 environmental stakeholder noted: 2  
 3 3  
 4 I would say at least half of the population of White Rock here now never lived in 4  
 5 White Rock at a time when you could do recreational harvest [pre-1962], let alone 5  
 6 there was commercial harvest—so they can't even relate to it as an issue. So, you 6  
 7 talk with these people, and they say, well ... it's like talking to people about 7  
 8 having fish this big that you could catch in a river. Well, that's the past—There is 8  
 9 no point in talking about this, so they are not really interested and then, when we 9  
 10 take it a step further, and, yeah, but it is a total perfect indicator of general health, 10  
 11 so, if you are willing to let it go, you are willing to let everything go. Is that what 11  
 12 you really want to do? Then maybe people think about it a little bit. 12  
 13 13  
 14 In an effort to raise awareness of the water quality issues in Boundary Bay, 14  
 15 one environmental group uses a community shellfish farm to engage the public 15  
 16 and attempt to construct a shared ecological bioregion. This effort, as one state 16  
 17 employee reflected, has a way of bringing people together and saying “you know 17  
 18 we are all in this together.” By making shellfish farming a public event—and 18  
 19 creating an embodied experience through the physical act of harvesting—the 19  
 20 community of participants is more likely to support measures to protect its habitat 20  
 21 (Taylor 2004; Van Rooy 2004). Their investment of time and experience translates 21  
 22 into an investment of concern for the wider ecosystem. One state official advocates 22  
 23 for the community shellfish: 23  
 24 24  
 25 Let's do the work, let's keep it open, let's sell the product, let's reinvest the money 25  
 26 in the community and the projects and make it a really positive cycle of success. 26  
 27 27  
 28 In this case, the respondent employs political economic terminology to advocate 28  
 29 for the maintenance of clean water and the protection of a resource industry. 29  
 30 Conflating economic and environment terminology commonly occurs in 30  
 31 environmental governance literature. Using terms such as “productive” and 31  
 32 “competitive” to describe ecological systems has appeared in environmental 32  
 33 literature since Darwin's *Origin of Species*. This collapse of disciplinary discourse 33  
 34 is unsurprising considering the over-arching and far-reaching influence of 34  
 35 the Industrial Revolution. In Darwin's case, his marriage into one the largest 35  
 36 industrialist families in England, certainly had an impact on how he framed his 36  
 37 reflections on nature (Worster 1977). Some suggest that the conflation of natural 37  
 38 and economic terminology is part of a wider neoliberal approach to environmental 38  
 39 issues (Sparke 2002a). The caption under the EPA's shellfish education page 39  
 40 supports this claim: 40  
 41 41  
 42 Protecting shellfish as a culture, a community investment and an economic 42  
 43 sector is a joy and responsibility that belongs to all of us as community members, 43  
 44 shoreline property owners, businesses and government agencies. 44

1 This trend is observable in other resource industries as well. Mansfield (2003a, 2003b), 1  
 2 for example, draws on the imitation crab industry to show how biophysical 2  
 3 discourses are folded into economic geographies. This process occurs “by making 3  
 4 distinctions about the world that then become important for how economic activity 4  
 5 can work” (2003a: 176). Similarly, Bridge and McManus (2000) explore how the 5  
 6 resource sectors of mining and forestry adopt discourses of sustainability in order to 6  
 7 avoid crises of environmental criticism. They argue, “regulation of the forestry and 7  
 8 mineral sectors in contemporary market economies is increasingly achieved through 8  
 9 the deployment and co-optation of narratives of sustainability” (2000: 11). 9

10 For Boundary Bay, the discussions of governing (protecting) the water for 10  
 11 “nature’s sake” or for the revitalization of a resource economy based on shellfish 11  
 12 harvesting are increasingly inter-mixed. This is unsurprising considering one of 12  
 13 the main community environmental education programs for the area was born 13  
 14 from the remnants of a private shellfish business, as discussed in the next section. 14

15  
 16 *The Business of Saving Shellfish* 16  
 17 17

18 In 1992, an eager entrepreneur and trained agriculturist purchased a shellfish 18  
 19 farm on Boundary Bay (specifically Drayton Harbor). The new owner was ready 19  
 20 to make the business investment a life-long pursuit. However, three years after 20  
 21 the purchase, Washington State closed down several shellfish sites due to excess 21  
 22 bacterial contamination, including Drayton Harbor. Thus, the new owner closed 22  
 23 the business prematurely. 23

24 In reaction to the closure, a small cohort of local actors committed the next 10 24  
 25 years to cleaning the water. Through a lot of hard work and multi-jurisdictional 25  
 26 coordination between city, NGO, private, and tribal actors, a small portion of the 26  
 27 bay (on the US side) reopened for shellfish harvesting with conditional permitting 27  
 28 (excluding rain events, from which the water quality significantly declines). 28  
 29 Although the opened area was too small to sustain a business operation, it attracted 29  
 30 the attention of a non-profit environmental group interested in using the site as an 30  
 31 educational model. 31

32 The ENGO enlisted the help of the previous business owner, who had the 32  
 33 knowledge, facilities, and passion for shellfish harvesting, to turn the operation 33  
 34 into a community education site. This site, which is still in operation today, aims 34  
 35 to bring shellfish harvesting back into the fabric of the community by creating 35  
 36 widespread socio-economic-political buy in. They publicize their work through 36  
 37 weekly appearances at the local farmers’ market and through occasional write-ups 37  
 38 in the regional newspapers. Several of the actors involved in the clean-up efforts 38  
 39 now participate in the SWA. 39

40  
 41 *Environmental Education Along the Bay* 41  
 42 42

43 The stakeholders on the Canadian side of the bay participate in a more traditional 43  
 44 model of environmental education which champions the environment—as 44

1 “nature”—through programs such as Ocean Days, Stream Keepers, and Birds on the 1  
2 Bay. They distinguish their interests as a “matter of principle,” rather than “mandates 2  
3 that are of their own interest.” Because the actors do not personally benefit (i.e. “we 3  
4 don’t live, we don’t swim, we don’t harvest” on the bay) they see themselves as 4  
5 enacting a voice for the ecosystem. As one Canadian member of the SWA reflected: 5  
6 6  
7 We come at it as a point of principle. To us, the water should be clean. It is that 7  
8 simple. It should be clean, it should be swimmable. It should be clean for the 8  
9 critters’ sake. Let alone if we want to eat them or not. 9  
10 10  
11 However, as they engage in dialogue with other groups and individuals involved 11  
12 in Boundary Bay stewardship, they also recognize the cultural and economic 12  
13 importance of shellfish harvesting. Both of these approaches, the nature society 13  
14 and the cultural–economic, attempt to modify community behavior for the same 14  
15 result—fostering a natural environment clean enough to sustain a harvestable 15  
16 shellfish population. 16  
17 Although both of the above-mentioned approaches situate their cause within a 17  
18 wider transboundary landscape, the specific activities rarely span the Canada–US 18  
19 border. The Drayton Harbor shellfish project is less than a mile from the border; 19  
20 however, the volunteers primarily are US-based. Similarly, the education projects 20  
21 based in the greater White Rock region rarely capture volunteers from beyond 21  
22 the border, despite framing their project with hydrological rather than political 22  
23 borders. Occasions do exist where the White Rock and Blaine communities 23  
24 coordinate projects (such as the digital mapping project described above). 24  
25 However, this sharing of activities has reportedly declined due to increased 25  
26 security measures at the border. A recent study of transportation trends in North 26  
27 American ports of entry post-9/11 details these changes (Olmedo and Soden 2005). 27  
28 They estimate that border wait times have increased from an average of 20 to 30 28  
29 minutes to two to three hours. These delays reflect the material consequences of 29  
30 the increased security for living along, and/or frequently crossing, the Canada–US 30  
31 border. They also show, more generally, how the Canada–US border has become 31  
32 less “passenger friendly” post-9/11, revealing a shift of national priorities from 32  
33 expediting entry to securing borders. A 2007 article in the *Globe and Mail* 33  
34 (Nov. 14, 2007) suggests that the increased security is straining diplomatic 34  
35 relationships between Canada and the US. The headline reads, “U.S. security turning 35  
36 border into parking lot, envoy warns.” More recently, a comprehensive study by the 36  
37 Fraser Institute finds that “security first” orientation within many branches of the 37  
38 US government have led to a thickening of the border, which has damaged the 38  
39 economic relationship between Canada and the US (Moens and Galber 2012). 39  
40 For those involved in transboundary activities the increased border wait times 40  
41 have material consequences. As one resource manager in British Columbia reflects: 41  
42 42  
43 Post-9/11 the infrastructure to continue coordinating binationally just began 43  
44 to decline. 44

1 Another SWA member from Washington State shared the sentiment: 1  
2 2  
3 After 9/11, the borderlines are making it more and more difficult to justify 3  
4 attending these binational meetings—it ends up being a whole day. 4  
5 5  
6 Stakeholders are increasingly reluctant to commit to meetings that require border 6  
7 crossing with conditions described repeatedly as “difficult” and “unfriendly.” The 7  
8 long delays and increased security policies influence volunteers groups and NGOs 8  
9 who are less likely to get financial compensation for their time traveling. The 9  
10 increased security also affects the volunteer base and coordination of activities. 10  
11 Respondents also reported a tempering of coordination because border guards 11  
12 increasingly interpret old border policies with greater stringency. As another SWA 12  
13 member reflects: 13  
14 14  
15 We used to hold water-sampling parties in Canada and the US and coordinate 15  
16 joint reports. However, post-9/11 it is very difficult to do this. On the US side, 16  
17 they say that we are ‘stealing volunteer positions from Americans’ ... even 17  
18 though this was on the books in the past, it was never enforced. Now, it is very 18  
19 difficult to coordinate projects across the border. 19  
20 20  
21 Even the physical transferring of educational material from one border town to 21  
22 the next has become tenuous. As one respondent reported, “Quick jaunts to the 22  
23 tourism office have become half day ordeals.” Thus, the SWA respondents suggest 23  
24 that increased border security influences the institutional capacity of these regional, 24  
25 transboundary groups. The tendency of the SWA to hold their meetings primarily 25  
26 in Canada, rather than switching venues between countries, aggravates these issues. 26  
27 Given the increased border wait times, it is curious that the SWA has not 27  
28 employed more virtual communications to augment its meetings. Although, they 28  
29 have Listserves, the group could really benefit from other technologies (such as 29  
30 Adobe Connect or Google Hangout) to facilitate virtual groups meetings. Since the 30  
31 Beijing Conference in 1995, virtual tools increasingly support the collaboration 31  
32 of long distance (Smith 2003) and intra-state (Weerasinghe 2004) networks with 32  
33 noted success. The possibilities to increase this collaboration using online tools 33  
34 such as Second Life (Polischuk 2007, Sawyer 2007) and gaming and digital 34  
35 simulation programs are noteworthy (Gerson 2007). The fact that the SWA has, 35  
36 to date, failed to employ these tools raises questions regarding the ability for the 36  
37 SWA to maintain cohesion (and a transboundary bioregion identity) without the 37  
38 physical act of meeting. 38  
39 The isolated activities and the noted impacts of increased security post 9/11 39  
40 suggest that although the SWA members may view the Boundary Bay region as a 40  
41 porous and connected border region, the border remains fixed in terms of practical 41  
42 operations. It also suggests that the border bounds local actors more than their 42  
43 governmental counterparts, contrary to the environmental governance literature, 43  
44 which often depicts the local as more flexible. 44

1	<b>Conclusion</b>	1
2		2
3	In this chapter, I used the SWA to consider how the border is located in everyday	3
4	life, as it relates to transboundary ecosystem management. The SWA example	4
5	highlights the potential of local actors participating in transnational governance	5
6	activities. The passion and local knowledge of the local actors create a dynamic	6
7	institutional body, which may strengthen multi-jurisdictional governance	7
8	mechanisms. However, inadequate institutional capacity and divergent political	8
9	systems limit the participation of local actors in the SWA case. In particular, the	9
10	ability for the actors to coordinate projects and the binational cohesion—more	10
11	broadly—has come under increasing strain post-9/11. As discussed in this chapter,	11
12	as in other chapters in this volume—particularly Lamb’s and Miggelbrink’s	12
13	chapters, working within an international setting greatly accentuates the barriers	13
14	to achieving goals of shared governance.	14
15	This chapter shows how the SWA members interact with the border in	15
16	attempts to transgress it for ecosystem conservation. Similar to other chapters	16
17	in this volume, the narrative complicates the connection between borders and	17
18	the sovereign state. Although the shared vision of maintaining a viable shellfish	18
19	industry drove several of the actors to navigate through bordered spaces, the	19
20	political force of the border ultimately thwarted the members attempt to create	20
21	a “blurred” bioregion with hydrological borders. This analysis provides two	21
22	main insights into the governance of transboundary water. One, the way the	22
23	SWA presents itself (and its causes) in the education campaigns are indicative	23
24	of how they perceive and construct transboundary space. Secondly, the design	24
25	(and outcomes) of their projects provides insight into the material impacts of	25
26	the border.	26
27	In the next chapter, Madsen continues this discussion through an engagement	27
28	with actors along the US–Mexico border. Although the geopolitical and	28
29	sociopolitical situation is different from the Canada–US border context, similarities	29
30	of tensions at the border is found, especially within the scope of the individual, the	30
31	body. Ultimately, it is the transgressions of these geopolitical borders that provide	31
32	interesting—and at times surprising—similarities across contexts.	32
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## Chapter 5

# A Basis for Bordering: Land, Migration, and Inter-Tohono O’odham Distinction Along the US–Mexico Line

Kenneth D. Madsen

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### 14 Introduction

16 The evolution of distinction among previously cohesive border communities is an 16  
17 important bordering process, but one that remains largely hidden from view. Social 17  
18 and cultural changes are often an inadvertent by-product of greater political and 18  
19 economic divisions between states, but in turn they also further facilitate border- 19  
20 based distinctions. With a strong social and cultural basis differences along borders 20  
21 have the potential to become even more enduring than explicit law enforcement 21  
22 and border-reinforcing activities undertaken by state actors themselves. This 22  
23 process of social and cultural bordering is in large part effectively implemented and 23  
24 ultimately perpetuated by non-state actors along the border—local communities 24  
25 and cross-border relationships that are reluctantly and/or unwittingly drawn into 25  
26 the bordering process. 26

27 In this chapter I consider the case of the indigenous Tohono O’odham. The 27  
28 division of their traditional land base between Mexico and the United States 28  
29 in 1854 was not initially a barrier to interaction between the two sides, but over 29  
30 time national distinctions developed within Tohono O’odham society. One of the 30  
31 most important foundations for divergence was the Tohono O’odham relationship 31  
32 to land, which was detached from traditional usage and encroached upon by 32  
33 outsiders in two very different ways on either side of the border. In understanding 33  
34 how variation in Tohono O’odham relationship to the land served as a basis for 34  
35 internalizing the border to the point that today it serves as an us–them reference 35  
36 point with profound cultural and political resonance, insight is gained into the 36  
37 bordering process as carried out in local societies. 37

38 Many of the driving forces for bordering are often state-centric in nature, of 38  
39 course. Whether motivated by economic or security interests, perceptions of state- 39  
40 level costs and benefits dominate decisions regarding when, where, and how to 40  
41 control the international flow of goods and people. The fortification of sovereignty 41  
42 against violation or encroachment is similarly dominated by national passions. 42  
43 Although at the extremities of the state, borders are often “at the heart of nationalist 43  
44 discourse about the meaning of the nation, of arguments about who should be 44

1 included in the nation and who should be excluded” (Megoran 2004: 736). They are 1  
 2 also important institutions and symbols in perpetuating a state’s territorial power 2  
 3 in an era of globalization (Paasi 2009). The Border Patrol often takes a particularly 3  
 4 notorious function on the front line of these processes from the perspective of US 4  
 5 local border populations.<sup>1</sup> 5

6 Yet concepts of central standardized control are both challenged and 6  
 7 perpetuated in the borderlands themselves by communities on the receiving end 7  
 8 of state-level policies. It is in the borderlands where the nation-state as outlined 8  
 9 by external boundaries is most tested and the alignment of nation and state most 9  
 10 questioned. The identities of those living in borderland communities spans or 10  
 11 ignores borders even as local residents are pushed to align more exclusively with 11  
 12 one side or the other (Hardwick and Mansfield 2009, Martinez and Hardwick 2009, 12  
 13 Konrad and Nicol 2011, Jones 2012). It is also in the borderlands that bordering 13  
 14 processes designed to ensure a minimum level of national homogenization are 14  
 15 frequently made transparent as border communities provide a basis for direct 15  
 16 international comparison. 16

17 In the present case study I take a regional and cultural approach to the political 17  
 18 geography of borders. By integrating the dynamics of land tenure and indigenous 18  
 19 relations with an understanding of what comprises a geographic unit of identity 19  
 20 and interaction I seek to connect the physical and legal dimensions of bordering 20  
 21 with its impact on the socio-spatial consciousness of border residents. Land and 21  
 22 territory may provide a basis for bordering in a technical sense, but it is related 22  
 23 cultural experiences and the internalization of distinction beyond the level of the 23  
 24 state that accomplishes the task of social bordering. Not all who live in border 24  
 25 regions experience the re-orientation of their land base in the way that the Tohono 25  
 26 O’odham have, of course, but other local processes may equivalently serve as a basis 26  
 27 for distinction and a catalyst for division. Similarly, it would be unwise to depend 27  
 28 on a single attribute in defining an identity (Prokkola 2011: 22). Nonetheless, land 28  
 29 has certainly played a critical role in the Tohono O’odham situation. 29

30 Semi-structured interviews with elected officials and community members 30  
 31 undertaken as part of my dissertation research (Madsen 2005) and related research 31  
 32 projects cumulatively provide insights on how contemporary individuals feel about 32  
 33 the international border. Supplemental primary sources included tribal newspapers 33  
 34 and archives at Venito Garcia Library in Sells, Arizona.<sup>2</sup> Several years of residence 34  
 35 and employment on the reservation and ongoing visits and contact with individuals 35  
 36 in the area provide a context for these issues on a more personal level. 36

37  
 38

39 \_\_\_\_\_ 39  
 40 1 For discussion of the Border Patrol’s presence among the Tohono O’odham see 40  
 41 Luna-Firebaugh (2005), Madsen (2005), Spears (2005), Madsen (2007), Singleton (2008), 41  
 42 and Van Otten (2009). 42

43 2 In 2010, these files were transferred to the Tohono O’odham Cultural Center and 42  
 44 Museum, Himdag Ki: Hekihu, Hemu, Im B I-Ha’ap (Culture House: Yesterday, Today, 43  
 44 Tomorrow) in Topawa, Arizona. 44

1 Field research on this topic was informally authorized through the Tohono 1  
2 O’odham Nation’s Executive Office in 2001 and more formally reviewed and 2  
3 approved by the Cultural Preservation Committee of the Tohono O’odham 3  
4 Legislative Council in May of 2003. I also interacted with and received approval 4  
5 in various forms from many of the districts (see Madsen 2005: 29–34, 223–4) that 5  
6 make up the US reservation political system on the US side, as well as individual 6  
7 communities which comprise each district. It should not be inferred, however, that 7  
8 the results interpreted here represent an official position of the tribal government 8  
9 or tribal members. 9

10

11

### 12 **Bordering as a Local Process** 12

13

14 Whether protecting territory against intrusion by others, regulating patterns of 14  
15 interaction, or inspiring national allegiance, borders provide a legal justification 15  
16 for control. But while on a national level they may command respect as an inherent 16  
17 component of the contemporary nation-state (Agnew 2007), in the borderlands 17  
18 many residents balance borders as conceived in an absolute sense nationally against 18  
19 local cross-border connections. Given legal, economic, and political associations, 19  
20 borderland residents are influenced by their respective countries in important ways. 20  
21 National relationships exert constant pressure to re-direct associations that span 21  
22 the border and compel borderland residents to identify in more substantial ways 22  
23 with their domestic interiors, a process particularly noticeable among indigenous 23  
24 populations. Sometimes this is to the point of even writing local borderland 24  
25 societies out of a nation-state’s history as happened with the indigenous Western 25  
26 Abenaki of Vermont, New Hampshire, and Quebec (Manore 2011). 26

27 A particularly elusive aspect of the alignment of nation and state is the process 27  
28 by which borders come to have meaning to local residents based on fundamentally 28  
29 different national understandings of territory and belonging. To more fully and 29  
30 accurately conceptualize bordering, it is incumbent to recognize the ways in 30  
31 which borders influence the daily lives of residents and come to be respected 31  
32 as authoritative among local communities. The means by which borders are 32  
33 internalized—not just as a legal phenomenon but as part of one’s personal ethos 33  
34 in terms of how the world is and should be organized—is crucial to understanding 34  
35 the power that they possess. Nonetheless, the question remains as to where to 35  
36 look for evidence of bordering practices outside of state-initiated processes, how 36  
37 they impact particular places, and who takes part in such processes (Johnson 37  
38 et al. 2011: 62). Processes of distinction between “us” and the “other” are often 38  
39 hidden from view (Newman and Paasi 1998: 201) as part of a nebulous package 39  
40 of cultural bordering and recognizing some of its component parts is critical to a 40  
41 fuller comprehension of bordering practices. 41

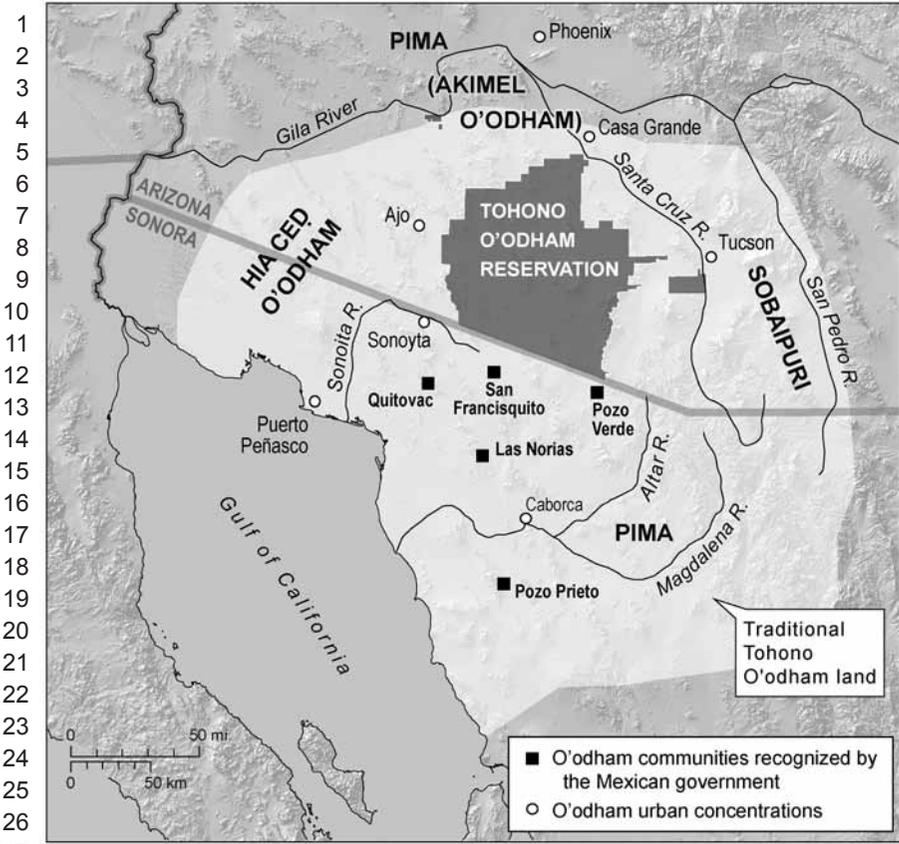
42 In his biography of the Kyrgyzstan–Uzbekistan boundary, Megoran alludes 42  
43 to the “gradual divergence” of political and macroeconomic redirection that led 43

44

1 to a differentiation between those two countries (2012: 472). Such factors are 1  
2 major driving forces in the bordering process, but differences between countries 2  
3 are eventually further and more forcefully manifest in the thought processes and 3  
4 group identities of border residents and in the mental maps with which people 4  
5 make sense of their surroundings. In this way culture—an agglomeration of a 5  
6 group's history, practices, beliefs, and material manifestations thereof—becomes 6  
7 a bordering process in its own right. Culture has long been used as justification 7  
8 for aligning nation and state, but in this chapter I refer not just to the meeting of 8  
9 two sets of traditions at borders as is commonly understood, but to the emergence 9  
10 of differences within a relatively homogenous society. Equally critical is how a 10  
11 society holds onto past experiences vis-à-vis international borders. By analyzing 11  
12 the content of a theatre play and audience reactions to its discussion about borders, 12  
13 Strüver (2005) argued that internal European boundaries have persisted in people's 13  
14 minds well past their geopolitical utility. Alternatively, Jones (2012) argues that 14  
15 despite an outward acceptance of the sovereign authority of India and Bangladesh, 15  
16 many Bengalis continue to think about national belonging in ways that transcend 16  
17 state boundaries half-a-century after the emergence of that particular border and 17  
18 despite a substantial ratcheting up of enforcement in recent years. Taking the 18  
19 persistence of differences and similarities between people and places as a point 19  
20 of departure, this chapter explores how border-based processes of distinction 20  
21 between states become internalized in the first place despite deeply-held notions 21  
22 of continuity within local communities. 22

23 For the Tohono O'odham in what is today southern Arizona and northern Sonora, 23  
24 as with many indigenous groups, relationship to the land is a defining component 24  
25 of their identity and one that often persists despite temporary absence or permanent 25  
26 removal. The tribe's territory is a contemporary communal expression of that 26  
27 relationship and is something integrally intertwined with traditional ecological 27  
28 knowledge, language, and even social responsibility. Territory is central to many 28  
29 people's national identity, of course, but for non-indigenous groups it is often in an 29  
30 abstract sense more removed from everyday experience and lacks association with 30  
31 a history which has stripped them of their greater territorial land base. 31

32 Despite significant cross-border linkages that endure to the present day (Weir 32  
33 and Azary 2001, Spears 2005) the Tohono O'odham relationship to the land began 33  
34 to be incrementally impacted by two very different concepts of native land tenure 34  
35 and indigenous cultural rights when traditional Tohono O'odham territory was 35  
36 divided between two countries with the Gadsden Purchase of 1854. As a result land 36  
37 has been a driving force in shifting interactions among the Tohono O'odham and 37  
38 re-orienting relations in two different directions. This was illustrated in a domestic 38  
39 context by Henderson (1991) who showed that the political relationship between 39  
40 American Indians and the US government was also an important component in the 40  
41 divergent settlement patterns of Chiricahua Apache as they were settled in distinct 41  
42 geographic contexts under varying social and political constraints. By contrast, the 42  
43 Tohono O'odham relationship to the land became differentiated *in situ*, but divided 43  
44 among two distinct national governments. Given an understanding of territory as a 44



28 **Figure 5.1 Traditional and present-day Tohono O’odham territory**  
 29 **(after Erickson 1994: 17)**

30 *Note:* Cartography by B. Trapido-Lurie.

33 political technology (Elden 2010), varying application of that technology claimed 33  
 34 and molded Tohono O’odham land and society on either side of the border in very 34  
 35 particular ways. 35

38 **Seasonal Land Use and its Legacy**

40 The manner in which O’odham-speaking people have been named and categorized 40  
 41 and their territory constrained in scope by successive Spanish, Mexican, Anglo, 41  
 42 and even Apache regimes provides a brief introduction to the dynamics of 42  
 43 indigenous regional identity in the Sonoran Desert. Translated into English the 43  
 44 term “Tohono O’odham” refers to “Desert People.” This group was historically 44

1 known throughout most of its post-Contact history as the Papago, a term that 1  
 2 can be traced to initial contact with Spaniards. The availability of water defined 2  
 3 seasonal migration of the Tohono O'odham and this was a dynamic not easily 3  
 4 constrained in an arid climate with the arrival outside groups accustomed to more 4  
 5 permanent settlement patterns. In the winter, "well" (natural spring) villages were 5  
 6 inhabited at the base of mountains. Upon arrival of the summer monsoon rains 6  
 7 that provided moisture for crops and residents, settlements would relocate to 7  
 8 basin "field" villages (Underhill 1939: 57, Lopez, Reader, and Buseck 2002). A 8  
 9 village's traditional role in this seasonal arrangement is easily discerned based on 9  
 10 its placement within the basin and range topography of the Sonoran Desert and 10  
 11 institutionalized in many of the names by which many places are known yet today: 11  
 12 Gu Oidak (Big Field(s)), Newfield, Ak Chin (Arroyo Mouth, where summer rains 12  
 13 can be put to use for agriculture), Pozo Verde (S-cedagi Wahia, or Green Well), Sif 13  
 14 Oidak (Bitter Field), Covered Wells, Vaya Chin (Well Mouth), and even Tucson 14  
 15 (S-cuk Šon, Black Water Spring).<sup>3</sup> Substantial branching might occur as a group 15  
 16 broke up into multiple villages only to reunite several months later or as settlements 16  
 17 grew larger than a single village could support (Hoover 1935, Jones 1969: 171). 17  
 18 The Pima (also known as "Akimel O'odham" or "River People") were 18  
 19 differentiated through their association with more permanent settlements along 19  
 20 rivers, while the Hia-Ceđ O'odham ("Sand Papago") to the west identified with 20  
 21 more nomadic movement across starker desert landscapes. The later setting aside 21  
 22 of reservation lands and regulation of membership and identity in the US reinforced 22  
 23 these divisions. Also O'odham-speaking, but later to lose a unique identity, the 23  
 24 Spanish recognized Sobaipuris to the east along the San Pedro and Santa Cruz river 24  
 25 valleys. Although differences between the Pima and the Papago were probably no 25  
 26 greater than internal variation within each group, such categories became engrained 26  
 27 in the era of European colonization. In the reduction of traditional lands to their 27  
 28 present extent on the US side, Papago/Tohono O'odham took over as the dominant 28  
 29 identity of south central Arizona and northern Sonora even in areas where Pima 29  
 30 and Sobaipuri had been dominant. The Hia-Ceđ O'odham, retaining a unique 30  
 31 identity, were consigned to the Papago Reservation at the time of its creation.<sup>4</sup> 31  
 32

33 <sup>3</sup> For a brief listing of O'odham place names see Saxton, Saxton, and Enos 33  
 34 (1983: 128–38). A more complete but older listing is available in an internal report by 34  
 35 the Papago Indian Agency (c. 1942). Confusing the issue for many outsiders is the use of 35  
 36 multiple names for single villages using different languages, translations, orthographies, 36  
 37 and dialects. Some locations may also have traditional, modern, or Saint names by which 37  
 38 they are known. On occasion a "well" name may refer to a government-dug variety rather 38  
 39 than a natural spring. 39

40 <sup>4</sup> Fontana and Owens (2004) provide a brief introduction to the diversity and 40  
 41 consolidation of various O'odham groups. For an excellent and in-depth discussion of the 41  
 42 consolidation of Tohono O'odham identity, see Booth (2000). The official tribal history 42  
 43 (Erickson 1994) is also a good source. Not previously acknowledged within the formal 43  
 44 political structure of the Tohono O'odham Nation, a new Hia-Ceđ District was approved by 44  
 the tribe in October 2012.

1 Their seasonal pattern of residence provided the Tohono O’odham with 1  
 2 identity and sustenance. Field villages allowed the cultivation of tepary 2  
 3 beans, corn, squash, melons, chilies, and sorghum to supplement hunting and 3  
 4 gathering, whereas the latter dominated during time spent in the well villages 4  
 5 (Underhill 1939: 57, Nabhan 1985, Erickson 1994: 8–10, Lopez, Reader, and 5  
 6 Buseck 2002, Buseck 2003, Fazzino 2008). The harvesting of fruit from saguaros, 6  
 7 probably the single most important food to Tohono O’odham identity, took place 7  
 8 in early summer to a certain degree in both locations. Occasional visits were also 8  
 9 made to more permanent Akimel O’odham settlements along major rivers to 9  
 10 exchange goods and labor, especially in times of drought (Erickson 1994: 17). 10

11 Seasonal interactions between villages were disrupted during the Apache 11  
 12 threat in the late 1800s when many villages on the eastern edge of traditional 12  
 13 O’odham territory were left empty for extended periods of time as the 13  
 14 O’odham contracted into fewer villages for defensive purposes. After this 14  
 15 time, however, seasonal “village systems” once again began to disperse 15  
 16 (Hoover 1935: 262, Hackenberg 1964: 291–9). Traditional seasonal migration 16  
 17 patterns and accompanying village system expansion began to wane once again 17  
 18 in the 1900s (Wilson 1972: 115, 131) as locations with access to permanent 18  
 19 water and additional utility connections became accepted and even favored. By 19  
 20 the time the Papago Tribe was recognized as a domestic political entity with 20  
 21 a defined land base in 1937, for several decades the federal government had 21  
 22 been digging permanent wells and establishing and improving *charcos* (ponds) to 22  
 23 retain rain water (Erickson 1994: 103, 135, Lewis 1994: 149, Booth 2000: 118). 23  
 24 These efforts altered the need for migration and changed settlement patterns to 24  
 25 give rise to new village place names like Wainomĩ Ke:k (Iron Pipe Standing) 25  
 26 and Charco 27.<sup>5</sup> Roads and other infrastructure are less determinative in Tohono 26  
 27 O’odham settlement patterns than in many places in the US but they are still 27  
 28 important. The lack of modern infrastructure in some locations resulted in 28  
 29 a gradual or even complete loss of population in “permanent” or “primary” 29  
 30 residents. While these two words may seem straightforward to outsiders, they 30  
 31 are loaded with misleading cultural assumptions not necessarily shared by 31  
 32 the O’odham. 32

33 Although residences were not fixed in the same sense that they are in many 33  
 34 other societies (Hoover 1935, Oblasser 1936, Hackenberg 1964) for the Tohono 34  
 35 O’odham a place’s intrinsic importance as home was and is maintained despite 35  
 36 absence. This was true not only between seasons, but over years and even 36  
 37 generations. Current and formerly-occupied villages remain bound to each other 37  
 38 through history and culture. To others cycles of absence have the appearance of 38  
 39 39

40 \_\_\_\_\_ 40  
 41 5 Although in general agreement with the field-well dichotomy, Jones (1969) 41  
 42 alternatively identifies many locations as *charcos* for the period he studied, 1900–1920. 42  
 43 *Charcos* certainly pre-dated this era, but increased in importance at this time. Place 43  
 44 names utilizing the O’odham terms “Wo’o” or “Vo” indicate an attachment to this type of 44  
 44 water source.

1 permanence but they were never an indication of abandonment for the Tohono 1  
2 O’odham themselves. Nonetheless, Mexicans and Americans often viewed it 2  
3 as such (Jones 1969: 103, Nabhan 1982: 69–71, Erickson 1994: 77) and that 3  
4 perception was accentuated as seasonal migration gave way to longer periods of 4  
5 absence. Even today a location does not have to be lived in on a permanent basis 5  
6 to maintain the significance of home and traditional experiences with seasonal 6  
7 residences continue to color contemporary Tohono O’odham settlement and 7  
8 commuting patterns, a pattern also observed by Henderson (1991: 12–14) with 8  
9 regard to the history of the Chiricahua Apache. 9

10 Today, with long distances to travel to the center of political, educational, and 10  
11 economic activity in the reservation capital of Sells, a number of people maintain 11  
12 two places of residence—one in Sells during the week and one at “home” for 12  
13 weekends, family events, and cultivation of community and identity. Other tribal 13  
14 members prefer to live in Tucson from where they commute into Sells daily, even 14  
15 if they have a house on the reservation that remains vacant or is watched over by 15  
16 someone else. Although a shortage of viable housing on the reservation exists, 16  
17 having two homes is not considered unusual and when opportunities arise for new 17  
18 housing or government infrastructure to be built community pressure exists to 18  
19 have it dispersed across the reservation rather than centralized for easy access. This 19  
20 dynamic has not translated into a renaissance of village migration in the seasonal 20  
21 sense, but it does reflect a tradition of preferred settlement dispersal based on 21  
22 community identity rather than concentration for convenience and often results 22  
23 in daily, weekly, or career-cycle movements that straddle modern and traditional 23  
24 demands for living arrangements. 24

25 This pattern was recognized a half-century ago when Kelly wrote “Many of 25  
26 the villagers in San Miguel, Vamori and the settlement of Tecolote have temporary 26  
27 homes in these villages and thus spend most of their time living in Sells where 27  
28 they work for wages. Oftentimes the ‘temporary’ residence in Sells is in fact 28  
29 the ‘permanent’ one” (1963: 62). Nonetheless, Kelly imposed an outsider’s 29  
30 understanding of the situation when he wrote of Comobabi that there were “fifteen 30  
31 houses here in good condition and at least six to eight of these are inhabited 31  
32 seasonally. This village is best described as seasonally ‘vacant’” (1963: 66). 32  
33 If forced to put it in terms comprehensible to an outsider, a Tohono O’odham 33  
34 individual would probably describe the figurative glass as half-full rather than 34  
35 half-empty! One’s home village is vastly more important than where one lives 35  
36 (spends most of their time) when introductions are made to others and, even if 36  
37 someone has *never* lived there, until recently it was one’s only option for voting 37  
38 in tribal elections. Tohono O’odham personal and political identity is rooted in 38  
39 family and history rather than contemporary geographic proximity. Among my 39  
40 own contacts on the Tohono O’odham reservation, I have known some individuals 40  
41 for years before realizing that for the most part they lived somewhere other than 41  
42 their declared home. 42

43 The traditional Tohono O’odham dual-residence arrangement also clashed 43  
44 with patterns of US and Mexican land use. How land was used or not used by the 44

1 Tohono O’odham was a critical issue in establishment of the main (“Sells”) body 1  
2 of the reservation. As debate flared after the initial declaration establishing this 2  
3 section by presidential proclamation in 1916, the Arizona Legislature questioned 3  
4 the move to create such a vast reservation. The state land commissioner reported 4  
5 that “altogether there were only about 4,500 of the Indians, many if not most 5  
6 of them resided in Sonora, moving back and forth across the line. They could 6  
7 not utilize the land—it could not be said that they could occupy it” (*The Arizona* 7  
8 *Republican* 1917). Ironically, a new type of seasonal land use led to one of the 8  
9 Tohono O’odham’s largest allies in the fight for substantial reservation lands. 9  
10 The cotton industry lobbied forcefully for a reservation that would provide a 10  
11 base for its many Papago employees during the off-season (Erickson 1994: 110, 11  
12 Booth 2000: 124–7, Meeks 2007: 56–7). Reservation advocates went to great 12  
13 lengths to justify rights to the land by demonstrating that Papagos at the time 13  
14 “were not nomadic but possessed fixed homes” (Booth 2000: 137), an argument 14  
15 necessitated by outsiders’ belief that the two village Papago somehow did not 15  
16 deserve land because of their seasonally itinerant lifestyle. Partly as a result of 16  
17 debates over permanent occupancy, for many years the Papago were granted 17  
18 a reservation much smaller than originally proposed (Erickson 1994: 107, 18  
19 Booth 2000: 142–55). 19

20 Eventually active seasonal migration in its various incarnations faded and 20  
21 Tohono O’odham families settled into the villages with which they were familiar. 21  
22 Absence has yet to become synonymous with abandonment in O’odham culture, 22  
23 however, and close personal and territorial relationships between locations 23  
24 historically related as part of the same village system continue to exist. While 24  
25 some young people today may not immediately recognize the personal connections 25  
26 as remnants of an earlier seasonal migration pattern, they make up a significant 26  
27 element of *‘i:migī*, traditional family and social relationships that are critical to 27  
28 O’odham identity. Although seasonal migration spanned the border and acted 28  
29 to blur its sharpness historically, these relationships have been overshadowed in 29  
30 recent years by a focus on enforcement of the official boundary itself in what I 30  
31 have elsewhere described as an alignment of borders as functionally interpreted 31  
32 on the local scale (Madsen 2014). 32

33 Seasonal and other forms of circular migration historically served to attach 33  
34 Tohono O’odham individuals and communities to each other as well as distinguish 34  
35 them from other O’odham groups. In terms of interactions with non-O’odham, 35  
36 however, the legacy of these patterns ultimately had very different impacts on either 36  
37 side of the border. Most significantly and to the detriment of Tohono O’odham 37  
38 occupancy, seasonal usage provided openings for outside encroachment as land 38  
39 was perceived as abandoned. Seasonal land use dynamics were controversial when 39  
40 allocating land use for exclusive Tohono O’odham usage in the United States, but 40  
41 encroachment was largely halted with the formal creation of the reservation on the 41  
42 US side. On the Mexican side the perception of land abandonment lingers today 42  
43 and Mexicans continue to settle on and utilize traditional O’odham territory—a 43  
44 perception aggravated by out-migration. 44

<b>1</b>	<b>Out-migration, Residential Tenure, and the Cultural Importance of Land</b>	<b>1</b>
2		2
3	Like many Native Americans, the Tohono O’odham have an affinity for the	3
4	land that borders on spirituality and does not lend itself well to a brief academic	4
5	analysis. It is O’odham <i>ha-jewedga</i> , land that belongs to the O’odham and where	5
6	the Creator I’itoi roams. The importance of land goes beyond just a place for	6
7	O’odham to live or earn a living; it harbors cultural heritage sites and common	7
8	O’odham legends are set in both Arizona and Sonora. Stories told in the wintertime	8
9	share lessons based on the geography of the region. As Basso (1996) observed	9
10	with the Western Apache, wisdom does indeed reside in these places. Even if	10
11	an O’odham individual has never been to these locations, he or she knows of	11
12	their importance. Communities are comforted knowing that the land is still in	12
13	O’odham hands. Today permanent legal rights are ideal, but informal possession	13
14	is also useful. Heritage locations can remain central places to the O’odham even	14
15	as they appear to outsiders as underutilized land. As a consequence, protections	15
16	over such places are weakened as O’odham migrate out. In one interview a person	16
17	with an O’odham grandparent from Imuris, Sonora—a town that no longer has an	17
18	identifiable O’odham presence—lightheartedly reminded me that O’odham place	18
19	connections are not just in passing.	19
20		20
21	[W]e went to Mexico with my wife, her niece and her nephew, and my nephew.	21
22	And I was telling them about it and when we got to cross the border, going into	22
23	Mexico and we stopped at Imuris and I told them ... ‘we’re home, we’re home.’	23
24	And they were all laughing because they understood at the time that I knew there	24
25	was a record of their family coming from Imuris.	25
26		26
27	Accustomed to seasonal migration, O’odham movement across the border was	27
28	historically not an uncomfortable leap for many. Seasonal or permanent migration	28
29	was often undertaken to whichever side provided the best living conditions	29
30	(Nolasco A. 1965: 447). Although Papagos had been drawn to Spanish missions or	30
31	Mexican settlements as laborers for centuries and in the late 1800s some O’odham	31
32	went south into Mexico to work in the fields and get away from the arrival of	32
33	Anglo settlers (Erickson 1994, Fontana n.d.: 191–2), dominant flows eventually	33
34	turned north and much of it became permanent. Several have already written	34
35	about how many O’odham migrated across the border to Arizona over time as	35
36	Papagos were crowded out of Sonora and job opportunities became more plentiful	36
37	in the United States (Joseph, Spicer, and Chesky 1949: 22, Spicer 1962: 133, 138,	37
38	Gomezcésar Hernández 1997: 52–3, Booth 2000: 87–9). Whereas O’odham from	38
39	Mexico went to work in a variety of locations north of the reservation, the flow	39
40	to the area east of Casa Grande to work as agricultural laborers was particularly	40
41	strong (Waddell 1969). Many O’odham from the US side were also departing the	41
42	reservation to look for work (Meeks 2003), suggesting that on-reservation areas	42
43	were not viable destinations in the mid-1900s for O’odham coming from Mexico.	43
44	O’odham from Mexico migrating to non-reservation destinations in the US did	44

1 not generally establish substantial and lasting geographic connections with the 1  
2 reservation base on the US side. 2

3 3

4 *Relationship to the Land as a Bordering Process* 4

5 5

6 Among O’odham populations of Mexican origin three distinct groups developed 6  
7 based on their heritage, geography, and perceived levels of acculturation. Those 7  
8 who maintained connections across the international border within shared village 8  
9 systems were the most integrated with their US counterparts. Less connected were 9  
10 those who undertook migration to off-reservation locations in the United States 10  
11 or to predominantly non-O’odham urban areas in Mexico. Among tribal members 11  
12 today the acronym “OIM” as shorthand for O’odham in Mexico is used to refer 12  
13 to all three groups and their descendants, although some OIM who end up on the 13  
14 US reservation may shed that affiliation by establishing themselves as long-term 14  
15 members of one of the reservation districts. 15

16 These distinctions have repercussions today as both O’odham residing in or 16  
17 with origins in Mexico comprise a large segment of the membership which is 17  
18 designated as having a “no district” land base.<sup>6</sup> This status came with a certain 18  
19 degree of political disenfranchisement within the tribe in the past given that the 19  
20 only way to vote was through one’s district of membership (*Runner* 2003) but this 20  
21 situation appears to be changing. Although application to the OIM situation is not 21  
22 yet clear, a new election ordinance passed in August 2013 now allows members 22  
23 to register to vote outside of their district of membership (Tohono O’odham 23  
24 Legislative Branch 2013). Nonetheless, there is still no direct representation of 24  
25 the tribe’s Mexican membership as an identifiable unit in the Tohono O’odham 25  
26 Legislative Council. 26

27 In contrast, US O’odham who migrate off reservation are likely to maintain an 27  
28 affiliation with their district of origin. This bifurcation has its origins in the lack of 28  
29 a geographic base for O’odham originating in Mexico within the constitutionally- 29  
30 based tribal government and has contributed to a deeper us–them dichotomy 30  
31 between O’odham in Mexico and US Tohono O’odham members. Although they 31  
32 may live in what was traditional Tohono O’odham territory, O’odham in Mexico 32  
33 (whether physically in Mexico or living in the US) are a people without a formal 33  
34 land base in the contemporary Tohono O’odham political sense. Given the cultural 34  
35 importance of land in Tohono O’odham society this serves as the subtle but 35  
36 significant basis for distinction between the two sides. 36

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44 44

6 According to a 2001 tribal publication, approximately 1,400 tribal members  
resided in Mexico at that time (Castillo and Cowan 2001: 10). In 2007 just over 2,000  
or 8 percent of the tribal enrollment of 28,000 members was designated as “no district”  
(Tohono O’odham Nation 2013). While there is substantial overlap between these two  
categorizations, however, they are not equivalent.

1 *Relationship to the Land in Sonora* 1  
 2 2  
 3 Historically O’odham land immediately south of the border remained relatively 3  
 4 unsettled by non-O’odham Mexicans due in part to the O’odham presence there. 4  
 5 Also serving as a deterrent was the area’s relative isolation in terms of roads, 5  
 6 proximity to other settlements, and in some places water. Although roads remain 6  
 7 poor and infrastructure such as modern wells and utilities is often lacking even 7  
 8 today, demand for land by Mexican ranchers has increased. Smugglers also see 8  
 9 the area as desirable for illicit staging operations with certain infrastructural 9  
 10 shortcomings and jurisdictional isolation from both the US and the rest of 10  
 11 Mexico recast as advantages. Land not actively in use is a relatively easy target 11  
 12 and squatters are able to file for title after a few years of occupation. As a result, 12  
 13 informal and communal usage of the land by O’odham living in Mexico has been 13  
 14 usurped by comparatively more aggressive and individually-oriented Mexicans. 14  
 15 Confrontation, furthermore, is not a traditional O’odham approach to conflict and 15  
 16 interlopers are sometimes left to themselves while they reside in an O’odham 16  
 17 village to establish their claim. 17  
 18 A handful of O’odham villages and their land in Mexico were organized 18  
 19 communally under land reform programs over the last century as Papago *ejidos* 19  
 20 and *comunidades*. This compensates somewhat for the lack of a larger political 20  
 21 land base but these are relatively small areas and the protection offered is less 21  
 22 comprehensive than the reservation’s status in Arizona. Furthermore, neoliberal 22  
 23 reforms in 1992 lessened their protection by allowing for privatization of *ejidos*, 23  
 24 even though in the past such lands technically provided only usufruct rights and 24  
 25 were not expected by the Mexican government to sit idle for cultural and historical 25  
 26 value anyway. Rather they were intended to be occupied and actively productive 26  
 27 economically. In this way Mexican land tenure laws conflict with the O’odham 27  
 28 philosophy of land being valuable in its own right, without having to serve as a 28  
 29 permanent residence or be economically productive (Barnett 1989: 17). 29  
 30 Although the *mestizo* bloodline has traditionally been idealized, ideas about 30  
 31 autonomy and a protected land base for indigenous people in Mexico are relatively 31  
 32 new given that almost all Mexicans believe themselves to be descended from an 32  
 33 indigenous past. If the average citizen were to ponder the topic of ethnic identity, 33  
 34 he or she might wonder why anyone deserves to be recognized as more indigenous 34  
 35 than the rest of the country. Everyone, after all, is part *indio* by virtue of being 35  
 36 *mestizo*, and many so-called indigenous people have a mixture of non-native 36  
 37 blood anyway. In the US, by contrast, for all its bureaucratic faults and economic 37  
 38 challenges, the reservation system has fostered a tight sense of community for 38  
 39 a relatively sovereign Tohono O’odham government and a secure land base 39  
 40 regardless of use or economic productivity. In the US the O’odham also have 40  
 41 a unique government-to-government relationship with increasingly strong legal 41  
 42 standing. Many US O’odham have come to take such protection for granted on 42  
 43 both sides of the border and this has led to frustration over Mexican land issues for 43  
 44 some and a misleading sense of security for others. 44

1 Though many Mexican O’odham have a basic understanding of their 1  
 2 government’s system of land ownership, few on the United States side of the 2  
 3 line—and sometimes even those with heritage in Mexican border villages—are 3  
 4 aware of the related details (Barnett 1989: 8). Despite a desire to help protect 4  
 5 Mexican O’odham lands from further encroachment, incomplete understandings 5  
 6 of the political and legal environment in Mexico hampers effective cooperation 6  
 7 between the two sides on this issue. Furthermore, lacking the political organization 7  
 8 and clout of the tribal government which is based on the US side, O’odham 8  
 9 possession of land in Mexico has been diminished and remaining locations are 9  
 10 at risk. Some transplants now residing elsewhere remain in touch with their 10  
 11 rural Mexican origins, but the reservation or the city increasingly defines their 11  
 12 existence and land left behind is vulnerable to outright appropriation by others. In 12  
 13 the context of O’odham geography, families and individuals may remain within 13  
 14 their larger village kinship grouping (interpreted and adapted to include nearby 14  
 15 urban areas) but the result has been a void of ongoing residents in many rural 15  
 16 O’odham villages that lie within Mexican territory. While these places continue to 16  
 17 be important ceremonial sites and part-time residences, fewer and fewer O’odham 17  
 18 live in them on a regular basis. 18

19

20 *Relationship to the Land in Arizona* 20

21

22 Reservation status means that rural-to-urban migration on the Arizona side is 22  
 23 experienced very differently. Together with local economic pressures to urbanize 23  
 24 and off-reservation economic opportunities, official relocation programs were 24  
 25 sponsored by the US federal government starting in the 1950s. These forces were 25  
 26 tempered by the tax-free status of reservation land, strong cultural ties to the land, 26  
 27 the communal orientation to O’odham society, and the importance of *‘i:migī*, but 27  
 28 nonetheless today the number of off-reservation individuals rivals that of the on- 28  
 29 reservation population.<sup>7</sup> As in Mexico, what it means to live away from one’s 29  
 30 traditional land base and still be Native is a point of contention, but socially and 30  
 31 morally the center of Tohono O’odham culture and government in the United 31  
 32 States remains rural and reservation-based. Some tribal members have gone to the 32  
 33 city only temporarily for education and work, others commute back on a regular 33  
 34 basis. Even among those who move farther afield, reservation lands await their 34  
 35 return should they make the decision to do so. Much reduced from pre-Contact 35  
 36 times, US land that remains in O’odham hands today is watched over culturally 36  
 37 by members who remain and legally by virtue of the area’s trust status with the 37  
 38 federal government. It remains solidly protected from further encroachment by 38  
 39 non-O’odham settlers. 39

40

41 \_\_\_\_\_ 41  
 42 7 In 2007, only 48 percent of the tribe’s membership resided on US reservation lands 42  
 43 (Tohono O’odham Nation 2013). Counting only US members from the calculation, by 43  
 44 removing Mexican-based members (as enumerated in Castillo and Cowan 2001: 10), raises 44  
 45 that to 50 percent.

1 If it is true that places can hold different meanings for diverse groups 1  
 2 simultaneously (Toupal 2001, Ferguson and Colwell-Chanthaphonh 2006), 2  
 3 possession by others does not inherently break the bond which links the O’odham 3  
 4 to significant places in southern Arizona and northwestern Sonora. It is, however, 4  
 5 a serious challenge. Landscapes in southern Arizona which are not under direct 5  
 6 O’odham control today are still O’odham places to a certain degree, made 6  
 7 acceptable by the preservation of a large amount of land and a number of 7  
 8 important sites within the reservation. In addition, US public land administrators 8  
 9 are obligated to consider Native perspectives through specific formal channels 9  
 10 when developing land use plans and under many circumstances even private 10  
 11 developers are duty-bound to watch out for and take care of archaeological sites 11  
 12 they encounter. There is a legal obligation to repatriate uncovered human remains 12  
 13 to the tribe deemed to be their closest living relatives. Recourse by the Tohono 13  
 14 O’odham Nation is available through the courts and can be done in a familiar 14  
 15 legal environment. Culturally and legally, historical villages such as Arivaca and 15  
 16 Tumacácori (see Wilbur-Cruce 1987, Sheridan 2006), long since taken over by 16  
 17 non-O’odham, remain more accessible than do lands in Sonora. 17

18  
 19 *Relationship to the Land in National Context* 19  
 20 20

21 Tohono O’odham seasonal land use, urbanization, and other forms of connecting 21  
 22 and remaining connected to the land have been situated in two very different 22  
 23 national contexts over the last century and a half. Political, economic, and cultural 23  
 24 systems manipulated and constrained the Tohono O’odham and their relationship 24  
 25 to the land in two very different ways. From the US O’odham perspective, there is 25  
 26 even an undertone of being more responsible in this respect whereas their Mexican 26  
 27 brethren have failed to adequately protect their land. When understood this 27  
 28 way, land and migration—two central concepts of traditional Tohono O’odham 28  
 29 identity—have served to differentiate the two sides and isolate them from each 29  
 30 other rather than serving as common experiences. 30

31 By comparison to the US, protections over historic and cultural sites are not 31  
 32 as extensive in Mexico, there is no tribal-wide organization based there with 32  
 33 political influence comparable to the US-based Tohono O’odham Nation, and the 33  
 34 unfamiliar international legal environment hampers efforts by the US side to fight 34  
 35 for such protection. Remaining O’odham sites in Sonora are more critical than 35  
 36 one might imagine because their loss would mean the outward disappearance of 36  
 37 a traditional presence in that state. Efforts have been made to preserve access to 37  
 38 land in Mexico, and feelings of stewardship over<sup>8</sup> Mexican O’odham lands remain 38  
 39 strong on both sides of the border. In the end, however, legal protections are not as 39  
 40 vibrant or enduring as on the US side. Together with Mexican members’ isolation 40  
 41 41

42 \_\_\_\_\_ 42  
 43 8 The Western terminology of “ownership” is also used sometimes although formal 43  
 44 title may not always be held. In return, from an indigenous perspective, many O’odham also 44  
 44 consider themselves as belonging to the land. 44

1 from the tribe’s greater contemporary territorial base and its US-based governing 1  
2 structure, these differential legal relationships to the land figure prominently in 2  
3 distinguishing between the two sides. 3

4 4  
5 5

6 **Cultural Distinction and Furtherance of the Bordering Process** 6

7 7

8 Given local seasonal migration patterns certain remnant villages along the 8  
9 border in Mexico remained largely integrated with and indirectly sustained by 9  
10 contact with US-based O’odham while at the same time gradually becoming 10  
11 isolated from other O’odham communities in Mexico. Internal village system 11  
12 migration patterns served as an alternate and more organic basis for international 12  
13 distinctions (Madsen 2014). In general *border* OIM followed the acculturation 13  
14 patterns of the rest of their US-based village systems, even as *non-border* 14  
15 OIM became differentiated by US-based O’odham as more acculturated to 15  
16 non-O’odham Mexican society.<sup>9</sup> From a more neutral perspective, each group 16  
17 has been heavily influenced to varying degrees by non-O’odham society and 17  
18 might simply be described as different. Such broad generalizations certainly 18  
19 do not hold up in all situations, but they are nonetheless useful indicators in 19  
20 understanding the dominant orientation of each side. Furthermore, some 20  
21 individuals may transcend this division and the categories are fluid depending 21  
22 on the context considered. 22

23 Intermarriage and the lack of a solid land base in Mexico were important 23  
24 contributing factors to *mestizaje*, the process of becoming biologically and 24  
25 culturally integrated into broader Mexican society. Some individuals in northern 25  
26 Sonora know they have Papago forebears but feel no cultural affiliation to the 26  
27 tribe and have never considered that they might be able to apply for membership. 27  
28 Not considered Papago by themselves or anyone else, they are today simply 28  
29 Mexican with a slightly identifiable Indian heritage. Others have lost track of that 29  
30 element of their past completely. Although the *mestizo* is valorized in Mexican 30  
31 history, there has also been a tendency to look down on *indios* proper, and it was 31  
32 convenient for many generations to simply let go of that part of one’s history. 32  
33 Today towns and cities with O’odham-inspired place names like Tubutama 33  
34 (probably *Jewed Dam* or earth above, mountaintop), Oquito (perhaps derived 34  
35 from *Giho Do’ag* or Burden Basket Mountain), Bamuri (*Vamori* or swamp), and 35

36 36  
37 37

38 9 OIM who have migrated to off-reservation locations in Arizona fall somewhere 38  
39 between these two (depending on specific circumstances) and are not within the scope 39  
40 of this chapter. It should be noted that I use acculturation to refer to an increase in ties 40  
41 between the O’odham and the dominant culture, economy, and political life of each 41  
42 country. Similar to Nagel’s (2009) understanding of assimilation of immigrant groups, my 42  
43 emphasis is on the process of making sameness—the establishment of a common bond or 43  
44 experience—rather than an end product of “Americans” and “Mexicans” who no longer see 44  
45 themselves as O’odham.

1 Caborca (*Ga:wolk* or hill) to the east and south of today's Tohono O'odham core 1  
 2 are already overwhelmingly *mestizo* in identity. 2  
 3 Even among communities in Sonora that do retain an explicit O'odham 3  
 4 identity, there are acculturation challenges. Today preservation of the O'odham 4  
 5 language is one of the most critical identity issues being fought on the US side, 5  
 6 but this battle is commonly perceived by those living on the reservation to have 6  
 7 already been lost in Mexico where language frequently serves as a defining factor 7  
 8 of who is *indigena* and who is *mestizo*. Among members living on the reservation 8  
 9 itself, a decline in O'odham language use is also clearly evident but still several 9  
 10 generations removed from approaching the situation in Sonora (Lopez 2004, 10  
 11 Madsen 2005: 81, Naranjo 2011: 17). 11

12 The English–Spanish divide is also problematic and contributes to an inability 12  
 13 to communicate, further increasing the social distance US O'odham feel with 13  
 14 those across the border. Even if a Sonoran member meets the political and legal 14  
 15 (i.e. blood quantum) criteria for official tribal enrollment, cultural belonging can 15  
 16 be brought into question with the lack of a common language. Individuals who 16  
 17 have lived in Phoenix for generations might not speak O'odham either, but they 17  
 18 do speak a common language (English) and can be understood—they are not 18  
 19 as “foreign.” The same could be said for someone who lives in Sells but does 19  
 20 not speak O'odham. These individuals have the alternate qualification of being 20  
 21 physically present on land which remains in O'odham hands and participating in 21  
 22 everyday local activities which, by their geographic nature of happening on the 22  
 23 reservation, are O'odham activities. 23

24 When Mexican members speak Spanish at the local Indian Health Services, 24  
 25 tribal offices, or the Basha's grocery store in Sells they stand out as different. 25  
 26 Even OIM mannerisms are unfamiliar and their attitudes and actions come 26  
 27 across as distinctively assertive. These individuals do not see themselves as any 27  
 28 less O'odham because they are Mexican, just as those living on the US side do 28  
 29 not consider themselves any less O'odham because they are American. As the 29  
 30 ones who are visitors to the Nation's center-of-operations, however, Mexican 30  
 31 O'odham are more likely to be evaluated in a critical light, especially when a 31  
 32 familial connection is not clearly present. In Martinez's (1994) border typology, 32  
 33 the Mexican O'odham visiting Sells are binational consumers, perhaps unaware 33  
 34 that most US O'odham they meet are exhibiting uniculturalist or even nationalist 34  
 35 borderlander characteristics in response to the encounter. 35

36 Beyond interactions with their respective fellow citizens and outward behavior, 36  
 37 deeper differences are also manifest in social recognition of the other as the same 37  
 38 kind of O'odham. Whereas most O'odham in the US look to the Baboquivari 38  
 39 Mountains as the home of I'ittoi, in Mexico the Black Mountains north of Puerto 39  
 40 Peñasco fill this role. A few people are familiar with these varying understandings 40  
 41 and the existence of I'ittoi's “second home” (depending on one's perspective) 41  
 42 across the border but do not give it much thought unless queried. 42

43 The border became a convenient marker for distinction in other ways as well. In 43  
 44 one version of a traditional story as published by Saxton and Saxton, the legend of 44

1 *Ho'ok Oks* ("Monster Lady") is closed with the phrase "We Tohono O'odham end 1  
 2 the story here, but the Sonoran O'odham go on" (1973: 261).<sup>10</sup> Although difficult 2  
 3 to generalize from such a short statement, this is a subtle indication that indeed 3  
 4 there is a process of internal distinction based on the presence of the international 4  
 5 border. There are also situations where last names have been changed as O'odham 5  
 6 families moved from Sonoran border villages to the United States. Some of this 6  
 7 may be attributed to the utilization of two family names according to Mexican 7  
 8 tradition and the need to fit this into a US model, but this does not explain all 8  
 9 situations. Such name adjustments further reflect the process of differentiation 9  
 10 that some underwent as they crossed the border—even as they stayed within 10  
 11 the Tohono O'odham context—and an example of how that border reinforced a 11  
 12 perception of difference between the two sides. 12

13 Among the Tohono O'odham "The Gate" is a well-known traditional border 13  
 14 crossing for traveling from one country to the other and where the two sides meet 14  
 15 and interact. Similar to border towns elsewhere fulfilling an entertainment role and 15  
 16 experience with the "other," The Gate serves as a bridge between cultures while 16  
 17 simultaneously reinforcing difference. Although certainly less contrived than 17  
 18 border tourist districts described by Arreola and Curtis (1993: 90–96), peddlers 18  
 19 and food vendors from Mexico sell their goods to US O'odham without their 19  
 20 guests ever losing sight of the borderline. As a toponym "The Gate" reflects a link 20  
 21 between the two sides, but in the Tohono O'odham language the term used—*Kolhai* 21  
 22 *Ki:jg*—refers more specifically to an opening in the fence. The defining factor 22  
 23 is the existence of the broader fence along the border, initially constructed for 23  
 24 keeping cattle in place (Erickson 1994: 116) and more recently rebuilt to serve as 24  
 25 a vehicle security barrier. Although targeted at outsiders this fence now serves as 25  
 26 a manifestation of outside political control over traditional Tohono O'odham land 26  
 27 and the social distinctions that have sprung from this reality. Access for O'odham 27  
 28 is generally open but even this is subject to changing interpretations of native 28  
 29 sovereignty and central control as if to emphasize distinctions between the two 29  
 30 sides, the marginal nature of cross-border community, and the ultimate authority 30  
 31 of the state. 31

32 Participation in cultural and religious activities is another internal distinguishing 32  
 33 characteristic. Reservation residents are well attuned to the geographic subtleties 33  
 34 of acculturation. Cases which illustrate differential attachments to the land and 34  
 35 interaction with non-O'odham society include living on the north side where the 35  
 36 children go to school off the reservation in Casa Grande, working in Sells where 36  
 37 the contemporary sometimes overshadows the traditional and non-O'odham 37  
 38 have a greater presence, living in the relatively conservative western districts, or 38  
 39 39

40 \_\_\_\_\_ 40  
 41 10 Translation by the author with assistance from O'odham friends and colleagues. 41  
 42 The original phrase on which it was based is "Ahchim Tohono O'othham ach ia kuhugith. 42  
 43 K washaba g So-nohla t am o'othham ba'ich ha'ichu ep a'aga." This is translated by Saxton 43  
 44 and Saxton as "We Desert People end the story here, but the people on the Mexican side of 44  
 44 the border go on." 44

1 participating in certain ceremonies that are maintained in Big Fields or Santa Rosa. 1  
 2 These are all examples of various levels of acculturation, non-acculturation, and 2  
 3 even resistance to the outside world within those who live on the reservation. Above 3  
 4 all, however, non-border OIM are often seen as having lost the most O’odham 4  
 5 cultural identifiers. This may be unfair to a group which exists on the margins 5  
 6 of reservation-based Tohono O’odham society, but nonetheless such perceptions 6  
 7 reflect parallel lives and do little to preserve or build up a common existence. 7

8 There are strong feelings by some on the US side that non-border OIM are 8  
 9 simply too far removed from contemporary definitions of what it means to be 9  
 10 O’odham to be effectively incorporated under a common identity. The comments 10  
 11 of one O’odham individual living on the US side summarizes this feeling in 11  
 12 respect to OIM who are seeking to become official members of the US-recognized 12  
 13 tribal structure: 13

14  
 15 Yes, they are just different. I mean, they are human beings too. I realize that, but 15  
 16 as far as cultures being that they mainly grew up as Mexican and now they are 16  
 17 trying to be members of this Nation, how are they going to know, or how are 17  
 18 they going to learn, you know, this is a lot of questions. 18  
 19

20 Quitovac stands out as a Mexican village that retains a substantial O’odham 20  
 21 identity, a status sustained in part due to its continued occupancy, the presence of 21  
 22 a school catering to indigenous students, and views of US-resident tribal members 22  
 23 toward this place and its ceremonial importance. Proximity to a major road would 23  
 24 seem to be a challenge in terms of maintaining a unique indigenous identity within 24  
 25 broader Mexican society, but also provides a regional and international connection 25  
 26 to other O’odham. Even so, cultural heritage and legitimacy are provided as much 26  
 27 by place as population. Members living in the western part of the reservation in the 27  
 28 US play an important role in the leadership of cultural events in Quitovac (Weir 28  
 29 and Azary 2001), a phenomenon in keeping with US-based Tohono O’odham 29  
 30 generally assuming the tribe’s cultural mantle. Even more significantly this 30  
 31 particular village serves as a central gathering place for a larger village system 31  
 32 wherein migration was not historically facilitated through easy connections to the 32  
 33 US side. In this way Quitovac serves a connecting role among OIM who continue 33  
 34 to identify as Papago/Tohono O’odham. 34

35 OIM also have their concerns about those on the US side. Almost half- 35  
 36 a-century ago, a Mexican anthropologist noted that Sonoran Papagos were 36  
 37 concerned about their US counterparts being pressed into national military service 37  
 38 and suffering “*las restricciones de vivir en una reservación, lo cual no es de su* 38  
 39 *agrado*” (Nolasco A. 1965: 447).<sup>11</sup> Understanding how the US tribal government 39  
 40 operates and relates to them as Mexican members, communicating their concerns 40  
 41 effectively across national contexts, and even understanding such issues as why 41  
 42 the reservation prohibits alcohol sales are puzzling. Based on years of interaction 42

43  
 44 \_\_\_\_\_ 43  
 44 11 “the restrictions of living on a reservation, which is not to their liking.” 44

1 focused in different directions, today O’odham living in Arizona and Sonora have 1  
 2 fundamentally different ways of looking at the issues with which each side is faced. 2  
 3 The Festival of St Francis in early October is one of the more significant 3  
 4 cultural events in the O’odham calendar. This festival’s origins and strength 4  
 5 originate from and remain based out of Magdalena, Sonora, and it is a major 5  
 6 cultural event common to O’odham on both sides of the border that involves 6  
 7 travel and pilgrimage into Mexico (Fontana 1981: 82–4, Nabhan 1982: 111–19, 7  
 8 Griffith 1992: esp. Ch. 3). Even so, in some ways US O’odham here are like 8  
 9 Hispanic attendees from nearby Tucson: connected to the specific site by various 9  
 10 intensities of heritage, geography, history, and spirituality, but culturally they 10  
 11 remain visitors to the country. As early as 1947, US O’odham traveling beyond 11  
 12 the border on pilgrimage to Magdalena would use their trip as “a time for recalling 12  
 13 when the Sonora lands belonged to their ancestors” (*Arizona Daily Star* 3 13  
 14 October 1947 as cited in Schulze 2008: 202). Today when celebrating in Mexico 14  
 15 the two groups often interact in separate spheres and it is less common for OIM 15  
 16 to reciprocate by participating in celebrations on the Arizona side. Language is 16  
 17 a contributing factor, but travel restrictions and the perception of each other as 17  
 18 outsiders are also important issues. Even in a setting where one might expect to 18  
 19 find remnants of cross-border unity, division and distinction based upon different 19  
 20 experiences on either side of the US-Mexico border has crept into and now define 20  
 21 intra-O’odham relationships. 21

22

23

## 24 Conclusion 24

25

26 With the creation of a reservation in the US after half-a-century of control and 26  
 27 non-Native encroachment, Tohono O’odham identity in Arizona coalesced around 27  
 28 a secure, territorially fixed land base. For all the shortcomings of the reservation 28  
 29 system, and indeed there are many, this system of indigenous land tenure 29  
 30 eventually came to serve as a mechanism to buffer Tohono O’odham culture and 30  
 31 identity from excessive outside cultural and economic influences. By contrast, 31  
 32 Mexican Tohono O’odham land was broken up into small isolated communities 32  
 33 and as a result their identity as indigenous people became less centralized and 33  
 34 therefore less easily recognizable by others, including Tohono O’odham on the 34  
 35 US side. Lacking an equivalent means of protecting indigenous lands, expansion 35  
 36 of Mexican settlements continues to encroach on O’odham residences in Sonora 36  
 37 today. Land is not the only reason Tohono O’odham on either side of the border 37  
 38 grew apart, but it is a major factor in their respective re-orientation. 38

39 Traditionally, Tohono O’odham identity was more based on local communities 39  
 40 than pan-Tohono O’odham categorizations. As tribal identities those categories 40  
 41 were solidified post-Contact, so it is not a surprise that Tohono O’odham sub- 41  
 42 groups evolved independently based on the international border and a diverging 42  
 43 relationship the land. As an indigenous population the Tohono O’odham did 43  
 44 not come to the table with a proclivity to favor one side or the other. Instead, 44

1 national systems of land ownership and forces of political integration and 1  
 2 isolation influenced each side independently. As changes became manifest in 2  
 3 Tohono O'odham society, culture became a bordering process in its own right 3  
 4 and exacerbated the differences the two sides saw in each other. At a certain level 4  
 5 O'odham in the US and O'odham in Mexico both maintain a unique indigenous 5  
 6 identity reflecting the persistence of native presence within the nation-state 6  
 7 system, but a closer inspection reveals that in general these two groups have been 7  
 8 increasingly re-oriented toward their respective external national identities to 8  
 9 the point that some question the indigeneity of fellow O'odham across the line. 9  
 10 Even though both sides remain uniquely O'odham within their own countries, 10  
 11 divergent experiences as a component part of two very different nation-states has 11  
 12 exacerbated the otherness the two sides see in each other. 12

13 While the case of the Tohono O'odham is unique, it provides insight to the 13  
 14 bordering process of differentiating between distinctive national identities. The 14  
 15 situation also helps us understand colonially-imposed divisions around the world 15  
 16 where the status quo of borders is staunchly defended. It also highlights the role of 16  
 17 non-state entities (in this case local social norms and experiences) in the bordering 17  
 18 process. Even where historically imposed borders egregiously cut across culturally 18  
 19 unified groups, significant differences often subsequently develop beyond those 19  
 20 undertaken directly by the state. These differences may be overlooked by outsiders 20  
 21 and even remain un-prioritized by some border groups or individuals themselves, 21  
 22 but over time can serve as a basis reifying distinctions once prioritized only by 22  
 23 state actors. 23

24

25

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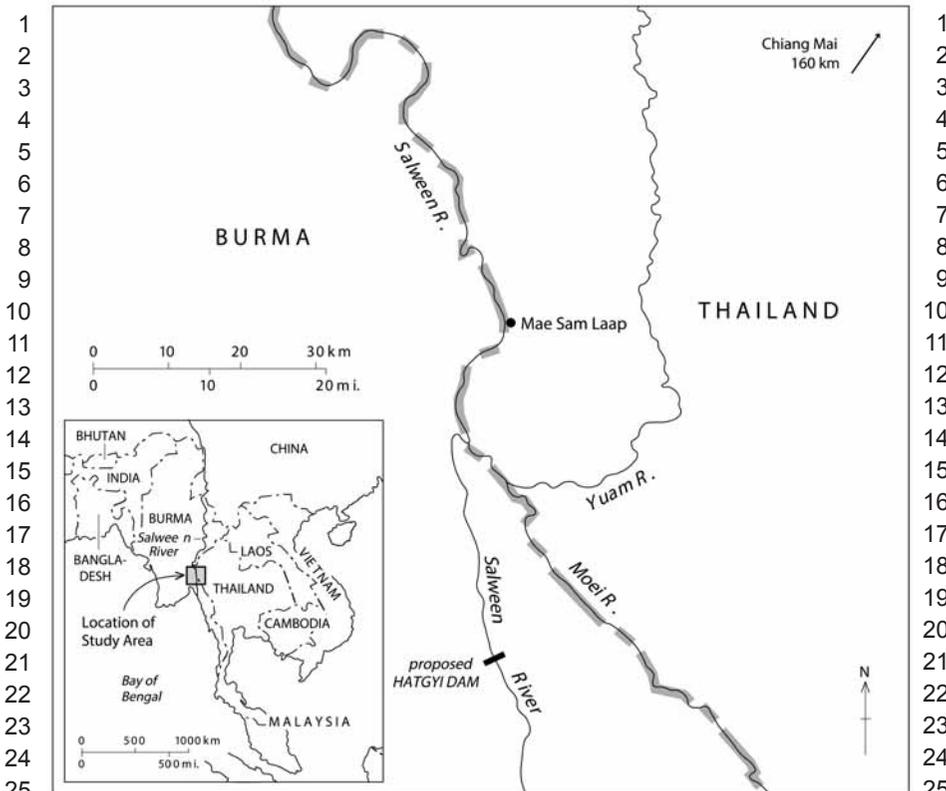
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1	Chapter 6	1
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3	Whose Border? Border Talk and Discursive	3
4		4
5	Governance of the Salween River-Border	5
6		6
7	Vanessa Lamb	7
8		8
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11		11
12	<b>Introduction</b>	12
13		13
14	A coalition of developers in Thailand, China, and Burma are working to gain	14
15	political approval for the Hatgyi dam, one of 16 large hydroelectric projects	15
16	proposed on the transboundary Salween River. The dam is proposed in Burmese	16
17	territory, with anticipated impacts in Burma as well as upstream in Thailand and	17
18	China. If built, Hatgyi would be the first dam on this river, one of the longest	18
19	free-flowing rivers in Asia, threatening the livelihood and food source for the six	19
20	million people who live in the river basin (Wong et al. 2007). The dam also poses	20
21	challenges for the river's political geographies. Within a short distance upstream of	21
22	the Hatgyi dam site, the river comprises 120 kilometers of the political border that	22
23	separates Thailand and Burma (see map, Figure 6.1). The proposed construction	23
24	of the dam and the contemplated water management schemes associated with its	24
25	installation will transform the river's flow and water levels. As a consequence, a	25
26	whole host of questions have emerged from activists, government officials, border	26
27	residents, and military officers about how these physical changes will affect the	27
28	political border.	28
29	While these questions and concerns focus on the challenges to the border posed	29
30	by the dam's construction, I argue that these miss a significant element of the way	30
31	that the political border is transformed. Instead, the planning and participatory	31
32	development processes of Hatgyi dam are reconfiguring the political border before	32
33	the actual construction of the dam. This is a consequence of discursive work by	33
34	the proponents, government agents, villagers, and activists to remake the political	34
35	border for specific aims and particular narratives and histories, in order to influence	35
36	the project's decision-making processes.	36
37	Building on the data generated through an ethnographic approach to the making	37
38	of borders in everyday life conducted at the Salween River where it comprises the	38
39	Thai-Burma border in 2010–11, I argue that "border talk" is an overlooked part of	39
40	the process of shaping questions about who borders and how (Johnson et al. 2011).	40
41	This approach illustrates that the border is not simply imposed nor is it a "natural"	41
42	line that development crosses, but the border is continually rearticulated in the	42
43	processes of cross-border resource development.	43
44		44



**Figure 6.1** Map of the Salween River-border indicating location of the proposed Hatgyi hydroelectric project and study site

*Note:* Original cartography by Carolyn King, York University.

For instance, in interviews and meetings in Thailand many residents emphasized that, in addition to the impacts on livelihood and food, what was at stake for them in the project was the loss of their understanding and knowledge of the area and of the river-border in particular. As one local leader said, many residents are concerned about their security and about the river-border's place in their lives, questioning "will it be the same as before?" In this, he highlighted the uncertainty about whether the river-border area would go back to the way it was 30 years ago, when these communities considered themselves more "cut off" from Thailand and saw their lives as "less secure."

Because the border is such a fraught political idea, calls to take note of and secure the border are a way for residents and other actors to claim a place in decision-making from which they might otherwise be excluded. At the same time, official talk about the border can serve to restrict the discursive space for the

1 same residents whose compliance these decision-making processes seek to enroll. 1  
 2 Overall, I argue that the ways that people talk about the border, as part of a larger 2  
 3 project of discursive governance, are significant in that they both influence and 3  
 4 open up possibilities for how the political border can be remade. 4

5 5

6 6

## 7 **Talk of Borders** 7

8 8

9 As part of a long-standing conversation in Southeast Asia about the creation of 9  
 10 political borders and nation-states (Winichakul 1994, Leach 1960, Rajah 1990, 10  
 11 Wijeyewardene 1991, Grundy-Warr and Wong 2002, Duncan 2004, Dean 2005, 11  
 12 Walker 1999, Baird 2010, Sturgeon 2004, Scott 1998, 2009, Horstmann 2011), 12  
 13 Peter Kunstadter argued that “the present political borders in Southeast Asia 13  
 14 represent a series of events” (1967: 18). His work productively intersects with 14  
 15 recent arguments by border scholars that borders are not lines but represent spatial 15  
 16 and temporal processes, that can be remade, resisted, or undone through practice and 16  
 17 performance (Norman 2012, Jones 2012, Salter 2010, 2011, Doevenspeck 2011, 17  
 18 Prokkola 2008, 2009, Rumford 2008, Doty 2007, Balibar 2002, Newman and 18  
 19 Paasi 1998, Paasi 1996; see also Mountz 2010 on state as performance). 19

20 Building on this work, my findings highlight how the making and remaking 20  
 21 of these borders, through “border talk,” includes (but is not limited to) the 21  
 22 very communities and individuals that reside at the border. This complements 22  
 23 the assessments of Kunstadter and other scholars of Southeast Asia 23  
 24 (i.e. Leach 1960, Winichakul 1994), which posit that border events were the work 24  
 25 of “outsiders”—western colonizers and central governments—imposed on local 25  
 26 populations living at, around, and across those borders. Through analysis of border 26  
 27 talk, I address how the border is presently positioned and enacted in the lives and 27  
 28 narratives of border residents, and I also demonstrate that what is considered the 28  
 29 “border” shifts over time and place for a variety of actors. 29

30 The concept of border talk has been employed in existing literature to elucidate 30  
 31 shifting identities (i.e. Pickering 2006, Friedman 2002; see also Doevenspeck 2011 31  
 32 who examines border talk as part of border narratives at the Congo–Rwanda 32  
 33 border). Building on this scholarship, which highlights the multifaceted and 33  
 34 shifting identities of borderlanders as articulated through their own border talk, 34  
 35 my analysis focuses on how the *border* is positioned, repositioned, and put at 35  
 36 stake in and through the words, lives, and narratives of a variety of actors. Border 36  
 37 talk represents part of the discursive governance of the political border, it both 37  
 38 influences the way that the political border is remade and also opens up possibilities 38  
 39 for how the political border is remade or undone. In other words, it shapes what 39  
 40 is possible and what is less possible. What I highlight through instances of border 40  
 41 talk at the Salween is how these articulations of the border are part of shaping 41  
 42 nature-state-society relationships. 42

43 In particular, I address the implications of border talk for the political and 43  
 44 the sub-political relationships between the border and its residents, authorities, 44

1 developers, and activists. In the context of this case at the Salween River-border, 1  
 2 the policing of citizenship, the management of cultural and national identities, 2  
 3 and the maintenance of local structures of authority and resource distribution are 3  
 4 complicated by the imposed specter of large-scale river development. 4

5 I also position this case as useful for thinking about the conflated institutional 5  
 6 and ecological functions of the river-border and the ways that nature-state-society 6  
 7 relationships are forged through border talk. Rivers “used” as borders number 7  
 8 approximately 200 globally (Varis et al. 2008: 6–7; see also Fall 2010). In this case 8  
 9 where the river comprises the political border, it is conceivably more obvious how 9  
 10 the political border is at stake in conversations because of concerns that changes 10  
 11 to the river will have very real material implications for the border. At the same 11  
 12 time, talking about the border when it is also a river makes discussion of the border 12  
 13 more complicated. It may obscure an acknowledgement of the border within 13  
 14 economic, ecological or geophysical language. To address these complications, I 14  
 15 also pay attention to gaps, absences, or silences as part of border talk. Variations 15  
 16 in representations of the river, the border, and their common position can reveal 16  
 17 relationships among those speaking (or not speaking as the case may be), and 17  
 18 between individuals and the border, the nation-state and nature. 18

19 To make these arguments, I draw on data generated through 12 months of 19  
 20 multi-sited ethnographic fieldwork, both at and away from the border. Following 20  
 21 Megoran’s (2006) call for an ethnographically informed political geography, this 21  
 22 chapter draws on interviews and participant observation carried out with over 100 22  
 23 individuals including border residents, activists, developers, and government 23  
 24 officials in Thailand from September 2010 to August 2011. I conducted a multi-site 24  
 25 ethnography, tracing the unfolding development planning process of the Hatgyi 25  
 26 dam in the daily life of the villages at the river-border, but also in the meetings 26  
 27 of government and activists at the border and at other locations in Thailand. This 27  
 28 research and analysis also draw from preliminary fieldwork conducted in 2009 and 28  
 29 work experience in the region over the past decade. 29

30 One of the ways that I present the “border talk” of multiple actors is through 30  
 31 explication of the dialogue between residents, activists, government officials, 31  
 32 and military soldiers at the dam’s public information hearing. Here, the dialogue 32  
 33 simultaneously invokes visions and experiences of a porous border and of one 33  
 34 that is well-demarcated and secure; I pay attention to how speakers’ operational 34  
 35 roles drive the ideas, images and concerns that they raise at the meetings, as well 35  
 36 as their places within that dialogue. Before I present this ethnographic data, I first 36  
 37 introduce my site of research in order to provide a context for the border talk of 37  
 38 residents, government officials and others. 38

39  
 40

#### 41 **Histories of the Border: Placing the Salween River-border in Context** 41

42  
 43 The Salween River comprises approximately 120 kilometers of the political border 43  
 44 between Thailand and Burma (see map, Figure 6.1). According to Thongchai 44

1 Winichakul, the Salween River-border was demarcated in 1849 (1994: 69) and was 1  
 2 negotiated between the British administration in Burma and the northern kingdom 2  
 3 of Chiangmai, part of present-day Thailand. The negotiations were conducted by the 3  
 4 British in order to secure their claim to teak timber on the west bank of the Salween. 4  
 5 That this site for the border was chosen and then delimited according to the British 5  
 6 interest in teak, highlights the intersection of the historical development of natural 6  
 7 resources as tied to territory-making (see also: Vandergeest and Peluso 1995). This 7  
 8 means that the planned site of the Hatgyi dam is part of present-day Burma. 8

9 More broadly, Winichakul (1994) argued that such negotiations with European 9  
 10 colonizers transformed “indigenous” understandings of the border, for whom it was 10  
 11 overlapping and ambiguous, to represent the colonizer’s Cartesian understanding 11  
 12 of the border as a fixed line on a map. Interestingly, Winichakul (1994: 69) noted 12  
 13 that in the case of the Salween: 13

14  
 15       Within two years, [the British] had surveyed every fork of the Salween River in 15  
 16       order to identify the main stream which would be regarded as the boundary. And 16  
 17       with the assistance of the five oldest Karen along the river, they finished the job 17  
 18       of marking the modern-style boundaries in 1849. 18

19  
 20 This description is one of multiple historical works which draw attention to the 20  
 21 Karen people residing at the river prior to the making of the present-day “modern” 21  
 22 boundary (see also Wilson and Hanks 1985). In this instance, Winichakul also 22  
 23 highlights how their knowledge and experience at the river was invoked to assist 23  
 24 in the fixing of the boundary. 24

25 Today, a large number of people residing here identify as Karen, and the 25  
 26 landscape of the Salween River-border still shows evidence of its timber- 26  
 27 producing history. Rows of planted teak trees still mark multiple points along the 27  
 28 river where the land was used by various companies and by the Thai state for 28  
 29 timber extraction, even though timber is no longer legally extracted in this area 29  
 30 since the 1989 logging ban in Thailand.<sup>1</sup> 30

31 Because the river is a border, much of the everyday riverine livelihood 31  
 32 activities are entangled in the institutional functions and maintenance of the 32  
 33 border. For instance, the river-border is policed from both banks. In order to travel 33  
 34 between two villages on the Thai side of the river, boats heading either up or 34  
 35 downstream from the main pier (located at Mae Sam Lap, see Figure 6.1) may 35  
 36 pass through a number of checkpoints on either side of the river. Thai border 36  
 37 guards, the Karen National Union (KNU), and the Democratic Karen Buddhist 37  
 38 Army (DKBA) under the Burmese Border Guard Force all maintain intermittent 38  
 39 check points. In addition, boat traffic is only allowed on the river from 8 or 9 am 39  
 40 until 5 pm. Traders, fisherpersons, and tourist or other transport launches, are not 40

41  
 42       1 Illegal timber harvests continue, but do not approach the scale of past forestry. Old 42  
 43 teak plantations now represent outposts of state regulation along the river, off-limits to local 43  
 44 and regional economic activity. 44

1 allowed to be on the river outside of these hours. This river-border, with all of its 1  
2 expectations, constraints and violations, is now at the center of discussion in the 2  
3 decision-making processes of the Hatgyi hydroelectric dam proposal. 3

4 The project, if it goes ahead, would be a large 1200 megawatt hydroelectric 4  
5 dam located near the political border just where the river flows into Karen 5  
6 State, Burma (see Figure 6.1). Ninety percent of the electricity would be sold 6  
7 to Thailand; the remaining 10 percent is to remain in Burma. The Memorandum 7  
8 of Understanding to develop the Hatgyi project was agreed to and signed by the 8  
9 international arm of the Electricity Generating Authority of Thailand (EGAT), 9  
10 along with China's Sinohydro Company and two Burmese investors: Burma's 10  
11 Ministry of Hydropower, and IGE, a privately held Burmese company. 11

12 Among the many actors involved in this development, Thailand's state 12  
13 electrical authority has perhaps the most at stake in the way that the political border 13  
14 is defined. Part of the debate over whether this project will proceed focuses on 14  
15 whether the dam, a short distance downstream of the length of the river that serves 15  
16 as the international boundary, will flood that border. Following Article 190 of the 16  
17 Thai constitution, any project that proposes to disrupt the country's political border 17  
18 requires parliamentary approval. Questions raised about the dam's impacts to the 18  
19 political border resulted in repeated modification and extension of the decision 19  
20 making process that must precede the development. The 2009 establishment by 20  
21 the Thai Prime Minister's Office of a Hatgyi Subcommittee occurred largely as a 21  
22 result of continuing concerns about the development's cross-border effects. The 22  
23 subcommittee was mandated to address those questions; in 2011 it organized 23  
24 public information hearings meant to provide project details to stakeholders in 24  
25 three Thai districts adjacent to the river-border. 25

26 Some of the key examples of border talk that I describe in this chapter occurred 26  
27 during these hearings. In these public information hearings, residents emphasized 27  
28 the significance of the river-border to their everyday activities, as well as to the 28  
29 position and security of their villages. 29

30 The potential for economic hardship and population displacements has driven 30  
31 project developers, anti-dam activists and border residents to produce a host of claims 31  
32 and representations about the impacts that will accrue from the dam. An important 32  
33 component of how these claims about the Karen are made by all sides in the debate 33  
34 relates to their position in Thailand as an ethnic minority group. In Thailand, many 34  
35 ethnic minorities, but particularly the Karen, are often positioned as living close to 35  
36 nature and far from modernity (Forsyth and Walker 2008, Delang 2003). In these 36  
37 stereotypes and narratives, the Karen are responsible for taking care of "nature," but 37  
38 they are also blamed for any deforestation and other environmental degradation that 38  
39 occurs (Forsyth and Walker 2008, Walker 2003). The popular accounts of the Karen, 39  
40 not only in media and historical scholarship but also in environmental campaigns, 40  
41 also place them as living at the political-cultural edges of Thailand, far from those 41  
42 who would be considered to be politically or ethnically "Thai" (Winichakul 2000, 42  
43 Vandergeest 2003, Keyes 2003, Forsyth 2007, Forsyth and Walker 2008). Instead, 43  
44 they are more frequently associated with the Burmese nation-state. 44

1 This contested positioning of Karen people intensifies the discussion of what 1  
 2 is at stake when talking about the border, about which side of the border residents 2  
 3 belong (even when living in villages with long standing within Thailand), and 3  
 4 about whose jurisdiction they may represent. Border talk is important because 4  
 5 it facilitates analysis of the ways that the border is invoked by residents and 5  
 6 other actors, revealing contrast between different individuals' articulations 6  
 7 of the political border and helping us to understand their contributions to 7  
 8 development outcomes. 8

9 In the next three sections, I illustrate examples of border talk by residents, 9  
 10 military officers, activists, and government officials. The aim of presenting this 10  
 11 range of border talk is to highlight precisely how the border's meaning shifts through 11  
 12 the statements of multiple stakeholders in the cross-border development process. 12

13 13

14 14

### 15 **Developing the Border: The Hatgyi Subcommittee and** 15

### 16 **Environmental Governance** 16

17 17

18 Border talk was an integral part of the Hatgyi public information hearings which 18  
 19 represented an opportunity for exchange between residents, officials, soldiers, 19  
 20 and activists. The hearings were held in early 2011, and the meeting that I draw 20  
 21 from here was held in one district capital in northwestern Thailand adjacent to the 21  
 22 river-border. The mandate for these hearings was to present in the words of one 22  
 23 subcommittee member "the truth" about the project, particularly on the question 23  
 24 of whether or not the dam would inundate parts of Thailand, or would otherwise 24  
 25 impact the political border. The border talk in these meetings demonstrates the 25  
 26 discursive work of multiple actors to remake the border in ways intended to 26  
 27 either facilitate the development and to argue against its approval. In turn, their 27  
 28 discussions highlight how articulations of the 'border' shift. 28

29 The Hatgyi subcommittee was composed of 19 members, including EGAT 29  
 30 officials, Ministry officials, the environmental consultant who carried out the EIA, 30  
 31 five civil society representatives including NGO staffers and a member of the 31  
 32 National Human Rights Commission of Thailand, and a military officer named 32  
 33 Khet.<sup>2</sup> The audience was mostly comprised of village headmen and residents 33  
 34 from affected districts in northwestern Thailand. In addressing the audience, Khet 34  
 35 referred to the project as an opportunity to finish what the British started in the 35  
 36 late 1800s: marking out the 'official' border. He explained that in the past, "They 36  
 37 [Siam and British] decided that Thai would have one bank, and the British the 37  
 38 other ... but in the present, ... there are only 500 kilometres that are clear; there are 38  
 39 still 2,400 kilometres that have not yet been surveyed. This is just the beginning ..." 39  
 40 (Feb 9, 2011). According to his presentation, cross-border development and 40  
 41 official demarcation of the border were directly linked; the development project, 41  
 42 whatever its impacts, represented an unprecedented opportunity to improve the 42

43 43

44 <sup>2</sup> All names used for interviewees are pseudonyms. 44

1 fixity and order of the existing border. EGAT officials and the environmental 1  
 2 consultants they hired also presented their reassurances that the dam project 2  
 3 would not inundate the political border. One of the presenters frankly stated that 3  
 4 those concerned about flooding or the political border “should not worry” (hearing 4  
 5 transcript February 2011), underlining the message that the project did not pose 5  
 6 significant consequences for the border. 6

7 There were no presentations by village representatives. There was an 7  
 8 opportunity for residents to ask questions and many did so, raising issues affecting 8  
 9 the livelihood activities and travel on the river. The relationship of the border to 9  
 10 boat traffic dominated this discussion, with audience members inquiring about 10  
 11 exactly where (and when) each country could exercise its authority over the river. 11  
 12 For instance, one man, who did not introduce himself but I recognized from a 12  
 13 village along the Salween that is known for its part in cross-border trade, asked, 13  
 14 “Who has the authority to close the river to boat traffic—Burma or Thailand”? 14  
 15 (Transcript February 9, 2011) 15

16 Instead of addressing the more expected issue of fishing impacts, residents 16  
 17 raised questions about travel and transport. Within the ensuing discussion, the 17  
 18 underlying context of public discussions at the hearings was related to questions 18  
 19 of control and authority—over the river, the border, and the people living on each 19  
 20 side. The timing of the hearing is also important here—these hearings took place 20  
 21 during a period in 2010–11 in which official and unofficial “closures” of the river- 21  
 22 border occurred due to civil conflict in Karen State, Burma, a preoccupation for 22  
 23 many whose livelihoods depended on river traffic. These discussions were also 23  
 24 spurred by broader, more longstanding connections between an orderly border and 24  
 25 the political and legal legitimacy of village residents, and by Khet’s comments on 25  
 26 the development’s association with border demarcation and security. 26

27 The Chair of the Subcommittee repeated the assertion that this project would 27  
 28 lead to clarification of these border issues. Then, in his haste to conclude discussion 28  
 29 of boat traffic, he addressed the audience: 29

30  
 31 Do people understand who is responsible? I am sure if [Burma] was without 31  
 32 conflict, then this would not be an issue ... with regard to what happens with 32  
 33 the boats, I do not understand the question exactly. ... If you are asking why 33  
 34 the Burmese government can prohibit Thai boats from travelling on the river, it 34  
 35 can’t ... We share the river. (February 9, 2011, field notes) 35  
 36 36

37 The Chair’s comments served to limit further discussion on this topic. He later 37  
 38 reiterated that the border and “Thai soil” would not be affected and were not of 38  
 39 primary concern, maintaining that EGAT was more than capable of making sure 39  
 40 that the political border would not be altered. 40

41 As was evidenced through the public information hearing, it was not 41  
 42 necessarily accepted that Hatgyi dam could be constructed so close to the political 42  
 43 border and not impact Thailand, but this is exactly what must be accepted for the 43  
 44 development to go ahead without becoming a subject of national political debate. 44

1 In a move to draw attention to information not presented at the public information 1  
 2 hearing, NGO activists from the local district and from farther afield expressed 2  
 3 shared concerns about the dam, the border and security. Towards the end of the 3  
 4 hearing, they read aloud letters and asked pointed questions about the (conflicting) 4  
 5 evidence for border impacts documented in a Human Rights Commission of 5  
 6 Thailand report (NHRCT 2000).<sup>3</sup> 6

7 One activist named Patana highlighted what he considered to be the cross- 7  
 8 border impacts of the project that were not addressed by the Subcommittee's 8  
 9 presentations. He told the meeting room, "For those who are not based at the 9  
 10 river, I want you to see the kinds of impacts you will get." He raised the issue of 10  
 11 human rights abuses, known to be perpetrated by the Burmese military against 11  
 12 residents in Karen State. Patana declared that, in contrast to the democracy touted 12  
 13 in the context of the 2010 November elections in Burma, human rights abuses in 13  
 14 Karen State near to Thailand were increasing. He concluded his list of concerns 14  
 15 with a warning about the potential for future problems, appealing to the Hatgyi 15  
 16 Subcommittee about the problems for the Karen people in Burma: 16

17  
 18 And for the Karen who opposed the dam, with the increase in military [Burmese 18  
 19 soldiers] in the area, there will be more refugees. Now, there are already refugee 19  
 20 camps set up. They are full. What will happen when the dam is built and more 20  
 21 refugees come? Where will they go? Can you tell me—what will the impacts 21  
 22 be? The people in the camp will leave the camp or they won't be able to stay in 22  
 23 the camp because it is full. (February 9, 2011) 23

24  
 25 Patana directly linked the Hatgyi dam with issues of border security, with armed 25  
 26 violence in Burma, and with the issue of refugees crossing the border into Thailand. 26  
 27 His talk of the border shows two different discursive moves: the first was to call 27  
 28 attention to the fact that this public information hearing in Thailand was also 28  
 29 about Burma. This was one of the first times I witnessed the issue of impacts 29  
 30 within Burma raised at these meetings; it was mostly overlooked up to this point, 30  
 31 helpfully so for a Thai subcommittee with no authority to answer on behalf of 31  
 32 Burmese officials, and of residents and officials in Karen state. Second, the activist 32  
 33 highlighted interlinked concerns about refugees, illegal migrant workers, and the 33  
 34 dam's potential to "unmake" the political border by spurring additional movements 34  
 35 of people across it. The activist's suggestion of a cross-border spread of impacts 35  
 36 from within Burma resonated in interesting ways with Thai-side residents' own 36  
 37 concerns about the unmaking of their relationships with the river-border. 37

38 Patana, as an advocate for human and environmental rights, was attempting to 38  
 39 make sure these concerns about violence, the plight of refugees, and human rights 39  
 40 abuses more generally were included in the hearing record. Yet, his words also 40

41  
 42 <sup>3</sup> This report show that cross-border impacts would be expected from the Hatgyi 42  
 43 dam and was part of the impetus for the Prime Minister's office initially establishing the 43  
 44 Hatgyi Subcommittee. 44

1 conjured emotions, in particular a broadly held set of fears about border security, and 1  
 2 connected them with the Hatgyi project.<sup>4</sup> At the conclusion of Patana’s rather long 2  
 3 “question,” the Chair discouraged other subcommittee members from responding, 3  
 4 and urged the “real” stakeholders to produce questions for the subcommittee. 4

5 5  
 6 6

7 **Will it be the Same as Before? Changing Articulations of the River-border** 7

8 8

9 At the dam’s public hearings, residents mainly claimed discursive space to ask 9  
 10 questions about issues of control and authority of the river-border. However, as I 10  
 11 detail below, outside of the public information hearing, talk of the border and the 11  
 12 state were also manifested, although in more discrete ways. 12

13 In one of the three villages where I conducted fieldwork along the Salween 13  
 14 River-border, I interviewed Wandii, and her husband, Wanankan. They live in 14  
 15 Thailand’s Mae Hong Son Province just upstream from the proposed Hatgyi 15  
 16 dam site. Their village is comprised of about 500 households. Most individuals 16  
 17 identify as Karen or Thai-Karen ethnicity as Wandii and Wanankan do, and while 17  
 18 the majority of residents were born in Thailand, which would in many cases make 18  
 19 them citizens, but many do not have birth or citizenship documentation. The village 19  
 20 is not included on most government maps and until recently was not marked on 20  
 21 international digital mapping products. For these reasons, many activists refer to 21  
 22 these villages as “nokpantii” or “off the map,” and local NGOs are working to 22  
 23 map and count villages and residents with the aim of helping individuals apply for 23  
 24 citizenship documentation and forcing development activities to acknowledge the 24  
 25 villagers’ legal presence and their potential to experience project impacts. 25

26 Wandii described life in the village as not very good, and said that she would 26  
 27 welcome development that would bring decent jobs to her village. Growing up 27  
 28 along the Salween River-border her entire life, at 46 years old Wandii saw many 28  
 29 changes. She explained that “there was an increase in the number of people and 29  
 30 an increase in village development,” of which she noted a new road and clinic. 30  
 31 But in her opinion, the quality and quantity of agricultural activities decreased. 31  
 32 She made clear that “It used to be fertile, there used to be enough to eat. But 32  
 33 now there is not enough.” She reiterated that she wants her children who attend 33  
 34 school in another town to come back to the village, but she is sure that there is 34  
 35 not enough space for them to participate in agriculture or to build a house, and 35  
 36 that it would be difficult for them to make a living. This year, their household 36  
 37 only received 60 tang [local measurement equivalent to one large bucket] of rice. 37  
 38 It was full of insects and was not enough to feed her family. She asserted that, 38  
 39 “Even as we see more development, the agriculture and food for us is not so 39  
 40 good.” When we discussed the proposed dam, Wandii was neither adamantly 40  
 41 against nor for the project. 41

42 42

43 <sup>4</sup> Problematically, this talk of “outsiders” was picked up and reiterated throughout 43  
 44 the hearing. 44

1 For many like Wandii, the proposed cross-border development might offer 1  
 2 some benefits, but is not necessarily beneficial overall to the existing livelihood 2  
 3 and income-earning activities of local residents. The project, on its own and as 3  
 4 one of 16 proposed dams, may also necessitate relocation in the longer term—not 4  
 5 necessarily due to the flooding of resident’s homes but as a result of more insidious 5  
 6 social displacements that can accompany large-scale dam development 6  
 7 (Vandergeest et al. 2007). Her concerns are also related to a larger tension where 7  
 8 many individuals are participating in state-led development processes because of 8  
 9 potential benefits, but are also critical or even skeptical of the stated motives of 9  
 10 the process or its outcomes. Wandii’s experience with development resonates with 10  
 11 critiques of the participatory turn in development procedures (Ferguson 1994, 11  
 12 Käkönen and Hirsch 2009), and illustrates how individuals consider and grapple 12  
 13 with the opportunities presented through their own or their village’s participation 13  
 14 in development processes. 14

15 While development and the impacts to the river and daily life were always 15  
 16 emphasized, what I was struck by in interviews with residents like Wandii at the 16  
 17 river-border were the silences regarding the political border itself. The border was 17  
 18 not talked about in a direct sense. Instead, it was the “river,” “development” and 18  
 19 the act of “crossing” that residents directly talked about in village meetings and 19  
 20 in interviews. Yet, even as the political border was not named in our discussions, 20  
 21 facets of the political border and residents’ changing relationships with the river 21  
 22 border were articulated as part of everyday life. 22

23 This could be seen, for instance, in border residents’ use of storytelling to 23  
 24 contextualize contemporary events and concerns. One local leader, named Thomas, 24  
 25 repeatedly raised a saying he identified with his ancestors: “If the Salween runs 25  
 26 dry, we cannot come and go [visit one another]. To cross the river would be a 26  
 27 sin, even if we try to cross, we cannot.” (Thomas, October 17, 2010) While I first 27  
 28 heard this saying from Thomas, I heard it in different variations by at least 10 28  
 29 others in the same village. The main point communicated here is that changes 29  
 30 to the river flow would transform the presently crossable, negotiable river into 30  
 31 an impermeable border. According to Thomas’ ancestors, crossing would bring 31  
 32 significant undesirable but unknowable consequences for the village.<sup>5</sup> 32

33 While it is difficult to imagine the river-border as it is now—a rather turbulent 33  
 34 flow of water that even during the low season provides water—transformed 34  
 35 to a dry river bed, for Thomas and others in the village the potential for dam 35  
 36 development to change the river’s flow regime presents the possibility that the 36  
 37 river will be similarly hardened and made unavailable to them. In discussions, the 37

38  
 39

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40 5 To highlight the significance of this story further, there are other times when it is not 40  
 41 advised to cross the border, such as when the river “runs red” (which means it is the high 41  
 42 season and the river is quite turbulent), but in comparison, those “not advised” occasions 42  
 43 are different from the river running dry. The dry riverbed represents a significant event and 43  
 44 it actually constitutes a “sin” to cross it. 44

1 proposed dam was repeatedly linked to this vision of the river running dry and to 1  
 2 its transformation from a site of “life” to a barrier.<sup>6</sup> 2

3 Even with the unlikelihood of the river running dry, the discursive shift is an 3  
 4 important one. Whether Thomas presently crosses the border with much frequency, 4  
 5 this change from “being able to” to “cannot” cross is significant. Although he 5  
 6 stressed disturbing the natural river flows, there are also implications for not just 6  
 7 the ecological functions of the river, but also the institutional functions of the 7  
 8 border. In practical terms, it signifies that not only would the river would dry 8  
 9 up but that trading and selling along and across the river-border would also be 9  
 10 impacted. In this case, trade is made lucrative because of the border. Were this 10  
 11 river not a border, with the associated complications and opportunities for trade 11  
 12 and transport that it offers, concerns might be articulated differently, and would 12  
 13 be less obviously significant to the everyday lives of residents. The river-border 13  
 14 is also used as a personal transportation route for most villages along it, which 14  
 15 lack all-season road connections to each other and to district centers. As such, the 15  
 16 specter of the river’s transformation is enhanced for those with family members or 16  
 17 relationships with individuals living in other villages. 17

18 This discursive shift from a site of life to a barrier is also significant within the 18  
 19 village as a way to think about a future of ecological and institutional uncertainties. 19  
 20 The specter of river-development for the village is not just related to Hatgyi, 20  
 21 but to all the dams that are proposed upstream (some under construction now) 21  
 22 in China, developments on which Thai and Burmese villagers did not receive 22  
 23 any consultation. For border residents, the more managed and constrained flow- 23  
 24 regime that will result from these upstream dams will transform the river and 24  
 25 the livelihood opportunities it provides them. The dynamic, seasonal river that 25  
 26 currently exists supports a variety of transitional fisheries as well as productive 26  
 27 dry-season gardening of the river’s exposed banks; its unpredictability also 27  
 28 limits access to the river for conventional policing. A stable flow would alter 28  
 29 the possibilities that current seasonal changes afford. In particular, stabilizing 29  
 30 the river’s flows year-round will affect and constrain villager livelihoods just as 30  
 31 definitively as if the waterway “dried up”—both the flat river and the dry river 31  
 32 are barriers to local lives. In my analysis, this discursive shift from “river as 32  
 33 life” to “river as barrier” is not only directly significant to trade and subsistence 33  
 34 futures, but also to thinking about the possibilities of the political border and of its 34  
 35 implications for border residents. 35

36 In addition to these narratives which highlight the development at the border, 36  
 37 Karen residents also presented and documented their histories as related to trees 37  
 38 and timber as a precursor to the present dam proposals. Some of these histories 38  
 39 39

40 \_\_\_\_\_ 40  
 41 6 The community is upstream of the dam and I do not understand how the dam could 41  
 42 cause the river above it to “run dry.” However, I understand that the essence of the concern 42  
 43 is that there will be a large change, particularly with regard to river flow, and this change 43  
 44 will affect their lives in negative ways, which is consistent with Hatgyi project proposal and 44  
 45 perhaps all the more relevant in the context of 16 proposed projects. 44

1 were recorded and textualized in local knowledge projects such as in the *Salween* 1  
 2 *Study* (FER 2007). Residents explained how they associated the building of the 2  
 3 dam with erasing their livelihoods, such as riverbank gardening and swidden 3  
 4 agriculture, as well as residents' knowledge and history within Thailand. Many 4  
 5 individuals reiterated the significance of making, documenting, and sharing their 5  
 6 knowledge about the area, because as one elder put it, "If the dam is built, then all 6  
 7 of these things disappear" (Dec 2010 fieldwork notes). Many expressed concern 7  
 8 about their security and the river-border's place in their lives, including the local 8  
 9 leader quoted in the introduction to this chapter, who wanted to know "will it 9  
 10 be the same as before?" As noted, his words call attention to the uncertainty 10  
 11 about whether the river-border area would go back to the way it was in the past, 11  
 12 which was seen as "less secure." A main thread through these discussions and 12  
 13 presentations of local history was that the relationships forged with the border 13  
 14 from the Karen residents' position in Thailand was an important accomplishment. 14

15

16

#### 17 **A Soldier's Words: Concern for Thai-land** 17

18

19

20

21

22 Outside of the public information hearings, I also informally interviewed a Thai 22  
 23 soldier posted at the river-border while I was waiting for a boat on the Salween. 23  
 24 This boat trip came after conducting prolonged fieldwork in Wandii's village along 24  
 25 the river-border. The soldier, "Dan," recognized concerns about losing "Thai soil," 25  
 26 but also expressed optimism about these impacts and what they would mean from 26  
 27 the perspective of a state agent. In his comment quoted above, he references both 27  
 28 the soil and territory, and the marginal loss of territorial area elides the much 28  
 29 greater loss of intensely productive riverbanks accessible to village residents. 29

30 The soldier explained that the concession of 100 rai (approximately 16 30  
 31 hectares/39.5 acres) was acceptable because it would only affect gardens along 31  
 32 the banks of the Salween River and the "minority groups" who maintain them. He 32  
 33 contrasted this "lost soil" with references to his duty to protect the forests, national 33  
 34 buildings, village temple, and connecting roads, aspects of the border landscape 34  
 35 loaded with much greater official weight. 35

36 In addition to his use of the words "Thai soil" to refer to the Thai nation-state's 36  
 37 claims to land, he also discussed ongoing "illegal Burmese timber" at the border. 37  
 38 Such characterization of logging not only maps the 1989 Thai logging ban onto 38  
 39 Burmese territory (where teak logging is not illegal), it was also the only time 39  
 40 during our conversation that the soldier referred to Burma or to Burmese authority 40  
 41 at the border. 41

42 I raise Dan's talk of "Thai soil" and "illegal Burmese timber" to highlight 42  
 43 the often conflated political and ecological articulations of and at the border. In 43  
 44 these conversations, the notion that the soil has a nationality facilitates particular 44

1 conversations and can serve to exclude certain peoples. This element of exclusion 1  
 2 is further highlighted in his above comments about ethnic minorities in Thailand. 2  
 3 Dan's border talk is similar to issues raised in interviews with dam developers, 3  
 4 environmental consultants, and government officials who served on the 4  
 5 subcommittee, and in their public comments at the hearings—particularly by the 5  
 6 Chair who also invoked the term “Thai soil.” How this “border talk” matters and 6  
 7 what it means for the political border is part of what I consider next, in discussion. 7

8 8  
 9 9

## 10 **Discussion and Conclusion: Border Talk and Discursive Governance** 10

11 11  
 12 The accounts of the Salween River-border presented through the border talk of 12  
 13 various actors show how the border is understood and positioned in and through 13  
 14 different embodied relationships with institutions and ecologies. The focus on 14  
 15 “border talk” highlights the fluid and sometimes ephemeral character of the border 15  
 16 and the ways it is invoked—not only as a fixed line, but as emergent, dynamic, 16  
 17 and multifaceted. 17

18 Using a similar approach, Doevenspeck examined border talk as integral to 18  
 19 narratives of the Congo-Rwanda border. He argued that “The range of accounts 19  
 20 of the border, from being a desired barrier against the demonized ‘other’ 20  
 21 and a means of exclusion to its conception as a resource, makes it clear that 21  
 22 understanding the border through narratives requires allowing for historicity, 22  
 23 relationality and contrariness” and “providing insights into state-society relations” 23  
 24 (2011: 140). What this case adds to these insights is the intertwined production of 24  
 25 nature–society–state relationships that occurs during development activities. For 25  
 26 instance, the concerns expressed by activists and government officials regarding 26  
 27 “illegal migrant workers” and the dam's potential to “unmake” the political border 27  
 28 in ways that would increase illegal border crossing appeal to not only state-society 28  
 29 relationships, but to visions of nature and nature's development. Added to these 29  
 30 statements in public hearings, Dan's statements regarding “Thai soil” and minority 30  
 31 groups at the border emphasize that he knows “whose border” it is. His comments 31  
 32 combined with the concerns of border security and demarcation in the public 32  
 33 information underscore how redefining the border through exclusion is a strong 33  
 34 thread through this cross-border development. 34

35 These instances of border talk signify the redefinition of relationships with the 35  
 36 political border. As the border's relationships with particular visions of security are 36  
 37 debated, there are implications for the kinds of “border talk” and the relationships 37  
 38 that are subsequently articulated. In this case, there is evidence of a tightening of 38  
 39 discursive space for Karen residents who would be affected by the dam to present 39  
 40 on and speak of the border. This is evidenced in the ways that Karen residents are 40  
 41 expected and even encouraged to speak about topics related to their livelihoods 41  
 42 and nature, but then are not asked about or encouraged to speak about the 42  
 43 political border. It also influences the ways that individuals position themselves in 43  
 44 relationship to that border within public meetings about the project. This border 44

1 talk matters because it shapes the sets of issues and relationships invoked through 1  
2 the broader processes of cross-border development. 2

3 However, even as Karen residents do not name the border, outside the 3  
4 hearings they situate the river-border within their local historical narratives, 4  
5 and also located themselves as part of Thai historical narrative by delineating 5  
6 their role—past and present—as related to the Thai-land and to natural resources 6  
7 development. Residents took the opportunity presented by the development 7  
8 process to articulate claims to and about the river-border, connections which 8  
9 are not only forged through cross-border development processes but are also 9  
10 made more visible through such processes. This includes instances such as the 10  
11 Karen better able to speak about riverine livelihood activities and their important 11  
12 historical relationships with the river-border as part of local knowledge and also 12  
13 in questions posed at the public information hearing. I argue that even though 13  
14 the “state” and the “border” are not named, they are in many ways brought into 14  
15 conversations about development and everyday life, and both reflect and shape 15  
16 residents’ relationships to the river and to the border of the Thai nation-state. The 16  
17 points raised here contribute to the border literature in Southeast Asia, which 17  
18 envisions the political border as “process” but does not locate minority groups as 18  
19 actors within those processes. 19

20 Moreover, such border talk highlights how these connections with the border 20  
21 are continually expressed and remade. These relationships, in turn, build on 21  
22 narratives (both historically produced and manifested contemporarily) about 22  
23 development and about the Karen that are important to consider, particularly in 23  
24 terms of the challenges to transform the way that borders, nature, and security are 24  
25 talked about by individuals at and away from the border. 25

26 On the one hand, these relationships are expressed in ways that build on 26  
27 problematic national and global discourses about immigration which position 27  
28 those near or at the border in a similar category to border crossers as national 28  
29 security threats. In this particular case, this positioning builds on a deeper history 29  
30 of contention between Thailand and Burma as well as on Thailand’s history of 30  
31 defining the nation (“Thai-ness”) through exclusion (Winichakul 1994, 2000). 31  
32 This framing is at least partially defined in conversation with histories and security 32  
33 discourses which already delimit the Thai-land and limited the space for the speech 33  
34 of border residents and “migrants.” 34

35 On the other hand, the Chair and soldier asserted in the hearing that the border 35  
36 would be more solidly demarcated and secured through development. These 36  
37 examples draw attention to the ways that the project is invoked as fixing the border, 37  
38 in addition to (or in contrast to) the dam’s “unmaking” of the border through its 38  
39 perceived impacts to increase illegal border crossing. The strength of border talk 39  
40 in this instance is that it can evince both sides of these contradictory articulations 40  
41 of the border, as related to the inclusions and exclusions of security discourse. 41

42 In addition, the border talk around Hatgyi not only invoked said visions 42  
43 of security, it also invoked onerous nature/nation constructions that included 43  
44 “Thai soil” and “Burmese illegal logging.” Considering that this discourse on 44

1 security emerged throughout the development process, the relationships forged 1  
 2 through these words appeal to problematic apolitical or Malthusian approaches 2  
 3 to understanding ecology and politics which position local resource users as 3  
 4 problems for the state and for development to manage and “solve.” In particular, 4  
 5 this border talk echoes Fall’s critique of the problematic links made to ‘natural’ 5  
 6 borders like rivers, which are mobilized in the name of naturalizing problematic 6  
 7 assumptions that states should be ethnically homogeneous (2010: 140). Examining 7  
 8 border talk reveals that these articulations of the border are worthy of scrutiny, 8  
 9 and furthers understanding of the ways that particular understandings of the 9  
 10 border are produced or “naturalized.” The relationships forged through cross- 10  
 11 border development processes—and the questions raised about the border and 11  
 12 development within these processes—comprise an important element of this 12  
 13 research and the arguments presented here. 13

14 In sum, while cross-border resource development proceeds on the basis that the 14  
 15 political border is a given or even “natural” line that development and decision- 15  
 16 making must *cross*, I argue that it is actually the border that is re-articulated and 16  
 17 remade in these processes. One way that this commonplace border talk matters 17  
 18 is in how it shapes, limits, influences, and potentially opens up possibilities for 18  
 19 different articulations of the border. It concerns the redefinition of Thailand’s 19  
 20 border with Burma, and residents’ relationship to both the river (nature) and the 20  
 21 border (nation-state). Relating these arguments to broader debates about whether 21  
 22 the nation-state and its borders are increasing or decreasing in importance, this 22  
 23 chapter points to the ways that borders are remade through everyday state-making 23  
 24 performances, including those that afford substantial discursive space to multiple 24  
 25 local and non-local actors. 25

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1	Chapter 7	1
2		2
3	Crossing Lines, Crossed by Lines:	3
4		4
5	Everyday Practices and Local Border Traffic	5
6		6
7	in Schengen Regulated Borderlands	7
8		8
9	Judith Miggelbrink	9
10		10
11		11
12		12
13		13
14	<b>Prologue</b>	14
15		15
16	<i>'Have you been ill this winter? No? Do you have many absences?'</i>	16
17	<i>'Have what?'</i>	17
18	<i>'Absences?'</i>	18
19	<i>'I can't hear you.'</i>	19
20	<i>'Have you absences from school?'</i>	20
21	[...]	21
22	<i>'What's new, Tolica?'</i>	22
23	<i>'What?'</i>	23
24	<i>'What's new? Nothing?'</i>	24
25	<i>'The godmother is at home now.'</i>	25
26		26
27		27
28	<b>Introduction</b>	28
29		29
30	The preceding conversation stems from the documentary "podul peste tisa/The	30
31	Bridge" directed and produced by Ileana Stănculescu (Romania, 2004). A woman	31
32	was standing on the southern—Romanian—bank of the river Tisza (called Tisa	32
33	in Romanian and Tyssa in Ukrainian). From there, she shouted across the rushing	33
34	waters to her son, Tolica. Standing on the northern—Ukrainian—bank of the river,	34
35	Tolica struggled to understand his mother. Their conversation, however trivial	35
36	and commonplace, took place in 2003/04 when Ileana Stănculescu produced	36
37	the documentary. By then, a new bridge already spanned the Tisza between the	37
38	Romanian town of Sighetu Marmatiei and Solotvyno in Ukraine. Since 2002,	38
39	the bridge connected the areas on both sides of the Tisza that often are described	39
40	as part of the same cultural and historical region: the land of Maramureş (Țara	40
41	Maramureşului). Both parts were physically separated during World War II	41
42	when almost all bridges were destroyed. The physical separation was followed	42
43	by a political one: Whereas the northern part was incorporated into the Soviet	43
44	Union, the southern parts stayed with Romania. People who lived in this area for	44

1 generations were separated and interactions between them were cut, although many 1  
 2 of them had family ties on the other side and wished to maintain their relations. 2  
 3 However, after 10 years of negotiation, planning, and finally building the bridge, 3  
 4 “maintaining” relations across the river still meant shouting over the waters. Why? 4

5 Since the completion of the bridge in 2002, it took another five years until 5  
 6 it was officially opened as a border crossing point. Until 2007 people from both 6  
 7 countries were still kept at a distance. Due to relatively liberal border management 7  
 8 at that time, by opening the border crossing point the bridge and its surroundings 8  
 9 immediately turned into a site of trading, shopping, and commuting. However, 9  
 10 the bridge has been closed and opened every now and then for reasons that have 10  
 11 never become entirely transparent (for a short summary of the rather complex 11  
 12 history of the contemporary bridge, see Wust and Zichner 2010). Ironically, at 12  
 13 the same time, Romania transformed the border to Ukraine according to the strict 13  
 14 and homogenous border regime that the Commission of the EU has applied from 14  
 15 the “waters of the Mediterranean to beyond the Arctic circle.”<sup>1</sup> Romania—as 15  
 16 well as Bulgaria—has implemented the Schengen rules, but still may only issue 16  
 17 national visa instead of Schengen visa to technical procedures that do not meet EU 17  
 18 standards so far. 18

19 This chapter illustrates how state borders in Central and Eastern Europe 19  
 20 that were transformed according to the standards of the European Schengen 20  
 21 border regime function within the everyday lives of people. My focus is on two 21  
 22 overlapping aspects: On the one hand, it is on the local border traffic (LBT) regime 22  
 23 that has been developed by the EU Commission to enable and re-organize cross- 23  
 24 border activities of people living in the borderlands alongside the EU borders. 24  
 25 On the other hand, it is on small-scale trade as a concrete appropriation of the 25  
 26 border and border-dependent practice that has made the border a transitory space 26  
 27 offering income opportunities for individuals and households under precarious 27  
 28 economic conditions. 28

29 In order to elaborate on the role of borders and bordering in everyday life, I 29  
 30 draw on governmentality to conceptualize territory and the border in structuring 30  
 31 social/society relations. In the following paragraph, I briefly depict a macro 31  
 32 perspective of border development in Central and Eastern Europe to demonstrate 32  
 33 changing conditions of border crossings that were implemented at the Eastern 33  
 34 borders of the Baltic States, Poland, Slovakia, and Hungary. Having set the stage, 34  
 35 I then use a micro perspective to analyze some of the effects the changing border 35  
 36 regime has on everyday practices of people in the borderlands. In doing so, I focus 36  
 37 on a specific group of people: small-scale traders and entrepreneurs living in close 37  
 38 proximity to the border and their economic practices that are extremely sensitive 38  
 39 to even the modest changes of border regimes. 39

40 In this chapter, I draw mainly on fieldwork that was carried out in 2008–2009 40  
 41 when these changes were highly present and widely discussed amongst the 41

42 \_\_\_\_\_ 42  
 43 1 Homepage of the European Union, Justice and Home Affairs: [http://ec.europa.eu/](http://ec.europa.eu/justice_home/fsj/freetravel/rights/fsj_freetravel_rights_en.htm) 43  
 44 [justice\\_home/fsj/freetravel/rights/fsj\\_freetravel\\_rights\\_en.htm](http://ec.europa.eu/justice_home/fsj/freetravel/rights/fsj_freetravel_rights_en.htm). Accessed: May 25, 2010. 44

1 border population that was confronted with what some of them called “the new 1  
 2 Berlin wall.” Informal cross-border trade of consumer and household goods as 2  
 3 well as food and other produce is a widespread phenomenon at these borders 3  
 4 that is well researched in geography, social anthropology, social science, and 4  
 5 Central and Eastern European studies (for example Thuen 1999, Hapke 2001, 5  
 6 Hohnen 2003, Holtom 2004, Round et al. 2008, Polese 2012, Weiss 2012, Bruns 6  
 7 et al. 2013). Though my material was mainly generated in the specific field of 7  
 8 small-scale economic practices and entrepreneurship across borders, my focus is 8  
 9 not on practices of small-scale trading and smuggling as such (for a more specific 9  
 10 analysis, see Bruns et al. 2013) but on how cross-border mobility and interaction 10  
 11 is structured and attempts of structuring are dealt with. The European external 11  
 12 border is a highly informative example of refining control and surveillance as 12  
 13 local border traffic belongs to the “issues that have become rather problematic in 13  
 14 the post enlargement era” (Papagianni 2006: 143)—an era that is characterized 14  
 15 by a deepening of the gap between those living inside the EU and outsiders and 15  
 16 by a strict, visa-based border regulation thus ringing down “a ‘paper curtain’ of 16  
 17 insurmountable visa requirements” (O’Connell 2008: 119). In the last subsection, 17  
 18 I discuss the structuring capacity EU local border traffic regime in the making 18  
 19 exerts on people in terms of its underlying juridical and disciplinary logics. 19

20 The regional settings of my chapter are along the external border of European 20  
 21 border (see Figure 7.1). Particularly, I draw on material from interviews and group 21  
 22 discussions at the Polish–Belarusian border, the Polish–Ukrainian border and the 22  
 23 Romanian–Ukrainian border generated through a comparative research project 23  
 24 on cross-border small-scale trade and entrepreneurship (see Bruns, Miggelbrink 24  
 25 and Müller 2011; Müller and Miggelbrink 2013, in press).<sup>2</sup> Interviews and group 25  
 26 discussions took place in small and medium-sized towns close to the border: in 26  
 27 Białystok and Przemysl (Poland), in Sighetu Marmatiei (Romania), in Schowkwa 27  
 28 and Solotvyno (Ukraine) as well as in Brest (Belarus). 28

29 In order to approach the everyday and its entanglement with the Schengen 29  
 30 border, in the following subsection I apply a theoretical approach on borders as a 30  
 31 spatial means of governing, i.e. as a power technology and relate it to practice theory. 31

32  
 33

#### 34 **Border/ing as Power Technology: Conceptual Remarks** 34

35  
 36 For some time now, authors have emphasized that borders are not given entities of 36  
 37 social life. Instead, they regard them as both a means and outcome of processes of 37  
 38 relating power, space, and people. In order to overcome a static notion of *border*, 38  
 39 they shifted their perspective towards a procedural understanding of bordering 39  
 40 (Van Houtum and Van Naerssen 2002, Van Houtum and Pijpers 2007, Vaughan- 40  
 41 Williams 2008, Van der Velde and Van Naerssen 2011). While these scholars 41

42  
 43 <sup>2</sup> Originally, the project also included the Finnish–Russian border which is not 43  
 44 discussed here. For an extended analysis see Müller 2013. 44

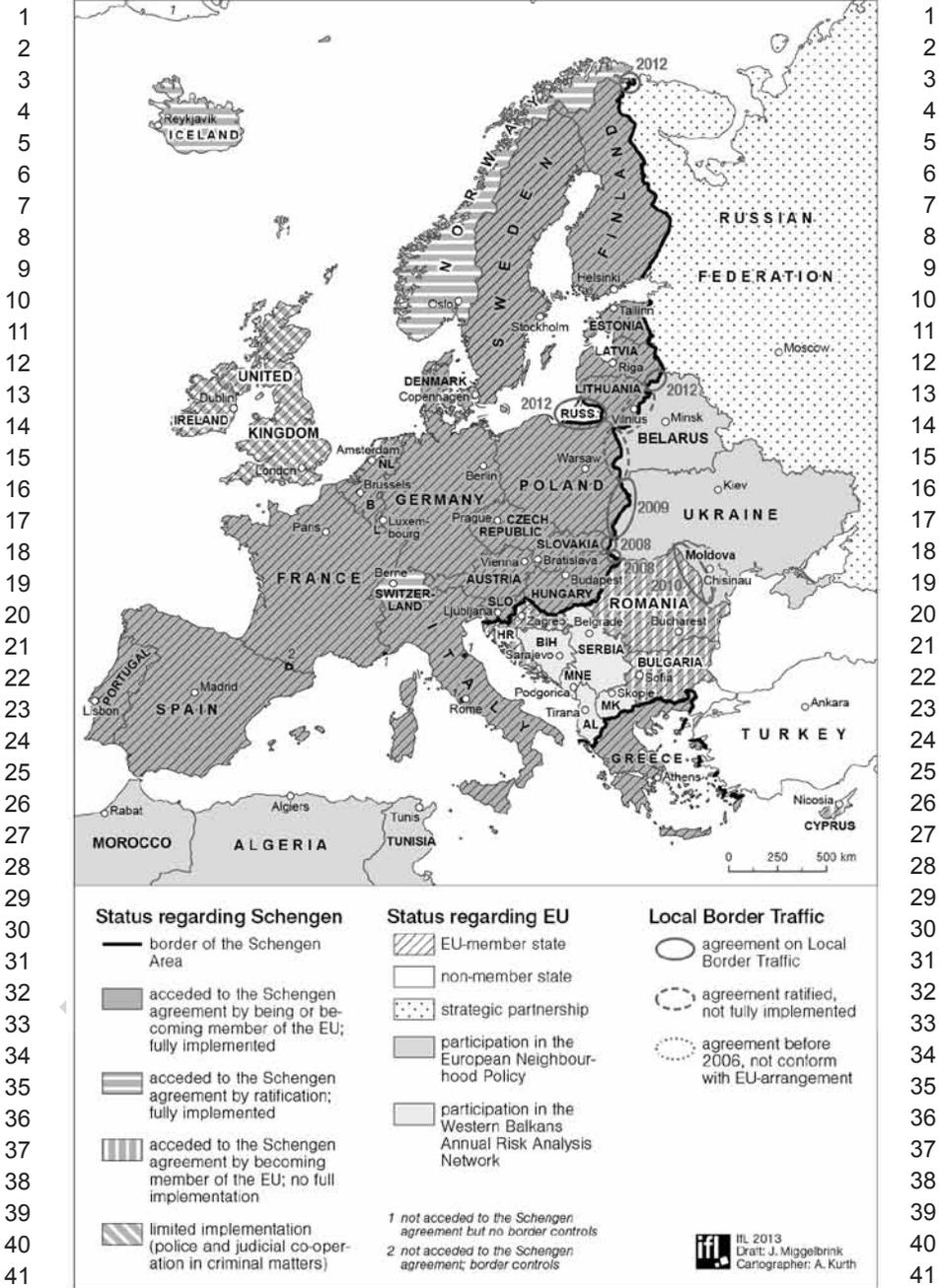


Figure 7.1 The Schengen area

1 mainly worked on state borders and the European border, respectively, the notion 1  
 2 of bordering is not limited to the sphere of practices of statehood. On the contrary, 2  
 3 bordering processes have been addressed as a basic operation of distinguishing 3  
 4 in social life, that *inter alia* becomes manifest in a state's bordering policies but 4  
 5 is not exclusively bound to state politics. As a consequence, scholars became 5  
 6 more attentive to the how of bordering instead of the where and what (see Van 6  
 7 der Velde and Van Naerssen 2011: 220). In particular, it is the how that requires 7  
 8 further explication. 8

9 I approach the question of how bordering takes place from a power-technology 9  
 10 perspective based on Foucault's understanding of governing social relations (see 10  
 11 Belina and Miggelbrink 2013: 125–9). From his work, especially from his lectures 11  
 12 on biopolitics (1977–78; Foucault 2007), I adopt his framing of power. In his 12  
 13 lecture, he defines power not as an asset or a capacity of someone or something 13  
 14 but as constantly exerted through pervading, enabling, and forming actions and 14  
 15 identities as well as individuals and populations. His attempt to fathom the nexus 15  
 16 of power and space is of special interest with regard to borders and processes of 16  
 17 bordering. According to Foucault, space is crucial to how power is exercised and 17  
 18 how power is involved in governing of the self and others, or as he puts it, “problems 18  
 19 of space are equally common to all [logics of power, JM]” (Foucault 2007: 26). He 19  
 20 assumes that specific spatial forms not only support a certain power techniques but 20  
 21 realize it as space is a forceful instrument of governing. He identified three logics 21  
 22 of power: the juridical mechanism differentiating the permitted and the prohibited, 22  
 23 the disciplinary mechanism that aims at transforming the individual (the culprit, 23  
 24 the pupil) according to a given norm(al)ity, and the security mechanism striving for 24  
 25 control over (future) events. All three modes of governing action, individuals, and 25  
 26 events lean on certain spatial forms: the juridical mechanism on the geographical 26  
 27 scope of the law, which is the borders of a territory, the disciplinary mechanism 27  
 28 on structured spaces of architecture, and the security logic of power on milieus. 28

29 As a means of a juridical mechanism of power, borders serve to establish, 29  
 30 demarcate, and maintain a territory. Therefore, they are both medium and effect 30  
 31 of territorializing endeavor defined as “the attempt by an individual or a group to 31  
 32 influence, affect, or control objects, people, and relationships by delimiting and 32  
 33 asserting control over a geographic area” (Sack 1983: 56). Though rather broad in 33  
 34 scope, Sack's definition underlines that territorializing attempts are always driven 34  
 35 by actors and interests. The “geographic area” through which individuals and 35  
 36 groups are governed is a limited space apportioned by a border that serves as a 36  
 37 spatial means of territorialized control and regulation. Bordering, thus, is a spatial, 37  
 38 but rather unspecific, instrument that can be exploited for a variety of purposes. 38  
 39 While Sack's definition of territorializing leaves its function open, writers in the 39  
 40 field of political geography and critical geopolitics examining the state-space nexus 40  
 41 have addressed it more specifically. Territorializing and bordering necessarily 41  
 42 underpin a state's striving for maintaining control and regulation, its striving for 42  
 43 maintaining sovereignty, or, as Painter (2010: 1095) put it, “(t)he spatial extent of 43  
 44 state sovereignty is coterminous with territory.” A state's border marks the spatial 44

1 scope of the law and, thus, indicates a “radical rupture in the nature and intensity 1  
2 of power.” 2

3 Beyond its function as markers and maintainers of sovereignty, state 3  
4 borders—as well as borders in general—should also be considered as a spatial 4  
5 means of governing people’s identity, or, in Foucauldian terminology, as 5  
6 disciplinary mechanisms of power. As such, borders, including state borders, 6  
7 instate categories of identity and belonging with far reaching consequences 7  
8 concerning social orders of inclusion and exclusion. 8

9 Finally, borders also serve as a means of what Foucault has called the dispositive 9  
10 of security: affecting conditions of societal life in way that keeps things running. 10  
11 This third mechanism of power relates to calculation and techniques of calculation; 11  
12 that is, counting, mapping, working on statistics, etc. The security logic is a way 12  
13 of conceptualizing events, things, and persons by putting them “within a series of 13  
14 probable events. [...] the reactions of power to this phenomenon are inserted in a 14  
15 calculation of cost. Finally [...] one establishes an average considered as optimal 15  
16 on the one hand, and, on the other, a bandwidth of the acceptable that must not be 16  
17 exceeded” (Foucault 2007: 20–21). The spatial form that organizes the “optimum” 17  
18 is the milieu which is not a specific space but a relational combination of natural 18  
19 and artificial givens towards certain ends. Borders in the light of the dispositive 19  
20 of security may serve as a means for maintaining the acceptable (e.g. in the field 20  
21 of migration). 21

22 Concerning state borders—and borders of supra-state entities—bordering is 22  
23 closely related to territorializing processes. Nevertheless, while state bordering is 23  
24 central for spatially demarcating the realm of territorialized power, it has effects 24  
25 that go beyond maintaining of sovereignty. State bordering conducts processes of 25  
26 individualization in that it regulates state-related identities. And state bordering and 26  
27 territorializing is both an outcome and a medium of how processes of production 27  
28 and reproduction, economic and social circulation are organized and regulated. This 28  
29 has lately been underscored by Elden, who pleads for an understanding of territory 29  
30 as power technology (Elden 2010). Taking up Foucault’s concept but also going 30  
31 beyond it, Elden identifies the territory as “a rendering of the emergent concept of 31  
32 ‘space’ as a political category: owned, distributed, mapped, calculated, bordered 32  
33 and controlled” (Elden 2010: 810) or as a strategy of governing insofar as it enables 33  
34 regulation. Based on this, I understand bordering as a spatial (and calculative) means 34  
35 of safeguarding and maintaining processes of circulation in what the EU defines as 35  
36 its inner sphere. Though Harvey, for example, criticizes Foucault’s understanding 36  
37 of space for privileging a Newtonian concept of absolute space and thus neglecting 37  
38 the socially produced nature of it (see e.g. Harvey 2007), it offers a useful approach 38  
39 to understand the geopolitical and biopolitical dimension of state borders in general 39  
40 as well as of the transnational border of the European Union (see Walters 2002, 40  
41 Coleman and Stuesse, this volume). For this chapter, I focus on the disciplinary 41  
42 effects of bordering processes that are realized through politics of identity and 42  
43 social categorization. With regard to the European Union, Van Houtum and Pijpers 43  
44 (2007: 297) stated that “the current spatial imaginative bordering process [...] rests 44

1 upon the colonization of friends as members or associated members (Bauman 1990), 1  
2 among whom common assets of knowledge and wealth are constructed and 2  
3 distributed. To the Other, residential rights are granted only if such an extension of 3  
4 rights does not threaten the existing order (Bauman 1990). From this perspective, 4  
5 bordering is a permanent effort to implement and stabilize a distinction between 5  
6 those who are regarded as threatening and those who are not. Likewise, with regard 6  
7 to the European Union, Balibar and other authors (Paasi 1998, Newman 2006) 7  
8 underline that border politics indeed has established rather clear-cut categories 8  
9 of identity and belonging based on “citizenship.” Since the Treaty of Maastricht 9  
10 (1992), when the EU introduced the new category of the EU citizenship—which 10  
11 is the first transnational citizenship worldwide (see Buckel and Wissel 2009)—an 11  
12 additional layer was put on top of the national citizenship. This has led to a growing 12  
13 gap between those who are included by the border (the citizens of the EU) and those 13  
14 who are excluded (those who do not enjoy this status) (Balibar 2002). Consequently, 14  
15 categories of identification have been trans-nationalized and scaled-up. Moreover, 15  
16 those who have a non-EU citizenship are divided into citizens of visa-requiring 16  
17 and visa-exempt states. Whereas visas are waived for the citizens of the Western 17  
18 Balkan states, for instance, citizen of eastern European states require a visa. The 18  
19 excluded individuals, thus, are structured according to stratified rights (Buckel 19  
20 and Wissel 2009) that mainly mirror the geopolitical image of the state of origin 20  
21 (Bekus-Goncharova 2008). The identity of the Other, however—the “identity of 21  
22 strangers,” as van Houtum and Pijpers put it, (2007: 297–8) “is not their choice.” 22  
23 Politics of identity with regard to the border of the European Union means both that 23  
24 a social order is established by categorization and that the capacity for influencing 24  
25 these categorizations is rather limited for the Other. 25

26 In addition to an understanding of border/ing as a power technology, I refer 26  
27 to practice theory as another conceptual source because I do not want to treat 27  
28 empirical example as mere illustration of theoretical abstraction(s) but want 28  
29 to fully acknowledge the role of practice in structuring the social world. As 29  
30 Jones and Murphy (2011: 367) state for economic-geographical phenomena, 30  
31 “[...] the study of practice can complement existing explanations for economic- 31  
32 geographical phenomena (e.g. institutional, radical, or relational) by providing 32  
33 an analytical ‘object’ whose study can demonstrate how higher-order phenomena 33  
34 such as institutions, networks, class structures, and gender inequalities are 34  
35 enacted, reproduced, and/or transformed through the everyday actions embedded 35  
36 within them.” 36

37 What a border is in the end and how it works in concrete situations is neither 37  
38 entirely determined by geopolitical and biopolitical will and reason, nor can it be 38  
39 reduced to the juridical regulations of the border, its disciplinary attempt, or its 39  
40 role as an element of building milieus (and their legitimizations). Furthermore, it 40  
41 is not entirely determined by the capacities of technologies applied to anticipate 41  
42 migration flows, to identify, to filter, and to sort out people (Bigo 2005). The 42  
43 border is realized in the very moment of border crossing when state sovereignty 43  
44 and everyday practices meet and the border becomes a medium “through which 44

1 institutions, associations or legal machineries operate” (Nadel 1956: 171–2, 1  
2 quoted by Donnan and Wilson 2003: 11, emphasis in original). 2

3 3

4 *Entanglements of the Everyday and State Sovereignty:* 4

5 *The Contested Space of the Borderland* 5

6 6

7 Areas close to the border are often marginal and peripheral parts of a state’s territory 7  
8 in terms of socioeconomic development as a location on the edges of the state often 8  
9 comes along with a comparatively low economic performance. However, there 9  
10 might also be economic advantages including cross-border consumer tourism, 10  
11 which is a side effect of structural differences between neighboring states. At the 11  
12 same time (and partly because of their low economic performance) borderlands 12  
13 have increasingly been regarded as laboratories of new forms of cross-border 13  
14 governance and cooperation (e.g. Euregio); in this respect, they are often treated 14  
15 as areas of expectation. Here, everyday cross-border contacts are given a strategic 15  
16 position: Good neighborhood relations should not only be built on cooperation 16  
17 between local authorities but also be built from below, from contacts between 17  
18 people in the fields of culture, education, and sports. The borderlands are also 18  
19 generated through practices that challenge the state (e.g. smuggling). And finally, 19  
20 the borderlands are often areas of ethnic mixing inhabited by people potentially 20  
21 perceiving themselves as ethnically distinct or are regarded as such and thus 21  
22 suspected of not being loyal to the state they are living in and to its majority society. 22  
23 Nikiforova reminds us that groups or interests in contradicting and challenging the 23  
24 state often develop “counter-narratives of place, identity and border in an effort 24  
25 to renegotiate its meaning and reappropriate the border for their own purposes” 25  
26 (Nikiforova 2005: 193). Therefore she concludes that “every border is polysemic 26  
27 and contested” (194). 27

28 The EU Commission is concerned that there are a broad variety of motives 28  
29 that have led to the intense cross-border movement. The ambivalence of everyday 29  
30 cross-border activities derives from different and contradictory orders of judging 30  
31 them: Which kinds of contacts are welcome by whom? What is legal? What is 31  
32 accepted as legitimate? Even smuggling—a cross-border practice that challenges 32  
33 the state’s authority to regulate cross border commerce—might somehow be 33  
34 accepted in precarious times, under certain conditions and by certain actors 34  
35 (examples are given by Bruns 2010). 35

36 In short, borderlands are not fixed or coherent territories but rather the effects 36  
37 of dynamic and overlapping socio-spatial practices, expectations, perceptions and 37  
38 decisions based on, referring to and resulting from a state’s bordering politics. 38  
39 Borderlands could not be thought of without a sovereign entity establishing and 39  
40 maintaining a border. Nevertheless, though borderlands are inevitably based 40  
41 on state practices they are not entirely defined by the state as they result from 41  
42 practices of appropriating the border. Taking into account everyday practices of 42  
43 appropriation, borderlands are related to different scales: They are formed by 43  
44 tensions between a state’s ongoing attempt of securing its sovereignty on the one 44

1 hand and the nested necessities, claims, demands and desires of the everyday that 1  
2 imbue the local “where we live our daily lives” (Taylor 1982) on the other. 2  
3 In the following two main subsections of my chapter, I investigate the 3  
4 realization of the border from two perspectives: First, I choose a macro-perspective 4  
5 to recapitulate some main steps of the development of a common border regime 5  
6 and to position local border traffic within the EU’s Geo-economic-political project. 6  
7 Second, I turn to the micro-perspective of small-scale traders to illustrate how they 7  
8 have dealt with the border in their everyday practices. In the aftermath of the 8  
9 political changes in Central and Eastern Europe in 1989–91, local border traffic 9  
10 had gained new momentum as several borders strictly closed before eventually 10  
11 had become lines of contact and exchange. Daily life started or continued to 11  
12 cross the lines, taking advantage of “resourcing borderlands” (Weiss 2012: 213). 12  
13 This holds for the Polish–Ukrainian border and the Polish border to the Russian 13  
14 exclave of Kaliningrad where small-scale trade in close vicinity of the border has 14  
15 become a widely used opportunity to overcome precarious economic conditions 15  
16 in the aftermath of socio-political changes (see Haase et al. 2004, Wagner 2010, 16  
17 Bruns 2010). However, new borders also were erected when the Soviet Union 17  
18 collapsed and former Soviet republics became independent states, such as Estonia, 18  
19 Latvia, Lithuania, Belarus, Ukraine, Moldova, and several central Asian states. New 19  
20 nations sought sovereignty, integrity, and identity for which safeguarding borders 20  
21 played a substantial and symbolic role (e.g. Kuus 2007 for the case of Estonia). 21  
22 Occasionally (and partly as a side effect), this led to a separation of places formerly 22  
23 interlinked through people living their daily lives. Throughout Europe there are 23  
24 examples of places where the Schengen border now cuts through regions; one is 24  
25 the region of Maramureş mentioned in the prologue and introduction. Another one 25  
26 is the region of Setumaa in the area of Voru and Petsori in the Estonian–Russian 26  
27 borderlands (see, for example, Kaiser and Nikiforova 2006). In these regions, 27  
28 the population has preserved a certain notion of shared history and belonging 28  
29 which have been subjected to the formation of the EU and its territorializing and 29  
30 bordering claims. After this period of territorial re-ordering—a period of drawing 30  
31 new lines of separation but also of comparably liberal bilateral border regimes—a 31  
32 new era dawned when in 2004 the external border of the European Union shifted 32  
33 towards the East. To reveal the significance of this process, one has to go back into 33  
34 the history of the entanglement of European integration and border policy. 34  
35 35  
36 36  
37 **“From the waters of the Mediterranean to beyond the Arctic circle”:** 37  
38 **Stages of Border Development and its Effects on Borderlands and** 38  
39 **Local Border Traffic, from a Macro Perspective** 39  
40 40  
41 *Towards a Common and Homogenous Border Regulation* 41  
42 42  
43 When the Schengen Agreement was signed in 1985 in the Luxembourgian 43  
44 border village Schengen, it was not part of the existing treaties of the European 44

1 Community but a multilateral agreement of five of the six founding states of 1  
 2 the European Community: Belgium, the Netherlands, Luxembourg, France, and 2  
 3 Germany (see Table 7.1 for an overview of the main steps and treaties). They took 3  
 4 the initiative to provide the necessary prerequisites for a unified (single) market 4  
 5 that was assumed to strengthen the EC as a globally competitive geo-economic 5  
 6 actor (see Altvater and Mahnkopf 2007). The preconditions—free movement of 6  
 7 people, finances, goods, and services—include the future abolition of borders 7  
 8 between signatory states. As its counterpart, signatory states agreed to develop 8  
 9 a border regime at the borders between their territories and non-signatory states 9  
 10 that would meet the security interests of the signing governments. Though the 10  
 11 agreement was not formally part of the EC, it was both an instrument to overcome 11  
 12 economic stagnancy in member states of the EC and an instrument to consolidate 12  
 13 European integration. Details were elaborated in the Schengen Convention signed 13  
 14 in 1990 and entered into force in 1995. 14

15 In the meantime, the European Community member states founded the European 15  
 16 Monetary Union (Treaty of Maastricht, 1992) by which the European Union as a 16  
 17 follower of the European Community took shape. Both the Schengen Convention 17  
 18 and the Monetary Union paved the way for a unified market. As their outcome 18  
 19 “the economically relevant border functions to the external EU border” were 19  
 20 relocated (Belina and Miggelbrink 2013: 130). The Treaty of Maastricht together 20  
 21 with the following Treaties of Amsterdam and Nice defined and consolidated the 21  
 22 so called three pillar model, a model of shared responsibilities in the fields of 22  
 23 Justice and Home Affairs, Police and Judicial Co-operation in Criminal Matters 23  
 24 as well as Common Foreign and Security Policy. Border functions were allocated 24  
 25 to all fields thus often lacking coherence. Nevertheless, by this, states had agreed 25  
 26 to partly shift sovereignty towards the transnational scale of the European Union 26  
 27 that became in charge of further developing a consolidated regulative basis for 27  
 28 the EU, the Schengen *acquis* (the cumulative set of agreements, legislation, and 28  
 29 court decision that form EU law). Additionally, by the Treaty of Amsterdam the 29  
 30 inner sphere of the Union rhetorically became the “Area of Freedom, Security and 30  
 31 Justice” which has been put against a clearly separated outer sphere. 31

32 Though the EU Commission has continuously developed a shared corpus of 32  
 33 rules and legislation since the 1980s (see Dubowski 2012), the process gained 33  
 34 momentum in preparation of the accession of several Middle and Eastern European 34  
 35 states to the Union. In the meantime the Schengen *acquis* had become part of 35  
 36 the general *acquis communautaire*, so that candidate countries were also obliged 36  
 37 to implement the border related *acquis*. Until the end of 2007, the new member 37  
 38 states except of Romania and Bulgaria had succeeded in fully adjusting all border 38  
 39 relevant procedures including their databases to Schengen standards. This led to 39  
 40 a new and, at first glance, rather simple looking picture of bordered territories: 40  
 41 Schengen member states on the western side of the line; all non-member (so called 41  
 42 third) countries on the eastern side. Due to a “one-fits-all” politics, as the EU calls 42  
 43 it, all former regulations concerning border passes, migration cards, entry and exit 43  
 44 44

1	<b>Table 7.1 Steps of European integration, border policy and</b>			1
2	<b>local border traffic</b>			2
3				3
4	<b>European integration</b>	<b>Border policy</b>	<b>Local Border Traffic (LBT)</b>	4
5	<b>since the 1980s</b>			5
6	1980s	1985		6
7	Preparation of a unified	Schengen Agreement		7
8	("single") market	("Schengen I") on a future		8
9		abolition of borders between		9
10		signatory states (France,		10
11		Belgium, Netherlands,		11
12	1992/1993*	1990/1995	LBT mentioned in art 3	12
13	European Monetary Union	Schengen Convention	(need for future solutions)	13
14	(Treaty of Maastricht)	("Schengen II") abolition		14
15	introducing the European Union	of internal border controls		15
16	based on a three-pillar structure	between signatory states and		16
17		relocation of border functions		17
18	1997/1999	Incorporation of the Schengen		18
19	Treaty of the European	Convention into the <i>acquis</i>		19
20	Union (Treaty of Amsterdam)	communautaire; introducing of		20
21	consolidating the European	the geopolitical semantics of an		21
22	Union; EC and EU became	"Area of Freedom, Security and		22
23	parallel structures	Justice"		23
24	2001/2003			24
25	Treaty of Nice consolidating			25
26	the EU			26
27	2003	2002	2002	26
28	Settling of the European	Communication on integrated	Inventory of existing	27
29	Neighbourhood Policy (ENP)	border management; need of	inter-governmental LBT	27
30		facilitating border-crossing	arrangements	28
31		for bona fide third-country		29
32		nationals underlined		30
33	2004	New neighboring states		31
34	Ten states acceded to the EU	adjacent to the Union		32
35	(Estonia, Latvia, Lithuania,			33
36	Poland, Czech Republic,			34
37	Slovakia, Hungary, Slovenia,			35
38	Cyprus, Malta)	2005	2006	36
39		Treaty of Prüm („Schengen	Regulation(EC) 1931/2006 laid	37
40		III“), stepping up of cross-	down common rules for LBT	38
41		border cooperation, particularly		39
42		in combating terrorism,		40
43		cross-border crime and illegal		41
44		migration; foundation of		42
45		the European border agency		43
46		FRONTEX		44

1	European integration since the 1980s	Border policy	Local Border Traffic (LBT)	1
2				2
3	2007	2007		3
4	Bulgaria and Romania member of the EU	Territorial shift of the Schengen border towards the east (Romania and Bulgaria still not fully integrated)		4
5				5
6				6
7	2007/2009	EU formally became a foreign affairs actor by introducing a High Representative of the Union for Foreign Affairs and Security Policy; intensified debates on temporary border controls at national borders (suspension of the Schengen regulations)	2008	7
8	Treaty of Lisboa, abolishing of the previous three-pillar model of the EU; the EC was finally substituted by the EU		First bilateral agreement based on Regulation(EC) 1931/2006 entered into force between Hungary and Ukraine and Slovakia and Ukraine, respectively; further agreements followed or are under negotiation	8
9				9
10				10
11				11
12				12
13				13
14				14
15				15
16	2013	2013		16
17	Croatia member of the EU	Smart border package announced		17
18				18
19	<i>Note:</i> * Signed/entered into force.			19
20				20
21				21
22	stamps, as well as liberal practices of control had to be abolished and replaced by the Schengen border code.			22
23				23
24	What are the main outcomes of this process so far? Three of the juridical process should be highlighted. First, developing a common border policy means a double shift. There was a scalar shift from the sphere of the national towards a transnational regulation realized through a shift of sovereignty towards the transnational entity of the EU though its status concerning statehood is still open and unclear. This up-scaling of sovereignty that came along with the internal market has turned European integration into a territorial project; its “substantive content” (Cox 2002: 11) being driven by geo-economic interests (Heeg and Ossenbrügge 2002). Tolica and his mother were literally standing on both sides of the emerging territorial project of the EU: the side of the enlarged single market and the outside. Beyond the scalar shift, there has been a series of territorial shifts as the border was relocated several times, thus including new territories into the Area of Freedom, Justice, and Security and producing new neighboring countries and new borderlands.			24
25				25
26				26
27				27
28				28
29				29
30				30
31				31
32				32
33				33
34				34
35				35
36				36
37				37
38	Second, the process of developing a common border is a process of ongoing securitization (Huysmans 2000, Belina and Miggelbrink 2013). Apap et al. (2001: 1) describe its underlying logic “strongly influenced by widespread fear of uncontrolled immigration from beyond EU territory.” However, even though the European border regime has been characterized as an excluding, at best highly selective instrument (Van Houtum/Pijpers 2007: 299) and a “security perimeter strategy” (Brunet-Jailly 2006), the relation to its outside is more			38
39				39
40				40
41				41
42				42
43				43
44				44

1 complex. On the one hand, discourses of securitization in the name of securing 1  
2 freedom, security, and justice indeed have strongly imbued border policies. On 2  
3 the other hand, building efficient contacts including sustainable cross-border 3  
4 relations to neighboring states has also been highly valued (see Balcsok, Dancs 4  
5 and Koncz 2005, Dimitrovova 2008, Dubowski 2012). Browning and Joenniemi 5  
6 (2008: 531) identify this contradictory relation as the “integration-security 6  
7 dilemma”: security interests hampering closer cooperation and cooperation 7  
8 threatening security. 8

9 Third, as a consequence of this dilemma, the permeability of the border for 9  
10 (ordinary) people has become more and more subject to management and planning. 10  
11 Which kind of contacts is desired and should therefore be developed by which 11  
12 kind of instrument? How can the exclusion of undesired travelers be guaranteed? 12  
13 To whom should visa facilitation be granted? Which kind of relations should 13  
14 be institutionalized? These questions are not only relevant with regard to the 14  
15 formation of border regulation but part and parcel of the transforming nature of the 15  
16 EU as a geopolitical actor. As such, the EU not only aims at carefully establishing 16  
17 relations to neighboring states but strives after an “increasingly important role 17  
18 in governing its immediate ‘Neighborhood’” (Białasiewicz et al. 2009: 79) to 18  
19 protect the common internal sphere from external “‘hard’ threats” (ibid.). To 19  
20 ensure a common welfare. Moreover, in this “last round of enlargement,” as 20  
21 Browning and Joenniemi (2008: 630) put it, “the EU has been compelled to coin 21  
22 and increasingly explicit geopolitical doctrine to deal with the challenges posed 22  
23 by its new neighbors.” Since 2003 this striving for balance was bundled in the 23  
24 European Neighborhood Policy (ENP) for which a so-called Communication from 24  
25 the EU Commission to the European Council and the European Parliament “Wider 25  
26 Europe—Neighbourhood: A New Framework for Relations with our Eastern 26  
27 and Southern Neighbours” (COM 2003: 104) is central. By this, the EU aims 27  
28 to govern the social multitude outside its own territory and beyond its border. 28  
29 This was addressed as extraterritorial or external governance (see, for example, 29  
30 Lavenex 2006, Rijpma and Cremona 2007, Lavenex and Schimmelfennig 2009). 30  
31 Though the ENP was blamed for its failure to transcend the security-integration 31  
32 dilemma, its “friendly Monroe doctrine” (Emerson 2002) is still the leading 32  
33 programmatic to organize neighborly relations. 33

34 To sum up this part, the history of the European border regime can be 34  
35 understood as a process of homogenizing, up-scaling, and securitizing 35  
36 surveillance and control that leads to contradictions concerning the possibility 36  
37 of cross-border relations. In order to transcend the dilemma, the European 37  
38 Neighborhood Policy (ENP) sets the discursive framework to counterbalance 38  
39 the shortcomings of securitization and to reorganize neighborly relations at 39  
40 different scales. The main purpose of the ENP is to offer and finance programs 40  
41 and projects in different fields (market access, economic integration, and 41  
42 development, mobility of people, and a greater share of the EU financial support 42  
43 in the neighboring countries). The ENP-Instrument explicitly aims at promoting 43  
44 economic and social support in border areas, at ensuring secure borders, and at 44

1 supporting people-to-people contacts. However, the ENP in turn has produced its 1  
 2 own shortcomings as it follows, in the EU jargon, a “communitarized” (and thus 2  
 3 centralized) agenda that unilaterally offers a partnership at a distance, without 3  
 4 perspective to accession. In the following subsection, I analyze the effects of this 4  
 5 process for the borderlands and how the EU reacted to these effects by initializing 5  
 6 a local border traffic regime. 6

7

8 *Incorporation of Borderlands and Local Border Traffic into* 8  
 9 *the Dilemma of Security and Integration* 9

10

11 The risk of breaking cross-border relations by a strict and securitized border 11  
 12 regime as well as the need to find a solution in accordance with security interests 12  
 13 was identified in Article 3 of the Schengen Convention, which stated that “(m) 13  
 14 ore detailed provisions, exceptions and arrangements for local border traffic ... 14  
 15 shall be adopted by the Executive Committee.”<sup>3</sup> Since then, the EU Commission 15  
 16 repeatedly underlined the “need to develop rules on local border traffic in order 16  
 17 to consolidate the Community legal framework” on external borders (Regulation 17  
 18 (EC) 1931/2006: L405/2). Consequently, the legal framework in the making has 18  
 19 subjected local border traffic to the interest of European border policies and, 19  
 20 therefore, has appropriated the legal instrument of local border traffic. However, 20  
 21 as Table 7.1 shows, there was a time offset between the common external border 21  
 22 that was mainly developed during the 1990s and the effort to meet the need of 22  
 23 facilitating local border traffic regime which started only about 2003. 23

24 A first inventory on existing local border traffic provided an overview of former 24  
 25 bilateral agreements (SEC(2002)947, Annex I and II). All the arrangements listed 25  
 26 in the document somehow facilitated border crossing for people in the borderlands: 26  
 27 either by indicating special border crossing points or by issuing certain documents 27  
 28 (for example, special border permits) or by other kinds of privileged treatment. 28  
 29 The EU Commission regarded the mosaic of bilateral agreements as a potential 29  
 30 threat to security: 30

31

32 Although some bilateral agreements regulating the issue do exist, there is the 32  
 33 need to have a uniform, horizontal and coherent approach, as well as to envisage 33  
 34 rules covering different kinds of situations. These would include the need to 34  
 35 establish arrangements to cover the situation of visa-obligated third countries. 35  
 36 This will be of immediate relevance to the future Member States who will 36  
 37 not only need clear guidance as regards rules on local border traffic with their 37  
 38 neighbouring countries, but also need to be closely involved in drawing up such 38  
 39 rules. (SEC(2002)947: 15) 39

40

41

42

43 <sup>3</sup> The Convention is published as part of the Schengen Acquis in the Official Journal 43  
 44 of the European Communities on September 22, 2000. 44

1 On the eve of the access of 10 states to the Union, eight of them—Estonia, Latvia, 1  
 2 Lithuania, Poland, Poland, Czech Republic, Slovakia, and Hungary—located in 2  
 3 Middle Eastern Europe, local cross-border movement became an urgent issue for 3  
 4 the European Commission. At that time, the Commission had to solve the problem 4  
 5 of cross-border movements resulting from the intense border traffic between states 5  
 6 ready to access to the Union and their eastern and southern neighboring states and 6  
 7 the economic discrepancy along the future border of the EU. This was challenging 7  
 8 insofar as, on the one hand, local solutions bore the risk of issuing valid travel 8  
 9 documents below Schengen standards which would allow holders to travel 9  
 10 throughout the common territory. This was not acceptable from the perspective 10  
 11 of the Commission. On the other hand, the Commission had to find solutions for 11  
 12 intergovernmental cooperation and for contact and cooperation on regional and 12  
 13 local scales, including trade and labor markets. 13

14  
 15 [The] issue assumes a particular importance in the perspective of enlargement, 15  
 16 since cross-border movements between candidate countries as well as between 16  
 17 candidate countries, on the one side, and their neighbours, on the other side, are 17  
 18 very important in number. Efficient rules for ‘local border traffic’ will promote 18  
 19 economic development of border regions and serve as an instrument to reduce 19  
 20 gaps in economic standards. Moreover, transfrontier workers are often a needed 20  
 21 element in the border regions of the Member States. (SEC(2002)947: 3) 21

22  
 23 A report on the development of a so called integrated border management that was 23  
 24 published almost simultaneously again underlined the necessity to harmonize local 24  
 25 border traffic, that is to “(i)dentify principles and adopt common measures on ‘local 25  
 26 border traffic,’ particularly with a view to enlargement. The Commission intended 26  
 27 an initiative aiming to better define the fundamental principles and procedures of 27  
 28 such a system and, if necessary, to prepare for agreements between the Community 28  
 29 and neighboring third countries” (COM(2002)233: 11). As a consequence, the 29  
 30 following communication set a discursive framing of future relations to the then 30  
 31 neighboring areas that also included a perspective for local border traffic regime. 31  
 32 It emphasizes the role of cross-border contacts and movements for “any regional 32  
 33 development policy” (COM(2003)104: 11). Therefore, “bona fide third-country 33  
 34 nationals living in the border areas that have legitimate and valid grounds for 34  
 35 regularly crossing the border and do not pose any security threat” should enjoy 35  
 36 facilitation (ibid.) that would both circumvent visa application as well as expedite 36  
 37 handling at the border. 37

38 This resulted in the 2006 Regulation 1931/2006 that provides the legal 38  
 39 framework for further bilateral agreements on local border traffic. Hereby, the 39  
 40 European Community finally put member states in the position to negotiate 40  
 41 new bilateral agreements with non-member states. Any existing agreement, like 41  
 42 between Slovenia and Croatia, had to be amended according to the standards 42  
 43 defined by Regulation (EC)1931/2006. Conditions that have to be met by people 43  
 44 who want to take part in local border traffic are: 1) They have to be a resident 44

1 of a border area to be defined by the states in accordance with the regulation, 2) 1  
 2 they have to prove eligible grounds to cross the border on a regular basis, 3) they 2  
 3 must not be under Schengen Information System (SIS)<sup>4</sup> alerts or bans, and 4) they 3  
 4 must not be “any threat to the public policy, public security, or public health of 4  
 5 any Member State” (Peers 2011: 211). By this, the process of transforming local 5  
 6 border traffic into a “derogation from the general rules” (Dubowski 2012: 371) 6  
 7 was completed. As the LBT is subsequent to highly securitized migration control 7  
 8 interests, the exemption itself follows “standardized rules” (Peers, Guild and 8  
 9 Tomkins 2012: 206f) protecting it from unauthorized use. Figure 7.1 shows the 9  
 10 bilateral agreements signed so far. 10

11 The Community’s efforts on developing a local border traffic regime have been 11  
 12 interpreted as a step towards overcoming “a ‘paper curtain’ of insurmountable 12  
 13 visa requirements” (O’Connell 2008: 119). This interpretation is in line with the 13  
 14 Commission’s own description of the objectives related to a local facilitation of 14  
 15 the Schengen Border Code: “to ensure that the borders with its neighbours are 15  
 16 not a barrier to trade, social and cultural interchange or regional cooperation” 16  
 17 (Regulation (EC)1931/2006: L405/2). This was underlined by O’Connell 17  
 18 (2008: 120) who observed that “some member states are more inclined than 18  
 19 others to pursue the implementation of such a regime especially where access to 19  
 20 former territories, ethnic diasporas or seasonal labour may be at stake.” Whereas 20  
 21 this comment understands the LBT regime as serving interests of interaction 21  
 22 between citizens of different states, Wesseling and Boniface emphasize the 22  
 23 organizational and long-term dimension. For them, “(v)isa facilitation and local 23  
 24 border-traffic agreements are short term responses to immediate challenges. They 24  
 25 are meant to alleviate the pressure on EU consulates and allow them to deliver 25  
 26 their services more efficiently” (2008: 139). Especially with regard to the building 26  
 27 of relations to neighboring countries and people, they judge LBT regimes as an 27  
 28 interim arrangement. Referring to EU diplomats, they assume that “those types of 28  
 29 agreement will lead to a decrease in the workload of consulates since they facilitate 29  
 30 the granting of multiple-entry visa. Yet considering the broader ENP framework, 30  
 31 those types of agreement do not constitute a long-standing solution for the future 31  
 32 of relations with the role ENP region” (ibid.). Sustainable relation would require a 32  
 33 complete waiving of visa that should be stay “the ultimate objective” (ibid.). 33  
 34 34  
 35 35

### 36 **Appropriating the Border: Everyday Small-scale Trade in the Borderlands** 36 37 37

38 In this subsection, I discuss some of the effects the changing border regime has 38  
 39 had on the lives of people in the borderlands of Poland and the Ukraine, Poland 39  
 40 and Belarus, as well as Romania and Ukraine. My focus is on small-scale trade 40  
 41 41

42 \_\_\_\_\_ 42  
 43 4 The Schengen Information System (SIS) is a data base listing people and pieces of 43  
 44 goods of interest; the common data base is fed by governmental databases thus mirroring 44  
 the states’ different practices of data collection.

1 which is, of course, only one way of appropriating a border, and, a very specific 1  
2 one at that. The field study took place in 2008 and 2009 exactly in the time 2  
3 gap described above: the external border had already shifted towards the east. 3  
4 Though the EU Commission had adopted the 2006 Regulation which allowed 4  
5 governments to negotiate facilitations for people in the borderlands, only a few 5  
6 governments had started the process of implementing it. Though Hungary and 6  
7 Slovakia signed bilateral agreements with the Ukrainian government in 2008, 7  
8 negotiations between Poland and Ukraine as well as between Poland and Belarus 8  
9 progressed only slowly. I assume that several reasons are relevant here rooting 9  
10 in historical and political relations between Poland and Ukraine. Presumably, it 10  
11 is also of relevance that Ukraine tried to include the metropolitan region of Lviv 11  
12 into the privileged border area going far beyond the 50 km zone. The Belarusian 12  
13 government that signed an agreement with Latvia in 2012 has been hesitant to the 13  
14 EU Commission's offer of partnership based on ENP in general. 14

15 The Romanian and Ukrainian government could not yet start negotiations due 15  
16 to the specific status of Romania. Romanian consulates are not allowed to issue the 16  
17 Schengen visa as the Romanian border control system is not yet fully in line with 17  
18 Schengen standards. Nevertheless, Ukrainians applying for a national Romanian 18  
19 visa have to meet the same conditions as for a Schengen visa (in terms of the 19  
20 application process, fees, and visiting the consulate in person). The interviews 20  
21 were conducted during a period of discontinuity and interruption for small-scale 21  
22 traders' economic practices and perception of the border. Before I go more into 22  
23 detail, it is apposite to define small-scale trade. 23

24 Cross-border small-scale trade is not a clearly defined activity but mainly 24  
25 understood as an arbitrage trade carried by people trading goods from one side of 25  
26 the border to the other (Hapke 2001, Hohnen 2003, Holtom, 2004). The amount of 26  
27 goods is often limited to what the term "suitcase trade," another term for it, would 27  
28 suggest. The amount of capital traders have at their command is also limited. The 28  
29 trade itself is widely regarded as risk taking because it comprises at least informal 29  
30 if not illegal elements. The (in)formality of small-scale trade cannot be determined 30  
31 absolutely because "(t)o what extent a certain economic cross border practice is 31  
32 formal or informal depends on the degree of its correspondence with regulations of 32  
33 cross border economic interactions" (Bruns, Miggelbrink, and Müller 2011: 667). 33  
34 That means "trade" and "smuggling" highlight different aspects of a continuum of 34  
35 activities: "Traditionally 'trade' is the legal and 'smuggling' is the illegal means of 35  
36 moving items from one side of the border to the other" (Thuen 1999: 741). Often 36  
37 there exists distinction between the licit and the illicit as "official rules, structures, 37  
38 and discourses do posit a sharp distinction between law and crime" (Van Schendel 38  
39 and Abraham 2005: 7). Nevertheless, this distinction should not be taken as a given 39  
40 but, instead, be regarded as an outcome of "ongoing struggles over legitimacy" 40  
41 (ibid.). In our fieldwork, we did not start with an a priori distinction but left it open 41  
42 to the actors to characterize cross-border activities. 42

43 In our group discussions and interviews we talked to male and female traders. 43  
44 At markets and at border crossing points we got the impression of a female 44

1 predominance as traders and also observed many elderly (retired) people who were 1  
 2 involved in trading activities. Most of the people we met were part-time traders: 2  
 3 Either they traded goods only occasionally (for example, when an additional 3  
 4 income is needed) or on a regular basis in their free time. The female traders we 4  
 5 talked with in Brest (Belarus) were full-time traders; they bought produce on 5  
 6 Polish markets and sold it at a market in Brest (Belarus) until the territorial shift of 6  
 7 the Schengen border forced them to buy their goods in markets around Moscow. 7

8 One of our main results is the variety of tactics and strategies small-scale traders 8  
 9 deployed to adjust to local and changing conditions (Müller and Miggelbrink, 9  
 10 in press). Most of the tactics were developed to overcome the obstacles of the 10  
 11 borders: techniques of hiding the goods, false declaration, bribing, and tacit 11  
 12 knowledge about the border personnel and their shifts. More sophisticated (and 12  
 13 strategic) ways of overcoming the border are letters of recommendation that 13  
 14 some people carry with them for a variety of situations. Another network-based 14  
 15 strategy is to divide a certain amount of goods (shoes, sweaters, and cell phones, 15  
 16 for example) into smaller, eligible amounts brought through customs clearance by 16  
 17 subcontractors. Tactics and strategies do not react to a border regime in general but 17  
 18 are based on local experiences, knowledge and contacts that allow successfully 18  
 19 dealing with “arbitrary contextual conditions surrounding the realization of the 19  
 20 border regime” (Bruns et al. 2013: 103). Other actors, however, have to adapt 20  
 21 themselves in their income securing activities to given structures and conditions. 21  
 22 They only have the freedom to exploit the characteristics and imponderables of the 22  
 23 border regime tactically, for example by choosing another crossing point or trying 23  
 24 to avoid certain customs shifts. In doing so, they can draw advantage for their 24  
 25 cross-border activities from favorable situations. However, many actors have to 25  
 26 adjust to indeterminate situations and can hardly influence the external conditions 26  
 27 at all. It was quite often mentioned by people that they feel delivered up into the 27  
 28 hands of an entity completely detached from their own sphere that would never 28  
 29 care about the “little man.” 29

30 Although a “soft border” could make it easier for traders to gain an income 30  
 31 compared to those who are struggling to trade across a “hard border” (see Xheneti 31  
 32 et al. 2013), a “hard border” is not per se a hindrance to a successful trade. From 32  
 33 our fieldwork, there is empirical evidence that stability of conditions is most 33  
 34 important to the traders because it allows them to reliably calculate risk and gains. 34  
 35 It is not the “hardening of the eastern borders” (Xheneti et al. 2013: 319) in terms 35  
 36 of its securitization that per se has had an effect on economic activities but the time 36  
 37 and money consuming procedures coming along with. It simply requires a new 37  
 38 calculation: Is it (still) worth to invest for a visa and to take the risk at the borders? 38  
 39 A Ukrainian entrepreneur from Solotvina explained it as follows: 39

40  
 41 Basarab: There are lots of facts. In order to get to the next places from here in 41  
 42 Romania you need a visa, you need is an invitation, an invitation costs money. 42  
 43 The visa itself costs 55–105 Dollars. A simple visa—if you want it within a 43  
 44 week—costs 55 Dollars, 44

1	Moderator: mmm	1
2		2
3	Basarab: fast-tracked, 105 Dollars. The invitation itself, about 20–30 Dollars.	3
4	Two trips to Černovcy, putting your name down on the waiting list, you have to	4
5	wait one-and-a-half months for your turn. So, you can see for yourself how you	5
6	can get to Europe.	6
7		7
8	When a visa is needed which is expensive and limited to one entry, there is literally	8
9	no basis for trading.	9
10	Economic practices including informal economic activities “are situated in	10
11	specific and often dispersed geographies—economic, but also social, cultural,	11
12	and political. Thus economic practices are conceptualized as “a wide range of	12
13	mechanisms by which individuals and the social units of which they are a part create	13
14	livelihoods” (Smith and Stenning 2006: 192). As small-scale trade is extremely	14
15	sensitive to contextual conditions, traders talked a lot about the newly generated	15
16	exclusive spheres. The territorial distinction and categorization introduced by the	16
17	Schengen border regime is a major concern of the small traders we interviewed	17
18	along the current existing or emerging Schengen border. They describe it as a	18
19	new distinction that does not correspond to the “real” or “proper” spatial order,	19
20	which they define in terms of cultural and national/ethnic belonging. Anton, a	20
21	Ukrainian interviewee, explained: “Nevertheless for us [...] that is, our Romanian	21
22	places and the places on the other side, and the towns are almost twin towns. In	22
23	principle we are one nationality, one nation, one culture” (from a group discussion	23
24	with small traders in Solotvina (Ukraine), July 28, 2008). One spatial order is	24
25	contrasted with a different, alternative spatial-territorial order, which is taken as	25
26	proof that the new order is inappropriate. From the point of view of this Ukrainian,	26
27	the false territorialization could be fixed by a bilateral agreement between the	27
28	Ukraine and Romania:	28
29		29
30	[...] they invite us over. They visit us. In this respect of course ... we are happy	30
31	that the border was opened. But we also naturally wish—that a zone could be	31
32	created for us, like for Hungary and for the Poles, at least, at least that this fifty	32
33	kilometer zone would be introduced for us so the local population ... can travel	33
34	without a visa.	34
35		35
36	The true regional order of social life traders were talking about is, of course, not	36
37	only a place of identity and belonging but also a site of daily activities where	37
38	economic practices including informal cross-border economic activities could	38
39	take place.	39
40		40
41		41
42		42
43		43
44		44

**1 Discussion and Conclusion: A New Local Border Traffic Regime in the** 1  
**2 Making? The Political Production of Borderlands According to Schengen** 2

3 3  
 4 Small-scale trade is part of the social life in borderlands along the external border 4  
 5 of the EU. It has been an important though additional source of income for many 5  
 6 households and thus been regarded as a means to secure social peace. Therefore, 6  
 7 it is not surprising that people actively involved in informal activities did not 7  
 8 welcome the Schengen regime. The traders we talked with feel excluded from 8  
 9 the European Union and a majority of them would welcome a regional solution 9  
 10 of border control based on the EU Regulation of LBT to overcome the impasse of 10  
 11 the border. From the perspective of the EU Commission, the new border regime 11  
 12 does not essentially aim at denying access to the “area of freedom, security and 12  
 13 justice” (Consolidated Version of the Treaty of European Union (also “Treaty of 13  
 14 Amsterdam”), C 321 E/10, preamble). Instead, it aims at getting full control over 14  
 15 people from the outside, their movements and motives. The procedure of sorting 15  
 16 “flows of people” (Bigo 2005: 52) and filtering them according to anticipated 16  
 17 motives of movement is a reiterating management task of refining and adjusting 17  
 18 the filtering capacity of the border. From this perspective, the local border traffic 18  
 19 regime is a new round in the process of refining the border and making it smart 19  
 20 according to the objectives of EU policies. Though presented as facilitating 20  
 21 cross-border movements of people living in the borderlands, it has a far reaching 21  
 22 governmental dimension. 22

23 What does this mean for everyday practices in borderlands? The intended local 23  
 24 border traffic regime which has to be understood as part of an emerging smart 24  
 25 border system is clearly constructed as an “exemption from the general rules for 25  
 26 external border crossings” (COM(2011)47: 6), or, as it was described in the 2006 26  
 27 regulation, it “constitutes a derogation from the general rules governing the border 27  
 28 control of persons” (Regulation (EC)1931/2006: L405/2). It is an instrument of 28  
 29 border facilitation which is under control of the EU Commission—though it is 29  
 30 unclear if and how insufficient agreements can be acted on from a supranational 30  
 31 European entity (see, for example, Ziltener 2000). 31

32 The LBT regime sorts people and potential border crossings by classifying 32  
 33 them as desired or to be refused. Nevertheless, first of all that does not mean to 33  
 34 differentiate between individuals but to superimpose categories on them by which 34  
 35 certain travelers are privileged and certain traveling motives are stream-lined. 35  
 36 Although still a regime in the making, a new relation of power and space with 36  
 37 regard to borderlands is emerging: The regime is essentially a territorial means of 37  
 38 structuring (and probably intensifying) cross-border movements since the eligible 38  
 39 population is territorially defined as residents of demarcated administrative areas. 39  
 40 In terms of theorizing from a Foucauldian perspective, in a spatially defined 40  
 41 eligibility one can see the juridical mechanism of power at work. Certain territories 41  
 42 and their residential populations are included in bilateral agreements, others are 42  
 43 not. However, spatial eligibility is only a first criterion as people have to apply 43  
 44 individually for LBT permit. In that way the LBT regime unfolds a structuring 44

1 capacity towards the individual based on a disciplinary mechanism of power. 1  
2 Remarkably, it is not regarded as sufficient not to be under SIS alert or bans but 2  
3 people have to disclose their motives for being granted with exemption. Taking 3  
4 part in local border traffic does not depend (exclusively) on personal integrity 4  
5 according to Schengen—meaning that the applicant is not listed on data bases 5  
6 feeding the Schengen Information System—but also on one’s motives that 6  
7 have to be in line with the expectation of the issuing authority. First reports to 7  
8 the Commission (COM(2009)383, COM(2011)47) stated that in several cases 8  
9 permission was denied because of registered SIS alerts and bans. Although this is 9  
10 still speculative, there are hints that having the wrong or insufficient motives could 10  
11 provoke rejection: The 2011 report of the EU Commission states—without any 11  
12 further comment or explanation—that Slovakia for example has refused issuing of 12  
13 permits because “applicants did not give any well-founded economic reason for 13  
14 frequent border crossing” in 169 cases (COM(2011)47: 4). Romania refused more 14  
15 than 900 applicants “mainly because applicants did not give any well-founded 15  
16 reason for frequent border crossings or were considered to present risks related to 16  
17 irregular migration” (COM(2011)47: 4–5). These are clear hints that facilitation 17  
18 is not granted to residents of the border region if they are not in conflict with the 18  
19 law but only if they claim acceptable motives for crossing the border. In turn, it 19  
20 can be assumed that people will find a way to bring their motives in line with what 20  
21 is expected by the authorities. The disciplinary mechanism at work unfolds on the 21  
22 individual who has to bring his or her cross-border movements in line with the 22  
23 requirements: It is not simply everyone within the area of eligibility who enjoys 23  
24 being visa-exempt since individuals could be excluded from facilitation if they do 24  
25 not fit into a certain scheme of expectation (or simply do not sufficiently adjust to 25  
26 it). It is a scheme that—depending on conditions and contexts—could turn out to 26  
27 be transparent and fair but is also arbitrary and unfair. 27

28 Borderlands are zones of sovereignty and subversion. The snapshot from the 28  
29 documentary shows something very banal: A mother and son shouting across the 29  
30 waters who can hardly understand each other. There seems to be no chance for 30  
31 closer (and calmer) personal interaction in their immediate reach. We do not know 31  
32 whether Tolica’s mother is involved in small-scale trade (though this is likely 32  
33 given the spatial and temporal context the documentary captured); what we see 33  
34 is a border cutting through their lives. We do not know whether the mother is 34  
35 involved in illicit activities or if the family is used to subvert the border. What 35  
36 we can observe is a hampered and disrupted interaction that is rooted in the 36  
37 specific boundedness of the place that is the bordered land, or, the borderland. 37  
38 In this chapter, I understand borderlands as a spatial form, which is, on the one 38  
39 hand, defined by its proximity to a (state) border and, thus, of special concern with 39  
40 regard to surveillance and control by state authorities, and, on the other hand, not 40  
41 clearly defined in terms of its territorial extension but generated through a broad 41  
42 variety of interests and practices related to the border. I have sought to analyze 42  
43 how the shifted transnational border regime of the EU affected everyday cross- 43  
44 border practices and, moreover, how changes have imbued the way(s) people in the 44

1 adjacent borderlands felt as the Other. My argument was based on the assumption 1  
 2 that border regimes, though never fully determining cross-border interaction, still 2  
 3 inheres a far reaching capacity to structure social relations. 3  
 4 From a perspective of the state—and from the perspective of the state-like 4  
 5 authorities of the EU—the borderland is a highly sensitive area as it is a crucial site 5  
 6 of maintaining state sovereignty. Not only is the border itself subject to particular 6  
 7 political and administrative concern but also the territory close to the border where 7  
 8 the state literally comes to its end. The local border traffic regime is a spatial means 8  
 9 gaining control over movements that aims at balancing the contradiction between 9  
 10 securitization and cooperation. As such, it unfolds its own structural selectivity 10  
 11 towards cross-border movements of people in the vicinity of the border. How 11  
 12 people will deal with these new juridical and disciplinary attempts to structure 12  
 13 their doings and sayings has to be proven by future empirical work. 13

14

15

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SECTION III  
Border Work by Non-State  
Actors Away from the Border

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1 Chapter 8 1  
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3 Symbolic Bordering and the Securitization 2  
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5 Ethno-Religiously Segregated City of Jos 4  
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9 Yakubu Joseph and Rainer Rothfuss 9  
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14 **Introduction** 14  
15

16 Borders have remained an integral part of human political and social life in stark 16  
17 defiance of the predictions at the dawn of the twentieth century that globalization 17  
18 would bring about the emergence of a borderless and deterritorialized world. 18  
19 Borders have not only retained their relevance in our world today, but are adapting 19  
20 to its evolving spatiotemporal conditions. Conventionally, borders delineated 20  
21 the spatial extent of state sovereignty and served mainly as static spatial device 21  
22 for “cordoning” a political territory against potential external threats. However, 22  
23 interdisciplinary border research has witnessed a paradigm shift from such state- 23  
24 centric national security focus to a decentralized society’s (human) security 24  
25 concern. Here the state and the population are all active players and shapers of 25  
26 borders. The concept of borders as fixed demarcating lines that are space and 26  
27 time oriented, is now being replaced with one in which borders are defined in 27  
28 terms of bordering, an emphasis on the symbolic and social practices of spatial 28  
29 differentiation aimed at controlling movement of people both into and within a 29  
30 securitized space (Houtum and Naerssen 2002). 30

31 This shift to a more fluid and mobility focused border has increased all over 31  
32 the world in the wake of the September 11 terrorist attacks in the United States. 32  
33 Bordering is now rather employed as a mechanism for isolating and preventing 33  
34 a security risk personified by the Other, seen as a mobile threat that needs to be 34  
35 kept at bay within and without a securitized space. A growing interest in this 35  
36 phenomenon is already taking place (Jones 2012, Popescu 2012). 36

37 In this study, we examine bordering in the context of conflict within society. 37  
38 Specifically, the study explores how bordering, as a socio-spatial process, has been 38  
39 employed as a neighborhood security strategy in the ethno-religiously segregated 39  
40 city of Jos in Nigeria. The implications of the symbolic and constructive nature 40  
41 of spatial differentiation of “we” and the “Other” including the production and 41  
42 reproduction of an “enemy picture” through a bottom-up agency are significant. 42  
43 For the segregated residents of Jos, Debrix and Barder’s (2009) assertion that there 43  
44 is nothing to fear but fear is instructive in understanding the basis and impact of 44

1 this bordering (othering) strategy. In this chapter, we attempt to show how the fear 1  
 2 of repeated violence and consistent failure of the state to deliver on its promise 2  
 3 to guarantee the security of life and property of its citizens has led the Muslim 3  
 4 and Christian communities in Jos to engage in mutual profiling and bordering 4  
 5 practices based on socio-spatial differentiation of identities. Two key points are 5  
 6 salient here. First, ordinary citizens do not leave their fate in the hands of the state 6  
 7 when faced with the threat of inter-group violence and/or terrorism, but try to 7  
 8 create barriers to keep the “bad guys” out. The second aspect of the argument of 8  
 9 this chapter is that borders that separate the conflicting communities in Jos are not 9  
 10 only physical but also discursive. Through border narratives and symbolization 10  
 11 the two communities have been able to demarcate themselves into compartments 11  
 12 of “us” and “them” as a way of minimizing the risk of attacks. Consequently, in 12  
 13 the context of conflict, bordering acts as an enhancer of stereotypes and damaging 13  
 14 xenophobia, which sustains mutual distrust and hinders the prospect of peace. 14

15

16

### 17 **The Background of Ethno-religious Conflict in Jos** 17

18

19 Jos is the capital of Plateau State, located in central Nigeria at the intersection of the 19  
 20 country’s largely Christian south and the predominantly Muslim north. As its name 20  
 21 suggests, Plateau State sits on a plateau—with undulating hills and spectacular 21  
 22 landscape—giving it a favorable climate with relatively low temperatures 22  
 23 throughout the year compared to the rest of the country due to its high altitude. The 23  
 24 state used to be known as a “Home of Peace and Tourism” due to its attraction to 24  
 25 local and foreign tourists and its peacefulness. It has also been widely described as a 25  
 26 microcosm of Nigeria because it is a melting pot of ethnic and religious diversities, 26  
 27 though Christians are the overwhelming majority (Egwu 2004, Ambe-Uva 2010, 27  
 28 Higazi 2011). A large number of traditional religious worshippers abound all over 28  
 29 the state. Many historical factors that contributed to the cosmopolitan nature of Jos 29  
 30 have been identified in numerous studies (Egwu 2004, Falola and Heaton 2008, 30  
 31 Abdulkadir, 2011, Abbas 2012). These include the location of Jos as a trading 31  
 32 transit route for several centuries, its role as a safe haven for those fleeing from the 32  
 33 Usman dan Fodio led Fulani jihad from 1804 to 1808, and as a site for the influx 33  
 34 of mining workers in the early parts of the twentieth century. Plateau State was an 34  
 35 important mining site for the British colonial government. 35

36 By and large, the residents of Jos co-existed peacefully until the last part of the 36  
 37 twentieth century (Ambe-Uva 2010: 42). Contestations of the ownership of Jos 37  
 38 between two groups—the Berom, Anarguta, and the Afizere on one hand and the 38  
 39 Hausa/Fulani on the other—was reinforced by the decision of the military junta of 39  
 40 General Ibrahim Babangida to create and delineate Jos North Local Government 40  
 41 in 1991, which was perceived by the former as a deliberate attempt to dispossess 41  
 42 them of their land and give the latter, who are heavily concentrated in the area, 42  
 43 a political advantage (Ostien 2009). Since then isolated clashes have occurred 43  
 44 between the two groups around the question of who will serve as the Chairman of 44

1 the Local Government. However, on September 7, 2001 there was a conflagration 1  
 2 of violence in the city triggered by contestations over the appointment of a poverty 2  
 3 eradication coordinator (Ostien 2009, Krause 2011). This confrontation between 3  
 4 those referred to as indigenous ethnic groups (the Berom, Anarguta, and Afizere) 4  
 5 and those referred to as settlers (Hausa/Fulani) snowballed into a religious conflict 5  
 6 because the former are predominantly Christians and the latter are predominantly 6  
 7 Muslims (Krause 2011, Higazi 2011). As a consequence, the conflict polarized the 7  
 8 population and pitted the groups against each other along the indigene/settler and 8  
 9 Christian/Muslim divides. Sadly, since 2001 the state lost its reputation as a Home 9  
 10 of Peace and Tourism. Jos became the scene of pernicious cycles of violence 10  
 11 that claimed thousands of lives (Krause 2011). Despite numerous peacebuilding 11  
 12 initiatives, today the city is a shadow of its past image as a model of integration 12  
 13 and remains highly polarized and segregated ethno-religiously. The word “border” 13  
 14 has become part of the lexicon of daily life in Jos, not as a reference to Plateau 14  
 15 State’s or Nigerian boundary, but to the arbitrary and imagery lines of spatial 15  
 16 differentiation between the conflicting parties. 16

17

18

### 19 **Theoretical and Conceptual Framework** 19

20

21 At the end of the Cold War, and with the fall of the Berlin Wall, globalization 21  
 22 inspired among its many enthusiasts the anticipation that the world was moving 22  
 23 toward becoming a borderless and deterritorialized place (Newman 2008: 133). 23  
 24 This utopian borderless and deterritorialized world was meant to represent the 24  
 25 triumph of peace over conflict, inclusion over exclusion, and unity over division. 25  
 26 The scenario presupposed that the co-dependence and interconnectedness of 26  
 27 human societies will overcome the need for fences and demarcation in the world. 27  
 28 Contrary to this, as Newman (2006: 143) asserted: “We live in a world of lines and 28  
 29 compartments. We may not necessarily see the lines, but they order our daily life 29  
 30 practices, strengthening our belonging to, and identity with, places and groups, 30  
 31 while—at one and the same time—perpetuating and reperpetuating notions of 31  
 32 difference and othering.” While some borders might have disappeared, or are 32  
 33 disappearing, many new ones are being established (Newman 2008). In general, 33  
 34 instead of being phased out, borders remain pervasive in today’s world. Jones 34  
 35 (2012) notes that even countries considered as consolidated democracies have 35  
 36 built physical barriers and the creation of securitized spaces in recent years. In a 36  
 37 nutshell, ours has become “A Barricaded World” (Blij 2009: 28). 37

38 As reality starkly contradicts the notion of a borderless and deterritorialized 38  
 39 world, the study of borders and boundaries has continued to flourish 39  
 40 among human geographers and scholars from across many disciplines 40  
 41 (Newman 2006, Newman 2008 and Moraczewska 2010). Since 9/11 there has 41  
 42 been an unprecedented increase of interest in borders (Popescu 2012). This also 42  
 43 means that there is a growing repository of theories and perspectives on the subject. 43  
 44 Much has been written about borders and their spatial and social implications 44

1 for international relations (Moraczewska 2010), state, and society (Blij 2009); 1  
2 international peace and security (Jones 2012); borderlands (Zartman 2010); and 2  
3 politics of identity (Newman 2008) among many other aspects. The traditional 3  
4 preoccupation of political geography with borders and boundaries had focused 4  
5 largely on the demarcation of the spatial extent of the state, that is, the 5  
6 delineation of the geographical area within which the state exercises sovereignty 6  
7 (Newman 2008: 124). Although this traditional interest still permeates the study of 7  
8 borders and boundaries, contemporary studies are focusing more on the dynamics 8  
9 of borders and the changing patterns in which people and groups relate “within a 9  
10 variety of social and spatial compartments” (Newman 2008: 128). Newman further 10  
11 observes a new wave of interest in the study of borders, which focuses on the 11  
12 discursive and symbolic dimensions. This chapter falls within this discursive and 12  
13 symbolic realm of political geographers’ interest in borders. Looking at borders 13  
14 beyond being mere physical barriers and demarcations of securitized spaces, we 14  
15 examine how border narratives and the symbolization of borders mediate in the 15  
16 construction of identity and sustain the ethno-religious conflict divide in Jos. In 16  
17 their article, “Bordering, Ordering and Othering,” van Houtum and Naerssen 17  
18 (2002: 125) underscore the growing academic interest in the study of “practices 18  
19 of ordering and the discursive differentiation between us and them, seen through 19  
20 the lens of spatial bordering,” since the 9/11 terrorist attacks in the United States. 20  
21 In order to explain the practices of discursive construction of identity with 21  
22 its corollary “us” versus “them” dichotomy that have become the order of the 22  
23 day in Jos, we would first attempt to establish the philosophical and theoretical 23  
24 underpinnings of the nexus between bordering and security and how it relates to 24  
25 this context. We begin by providing a theoretical foundation for understanding the 25  
26 involvement of non-state actors in security maintenance. This allows the reader to 26  
27 appreciate the conditions that have prompted ordinary residents in Jos to engage 27  
28 in profiling the “other” and social-spatially demarcating their neighborhoods by 28  
29 means of border narratives and discursive construction of identities. 29  
30 In his famous classical work, *Leviathan*, Thomas Hobbes (1588–1679) 30  
31 canvassed for a social contract in which a potential *Bellum omnium contra* 31  
32 *omnes*, i.e. “war of all against all,” may be prevented through the exercise of 32  
33 force by a central authority. The Hobbesian model dreads the “state of nature,” 33  
34 characterized by civil disorder, and demands citizens to yield their propensities 34  
35 for violence to a sovereign, the state, who should monopolize the use of force in 35  
36 order to prevent the society from drifting towards anarchy. The Hobbesian model 36  
37 found some resonance with the conceptualization of the “state of exception” by 37  
38 the German philosopher, political theorist, jurist, and law professor, Carl Schmitt 38  
39 (1888–1985). Schmitt equated sovereignty with the degree to which the state 39  
40 mobilizes a condition of exception. Thus, for him, “the legal and constitutional 40  
41 order of the modern state must have the capacity to cast itself out through an act 41  
42 or decision of the executive, but also potentially through the actions of policing 42  
43 or soldiering agents, during a period necessary to defeat a deadly enemy” (Debrix 43  
44 and Barber 2009: 399). As Debrix and Barber further noted, the takeaway here 44

1 from the Hobbesian “mechanism of ensuring control over fear/danger” and the 1  
 2 Schmittian “condition of sovereign exception” have elevated fear into the political 2  
 3 realm and defined security over a territorialized space in terms of how the source 3  
 4 of fear or danger is controlled. 4

5 Borders have become means by which the state territorializes fear and 5  
 6 securitizes spaces. In the wake of 9/11, we have seen states increasingly employ the 6  
 7 mechanisms of centralization of fear (DeBrix and Barder 2009) through stronger 7  
 8 securitization of borders (Moraczewska 2010, Popescu 2012). In tandem with 8  
 9 this securitization of borders, the very paradigm of security has changed. Popescu 9  
 10 (2012) identified the salient features of this change—a shift from national security 10  
 11 primarily concerned with the defense of territorial sovereignty to an understanding 11  
 12 of security as more connected with daily life. Consequently, the binary distinction 12  
 13 between national security and personal security is altered—the former is no longer 13  
 14 viewed as merely external concern, to be handled by the military, and the latter 14  
 15 not just a domestic concern to be taken care of by the police. Thus, instead of a 15  
 16 preoccupation with how to guard against external threats to state territory, securing 16  
 17 everyday life has become part of the norm (Dillon 2007 cited in Popescu 2009). 17  
 18 As a result, the border has become operationalized as a mechanism for the 18  
 19 management of risks to everyday life through its presumed selective permeability, 19  
 20 having the ability to prevent incursion by threats (or unwanted strangers) into 20  
 21 securitized spaces (see Bosworth 2008). This development has been the subject 21  
 22 of numerous studies on security sector reforms around the world in numerous 22  
 23 fields, including political geography, peace and security studies, legal studies, 23  
 24 and international relations. The privatization of security and border control has 24  
 25 increased significantly since 9/11. Private contractors have exploited the growing 25  
 26 opportunities offered by the increased securitization of borders including the 26  
 27 application of surveillance devices such as biometric technologies (see Schreier 27  
 28 and Caparini 2005, Popescu 2009). 28

29 The implication of the paradigm shift in the conception of security highlighted 29  
 30 above is that risks are defined as “existential threats to the identity of a social 30  
 31 group” and that of the security of everyday life of the individual, and a lot of 31  
 32 “people feel they experience these threats without the mediation of the state” 32  
 33 (Popescu 2012: 92). While classical approaches to national security, which are 33  
 34 often obsessed with territorial sovereignty, operate on the basis of the centralization 34  
 35 of fear, the new realities of society’s security have made fear dispersed and 35  
 36 decentralized among populations. Consequently, 36

37  
 38 [...] borders have emerged as society’s security guarantors and have uncritically 38  
 39 become part of everyday life. 39

40  
 41 However, borders are more than risk management sites. They are security 41  
 42 constitutive as well. Border-making discourses play active parts in the production 42  
 43 of societal and human security risks, for it is at the crossing of a border that 43  
 44 someone or something can become a security risk. Othering continues to take 44

1 centre stage in these discourses, with the caveat that the Other has shifted from 1  
 2 the neighboring nation to mobile phenomena. Put differently, the blurring of 2  
 3 the inside/outside territorial distinction characteristic of modern states has 3  
 4 not led to the disappearance of this border-based power practice. Borders 4  
 5 continue to provide the basis for inside/outside differentiation with regard to 5  
 6 group membership. What has changed is the type of territorial logic involved 6  
 7 in Othering, which has moved now beyond fixity to include flexibility and 7  
 8 multiplicity, that is, network membership. (Popescu 2012: 93) 8  
 9 9

10 The significance of the change highlighted by Popescu is that it underscores at 10  
 11 once the twin processes of bordering and othering. As a potential threat is defined 11  
 12 in terms of a mobile risk that seeks to invade a securitized space, discursive 12  
 13 bordering lends itself to the strategy of spatial differentiation of insiders (us) and 13  
 14 outsiders (them). These dynamics render themselves more intelligible when 14  
 15 bordering processes are interrogated rather than the fixed lines of separation. 15  
 16 Van Houtum and Naerssen (2002: 126) have, more than a decade ago, made a 16  
 17 compelling observation in this regard: 17  
 18 18

19       Bordering processes do not begin or stop at demarcation lines in space. Borders 19  
 20 do not represent a fixed point in space or time, rather they symbolise a social 20  
 21 practice of spatial differentiation. Semantically, the word 'borders' unjustly 21  
 22 assumes that spaces are fixed in space and time, and should rather be understood 22  
 23 in terms of bordering, as an ongoing strategic effort to make difference in space 23  
 24 among the movements of people, money and products. 24  
 25 25

26 Therefore, insiders and outsiders are not only differentiated at the port of entry, 26  
 27 that is, at the point of crossing demarcating lines, but also often through the spatial 27  
 28 construction of identities within a securitized space. Within a given space an 28  
 29 individual or a group may be discursively catalogued as intruders and be treated 29  
 30 as potential security risks for a society. Spatial perceptions play a mediating role 30  
 31 in this process of othering. Glassner and Fahrer (2004) elaborate the concept of 31  
 32 spatial perception. They note that it is shaped by cultural conditioning, values, 32  
 33 attitudes, motivations, and goals. People develop cognitive maps of places which 33  
 34 are imagery, idealized, and stereotyped. On the basis of such mental maps, they 34  
 35 construct in-group and out-group identities. Social cognitive theories of stereotyping 35  
 36 offer insights into this human enigma and the social construction of reality in 36  
 37 relation to social and power relations in society (Augoustinos and Walker 1998). 37  
 38 Sociologists have attempted to expand the concept of social stereotype beyond the 38  
 39 experience of the individual to the level of social group. Susan Condor analyzed 39  
 40 the relationship between social stereotypes and social identities. According to her, 40  
 41 social stereotypes can be viewed as: Images formed of and formed by human 41  
 42 beings; cultural constructs; shared beliefs; communicative acts; and implicated in 42  
 43 social structure (Condor 1990). Due to these characteristics, stereotypes are able to 43  
 44 serve the purpose of bordering and othering. The stereotypes built about a people 44

1 are represented by symbols and narratives for ease of differentiating in-group and 1  
2 out-group members, making it possible to entrench fear as well as inclusion and 2  
3 exclusion over a space. 3

4 In his lecture series, *Society Must Be Defended*, Michel Foucault advanced the 4  
5 concept of biopolitics. He drew a contrast between the biopolitics of fear in the 5  
6 modern state and the classical concept of the politics of sovereign exceptionality. 6  
7 While the politics of sovereign exceptionality is concerned with the fear and 7  
8 exercise of power over a political territory, biopolitics of fear, on the other hand, 8  
9 has shifted the focus from the political territory to the population. By means of 9  
10 governmentalized techniques and procedures concerned with the regulation of a 10  
11 population, fear is redistributed by means of a biopolitical arrangement (Debrix 11  
12 and Barder 2009). Central to the relationship between biopolitics and security 12  
13 is the fraught notion of biopower, a power that focuses on the population and 13  
14 its main preoccupation is to ensure proper governance of life in society. The 14  
15 applications of power across society have thus become increasingly a matter of 15  
16 dealing with differences in a population and not mere territories. To explain the 16  
17 relations of biopower to bordering we turn to Louise Amoore's work. According 17  
18 to Amoore (2006: 338), "Subject to biopower, the crossing of a physical border 18  
19 is only one crossing in a limitless series of journeys that traverse and inscribe the 19  
20 boundaries of safe/dangerous, civil/uncivil, legitimate traveler/illegal migrant." 20  
21 By virtue of biopower, the body thus has, in effect, become the carrier of border. 21  
22 Amoore contends that states have the wherewithal to establish and maintain border 22  
23 management security to extend the regulating of mobility into multiple aspects of 23  
24 daily life through biometric profiling of multiple encoded borders—social, legal, 24  
25 gendered, and racialized borders. This has become the growing trend since 9/11 25  
26 and as a result of the global war on terror. 26

27 This chapter examines how ordinary citizens have exercised biopower in dealing 27  
28 with insecurity, engendered by ethno-religious segregation. The apparent failure 28  
29 of the state, either by omission, commission, or incapacity, to fulfill, what Schmitt 29  
30 would call its sovereign prerogative by preventing pernicious cycles of ethno- 30  
31 religious violence, has given rise to social groups and individuals assuming the 31  
32 responsibility of securing the borders of their segregated, confined neighborhoods. 32  
33 With neither the legal right nor the wherewithal to enforce biometric checks on the 33  
34 movement of people into their fear-defined enclaves, the communities use symbols 34  
35 and discourses to construct their own identities as insiders and outsiders that are 35  
36 seen as constituting a security risk to everyday life. Hence, constructed attributes 36  
37 are assigned to the Other. Risk is, therefore, narrowly defined as a probability that 37  
38 threats will be kept at bay by disallowing anyone whose appearance, behavior, or 38  
39 mannerism invokes the attributized enemy image. As discussed in the following 39  
40 section, the conflict in Jos has shown that the process of border formation, which 40  
41 used to be top-down and at the territorial level of the state, is also exercisable by 41  
42 bottom-up agency at the grassroots scale. 42

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**1 The Making of a Segregated City**

2  
 3 The city of Jos witnessed eruptions of large scale inter-communal violence 3  
 4 in 2001, 2002, 2008, and 2010, which started as a clash between “indigenes” 4  
 5 and “settlers” and metamorphosed into a protracted Muslim–Christian conflict 5  
 6 (Higazi 2011: 2). Also, between 2010 and 2013 there were a number of terrorist 6  
 7 bomb attacks targeting public spaces and churches by the Islamist militant group 7  
 8 Boko Haram as well as guerilla style attacks on farming villages around the 8  
 9 environs of Jos. The attacks by Boko Haram included the use of suicide bombers 9  
 10 and planting of Improvised Explosive Devices in Christian neighborhoods. 10  
 11 Generally, violence was geographically dispersed across the city and beyond. Some 11  
 12 neighborhoods were not as severely affected as others. It also became clear that the 12  
 13 possibility of escaping the carnage was a function of one’s location. Many victims 13  
 14 of the early confrontations were vulnerable because they lived in neighborhoods 14  
 15 where their group was a minority or got caught up in interface areas or common 15  
 16 places. This observation does not ignore the reality that many people were killed 16  
 17 or lost their homes and belongings even in areas they considered less vulnerable. A 17  
 18 lot of people travelling through the city had also been killed because Jos is a main 18  
 19 transit hub that links the county’s South and the North. 19

20 The first wave of segregation began in the aftermath of the 2001 crisis. There 20  
 21 are suggestions that many residents moved out of neighborhoods they felt were 21  
 22 unsafe to those they deemed safe (see Best and Rakodi 2011). With every episode 22  
 23 of violence the city became increasingly bifurcated along a Christian–Muslim 23  
 24 divide. Even though the conflict has ethnic and political dimensions, it appears 24  
 25 that religion was the most potent identity for mobilizing people and creating 25  
 26 the strongest sentiment. For example, the Pew Forum found that the majority 26  
 27 of Nigerians—91 percent of Muslims and 76 percent of Christians—consider 27  
 28 religion as the most important identity and more significant than their identity as 28  
 29 Africans, Nigerians, or members of an ethnic group (Few Forum on Religion and 29  
 30 Public Life 2006). As residents felt that the security forces were not able to prevent 30  
 31 the violence and keep them safe, communal security initiatives began to emerge. 31  
 32 Vigilante groups were sporadically established in different neighborhoods. 32  
 33 These vigilante groups, comprising predominantly of youths and supervised and 33  
 34 coordinated by elders,<sup>1</sup> mounted makeshift roadblocks along the perimeters of and 34  
 35 all access roads to their neighborhoods. They searched cars and screened people 35  
 36 coming into the area. 36

37 License plates are one way these vigilantes patrol neighborhoods for people 37  
 38 they think do not belong. Because the plate carries the abbreviations of the 38  
 39 registering State and also a Local Government Council, it has become fashionable 39  
 40 for people to have plate numbers of their home states and Local Government 40  
 41 Councils. Sometimes people prefer registration numbers of certain states or Local 41

42  
 43 <sup>1</sup> Interview with a Muslim community leader, who was working with his Christian 43  
 44 counterparts to monitor the vigilante group in Federal Low Cost area in Jos. 44

1 Government Councils even though they may not reside in those places. As car 1  
 2 registration numbers become stereotyped as suggesting a person's ethnic origin, 2  
 3 Jos residents monitor the movement of cars within their neighborhoods by their 3  
 4 plate numbers. Having a plate number associated with the Other's state of origin 4  
 5 when there is tension in the city may affect one's movement across the segregated 5  
 6 city or even put someone at risk of being lynched by a mob. 6

7 The activities of these vigilante groups remained very controversial. They 7  
 8 may be mobilized as militia groups either for self-defense or for reprisal attacks 8  
 9 (Best and Kemedi 2005). Best and Kemedi's study provides great insights into 9  
 10 the role of vigilante groups and militias in the Jos conflict. Although the police 10  
 11 are making efforts to regulate the activities of vigilante groups<sup>2</sup> their spontaneous, 11  
 12 informal, and scattered nature makes it difficult to enforce code of conduct on 12  
 13 their operations. 13

14 The "borders" inadvertently established by the activities of the vigilante 14  
 15 groups and the relocation of people to places they consider as safe havens for their 15  
 16 religious communities determine the contours of the socio-spatial segregation 16  
 17 that has occurred in the city. As fear continuously becomes part of the security 17  
 18 architecture of the communities, the securing of the separating lines, usually road 18  
 19 networks, between the conflicting parties was seen as insufficient. To compound 19  
 20 this situation, the terror attacks against churches by the Islamist group Boko 20  
 21 Haram<sup>3</sup> added another thick layer of fear on the people's minds. Such attacks 21  
 22 against churches were usually followed by reprisals against Muslims by irate 22  
 23 Christian youths. Boko Haram has been engaged in an insurgency against the 23  
 24 Nigerian State, killing Christians, bombing churches, killing fellow Muslims, and 24  
 25 attacking security posts and schools in a bid to create an Islamic state in northern 25  
 26 Nigeria (Amnesty International 2013). Increasingly, fear and mutual suspicion 26  
 27 characterize the relationship between the Christian and Muslim communities. 27  
 28 The two communities resorted to new processes of bordering to prevent possible 28  
 29 infiltration of their space by the Other. Christians erected fences and gates, and 29  
 30 mounted barriers against potential suicide bombers who might want to crash 30  
 31 improvised explosive device loaded cars into churches to harm worshippers. 31  
 32 Parking lots were designated in places far from churches. Muslims also erected 32  
 33 barricades around their mosques especially during the Jummat prayers. Public 33  
 34 buildings and private businesses took measures to secure their building through 34  
 35 the use of security barriers and metal detectors. 35

36 Security discourses among residents began to shift the emphasis on borders 36  
 37 to asking people to be vigilant and report any suspicious movements to the 37  
 38

39  
 40 \_\_\_\_\_  
 41 2 Inauguration of a vigilante group in Jos, *News Agency of Nigeria*, March 8, 2013.  
 42 Available at: <http://www.nanngronline.com/picture/inauguration-of-a-vigilante-group-in-jos>  
 43 [accessed: July 7, 2013]. 41

42 3 The name Boko Haram means "Western education is an abomination" in Hausa 42  
 43 language. The group's real name is *Jamā'a Ahl al-sunnah li-da'wa wa al-jihād* (People 43  
 44 Committed to the Propagation of the Prophet's Teachings and Jihad). 44

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27 **Figure 8.1 A church and school compound in Jos surrounded by barriers** 27  
28 **to prevent bombers from getting close** 28

29 *Note:* Photo by Yakubu Joseph, September 2012. 29

30 30  
31 31

32 authorities or community leaders in their neighborhoods. This gave rise to some 32  
33 sort of profiling and othering across the segregated neighborhoods. For example, 33  
34 Nigeria’s highest ranking security officer, the Chief of Defense Staff, Air Marshall 34  
35 Oluseyin Petinrin, on a visit to the troubled city of Jos, called on the residents to be 35  
36 vigilant and security-conscious.<sup>4</sup> A suspicion of any strange looking person may 36  
37 cause panic and irrational reaction from the community. For example, a mentally 37  
38 ill person was spotted in the Rantya area of the city and security agents were 38  
39 called in to apprehend him because residents thought he was a disguised terrorist. 39  
40 When his items were searched the security agents discovered that he was just a 40  
41 41

42 4 <sup>4</sup> Petinrin asks Jos residents to be vigilant, *Daily Trust*, December 14, 2011. Available 42  
43 at: [http://www.dailytrust.com.ng/index.php/news-news/12002-petinrin-asks-jos-residents-](http://www.dailytrust.com.ng/index.php/news-news/12002-petinrin-asks-jos-residents-to-be-vigilant) 43  
44 to-be-vigilant [accessed: July 7, 2013]. 44

1 mentally ill person picking up garbage. The fear of the Other remained a part of 1  
 2 the daily life in Jos. A recent story carried by the *This Day* newspaper reported that 2  
 3 a group calling itself Vigilant Democrats, based in Jos, raised an alarm and alerted 3  
 4 residents of the restive city about the presence of 30 suspected foreign assassins 4  
 5 brought in by the enemies of peace in the state to destabilize the city and to wreak 5  
 6 havoc on citizens.<sup>5</sup> 6

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### 9 Symbolic Bordering and the Securitization of Identity Markers in Jos 9

10

11 In this section we analyze the different categories of symbolic and constructed 11  
 12 identity markers employed in the spatial differentiation of insiders and outsiders 12  
 13 across the city. As the mutual suspicions of the Other mediates the way people 13  
 14 perceive security, bordering was adopted as a strategy of gatekeeping to prevent the 14  
 15 invasion of “own” space by the Other. Consequently, the construction of identity 15  
 16 through spatial differentiation became entrenched in the security discourses. 16  
 17 The “life and death” determining question, “*Namu ne ko nasu ne?*”<sup>6</sup> (literally 17  
 18 meaning “are you for us or for them?”) used by both sides against strangers during 18  
 19 the violence was normalized as part of everyday life. The symbolization and 19  
 20 discursive construction of identities in space became well packed with stereotypes 20  
 21 and derogatory expressions that continue to nurture demonizing perceptions and 21  
 22 hostility towards the Other. Such spatial perceptions are accompanied by a mental 22  
 23 mapping, that is, ordering and othering of the constructed markers of identity. 23  
 24 Residents of Jos cast themselves into Christian and Muslim spatial identities based 24  
 25 on constructed and taken for granted signifiers. In her work on the Jos conflict, 25  
 26 Jana Krause (2011: 10) concluded that “Ten years of violent confrontations and the 26  
 27 extreme brutality of 2010’s massacre around Jos left many residents traumatized. 27  
 28 Religious identities have become strongly polarized and one-sided narratives 28  
 29 internalized.” This is a challenge for co-existence, as Kuna (2005: 11–12) points 29  
 30 out, the relationship between identity and religion is profound: 30

31

32 People’s perceptions and definitions of themselves as adherents of specific 32  
 33 religious experiences, in a sense ‘in-groups,’ against outsiders that do not share 33  
 34 the same religious experience or ‘out-groups,’ and the way in which institutional 34  
 35 systems provide each with readily available repertoires that make life that much 35  
 36 meaningful are critical elements in the construction of identities. [...] To a 36  
 37 very significant extent therefore, religion shapes identity not just in specifying 37  
 38 physically recognizable ‘signifiers,’ but also by imposing notions of membership 38

39

40 5 “Group Raises the Alarm Over Suspected Foreign Assassins in Jos,” *This Day*, 40  
 41 April 28, 2013. Available at: <http://www.thisdaylive.com/articles/group-raises-the-alarm-over-suspected-foreign-assassins-in-jos/146148/> [accessed: July 7, 2013]. 41  
 42

43 6 This is an expression in Hausa language. Hausa is the Lingua Franca spoken widely 43  
 44 across northern Nigeria including Plateau State. 44

1        within a community of believers sharing common beliefs and values, whose        1  
2        lives are that much more organized with, than without religion.        2  
3               3

4 The negative impact of this act of bordering is quite complex. Even for in- 4  
5 group members this is a dicey business because the Nigerian society has loose 5  
6 compartments of identities and is socio-culturally defined by its vast diversities. 6  
7 Therefore, the probability of mistaking people's identities in some instance is 7  
8 very high. Nigeria has more than 250 ethnic groups. Many of these cultural and 8  
9 linguistic groups exhibit a high degree of mutual intelligibility (cf. Ballard 1971). 9  
10        Jos residents have adopted physical attributes as identity markers to establish 10  
11 spatial differentiation between those who belong to a place and those who do not. 11  
12 Physical attributes refer to how a person looks in terms how he or she is built, 12  
13 facial shape, skin color, hair type and style, height, and so on. Like racial profiling, 13  
14 residents of Jos try to differentiate their identities by assigning physical attributes to 14  
15 the Other. Hence, physical attributes are stereotyped and used as identity markers. 15  
16 A stranger bearing the appearance attributed to that typical of the Other is treated 16  
17 in an unwelcoming and hostile manner or even likely to be subjected to scrutiny 17  
18 and harassment within a neighborhood. This bordering practice of determining 18  
19 the religious identity of a person based on his or her physical attributes in order to 19  
20 spatially differentiate insiders and outsiders undermines the demographic realities 20  
21 of Nigeria. It is foolhardy to assume that someone's physical attributes would 21  
22 clearly reveal his or her ethnic identity, and one's ethnic identity would suggest 22  
23 a person's religious affiliation (cf. Best and Rakodi 2011: 23). Unfortunately, this 23  
24 fallacy has been imbibed by many residents, as a result of the politicization of fear, 24  
25 in order to close their spaces to the Other. There were reported instances of people 25  
26 harassed for mistaken physical attributes by members of their own religious group. 26  
27 Two persons interviewed during the study recounted how they were almost killed 27  
28 during clashes by members of their own religious group because of their physical 28  
29 attributes in neighborhoods where they were not known.        29

30        Language has also become a key marker of religious identity. For example, 30  
31 a middle age lady who met one of the authors (Joseph) in Jos at a car wash a 31  
32 few years ago asked him to serve as a translator between her and a cobbler (a 32  
33 mobile shoe repairer). After Joseph had successfully facilitated the transaction 33  
34 by translating between English and Hausa, the lady felt at home with him and 34  
35 began to share her personal experience directly. Although she belongs to the Igbo 35  
36 ethnic group from southeastern Nigeria, she was born in Jos and lived there all 36  
37 her life. That revelation instantly brought a flicker of shock and bewilderment into 37  
38 Joseph's mind. How on earth would someone born and brought up in Jos claim 38  
39 not to understand the Lingua Franca of the region? Impossible, Joseph thought 39  
40 in his mind. He politely asked the lady, "Ma, does it mean you understand Hausa 40  
41 language?" The lady replied, "Yes, I used to speak Hausa, but after my family 41  
42 lost everything in the crisis in Jos I decided never to speak that language again." 42  
43 The woman's refusal to speak Hausa after an experience of personal tragedy as a 43  
44 result of the ethno-religious crisis in Jos shows her perception about the language 44

1 identity of the Other. In many neighborhoods in Jos, the language one speaks is 1  
2 regarded as a clue of the person's religious identity. There is a backlash against 2  
3 Hausa, which is the Lingua Franca in the North including Plateau, from the conflict 3  
4 as demonstrated by the lady in the story. This phenomenon had been documented 4  
5 by Higazi (2011: 4): "There has been a reaction against this [use of Hausa as a 5  
6 Lingua Franca] in some areas, with a cultural resurgence that is encouraging the 6  
7 replacement of Hausa place names and ethnonyms with indigenous ones, and to 7  
8 a lesser extent the use of indigenous languages rather than Hausa." How a person 8  
9 speaks a language is also labeled. Speaking a language with the accent of a native 9  
10 speaker or a non-native speaker could make a person be identified with a particular 10  
11 ethnic group and by implication be specified a religious identity. 11

12 Clothing serves as a third cultural marker of religious identity to distinguish 12  
13 between insiders and outsiders across neighborhoods in Jos. It has been a trend in 13  
14 Nigeria for parents to dress their children in traditional ceremonial attire during 14  
15 festivals or to pose for a photograph on their birthdays. The photo frames of 15  
16 children dressed in such traditional outfits are a common part of interior decor 16  
17 of many homes. During recent field work, one of the authors (Joseph) visited 17  
18 a family in Jos. The family's living room was decorated with photo frames of 18  
19 important family milestones—such as the couple's wedding, naming ceremonies, 19  
20 and birthdays. Joseph remarked to his hosts that the photo of their ten-year-old 20  
21 son dressed in a legendary traditional dress was beautiful. The response from the 21  
22 parents was not a thank you, but a shocking revelation of the toll ethno-religious 22  
23 conflict has taken on culture, and on how stereotypes serve as the barbed wire of 23  
24 bordering. The parents said their little boy is not happy with those photographs and 24  
25 had refused to wear those dresses ever since he became aware of the othering, the 25  
26 polarization between indigenes and settlers, Christians and Muslims, engendered 26  
27 by conflict. For the young boy, that traditional dress is associated with the Other. 27  
28 The parents had to get rid of three pairs of that expensive garment because their 28  
29 boy had developed a dislike for wearing them. 29

30 Part of the cultural resurgence referred to by Higazi (2011) include the adoption 30  
31 of certain dress codes and rejection of others. Some ethnic groups have distinct 31  
32 traditional dressing, albeit many of them share common traditional dress. Since 32  
33 one's mode of dress can be associated with a particular religious affiliation, in 33  
34 the different neighborhoods of Jos residents maintain dressing codes acceptable 34  
35 to their groups. Moving with the "wrong" mode of dress in a neighborhood may 35  
36 attract a hostile reaction from residents. As residents remain "vigilant and security- 36  
37 conscious," their symbolic bordering "telescopes" can easily detect the strange 37  
38 appearance of the Other in their securitized space. As a result of this othering, both 38  
39 Christians and Muslims disguise with the mode of dress of the Other when they 39  
40 are entering the Other's territorialized neighborhoods or interface areas to avoid 40  
41 the risk of being harassed or even attacked. 41

42 The potency of the dress code as religious identity marker was further 42  
43 revealed when a top-ranking, female public servant described her encounter with 43  
44 44

1 a powerful politician at a government office in Jos.<sup>7</sup> A meeting was scheduled and 1  
 2 she was to be in attendance. While she was waiting for a quorum to be formed, 2  
 3 the politician came in. As soon as he saw how she was dressed he remarked to 3  
 4 the people he knew there, “Why are you guys parleying with the Taliban?” To 4  
 5 contain the embarrassment, one of the persons there said to him, “Honorable, she 5  
 6 is one of us.” The lady has been part of many peace initiatives in the state and still 6  
 7 maintains interactions with her Christian friends. Her family still lives in one of 7  
 8 the very few mixed neighborhoods in Jos. During her daughter’s wedding, she 8  
 9 even made her Christian friend the “Mother of the Day,” a big honor in Nigerian 9  
 10 wedding celebrations. She felt extremely bad for being cast in a negative light 10  
 11 simply because of the way she dressed. Many of these experiences are reported 11  
 12 across the different neighborhoods in Jos. 12

13 Her story illustrates the fourth cultural marker of religious identity: an 13  
 14 individual’s network of friends. Bordering in the segregated neighborhoods of Jos 14  
 15 has assumed a vicarious dimension. By associating with the Other, a person risks 15  
 16 having his or her loyalty to one’s religious affiliation questioned. Since the Other 16  
 17 is considered an enemy to be kept at bay, any in-group members that associate 17  
 18 with the enemy are seen as exposing their community to risk or betraying the 18  
 19 hate the Other deserves. This othering practice, in which those who seek to cross 19  
 20 the borders of hate and fear, and associate with fellow human beings across the 20  
 21 conflict divide are viewed with suspicion and disapproval, has been very difficult 21  
 22 for many people who can no longer visit their childhood friends, schoolmates, 22  
 23 former neighbors, and colleagues at home. Friendship between a lady and a guy 23  
 24 from different faiths is frowned upon. Prior to the crisis intermarriage was common 24  
 25 between Christians and Muslims, but these days this can even trigger restiveness 25  
 26 in the city. For example, there had been reported incidences of violence sparked 26  
 27 by protest over a dating relationship between young men and young women from 27  
 28 the two religions (Human Rights Watch 2005: 14). 28

29 The final key cultural markers of religious identity in Jos are names. Many 29  
 30 Christians and Muslims in northern Nigeria bear common names because of 30  
 31 common ethnicity and the use of Hausa as a Lingua Franca throughout the region. 31  
 32 Due to the common Abrahamic roots of Christianity and Islam, and the Arabic 32  
 33 etymological foundations of many Hausa words, Hausa names of the prophets and 33  
 34 ancient religious personalities were commonly used by Christians and Muslims. 34  
 35 However, as a result of the conflict and the strong need each side feels for a 35  
 36 clear differentiation of identities, Christians have developed a preference for the 36  
 37 English versions of biblical names and words that have special meanings. Some 37  
 38 of the names that have become trendy among Christians nowadays are Grace, 38  
 39 Peace, Faith, Miracle, Divine, Favor, Promise, and Prevail. Muslims, on the other 39  
 40 hand, prefer the Arabic and Hausa variants of common Arabic names including 40  
 41 Mohammed, Aldulsalam, Fatima, Aisha, Mubarak, and Suleiman. Many daily 41  
 42 \_\_\_\_\_ 42

43 <sup>7</sup> This was a personal account given by the lady during an interview in her office 43  
 44 in 2011 in Jos. 44

1 life decisions that are taken concerning individuals are mediated by how the 1  
 2 individual's name is perceived as a Christian or Muslim. The newcomer seeking to 2  
 3 rent an apartment, the young man or young lady applying for a job, and the vendor 3  
 4 trying to sell a product are all subjected to name filtering to determine whether 4  
 5 they deserve a favorable or negative response. 5

6

7

## 8 **Conclusion: Bordering and the Challenge of Restoring Peace** 8

### 9 **in a Divided City** 9

10

11 This chapter examined spatial segregation and the relationship between bordering 11  
 12 and security during a period of conflict in the city of Jos. The inability of the state to 12  
 13 prevent the recurrence of violence in the city for the past 12 years and the traumatic 13  
 14 impact of the crisis on residents prompted communal initiatives of securitizing 14  
 15 spaces across the ethno-religiously polarized city. As the fear of possible invasion 15  
 16 by the Other spread throughout the city, both conflicting communities adjusted 16  
 17 their conceptions of security from securing the borders of their territorialized 17  
 18 social and spatial compartments from perceived external existential threats to 18  
 19 spatially differentiating the movement of insiders and outsiders across and within 19  
 20 socio-spatially constructed boundaries. This phenomenon has underscored the 20  
 21 notion that borders are not simply the fixed demarcating lines between spaces (van 21  
 22 Houtum and Naerssen 2002). 22

23 Constructed symbolic markers of identity are the "borders" that determine the 23  
 24 spatial differentiation of insiders and outsiders along ethno-religious lines in Jos. 24  
 25 License plates, language, names, clothing, physical attributes, and even networks 25  
 26 of friends are used as cultural markers of religious identity to reinforce stereotypes 26  
 27 and sustain an "enemy picture" of the Other. Although bordering and othering 27  
 28 practices have helped to somewhat keep the belligerents asunder and to offer the 28  
 29 communities the semblance of security without eliminating the underlying fear, 29  
 30 at the same time they pose a serious challenge to the parallel efforts by many 30  
 31 stakeholders to bridge the divide between the communities in order to bring about 31  
 32 healing and reconciliation, and to build sustainable and durable peace in Plateau 32  
 33 State. Therefore, in the context of this conflict, bordering is an ambivalent process. 33  
 34 It is a two-edged sword that ostensibly reduces security risk to a social group or 34  
 35 a territorialized space and at the same time produces socio-spatial outcomes such 35  
 36 as stereotypes, hate, and adversarial posturing. Understanding these spatial and 36  
 37 territorial dimensions of the Jos conflict will contribute to the development of an 37  
 38 integrative security framework (cf. Newman 2008: 134) in which the subjective 38  
 39 concerns of both sides would be merged into an inter-subjective goal of creating 39  
 40 security for everyone. 40

41 The implication is that the nexus between securitization of spaces and 41  
 42 peacebuilding must be adequately considered in designing a new architecture of 42  
 43 peace in Jos. As this study has shown, bordering can be exercised by both state 43  
 44 and non-state actors and can create social and material borders far away from 44

1 an international border line. In a situation of conflict, where the state has failed 1  
 2 to demonstrate the capacity to tackle security threats effectively, belligerents and 2  
 3 ordinary community members may resort to enacting socio-spatial barriers to their 3  
 4 perceived enemies. These socio-culturally constructed and context specific socio- 4  
 5 spatial barriers are arbitrary and fluid, rendering themselves to abuse and, even 5  
 6 though they serve an immediate security need, they may hinder the prospect for 6  
 7 reconciliation and peace. It is therefore important for scholars to pay attention 7  
 8 to this phenomenon of symbolic and discursive bordering with its attendant 8  
 9 othering consequences. 9

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Chapter 9

Border Wars: Narratives and Images of  
the US–Mexico Border on TV

Reece Jones

12 **The Cable Television Wars**

14 In 2013, the United States cable television landscape is a place of war. Animal  
15 Planet has “Whale Wars,” which documents environmentalists’ efforts to disrupt  
16 Japanese whaling operations. There is a “Star Wars” remake on Spike TV. Spike TV  
17 also has another show called “The Deadliest Warrior” in which different teams of  
18 soldiers face off in competitions. Over on the Travel Channel, “Food Wars” serves  
19 up battles between different restaurants to make the best version of a particular  
20 dish. Episode titles include “Philly Cheese Steak War” and “Chicago Pizza War.”  
21 The Discovery Channel has “Weed Wars,” which documents the lives of people  
22 who run medical marijuana dispensaries. HG TV, the Home and Garden Network,  
23 has “Design Wars,” in which designers “battle it out” to design rooms in a house.  
24 A & E, formerly the Arts & Entertainment Channel, has four war shows. “Parking  
25 Wars” follows parking enforcement officers who give tickets to illegally parked  
26 cars. “Storage Wars” glorifies people who buy the contents of abandoned storage  
27 units at auctions. “Storage Wars Texas” just does it bigger, because everything is  
28 bigger in Texas. “Shipping Wars” follows independent truckers who ship odd-  
29 sized items. The Food Network probably wins the war of having the most unlikely  
30 war show with “Cupcake Wars.” The show’s website includes a graphic of a large  
31 pink cupcake with a tank gun protruding out of it. With all of these other vacuous  
32 uses of the term “war,” you cannot blame the National Geographic Channel for  
33 calling a show about US Border Patrol agents using helicopters, unmanned drones,  
34 and machine guns on the US–Mexican border “Border Wars.” Nevertheless, in a  
35 nod to the particularly American banalization of war, when the show is broadcast  
36 on most National Geographic stations around the world, “war” is dropped from the  
37 title and it becomes simply “The Border.”<sup>1</sup>

38 “Border Wars” was an immediate success and its first episode on 10 January 2010  
39 was the highest rated premier ever for the National Geographic Channel. The show  
40 is in its fifth season and is still in production. “Border Wars” utilizes what appears  
41 to be a documentary style and follows the experiences of Border Patrol agents and  
42 Customs officers over several shifts on the job. The narratives and images in the

43 \_\_\_\_\_  
44 1 One exception is in Australia where it is called “Mexican Border Wars.”

1 show are often the first time many viewers see the Border Patrol and what occurs 1  
 2 in the borderlands. “Border Wars” takes the unknown space of the border and 2  
 3 transforms it into a series of images and stories that create a coherent narrative for 3  
 4 the viewer. The show is a powerful propaganda tool that portrays the Border Patrol 4  
 5 as brave, patriotic, and compassionate as they simultaneously fight the war on 5  
 6 drugs, battle terrorism, and save the lives of immigrants stranded in the desert. The 6  
 7 show does not, however, put these fragments in the context of why people cross 7  
 8 the border, why they choose such a difficult route through the desert, or where the 8  
 9 confiscated drugs are going. 9

10 This chapter analyzes the representation of the US–Mexican border in National 10  
 11 Geographic’s “Border Wars.” Representations and narratives play a critical role in 11  
 12 shaping perceptions of chaotic and distant events. We cannot be everywhere at 12  
 13 once and we cannot know what is occurring over a vast area. Anderson (1991) 13  
 14 argues newspapers standardized accounts across a wide readership, which allowed 14  
 15 people to share in the knowledge of events in places far distant from their daily life. 15  
 16 Before newspapers, limited first-hand experience and unreliable word-of-mouth 16  
 17 produced fragmented and varied accounts of events. Erving Goffman (1979: 27) 17  
 18 contends that visual mediums can be even more effective than text in shaping our 18  
 19 understanding of events because images “transform otherwise opaque goings-on 19  
 20 into easily readable form.” This transformation of the opaque into perceivable 20  
 21 knowledge is very powerful and consequently, as Castells (2010: xxxii) writes, 21  
 22 “power struggles have always been decided by the battle over people’s minds, this 22  
 23 is to say, by the management of processes of information and communication that 23  
 24 shape the human mind.” 24

25 Critical geopolitics analyzes the social construction of the political world by 25  
 26 investigating the narratives and actors that create representations of geopolitical 26  
 27 space (Dodds 2001, Ó Tuathail 1996). Rather than accepting a fixed reality in the 27  
 28 world, the focus is instead on how perceptions of reality are created for particular 28  
 29 purposes. These invented worlds can entail both representations of territories and 29  
 30 representations of people, which constitute the effort to categorize and define the 30  
 31 subjectivity of an individual or a group. Once established and inscribed into the 31  
 32 consciousness of a population, these geopolitical discourses act as disciplinary 32  
 33 regimes of truth by shaping how events are understood and interpreted by the 33  
 34 population (Foucault 1971, 2002). Consequently, defining the boundaries of the 34  
 35 categories we use to understand the world defines what is and is not (Jones 2009). 35

36 After situating the recent increases in manpower and budget of the Border 36  
 37 Patrol within the history of the US–Mexico border, this chapter examines the first 37  
 38 season of “Border Wars” through the lens of critical geopolitics and identifies five 38  
 39 reoccurring themes that shape the image of the border and the Border Patrol for the 39  
 40 viewer (Fairclough 1995, Müller 2010).<sup>2</sup> These themes are the presumption of guilt, 40

41 \_\_\_\_\_ 41  
 42 2 This paper is a critical geopolitical analysis of the representations of the 42  
 43 US–Mexico border in the show border wars. The first season of the show was analyzed by 43  
 44 transcribing each episode and applying the lens of critical discourse analysis to the narrative 44

1 the potential for violence, the language of war, the lack of governance in Mexico, 1  
 2 and the simultaneous dehumanization of the immigrants and valorization of the 2  
 3 Border Patrol agents. What emerges through this border work by the producers 3  
 4 of “Border Wars” is a sharp disconnection between, on the one hand, the framing 4  
 5 of each segment, the language of the narrator, and the perspectives of the Border 5  
 6 Patrol agents, and on the other hand the footage of what actually happens at the 6  
 7 border in each episode. Despite the militaristic lead-ins, the dramatic music, and 7  
 8 the tension of the storytelling that emphasizes violence, terrorism, and war, most 8  
 9 of the episodes present a more prosaic border landscape peopled by poor migrant 9  
 10 workers looking for a better life. The question remains, however, whether the 10  
 11 viewer remembers the dramatic and frightening set-ups or the banal denouement 11  
 12 when another group of immigrants is rounded up, hand-cuffed, and put in the back 12  
 13 of a Border Patrol truck. 13

14

15

### 16 “What it is Really Like” 16

17

18 Over the past 30 years, the US–Mexico border entered the US political debate as a 18  
 19 symbol and touchstone for understanding a range of changes occurring in society 19  
 20 (Andreas 2009, Heyman 1998, Nevins 2010). The border was described as a bridge 20  
 21 for trade in the form of Maquiladoras and later NAFTA and as a dangerous space 21  
 22 that needed to be secured to protect American jobs from immigrants and American 22  
 23 children from the scourge of drugs. The attention to the border occurred during a 23  
 24 period when there were profound changes in how the border was monitored and 24  
 25 patrolled, which resulted in substantial increases in funding for the Border Patrol 25  
 26 (Ackleson 2005, Coleman 2003, 2005, Dunn 2009, Heyman and Ackleson 2009, 26  
 27 Jones 2012, Lytle Hernandez 2010). From 1980 to 1995, the Border Patrol budget 27  
 28 increased sevenfold. From 2000 until 2010 its budget tripled again increasing 28  
 29 from \$1.06 billion to \$3.58 billion (Haddal 2010). 29

30 A large portion of the budget increases went to hiring additional agents and 30  
 31 fencing the border. In 1992, at the US–Mexico border there were 3,555 agents 31  
 32 and by 2010 there were over 20,100 (Haddal 2010).<sup>3</sup> Additionally, in 2006, the 32  
 33 US Congress passed the Secure Fence Act that authorized fencing on 1,100 km 33  
 34 of the border of the 3,169 km border, and 1,070 km were completed by 2010 34  
 35 (Haddal et al. 2010). These mutually constitutive processes of hiring agents while 35  
 36 constructing material barriers to movement create a new landscape as the border 36  
 37 becomes securitized and militarized. 37

38 National Geographic’s “Border Wars” is significant because it brings the hidden 38  
 39 and often opaque borderlands and the activities of the Border Patrol into the homes 39  
 40 40

41 representations of the show (Fairclough 1995, Müller 2010). CDA attempts to identify the 41  
 42 ways that power operates through the narrative construction of reality. 42

43 <sup>3</sup> There are an additional 1000 agents US–Canada border, however over 98 percent of 43  
 44 apprehensions occur at the Mexico border. 44

1 of millions of Americans, and viewers around the world, every week. The show is 1  
 2 shot in a documentary style, but it often depicts the most spectacular aspects of the 2  
 3 work of Border Patrol agents and Customs officers. “Border Wars” uses images of 3  
 4 Predator drones, Black Hawk helicopters, hidden seismic sensors, and night vision 4  
 5 equipment to build excitement and tension in the show. The publicity material for 5  
 6 the show and its producer, Nicholas Stein, emphasize that the show strives to show 6  
 7 the real experiences of the border. 7

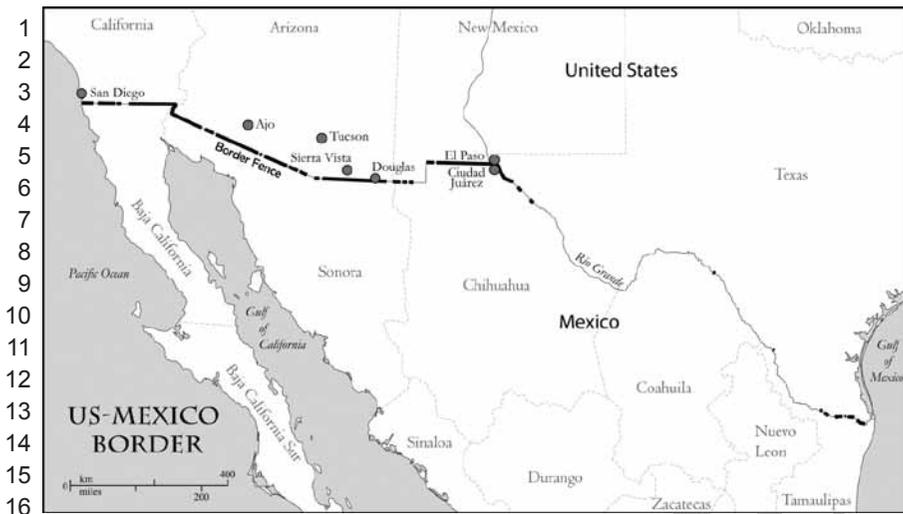
8 In a 2010 television interview, Stein explains: 8  
 9 9

10 We were there to pull back the curtain and let people see exactly what it’s like 10  
 11 day to day, car by car, mission by mission, shift by shift, what it’s really like 11  
 12 to try to secure the US–Mexico border. And in many ways Nogales became a 12  
 13 microcosm, if you will, of some the issues and problems that are up and down 13  
 14 all the way from San Diego all the way to Brownsville, Texas. So it’s a real 14  
 15 look at the work and the dedication of the men and women there. We didn’t talk 15  
 16 policy, we didn’t talk about, you know, what people should do in terms of policy 16  
 17 and legislation and laws. We were there with the law enforcers and we saw how 17  
 18 difficult their job really is. (Cavanaugh and Heilbrunn 2010) 18  
 19 19

20 The show is described as a documentary about the border; however, Stein explicitly 20  
 21 states that he sees his job as telling the story from the perspective of the Border 21  
 22 Patrol agents. He continues: 22  
 23 23

24 There was an original show that National Geographic did called ‘Border 24  
 25 Wars’ that was a one-hour show that was done by their Explorer Unit and it 25  
 26 was sort of a—more of an overview of all the things that go on there.<sup>4</sup> But, 26  
 27 really, this [Stein’s version] is a look from the point of view of the federal law 27  
 28 enforcement folks. There is, I think, many opportunities for many filmmakers 28  
 29 of every stripe and news organizations to do a more comprehensive look at all 29  
 30 of the issues there. There’s so many points of view. But we decided that a lot of 30  
 31 people really didn’t understand what these men and women are being asked to 31  
 32 do on our behalf and with our tax dollars. And we thought that it was important 32  
 33 to get on the ground and really see that happening. The truth is there’s no 33  
 34 border like the US–Mexican border in the world because there’s no border that 34  
 35 has perhaps the world’s richest country hard up against one of the poorest and 35  
 36 one that’s now going through the spasms of this narco war. (Cavanaugh and 36  
 37 Heilbrunn 2010) 37  
 38 38

39 \_\_\_\_\_ 39  
 40 4 This previous documentary style show is referred to as Episode 1 of Season 1 of 40  
 41 the show. The differences in style and content are clearly evident, as Stein suggests. This 41  
 42 National Geographic Explorer documentary shows life on both sides of the border and it 42  
 43 even follows an immigrant from Mexico all the way to his home in Kentucky. However, as 43  
 44 is described later in this paper, it also uses similar production effects to create tension and 44  
 45 drama in the storytelling. 45



**Figure 9.1** Map of US–Mexico border showing walled or fenced locations

The positive depiction of the Border Patrol is not surprising because the producers, and National Geographic, rely on the permission of the Department of Homeland Security and on the cooperation of the agents in order to film it. Stein explains the agreement with Customs and Border Protection,

I think the CBP, Customs and Border Protection, *really trusts us to tell their story* in a serious way and to tell it in an accurate way. So after the negotiations were successful, we headed to Nogales, Arizona, and we got to know the officers and agents quite well. (Cavanaugh and Heilbrunn 2010, emphasis added)

Without that access, and the stock footage of the military hardware, the show would be impossible to make.

### Fighting the Border Wars

Each episode of “Border Wars” begins with a fast-paced title sequence with images of guns, helicopters, Predator Drones, and agents racing through the desert accompanied by dramatic music and a voice-over about terrorism, drug cartels, security threats, and war. The first segment of each episode sets up several different scenarios involving Border Patrol agents on the ground, Rapid Response Team agents in a Black Hawk helicopter, and Customs officers checking cars and pedestrians at crossing points. The initial segment builds tension by emphasizing the potential threat through phrases that are repeated in virtually every episode

1 about “trails known to be used by narco-traffickers,” the fact that “smugglers are 1  
 2 almost always armed,” “will do anything to protect their cargo,” and “ambushes 2  
 3 are not uncommon.” The remainder of the episode then follows the scenarios to 3  
 4 their conclusion. 4

5 The title sequence and voiceover for the second episode of the first season is 5  
 6 typical [description of the on-screen images and background music in brackets]: 6  
 7 7

8 [Dramatic music] These officers and agents of the Department of Homeland 8  
 9 Security work around the clock protecting America’s borders [images of agents, 9  
 10 ATVs, Black Hawk helicopters, and Predator drones]. They are at ground zero of 10  
 11 the war against narco-traffickers, illegal immigration, and terrorism [dark, grainy 11  
 12 film of a line of agents shooting automatic weapons after one yells ‘fire’]. In the 12  
 13 next 12 hours, officers and agents in Nogales, Arizona will risk it all to pursue 13  
 14 and arrest hundreds of illegal immigrants [image of an agent diving and tackling 14  
 15 a man sitting on a hillside, the agent says: ‘I was able to dive and get a hold of 15  
 16 him just in time’], confront cartel foot soldiers in the dead of night [nighttime 16  
 17 images of an agent with a gun pointed in front of him yelling ‘Border Patrol! 17  
 18 Parate (stop)! Parate!’] and stop would-be imposters from entering the country 18  
 19 [image of a woman and an ID card]. These are the Border Wars. [Final image of 19  
 20 several agents hiking past on a trail and one says: ‘Welcome to Nogales’]. 20  
 21 21

22 The sequence is exciting and frightening. The images do make it seem like a war 22  
 23 is happening: there are agents in military fatigues, automatic weapons, military 23  
 24 helicopters, Predator Drones, and video of what appears to be a firing squad. It also 24  
 25 creates the perception of imminent threat at the border where agents “risk it all.” 25  
 26 The border is described as “ground zero of a war” against “narco-traffickers” and 26  
 27 “terrorism” which includes “cartel foot soldiers” and “imposters” trying to slip 27  
 28 into the country. An agent says he tackled a man “just in time,” which implies that 28  
 29 something terrible could have happened. 29

30 If you watch the sequence a few times, however, questions start to arise. All the 30  
 31 accoutrements of war are there, but only one side. The guns, helicopters, agents, 31  
 32 and Predator Drones are all from the US Border Patrol. “Terrorists,” “narco- 32  
 33 traffickers,” and “cartel foot soldiers” are mentioned but none are shown. The 33  
 34 Mexican military is not shown. The two threats that are shown are the imposter 34  
 35 with the fake ID and the man tackled on the ridge “just in time.” The imposter, 35  
 36 as the episode later describes, is a middle-aged Mexican woman with three kids. 36  
 37 She lived in the United States for 12 years before returning to Mexico to visit her 37  
 38 dying father. Now she is trying to return to her job in California. The man tackled 38  
 39 on the hill was a late-middle-aged undocumented worker. He was travelling 39  
 40 with a large group of immigrants that was located by a helicopter. They ran in 40  
 41 different directions and most of his group was caught by agents on the ground. 41  
 42 This particular man was later seen by the helicopter pilot who aimed a spotlight 42  
 43 on him so the agents on the ground could find him. The man did not run or resist. 43  
 44 Instead, he sat still on the hillside in the spotlight for at least 10 seconds (the 44

1 amount shown in the footage) before the agent dove at him from above and the 1  
 2 two men rolled 50 meters down the steep incline. The older, slightly overweight 2  
 3 man was later shown complaining to the agents about pain in his chest and legs 3  
 4 after the fall. This pattern of exaggerating threats along the border is evident in 4  
 5 every episode of the show. 5

6 In addition to the dramatic title sequences, there are several recurring themes 6  
 7 in each episode that create tension but also establish a framework for viewers 7  
 8 to understand what happens at the border. These themes are the presumption of 8  
 9 guilt, the potential for violence, the lack of governance in Mexico, the language of 9  
 10 war, and the dehumanization of immigrants and valorization of the Border Patrol 10  
 11 agents. These representations support a particular narrative about the border that 11  
 12 emphasizes threat and danger while providing little context to what is actually 12  
 13 occurring in each episode. Indeed, just as the threats in the title sequences did 13  
 14 not live up to the hype, the on-screen images throughout the show often belie the 14  
 15 overwrought storytelling of “Border Wars.” 15

16 16

### 17 *The Presumption of Guilt* 17

18 18

19 The first recurring theme in the show is the tendency of the producers, and the 19  
 20 agents themselves, to presume that most of the people they encounter are, at the 20  
 21 minimum, in the United States illegally and possibly are hardened criminals with 21  
 22 violent intentions. This presumption is evident in how the narrator describes the 22  
 23 people who are interdicted. Typically, the first time the people are mentioned 23  
 24 they are referred to as “suspected” smugglers or illegal immigrants. However, 24  
 25 later in the episode the terminology of suspicion is dropped or the narrator uses 25  
 26 general terms like “smugglers are known to.” Although the statements are about 26  
 27 smugglers generally, the implication is that the people being shown on screen are 27  
 28 examples of it. 28

29 A segment in the third episode of season one illustrates the tendency of agents 29  
 30 to presume the people they detain are in the country illegally and more than likely 30  
 31 criminals. The segment begins by showing Agent Pittman driving along the border 31  
 32 fence in Nogales: 32

33 33

34 Narrator: Pittman has patrolled this area for nearly 15 years and watched the 34  
 35 violence intensify. 35

36 36

37 Agent Pittman: I think it’s more and more criminals coming across. It’s every 37  
 38 kind of criminal you can imagine we catch and arrest them. 38

39 39

40 Narrator: Agent assaults are on the rise, including near the border fence. 40

41 41

42 Agent Pittman: In my opinion it seems to be organized, trained people. They 42  
 43 have set up ambushes for us. They would shoot at our guys. 43

44 44

1 Narrator: The biggest risk here are the rocks, bricks, and even kitchen sinks 1  
 2 thrown over the fence. Cartels hire local teens to target the agents. 2  
 3 3 3  
 4 Agent Pittman: I still get nervous parking next to the fence. 4  
 5 5 5  
 6 A call comes over the radio that sends him to a remote area 51 kilometers from the 6  
 7 city, which Pittman says “is [a] busy area for smuggling out here. In an emergency 7  
 8 situation, everyone goes until we get enough people there. We have our agents 8  
 9 being shot at a lot. We have cartels in Mexico telling their people to defend their 9  
 10 loads at all costs.” 10  
 11 The segment occurs during the daytime and Agent Pittman decides to pursue 11  
 12 the suspects on foot, who are said to be walking along a dirt road that follows 12  
 13 a gas pipeline. Pittman spots two men walking along the road in front of him 13  
 14 and at the same time two agents on ATVs speed in and arrest them. The two 50- 14  
 15 to 60-year-old men of apparently Latin American ancestry are wearing nice, clean 15  
 16 clothing and carry themselves in a dignified manner. Despite their appearance, 16  
 17 Agent Pittman carefully searches and interrogates them. First, he inquires if they 17  
 18 have weapons or drugs. They respond “no.” Then he asks if they are terrorists. 18  
 19 Again, “no.” Agent Pittman explains his concerns: 19  
 20 20 20  
 21 They look like unarmed immigrants but the rule is never assume. It’s 21  
 22 dangerous—anything that can be made into a weapon like toothbrushes, combs, 22  
 23 and pens, we’ll take. Lighters, perfumes, that’s flammable. We don’t know who 23  
 24 we are dealing with. They may be just looking for an opportunity to do something 24  
 25 to harm you. We don’t know their history, their criminal records until they get 25  
 26 processed. You’d be surprised; we can’t relax on these individuals because a lot 26  
 27 of them do have criminal records. 27  
 28 28 28  
 29 Agent Pittman’s approach to the two men is sanctioned by US law, which states 29  
 30 that the Border Patrol can stop anyone near the border with “articulable facts” that 30  
 31 led to their suspicion. 31  
 32 Section 287 (a)(3) of the Immigration and Nationality Act, 8 U. S. C. § 1357, 32  
 33 authorizes Border Patrol agents, without a warrant, “Within a reasonable distance 33  
 34 from any external boundary of the United States, to board and search for aliens 34  
 35 any vessel within the territorial waters of the United States and any railway car, 35  
 36 aircraft, conveyance, or vehicle.” The Border Patrol has the authority to enter 36  
 37 private property (but not buildings) within 25 miles (40 km) of the border. The 37  
 38 reasonable external boundary distance for warrantless search and seizure was set 38  
 39 as within 100 miles (161 km) of a land border or the coastline. In 2011, the US 39  
 40 House of Representatives considered a bill that would further provide the Border 40  
 41 Patrol with a waiver of 36 federal laws in the 100-mile zone near the borderlines 41  
 42 (but not the coasts) in order to patrol for illegal entrants. 42  
 43 In the 1975 *Brignoni-Ponce* decision, the US Supreme Court reaffirmed the 43  
 44 right of the Border Patrol to stop cars and pedestrians without warrants in the 100- 44

1 mile zone under certain conditions “only if they are aware of specific articulable  
 2 facts, together with rational inferences therefrom, reasonably warranting suspicion  
 3 that the vehicles contain aliens who may be illegally in the country.” The ruling  
 4 goes on to list factors that could be considered “articulable facts:”

5  
 6 Officers may consider the characteristics of the area in which they encounter a  
 7 vehicle. Its proximity to the border, the usual patterns of traffic on the particular  
 8 road, and previous experience with alien traffic are all relevant ... They also  
 9 may consider information about recent illegal border crossings in the area. The  
 10 driver’s behavior may be relevant, such as erratic driving or obvious attempts  
 11 to evade officers can support a reasonable suspicion ... The vehicle may appear  
 12 to be heavily loaded, it may have an extraordinary number of passengers, or  
 13 the officers may observe persons trying to hide. ... Aspects of the vehicle itself  
 14 may justify suspicion. For instance, officers say that certain station wagons,  
 15 with large compartments for fold-down seats or spare tires, are frequently  
 16 used for transporting concealed aliens ... The Government also points out that  
 17 trained officers can recognize the characteristic appearance of persons who live  
 18 in Mexico, relying on such factors as the mode of dress and haircut. ... In all  
 19 situations the officer is entitled to assess the facts in light of his experience in  
 20 detecting illegal entry and smuggling.

21  
 22 Although the ruling limits the ability of Border Patrol agents to stop anyone,  
 23 the factors listed are broad enough that virtually any stop could be justified  
 24 (Heyman 2009). As the Supreme Court case indicates these articulable facts can  
 25 be simply being near the border or wearing Mexican-style clothing or having a  
 26 Mexican-style haircut.

27 Every episode of “Border Wars” demonstrates the result of these laws and  
 28 court judgments as the Border Patrol agents operate with the normal American  
 29 legal standard of presumption of innocence reversed. Instead, as Agent Pittman  
 30 puts it, “the rule is” to treat everyone they encounter as a potential threat until they  
 31 can prove otherwise.

32  
 33 *The Potential for Violence*

34  
 35 The Border Patrol reports that several hundred agents are attacked in the borderlands  
 36 every year.<sup>5</sup> It is a dangerous job, particularly given the money involved in drug  
 37 smuggling and human trafficking. In the show, the suspects are always set up to  
 38 be potentially violent. With dramatic music in the background, the narrator states  
 39 in ominous tones that the suspects are on a route that is known for smuggling,  
 40 smugglers are almost always armed, attacks against agents are on the rise, and they  
 41 will do anything to protect their cargo.

42  
 43  
 44 <sup>5</sup> In 2009 the Border Patrol reported 1,073 attacks on agents.

1 A segment that follows the Black Hawk based Rapid Response Team in 1  
 2 the fourth episode of season one demonstrates how the producers intentionally 2  
 3 create fear through unequivocal statements about the dangerous threat posed by 3  
 4 smugglers. The narrator begins (emphasis added): 4

5  
 6 Oscar Peru and his team touch down in some of Arizona's *most inhospitable* 6  
 7 *terrain*. Their goal: help ground agents capture what could be a group of 7  
 8 dangerous smugglers without being attacked. Hundreds of agents are assaulted 8  
 9 on the job each year. ... *Only the most experienced smugglers dare to navigate* 9  
 10 *these dense woods*, relying on the harsh terrain to diminish their chances 10  
 11 of apprehension. 11

12  
 13 The voice-over states that not only are they certain to encounter smugglers, but 13  
 14 moreover it is only the most experienced smugglers due to their location. 14

15 After following tracks through the grove of trees, the agents finally apprehend 15  
 16 the group at the end of the episode. Once the group is spotted, the show always 16  
 17 cuts to a commercial break, heightening the drama. On many occasions, the final 17  
 18 sound before the commercial resembles an echoing gunshot, which implies the 18  
 19 agents were under fire or had to use force themselves. After the commercial break, 19  
 20 however, it is revealed to simply be a group of immigrants. The narrator: "Not 20  
 21 drug smugglers but half a dozen exhausted immigrants." The images show several 21  
 22 men, two women and two small children both less than 10 years old. The problem 22  
 23 with the documentary style of the show is evident in this encounter. The producers 23  
 24 know the result of the search in the forest will be a family with small children, but 24  
 25 they still state in a breathless voice that it is "most inhospitable terrain" and only 25  
 26 "experienced smugglers" would dare to enter the woods. 26

27 The stories about ambushes and armed drug smugglers protecting their loads 27  
 28 at all costs are equally misleading. In every episode of the first season when the 28  
 29 agents encounter drug smugglers the men toss the loads and run as soon as the 29  
 30 agents approach. Rather than hardened criminals, or "cartel foot soldiers," as they 30  
 31 are referred to in the show, they are poor, desperate people who run away as soon 31  
 32 as there is a chance of being arrested. Nevertheless, even as the agents collect 32  
 33 the packages of marijuana, the voice-over continues to build tension stating "The 33  
 34 smugglers could be waiting for the right moment to attack. Some will go to any 34  
 35 lengths to protect their loads" (Episode 1.2). It is always "some" or "most" but 35  
 36 apparently never the ones in the show. 36

37 Finally, in addition to stating that every trail depicted in the show is a "known 37  
 38 smuggling route," the show indicates that virtually every situation increases the 38  
 39 risk for the agents. In episode three of season one we learn that being near the 39  
 40 border is more dangerous: "After dark the rules change, drug traffickers can 40  
 41 ambush agents without warning and many will be armed. The closer you get to 41  
 42 the border, the more brazen they get." However, episode four of season one tells 42  
 43 the viewer that the farther into the United States a group gets the more dangerous 43  
 44 they are: "The closer a group gets to safety, the more they are willing to risk and 44

1 the more dangerous it is for agents on their tail.” The reality is that every episode 1  
 2 in every location is represented as being extremely dangerous and risky whether in 2  
 3 the end the agents locate drug mules, undocumented workers, families with kids, 3  
 4 or even a cow that set off the seismic sensors. 4

5 5  
 6 *The Lack of Governance in Mexico* 6  
 7 7

8 Just as the show dehumanizes immigrants by depicting them as shadowy law 8  
 9 breakers who are a potentially violent threat to agents, it also represents Mexico 9  
 10 as an ungoverned place where the state lacks the ability to control its population 10  
 11 or enforce its laws. The first episode of the season includes a segment in which 11  
 12 the camera crew travels to the Mexican side of the border in order to document 12  
 13 how immigrants reach the borderline.<sup>6</sup> The segment begins with dark images shot 13  
 14 from a car covertly driving at night around the town of Altar in the Mexican state 14  
 15 of Sonora. The voiceover says in ominous tones: 15

16 16  
 17 This is a world few outsiders see run by a shadowy network that offers a range of 17  
 18 services. Phony US papers and IDs, van rides to the border, guides, [and] pickups 18  
 19 on the US side. If there is a police presence in Altar, our film crew never detected 19  
 20 it. We did notice we were followed and observed at every turn, though it wasn't 20  
 21 clear by whom. It's no secret what this town's main business is [camera zooms 21  
 22 in on a shop selling backpacks]. We found shops selling backpacks, shoes, water 22  
 23 bottles and caffeine pills on nearly every corner. 23

24 24  
 25 This first scene presents Altar as a seedy, dangerous place where the Mexican 25  
 26 government is absent and order is enforced by the cartels that control the streets. 26  
 27 The actual footage does not quite live up to the narrative that accompanies 27  
 28 it. Indeed, the evidence of lawlessness is a shop selling backpacks, shoes, and 28  
 29 water bottles. These first furtive images of Altar make it appear that the crew is 29  
 30 secretly filming because it is too dangerous to do so in the open. However, the 30  
 31 next few minutes of the episode include interviews with people in public during 31  
 32 the daytime ranging from a vender selling backpacks to an immigrant planning to 32  
 33 cross into the United States. 33

34 After these public interviews, the tone then shifts again. Mood music begins 34  
 35 in the background and the daytime moving images are replaced by a series of 35  
 36 snapshots that resemble those taken surreptitiously by a police team on a stakeout. 36  
 37 They are in black and white and each new image is accompanied by the clicking 37  
 38 sound of a camera. These production effects imply something extremely illegal 38  
 39 was filmed and could only be seen through these secretive means. The voice-over 39  
 40 explains: “They are bundled into groups and packed 30 at a time into shuttle vans 40  
 41 that will take them to the border. The vans line up in broad daylight. Everyone in 41

42 42  
 43 <sup>6</sup> As Nicholas Stein states in the above interview, this first episode was made by the 43  
 44 National Geographic Explorer unit, not Stein and his production team. 44

1 town knows where they are headed.” The people in the vans may indeed cross 1  
 2 the border, but driving someone to the border within the territory of Mexico is no 2  
 3 more illegal than taking one of the four daily Greyhound buses from Tucson to 3  
 4 Nogales in Arizona. Essentially the film crew found a town that caters to immigrant 4  
 5 workers by providing supplies and a ride to the border, but the show presents it as 5  
 6 if it is shocking and illegal. It is unclear however what the producers would expect 6  
 7 the Mexican government to do in this situation. 7

8 The fifth episode of the first season is entitled “City Under Siege” and focuses 8  
 9 on the differences between Nogales, Arizona and Nogales, Sonora. The episode 9  
 10 begins “Nogales, Arizona: a border town under siege” [image of a vehicle with a 10  
 11 machine gun mounted on the back]. A siege is the military blockade of a city with 11  
 12 the intent of conquering it. It is simply not an accurate description of Nogales 12  
 13 because the immigrants and smugglers moving through the area have no intention 13  
 14 of conquering the city or even staying there. Instead they want to move past it as 14  
 15 quickly as possible. However, “siege” creates a useful narrative that represents the 15  
 16 US side as the victims of the border. The narrator continues: 16

17 17

18 The twin cities share the same name, but little else. South of the fence the scene 18  
 19 is one of stark poverty and severe overcrowding. With a population that is as 19  
 20 many as 10 times as large, many are desperate to come north to the other side. 20

21 The fence doesn’t stop the people who try crossing over every day. It merely 21  
 22 slows them down. 22

23 23

24 The episode describes the two sides of the border as “different worlds” three 24  
 25 times, which positions the US as part of the modern, civilized, and orderly world 25  
 26 and Mexico as not. In this version of the border, it is the critical line to prevent 26  
 27 those uncivilized and potentially violent practices from entering the United States. 27  
 28 The siege metaphor contributes to the desired image of barbarians at the gate 28  
 29 attempting to overrun civilization. 29

30 In the show, spillover violence from Mexico is treated as an unambiguous 30  
 31 fact as each episode emphasizes the disorder in Mexico and how it threatens the 31  
 32 stability of the United States. A supervisor at the port of entry explains that he 32  
 33 views the violence in Mexico as a threat on the US side: “Although much of the 33  
 34 drug violence occurs in Mexico, it spills across the border into the US. There is 34  
 35 a lot of danger over here. At my house, I have a double deadbolt and I have six 35  
 36 dogs.” The officer states matter-of-factly that there is spillover violence at the 36  
 37 border but there is no evidence of it. In 2013, the US Congressional Research 37  
 38 Service reported that: 38

39 39

40 U.S. federal officials have denied that the increase in drug trafficking-related 40  
 41 violence in Mexico has resulted in a spillover into the United States, but they 41  
 42 acknowledge that the prospect is a serious concern. ... CRS is unable to develop 42  
 43 fact-based conclusions about trends in drug trafficking-related violence spilling 43  
 44 over from Mexico into the United States. (Finklea 2013: 1) 44

1 The cities of Juárez, Mexico and El Paso, Texas provide the strongest evidence 1  
 2 against the claim of spillover violence. Juárez, Mexico has been devastated by 2  
 3 the drug violence. In 2008 there were 1,600 murders, in 2009, 2,600 murders, 3  
 4 and in 2010, over 3,000 murders, which makes Juárez one of the most dangerous 4  
 5 cities in the world. El Paso is directly beside Juárez on the other side of the border 5  
 6 and the Rio Grande. Despite its proximity to the violence, El Paso only had five 6  
 7 murders in 2010, its lowest total in 47 years. In terms of overall crime rate, El Paso 7  
 8 was the safest city with a population over 500,000 people in the United States 8  
 9 in 2010 (El Paso 2011). 9

10 Despite the US government data on the lack of spillover violence and the 10  
 11 visual evidence on the show that most people who cross the border are unarmed 11  
 12 immigrants looking for work, “Border Wars” creates the perception that Mexico 12  
 13 is an ungoverned territory with an uncivilized population that does not respect 13  
 14 the rule of law. These ungoverned and uncivilized people represent a potentially 14  
 15 violent threat to both border towns like Nogales and to the civilized way of life in 15  
 16 the United States as a whole, which must be sealed off with a wall and patrolled by 16  
 17 whatever means are necessary, including the latest military technologies developed 17  
 18 for the battlefields of Iraq and Afghanistan. 18

19  
 20 *Militaristic Language* 20  
 21 21

22 On paper, the role of the Border Patrol changed dramatically after the 9/11 22  
 23 attacks in the United States. While previously immigration and smuggling were 23  
 24 the main focus, after 9/11 terrorism prevention was elevated to the first priority 24  
 25 of the agency (US Customs and Border Protection 2005). As security practices 25  
 26 were reorganized, the Border Patrol was moved to the Department of Homeland 26  
 27 Security and the Border Patrol’s guidelines were rewritten to emphasize its 27  
 28 role in preventing terrorism. The Border Patrol National Strategy (2005), while 28  
 29 conceding that the vast majority of people are “economic migrants,” argues that 29  
 30 an “ever present threat exists from the potential for terrorists to employ the same 30  
 31 smuggling and transportation networks, infrastructure, drop houses, and other 31  
 32 support and then use these masses of illegal aliens as ‘cover’ for a successful 32  
 33 cross-border penetration.” In 2004, Customs and Border Patrol Commissioner 33  
 34 Robert Bonner said after 9/11, “US Customs and Border Protection became the 34  
 35 nation’s first line of defense against terrorist threats” (US Customs and Border 35  
 36 Protection 2004). 36

37 The show emphasizes the role the agents and officers play in preventing 37  
 38 terrorism. When agents find a tunnel under the border fence in the fifth episode of 38  
 39 season one, an agent remarks: “It could be for anything from drugs to terrorists 39  
 40 and weapons of mass destruction. We don’t leave tunnels be.” A customs officer 40  
 41 describes his duties at the border by saying “other than fighting terrorists,” he 41  
 42 looks for smuggled drugs and fake identifications. Episode 4 introduces a Customs 42  
 43 officer who searches vehicles crossing the border as a member of the “Anti- 43  
 44 Terrorism Contraband Enforcement Team.” 44

1 The terminology of war also pervades the show. Beyond the war metaphor 1  
 2 in the title and the siege metaphor for border towns, the show consistently uses 2  
 3 militaristic language to describe the activities of the Border Patrol agents and 3  
 4 the Customs officers. Customs and Border Protection is part of the Department 4  
 5 of Homeland Security and is a law enforcement agency, not part of the military. 5  
 6 The agents and officers are the equivalent of police officers, not soldiers. Their 6  
 7 role is not to defend the United States from attack but rather to patrol the border 7  
 8 for violations of immigration and customs laws. Despite the official focus on 8  
 9 terrorism as priority number one for Customs and Border Protection, in practice, 9  
 10 most agents and officers spend their time as they had before chasing immigrants in 10  
 11 the desert and searching for drugs at ports of entry. Or sitting bored in their trucks 11  
 12 (Marosi 2011). Nevertheless, in “Border Wars” the narrator and the agents and 12  
 13 officers consistently describe their activities using the language of war.<sup>7</sup> 13

14 The first segments of most of the episodes in the first season include aerial footage 14  
 15 of the deserts along the border, which the narrator describes as a “battlefield.” The 15  
 16 fourth episode of Season 1 shows Border Patrol agents beginning their shift; the 16  
 17 narrator states “It’s 8am and a new shift begins at Border Patrol headquarters in 17  
 18 Nogales. Agents gear up to face illegal immigrants, drug traffickers and terrorists 18  
 19 [images of agents distributing machine guns]. Their battleground is 1,100 sq. miles 19  
 20 of unforgiving desert.” 20

21 While the Border Patrol agents are out in the field pursuing people and tracking 21  
 22 them through the desert, the Customs officers at the port of entry are described in 22  
 23 similar terms. In episode five of the first season: 23

24  
 25 Narrator: At the port of entry, a new group of officers steps up to their mission. 25  
 26 Take on the hundreds of drivers who cross the border every day ... Supervisor 26  
 27 Mark Shanley also prepares his troops for battle. 27

28  
 29 Officer Shanley: Yesterday was a kick-ass day. A lot of good seizures, a lot of 29  
 30 good imposters. Number one, always remember officer safety is paramount. Be 30  
 31 aware of your surroundings. The violence in Mexico is still there, it is still a 31  
 32 threat. All right? Let’s be safe out there. 32

33  
 34 The language simply does not match the duties of these officers. For the most part, 34  
 35 they check the passports and ID cards of legitimate border crossers who are going 35  
 36 shopping or to work on the other side of the border. It is a routine, mundane job 36  
 37 that does not resemble a war or a battle in any way. 37

38 The language and many of the images of “Border Wars” create the perception 38  
 39 that the Border Patrol agents and the Customs officers are part of the military and 39  
 40 are fighting a war. Despite the fact that the duties of the agents and officers are 40  
 41 still law enforcement, the practice of border security has been militarized over 41

42  
 43 <sup>7</sup> Indeed, the Fox News channel and website puts the heading “America’s Third War” 43  
 44 on any stories that refer to the Mexican drug cartels or the border. 44

1 the past 20 years. This includes the deployment of the military along the border 1  
 2 in form of National Guard troops and the acquisition of military technologies 2  
 3 developed for wars abroad in Iraq and Afghanistan. These technologies include 3  
 4 guns, surveillance technologies from night vision to high tech sensors, Blackhawk 4  
 5 helicopters, and unmanned Predator Drones. As the wars abroad wind down, it 5  
 6 appears that military technology industry is focused on converting these products 6  
 7 to border security uses (Gregory 2011). 7

8 Indeed, “Border Wars” producer Nicholas Stein was one of two keynote 8  
 9 speakers at a major security industry convention in 2011. The report about the 9  
 10 speech in the organization’s magazine noted the priceless publicity the show 10  
 11 provides for the industry: 11

12 12  
 13 He and his crew captured border patrol agents, ICE investigators and Coast Guard 13  
 14 officers employing a wide range of security equipment—including helicopters, 14  
 15 patrol aircraft, night vision equipment, mobile surveillance vehicles, Predator 15  
 16 Drones, X-ray machines, all-terrain vehicles, body scanning equipment, portable 16  
 17 fingerprinting devices and much more—as they portrayed the real-life challenges 17  
 18 confronting U.S. Government personnel along the nation’s southern and northern 18  
 19 borders. ... The ratings for *Borders Wars* has been extraordinarily high, Stein 19  
 20 theorized, ‘because of the enormous hunger our viewers have for a real sense 20  
 21 of what is going on down there.’ ‘Securing the U.S. border is a monumental and 21  
 22 Herculean task,’ said Stein. His series *Border Wars* is striving to present that never- 22  
 23 ending, heroic struggle ‘at the granular level,’ he explained. (Goodwin 2011) 23  
 24 24

25 The repetition of the militaristic language and the references to terrorism and 25  
 26 weapons of mass destruction legitimate the expensive and aggressive practices at 26  
 27 the border. 27

28 28  
 29 *The Dehumanization of the Immigrants and* 29  
 30 *the Valorization of Border Patrol Agents* 30  
 31 31

32 The fifth theme that reoccurs in the show is the simultaneous dehumanization 32  
 33 of immigrants and valorization of the Border Patrol agents as humanitarian aid 33  
 34 providers. These two representations map the good and evil binary that pervades 34  
 35 the discourse of the war on terror onto the categories of the Border Patrol agents 35  
 36 and the foreign immigrant other. “Border Wars” humanizes the agents through 36  
 37 the depiction of casual interactions during the show. The immigrants crossing 37  
 38 the border are more elusive and often appear as blurry, pixelated faces, which 38  
 39 is ostensibly done to protect their privacy. The resulting visual image, however, 39  
 40 goes beyond simply protecting privacy because it simultaneously implies guilt 40  
 41 and dehumanizes the immigrant as a faceless other. Eyes and facial expressions 41  
 42 are extremely important for eliciting sympathy and for judging intentions. When 42  
 43 those are missing, it is much easier to assume all of the people detained are more 43  
 44 than likely in the country illegally and possibly a violent threat. 44

1 The Border Patrol agents also use dehumanizing language to describe 1  
 2 immigrants. For example, segments shot from the Black Hawk helicopter often 2  
 3 show immigrants in short, shaky clips as they are running in the desert. Rather 3  
 4 than referring to them as people, immigrants, or suspects, the Border Patrol uses 4  
 5 the term “bodies.” In one episode you hear the pilot say “Ok, we got visual on the 5  
 6 bodies.” In another, “Everybody is running. We have your bodies.” Although there 6  
 7 are many deaths in the desert and many bodies recovered, here they are referring 7  
 8 to living people, but in a clearly dehumanizing way. 8

9 “Border Wars” emphasizes the environmental dangers of the Sonora Desert 9  
 10 along the border in Arizona, which result in many dead bodies. The Border Patrol 10  
 11 finds about 400 per year despite a decline in total apprehensions. While in 2000 11  
 12 there were 1.6 dead bodies recovered per 10,000 apprehensions, in 2009 the rate 12  
 13 climbed to 7.6 dead bodies per 10,000 apprehensions (Haddal 2010).<sup>8</sup> The increase 13  
 14 is partially due to a decline in total apprehensions, but the main reasons are the new 14  
 15 border fence, the substantial increase in the number of agents patrolling the border, 15  
 16 and the changes in enforcement techniques. Easier routes between populated areas 16  
 17 are now closed off, forcing immigrants to use longer and more dangerous routes 17  
 18 through the desert. 18

19 The show, however, ignores the role of the Border Patrol and the border fence 19  
 20 in funneling people to these dangerous areas and instead holds up the agents 20  
 21 as valiant rescuers that save lives. The first episode of Season 1 describes the 21  
 22 section the Sonora Desert near Nogales as a parched, rugged, and dangerous 22  
 23 place. The voice-over states: “Some call it the devil’s highway because it is 23  
 24 littered with the bones of those who thought they saw an easy way into the US 24  
 25 and ran afoul of the elements. If it weren’t for the search and rescue units like 25  
 26 [Agent] McClafferty’s, the death toll would be even higher.” Every episode of the 26  
 27 first season includes footage of the agents providing water and medical care to 27  
 28 tired and thirsty immigrants. 28

29 The result is that Border Patrol agents, despite having all of the weapons 29  
 30 and military gear, are humanized and made out to be caring individuals who are 30  
 31 doing their job by helping people. Not only are they bravely facing terrorists 31  
 32 and drug smugglers, they are also saving lives of poor unfortunate people that 32  
 33 the show emphasizes were abandoned by their wily and unreliable guides. 33  
 34 The immigrants, conversely, are either shown in shaky dark images running or 34  
 35 handcuffed with their faces blurred. As with many geopolitical narratives, the 35  
 36 absences and erasures in “Border Wars” are as significant as what is actually 36  
 37 portrayed on the show. 37

38  
 39  
 40

41 \_\_\_\_\_ 41  
 42 8 These numbers refer to bodies found by the Border Patrol. Undoubtedly there are 42  
 43 many more deaths that go unreported. The ACLU estimated that there were 5,000 deaths 43  
 44 between 1994 and 2009 due to the funnel effect that directs immigrants to more dangerous 44  
 locations (Jimenez 2009).

## 1 Conclusion: Making the Border in a TV Studio

2  
 3 Although at first the war metaphor seems apt for “Border Wars” when compared 3  
 4 to other shows like “Storage Wars,” “Parking Wars,” or “Cupcake Wars,” the 4  
 5 militaristic language is far more problematic precisely because the border does 5  
 6 seem to resemble a war. The viewer knows that wars involving cupcakes are 6  
 7 hyperbole and is in on the joke. When the viewer sees the machine guns, Black 7  
 8 Hawk helicopters, and Predator Drones patrolling the US–Mexican border it is not 8  
 9 a joke at all and the perception that it is a war is strengthened. The confident and 9  
 10 authoritative voice-over, the constant repetition of images of war making devices, 10  
 11 and the use of fear-inducing hypothetical statements leave the viewer with the 11  
 12 strong impression that these extremely aggressive tactics are indeed necessary. 12

13 Borders provide a unique challenge for the practice of sovereignty in a 13  
 14 territory because just beyond the borderline lies another sovereign state with its 14  
 15 own laws and enforcement regimes. Consequently, borders are critical places to 15  
 16 impose authority because they represent the first opportunity to identify, classify, 16  
 17 and organize the people and things entering the states territory. All contemporary 17  
 18 sovereign states have special laws that recognize the importance and challenges of 18  
 19 this role and give border agents expanded authority to monitor the area and stop 19  
 20 people who could potentially be a threat to the state. The US–Mexico borderlands 20  
 21 is a place with a long history of the expansion and (re)-territorialization of 21  
 22 US sovereignty through war, the coerced sale of land, the settlement of Anglo 22  
 23 populations, the re-signification of the landscape, and now through aggressive 23  
 24 and exceptional border enforcement practices. The sovereignty of the state over 24  
 25 these lands is not a finalized thing, but rather is reproduced through the daily 25  
 26 practices of the Border Patrol and the representation of that space through media. 26  
 27 Resistance to the suspension of rights and the militarization of the borderlands is 27  
 28 defused through the banalization of war on TV, through reminders that there are 28  
 29 wars all around us, and through representations of the border—and the state on the 29  
 30 other side—as dangerous, chaotic, and a threat to a civilized way of life. “Border 30  
 31 Wars” legitimates the border as a site for the performance of sovereignty and the 31  
 32 militarized Border Patrol as a legitimate element of the practice of sovereignty 32  
 33 in the state’s territory.<sup>9</sup> It also obscures the fact that the border is only one facet 33  
 34 of complicated immigration and drug transportation networks. These networks 34  
 35 stretch from South America, through Mexico and the border, and end up in the 35  
 36 interior of the US. On the show, however, the border is emphasized and the huge 36  
 37 market in the US for drugs and the factors that shape immigration decisions are 37  
 38 hidden (Heyman 2008). 38

39 The images and narratives in “Border Wars” attempt to bring clarity to a range 39  
 40 of events, objects, and groups that are located in the borderlands (Castells 2010). 40  
 41 The border’s complex history of land dispossession, inequality, labor recruiting, 41  
 42 and corruption is boiled down to simple language and images. It is a “game of 42  
 43

44 9 Thanks to Joshua Kurz for suggesting these implications. 44

1 cat and mouse” where law breakers are brought to justice and even have their 1  
 2 lives saved by the valiant US Border Patrol. For viewers, the images of “Border 2  
 3 Wars” define Mexico as an uncivilized and violent place: as the show reiterates, 3  
 4 “a different world.” They define the borderlands as a dangerous place where every 4  
 5 trail is a smuggling route, every encounter is potentially dangerous, and everyone 5  
 6 in that space is a suspect until they can prove they are not. They create the image 6  
 7 of the Border Patrol agent as a patriotic, brave, and compassionate human being 7  
 8 who does everything possible to protect “us” from “them.” They create the still- 8  
 9 blurry image of the immigrant as poor, helpless, gullible, and unsophisticated. 9  
 10 They create the image of the smuggler as a “cartel foot soldier” who is armed 10  
 11 and willing to do anything to protect their load. The show fills in the details that 11  
 12 confirm a series of assumptions about who is doing what along the border. The 12  
 13 producers use various cuts, sound and visual effects, and tension building devices 13  
 14 to deliver a clear, coherent, thrilling, and, in the end, heartwarming story of the 14  
 15 border and the Border Patrol every week. 15

16 Nevertheless, the US–Mexico border is not a drama produced in a television 16  
 17 studio but rather is a real space inhabited by real people. It is here, at this disjuncture, 17  
 18 that the story of “Border Wars” is written. Despite the best effort of the producers, 18  
 19 and officials at the Border Patrol itself, to create a clean picture of right and wrong 19  
 20 and good and evil at the border, an alternative formulation persistently creeps 20  
 21 into this reality show. Although the promotional material, the lead-ins to each 21  
 22 episode, and the set-ups for each segment create a sense of foreboding, danger, and 22  
 23 imminent threat, the conclusions to each segment never live up to this potential 23  
 24 and often paint a completely different picture of who is crossing the border and 24  
 25 why. Here we see regular people, families, and long-time residents of the US who 25  
 26 simply want to make a better life. We see people who are willing to cross through 26  
 27 harsh deserts to go to work because other easier routes were closed by the Border 27  
 28 Patrol. We see a woman who went back to Mexico to be with her dying father. 28  
 29 We see a family trying to find a better home for their children. We see people who 29  
 30 pose no threat at all to the agents, but rather are deeply afraid of the helicopters 30  
 31 and guns of the Border Patrol. The desert is not a battleground, the border is not 31  
 32 ground zero of a war, there is not a siege of Nogales, and there are not cartel foot 32  
 33 soldiers. So far, there have not been any terrorists. What the show depicts is a 33  
 34 law enforcement agency with overwhelming and disproportionate military force 34  
 35 deployed against a “problem” that could almost certainly be solved in cheaper, 35  
 36 more humane ways. In “Border Wars,” there are two competing stories of the 36  
 37 border; which image remains in the viewer’s mind is an open question. 37

38 38

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1	Chapter 10	1
2		2
3	Latin American Borders on the Lookout:	3
4		4
5	Recreating Borders through Art	5
6		6
7	in the Mercosul	7
8		8
9	Anne-Laure Amilhat Szary	9
10		10
11		11
12		12
13		13
14	Do Latin American borders exist? This provocative question can be useful to make	14
15	my point and install the argument of this text. Of course, Latin American countries	15
16	emerged as modern nation states endowed with borders, which began to be traced	16
17	as international limits, first with the separation of the two Iberian empires and	17
18	then with the nineteenth-century decolonization process. Remarkably, however,	18
19	territory does not play the same role in the “Extreme Occident” (Rouquié 1987),	19
20	which this part of the Americas represents, as in the old Western world. Indeed, if	20
21	territory building chronologically represents the first step of stato-genesis (nation-	21
22	building only came thereafter, once the borders had been drawn on maps), after	22
23	a very nationalist nineteenth century, borderlands were soon evacuated of spatial	23
24	imaginaries. This is partly due to the fact that they lay in scarcely populated regions	24
25	where the detail of their demarcation was of no essential interest to the capital	25
26	and they rather appeared as frontiers, full of opportunities (Perrier Bruslé 2007).	26
27	We will come back to the legacy of this regional history which does not exclude	27
28	violence and war in the process of boundary-making, but which conditions border	28
29	narratives, offering Latin American borders an exceptional status.	29
30	It is never simple to pretend to examine a continent’s borders as if they	30
31	possessed unified characteristics. This point is underscored by the case of Latin	31
32	America, which is separated from its northern counterpart not by an isthmus but	32
33	rather by the Mexico–US border. “Latin America” is born of the encounter of a	33
34	political project based on strong cultural power relations and can be described as	34
35	a strong “idea” (Mignolo 1991) that is rooted largely in alterity. The dominant	35
36	discourse has long been a credo in “mestizaje”/“mestiçagem” (Gruzinski 1999), a	36
37	term resembling the US term “melting pot” since it was, in Spanish or Portuguese,	37
38	explicitly about interbreeding and the mixture of bloods. Paradoxically, as	38
39	hybridity has become a new paradigm to conceptualize globalization, “mestizaje”	39
40	lost political ground since the quincentennial of Columbus’ voyage. The post-	40
41	1992 historians strived to show how racism led to a long-lasting political and	41
42	social exclusion in the region through a process of domination which was for	42
43	centuries hidden by the belief in the virtues of intermixture (of plants, techniques,	43
44	etc.). If we define borders as places where alterity has to be confronted (Amilhat	44

1 Szary 2012a), their understanding therefore highly depends of the segregation 1  
 2 versus integration processes that play out where a border works. The analytical 2  
 3 context of contemporary Latin American borders must therefore be postcoloniality, 3  
 4 while not overlooking ongoing global processes that continue to shape them. 4  
 5 Postcoloniality allows us to link global domination processes with the challenging 5  
 6 attitudes of Latin American elites towards the descendants of indigenous groups 6  
 7 that persist to this day on the continent. Borders in Latin America have long been 7  
 8 shaped by both local politics and external powers that regularly brought in arms, 8  
 9 war alliances, conflict resolution arbitration, and all the ideology to sustain these. 9  
 10 What I offer here is a focus contemporary local artists and art promoters who 10  
 11 put borders at the core of their endeavors over the last decade. I also suggest that 11  
 12 this outburst of creativity could be seen as a precursory sign of a switch in regional 12  
 13 border narratives. Creative actors cannot be considered to be representative of their 13  
 14 fellow citizens, but they have the power to express their representations in a way 14  
 15 that possesses a strong power of conveyance. I will discuss here the emergence of 15  
 16 “border art” and analyze it according a methodology elaborated through research in 16  
 17 other continents (Amilhat Szary 2012b, 2012c, forthcoming). My epistemological 17  
 18 guiding line lies in the performing power of visual arts on the border. The artwork 18  
 19 not only reflects a spatial reality: it operates in both the representational and non- 19  
 20 representational (Thrift 2008) modes. The artists design the place that they work 20  
 21 with, in a totally relational process, through the mobilization of aesthetic power. As 21  
 22 a sensitive object, the artwork not only conveys the artist’s explicit representation 22  
 23 to the audience, but is also liable to provoke original feelings within the person who 23  
 24 becomes acquainted with it. This aesthetic dialectic makes them both co-producers 24  
 25 of the border reality. It is therefore not very pertinent to analyze art production in 25  
 26 conflictive places only as resistance processes: even when denouncing a situation, 26  
 27 they mediate it in a way that partly contributes to its reproduction. It is not possible to 27  
 28 consider this relation between Latin American borders and visual arts exhaustively, 28  
 29 neither in terms of covering all of the dyads nor regarding the national origin of 29  
 30 artists. I have chosen to focus on the emergence of border concerns and art projects 30  
 31 at the heart of the continent, analyzing how the Mercosul Biennial—an art fair that 31  
 32 began in 1996 in Porto Alegre, Brazil—has contributed to this process. The next 32  
 33 section provides additional context on the status of borders in Latin American spatial 33  
 34 imaginaries, and it is followed by an examination of the recent emergence of borders 34  
 35 within the Bienal do Mercosul exhibitions, an art event which has accompanied the 35  
 36 restructuring of the region around the claim for centrality on behalf of Porto Alegre. 36  
 37 The final section analyzes Marina Camargo’s work, a young Brazilian artist who 37  
 38 displayed an installation entitled “*Tratado de Limites*” (Boundary Treaty). 38  
 39 39  
 40 40  
 41 **Bringing Borders Back into Latin American Spatial Imaginaries** 41  
 42 42  
 43 When considering Latin American territorial issues, resource management or 43  
 44 urban inequalities usually first come to mind. The Latin American region offers an 44

1 example of what appear to be non-conflictive and non-problematic borders: during 1  
2 the twentieth century, in most cases, for the Latin American armed forces, the 2  
3 enemy lay within national borders. This obviously has to be nuanced. In the Latin 3  
4 American case, two factors combine to present a border panorama which is indeed 4  
5 quite homogeneous, if not as peaceful as imagined. First, political limits were 5  
6 drawn primarily in areas with very low population densities. Second, they were 6  
7 designed in the course of a process which implied border delineation from a great 7  
8 distance in time and space, which led Michel Foucher to describe them as “meta- 8  
9 borders” (Foucher 2012 [2007]). Both factors are the result of the colonial process 9  
10 to which the continent was subjected beginning with the arrival of Europeans in 10  
11 the Americas (Gruzinski 2004). 11

12 The two empires that competed to establish their rule did not need to immediately 12  
13 fight for the land between them: upon the return of Columbus to Europe, Spain and 13  
14 Portugal resorted to Papal arbitration to set up a just sharing process of the “new 14  
15 world.” Pope Alexander VI signed, along with representatives from both countries, 15  
16 a treaty in 1493 in the small town of Tordesillas that split the space of conquest in 16  
17 two. In a very modern way, the supreme pontiff resorted to tracing a line on a map, 17  
18 vertically, 100 miles from the western-most position known at the time. Portuguese 18  
19 possessions were to expand east of the line, Spanish ones over its other side. The 19  
20 existence of such a geometric division of sovereignty is much more significant 20  
21 than the location of the limit (which moved various times as the actual size of the 21  
22 new continent was determined and the Portuguese did their best to maintain an 22  
23 equal share of land). The term “meta-border” was inspired by the fact that a border 23  
24 was drawn before the lands it divided were known. In a sense, a great majority 24  
25 of subsequent colonial border making also resulted in meta-borders, since they 25  
26 were designed without field demarcation and according to international and newly 26  
27 emerged national power balances that did not take local forces into account. The 27  
28 period of Latin American independences in the eighteenth and nineteenth centuries 28  
29 contributed to the fact that Latin America could be described as a continent of 29  
30 formal limits. Indeed, an international principle was then adopted (at the Angostura 30  
31 Congress of 1819, held under the presidency of Bolivar) that later took the name 31  
32 of its first Latin words, *Uti Possidetis*, that required the international borders of the 32  
33 newly created states to respect previous colonial limits. 33

34 Common interpretations of the invention of Latin American borders argue that 34  
35 they emerged in a context of great territorial stability. However, the principle of 35  
36 *Uti possidetis* was not followed as borders were being drawn, and upon closer 36  
37 examination one realizes that Latin American borders are not the direct legacy of 37  
38 division of the continental space created by the Iberian empires (the latter having 38  
39 pushed their frontiers as much as they could, in a territorial rivalry which was very 39  
40 sensitive in the “gaucho” area where Porto Alegre lies). While the capitals of new 40  
41 Latin American states were often the same old centers of colonial power, this does 41  
42 not hold true for their peripheries. A detailed analysis by Foucher (1991) shows 42  
43 that, in fact, only 30 percent of international borders followed lines existing prior 43  
44 to the nineteenth century, while 10 percent were delimited after the opening of the 44

1 Panama Canal in 1914. This implies that the vast majority of them (60 percent) were 1  
2 defined between 1800 and 1914; that is to say after the independences and as the 2  
3 result of adjustments made by the new states rather than through a colonial legacy. 3  
4 This was due to both a lack of precision in colonial limits, which had seldom been 4  
5 formally demarcated, and to their multiplicity (viceroyalties, audiences, general 5  
6 captaincies, provinces, and gobernaciones or comarcas). The determination of the 6  
7 states' limits of the ex-Spanish Empire territories and Brazil was therefore based 7  
8 on a pragmatic adaptation of the principles described above, known as *de facto* 8  
9 "*uti possidetis*." The negotiation was based on the land by then occupied by the 9  
10 Portuguese, who had greatly expanded their area of influence in the Amazon basin, 10  
11 and through conflict between the new states. One could claim that nationalism was 11  
12 more completely built in South America than in Europe, because of the erasing of 12  
13 previous cultures. Thus Latin American border-making was not as peaceful as often 13  
14 claimed. The region of focus in this chapter is indeed the place where the Spanish 14  
15 and Portuguese crowns met and fought, over the possibility of the existence of 15  
16 Uruguay as an independent country. However, many conflicts did not turn into 16  
17 wars due to a common practice of resorting to external mediation. The continent's 17  
18 borders can be described as the product of a marginal remaking of colonial contents, 18  
19 sometimes exacerbating it and sometimes devising transitional agreements. 19

20 Once established, there were few significant disputes at Latin American 20  
21 borders with the exception of irredentist claims such as Bolivia's regarding 21  
22 access to the sea lost to Chile. This lack of conflict is the result of the borders' 22  
23 locations: most passed through sparsely inhabited areas where the people who 23  
24 actually came into in contact with them have long been forgotten in nationalistic 24  
25 historiographies. From central regions of the new states, border areas were treated 25  
26 as peripheries with potentially abundant resources. In the case of the Pampas, both 26  
27 Urugayan and Brazilian authorities had active borderlands policies, sending new 27  
28 immigrants to establish localities on both side of the border. Moreover, a tradition 28  
29 of great mobility existed among the descendants of the pre-Hispanic populations, 29  
30 at various scales. 30

31 Recent scholarship has identified other processes such as regional integration 31  
32 narratives progressing together with rebordering issues at the Latin American 32  
33 borders (Amilhat Szary 2007). The security turn, which shaped much of global 33  
34 politics since 2001, contributed to the globalization of border management issues 34  
35 (Brunet-Jailly 2007) and resulted in a new emphasis on borders in Latin America. 35  
36 The simultaneous launching of two border programs in Brazil and Chile involving 36  
37 high-technology is symptomatic of the securitization of borders, although the 37  
38 two programs operate at different scales. Brazil launched a massive project in 38  
39 July 2011 called SISFRON (System for the Surveillance of the Frontier)<sup>1</sup> at a 39

40 \_\_\_\_\_ 40  
41 1 SISFRON is intended to complement the already existing System for the Surveillance 41  
42 of the Blue Amazon (SISGAAZ), a coastal surveillance program from the Brazilian Navy. 42  
43 These two new programs would build on the SIVAM (System for Vigilance of Amazonia) 43  
44 program established nine years before by the Brazilian Air Force and Waltham (Raytheon Co.). 44

1 total cost estimated to be on the order of US\$6.3 billion by 2019. In October of 1  
 2 the same year, Chile initiated the *Plan Frontera Norte*, a regional scheme slated 2  
 3 to cost \$70 million through 2014. Both are technology driven policies based 3  
 4 on satellite surveillance, new planes, unmanned aerial vehicles, and unattended 4  
 5 ground sensors, all of which are intended to add additional layers of coverage with 5  
 6 few new human resources. They relay information from the ground to hasten the 6  
 7 building of integrated border facilities, to render goods monitoring and people's 7  
 8 crossings more easily tracked through biometrics and tagging. These are ambitious 8  
 9 goals and elusive proposals given the relatively low number of border crossing 9  
 10 points (31 for the whole of Brazilian territory) and the length of the borders. In this 10  
 11 context, the "openness" of Brazilian borders has rapidly switched connotations. 11

12 In Brazil, a dedicated Commission at the Congress (*Subcomissão Especial* 12  
 13 *para Acompanhar as Ações de Proteção às Fronteiras*) within the Foreign Affairs 13  
 14 and Defense Commission was launched in 2011 to promote the rebordering 14  
 15 agenda which resulted the same year in the promulgation of a "National Strategy 15  
 16 for the Borders," ENAFRON, by the Brazilian Government. This move formalizes 16  
 17 the government's rising interest in border control which had previously led the 17  
 18 National Integration Ministry to conduct a full diagnosis of its border lands (Brasil, 18  
 19 Ministério da Integração Nacional, 2005). This project was run by RETIS, a team 19  
 20 of geographers under the leadership of Lia Osorio Machado at the Geography 20  
 21 Department of the Rio de Janeiro Federal University ([http://www.retis.igeo.ufrj.](http://www.retis.igeo.ufrj.br) 21  
 22 [br](http://www.retis.igeo.ufrj.br)). RETIS has successfully developed networks throughout the country, notably 22  
 23 around Adriana Dorfman's work on smuggling at the Rio Grande do Sul University. 23  
 24 The rising number of publication from this team attests to the emergence of a 24  
 25 scientific approach to borders in Latin America, while the growing budgets signify 25  
 26 that public opinion favors investing in a relatively new border monitoring project. 26

27

28

## 29 **Borders, a Rising Issue at the *Bienal do Mercosul*** 29

30

31 This section analyzes the recent evolution of border imaginaries through the 31  
 32 emergence of this territorial dynamic at the Mercosul Biennial, a visual arts show 32  
 33 held in Porto Alegre, Brazil. The first Mercosul Biennial, organized in 1996, five 33  
 34 years after the official creation of the South American common market, and the 34  
 35 year following its implementation, was a formidable challenge. São Paulo had 35  
 36 already held its own biennial, which meant that a second Brazilian contemporary 36  
 37 art event had to position itself in light of the first. Their common point was their 37  
 38 location in the country's most economically powerful cities, not in the political 38  
 39 capital of Brasília, thus inscribing art within a valorization process of global 39  
 40 cities, along the lines of Florida's work on creative cities (Florida 2002). More 40  
 41 than just indicating that art is a powerful market that intersects with other sectors, 41

42

43 <sup>2</sup> According to the language they use, the spelling of event name varies: *Biennial* in 43  
 44 English, *Bienal do Mercosul* in Portuguese, *Bienal del Mercosur* in Spanish. 44

1 the biennials illustrate how local leaders can promote cultural action in order to 1  
2 promote their cities. 2

3 The eighth biennial art fair was held in Porto Alegre in 2013, underlining 3  
4 the success of the initial bid of 1996, which was a two-fold one. Hosting a 4  
5 contemporary art fair meant that Porto Alegre was positioning itself as a global city, 5  
6 since mainstream rankings such as Peter Taylor's Globalization and World Cities 6  
7 Group at Loughborough University first ranking of world cities only included a 7  
8 handful of Latin American metropolises (Beaverstock, Smith, and Taylor 1999). 8  
9 The name also attempted to grab a central position within the emerging regional 9  
10 bloc of Mercosul (Mercosur in Spanish) since Porto Alegre was so close to the 10  
11 Argentinean Border. "In a laudable strike against regional chauvinism, they decided 11  
12 to take the southern cone of South America as their cultural area, taking the name 12  
13 of the recently established trading block, Mercosul, as their frame of reference," 13  
14 wrote Gabriel Pérez-Barreiro in the tenth-anniversary catalogue (Morgan, 14  
15 Paternosto, and Pérez-Barreiro 2007: 182). The chief curator of that sixth Biennial 15  
16 wrote: "While this term was not without its problems, considering the failure of 16  
17 Mercosul to create effective regional integration, and the invisibility of this term 17  
18 outside South America, it did set an area for action that was both regional and 18  
19 international" (Pérez-Barreiro in Morgan et al. 2007: 182). By highlighting the 19  
20 poorly considered balance of the free-market zone, the curator stresses the much 20  
21 greater reach of the Biennial. It may not be completely accurate to state that the 21  
22 Mercosul treaty was not reaching its goals after 10 years of existence, since it had 22  
23 by then succeeded in stabilizing Argentine-Brazil relations, produced a series of 23  
24 bilateral agreements, notably with the European Union, and increased both the 24  
25 internal (economic interdependence) and external trade of the bloc. Although a 25  
26 Parliament had just been created in 2005 at the time of the sixth Biennial (tenth- 26  
27 anniversary edition), the Mercosul common market bloc was perceived as a distant, 27  
28 economically oriented construction, with very little impact on citizens' lives. 28

29 Taking contemporary art from one Brazilian economic capital to another 29  
30 entailed reorienting the perspective on the displayed art. If São Paulo remained 30  
31 the country's conduit to international art markets, presenting works that were 31  
32 interconnected to the vast network of global contemporary production, the art 32  
33 event in Porto Alegre needed to express a different relation to space. Describing the 33  
34 contents of his exhibit, curator Pérez-Barreiro wrote, coming back to the original 34  
35 objectives of the Porto Alegre project: "The curator of the 1st Mercosur Biennial, 35  
36 Frederico Moraes, took the challenge to organize and structure an alternative and 36  
37 non-Eurocentric history of Latin American art, describing ideological vectors into 37  
38 which art from different Latin American countries were placed" (Pérez-Barreiro 38  
39 in Morgan et al. 2007: 182). Bringing contemporary art out of São Paulo certainly 39  
40 made an artistic statement. However, once the first Mercosur Biennial was finished, 40  
41 the following editions were disappointing to a geographer's eye, since they 41  
42 gradually left aside this project of locating aesthetic production within a global/ 42  
43 local perspective, drifting towards more classic exhibition choices, where mainly 43  
44 Brazilian artists were presented together with those of some Mercosul countries. 44

1 Notwithstanding the connections that could have been made between the art and 1  
 2 the place where they were displayed, it was clear that “Porto Alegre today has 2  
 3 probably had more exposure to Latin American art from more countries than any 3  
 4 other city in Latin America” (Pérez-Barreiro, in Morgan et al. 2007: 183). Cultural 4  
 5 components such as history or language were at the forefront of the curatorial 5  
 6 effort, together with the gradual opening to non-Mercosul, and even non-Latin 6  
 7 American artists. 7

8 After 10 years of existence, the 2005 Porto Alegre Biennial was facing some 8  
 9 organizational issues which required a redefinition of its purpose. This meant 9  
 10 making its multi-scalar spatial relations more explicit: 10

11

12 While the leaders of the biennial were keen to expand the geographic range of 12  
 13 the biennial and further internationalize it, the context for this decision was the 13  
 14 saturation of international biennials all over the world over the last decade, and 14  
 15 the relative similarity among them. The pre-existing regional structure of the 15  
 16 biennial had simultaneously limited its range and protected it from becoming 16  
 17 another stop on the international contemporary art circuit. (Pérez-Barreiro in 17  
 18 Morgan et al. 2007: 183) 18

19

20 A decisive curatorial choice was made in order to provide of an “intermediate 20  
 21 model” that would not rely on the duality of “national representation on one hand 21  
 22 or global consensus on the other.” The decision taken by the board was to head for 22  
 23 a multi-curator event that could expand to a greater number of locations in the city. 23  
 24 This also constituted a potential opening for a larger and more diverse audience, 24  
 25 since “This question [...] implicitly contained the issue of who the biennial should 25  
 26 serve, a local or international audience? By truly serving a local audience, could 26  
 27 the biennial establish a new model or paradigm that would thus also distinguish it 27  
 28 in the international arena?” (Pérez-Barreiro in Morgan et al. 2007: 183). The goal 28  
 29 was achieved by hiring for the first time a non-Brazilian head curator who was 29  
 30 tasked with deconstructing the link between art and space that the first Mercosul 30  
 31 had begun to establish in favor of something more original. Gabriel Pérez-Barreiro 31  
 32 suggested a local focus to tackle the postmodern figure on in-betweenness. By 32  
 33 drawing on the metaphor of the “third bank of the river,” the title of a famous 33  
 34 short story by Brazilian author João Guimarães Rosa,<sup>3</sup> he suggested “a radically 34  
 35 independent space, a space free of dogma or imposition, a place of observation” 35  
 36 (Pérez-Barreiro in Morgan et al. 2007: 183): 36

37

38 What if the artist rather than the national curator or the diplomat were allowed 38  
 39 to draw the map? The challenge would be to find a model that was still rooted 39  
 40 in the Mercosur region, but that was not limited by it. The solution was to 40  
 41 discuss a biennial from rather than of Mercosur. (Una bienal desde, a partir del 41  
 42 Mercosur) (ibid.) 42

43

44 3 From his 1962 collection of fantastic short stories, *Primeiras Estórias*. 44

1 This introduction of relational thinking within the contemporary art project 1  
 2 allowed him to split the Biennial into various interdependent projects bearing very 2  
 3 geographic titles. The *Conversa* exhibition, for example, allowed Mercosul artists 3  
 4 to invite fellow creators, based on thematic and creative affinities rather than places 4  
 5 of origin, whereas the *Zona Franca* section relied on curators' choices. "[They] had 5  
 6 to be freed from their traditional role of representing their countries, and be given 6  
 7 the freedom to work on each project without limiting the geographical range of 7  
 8 their choices" (Pérez-Barreiro in Morgan et al. 2007: 184), with a very specific 8  
 9 mission, that of initiating *in situ* creation. 9

10 It was not by coincidence that the place chosen to bring the invited artists 10  
 11 to propose a new work for the sixth Biennial in 2007 was the *Três Fronteiras*, 11  
 12 the tripartite border zone between Brazil, Argentina, and Paraguay, a site that 12  
 13 symbolized Mercosul's diversity and complexity. Ticio Escobar, who was in 13  
 14 charge of this session, offered four artists a residence in the region: three from 14  
 15 Latin America (Minerva Cuevas from Mexico, Jaime Gili from Venezuela, Aníbal 15  
 16 Lopez or "a-1 53167,"<sup>4</sup> from Guatemala) and a Bulgarian, Daniel Bozhkov. 16  
 17 Interestingly, Bozhkov's proposal incorporated more of the atmosphere of the 17  
 18 region as imagined from a European point of view, by introducing Guarani 18  
 19 basketry work into a contemporary art display, whereas the three others let 19  
 20 themselves be inspired by the Tripartite Point, where there is a cross-border region 20  
 21 of three linked cities, Ciudad del Este, Paraguay, Puerto Iguazú, Argentina and Foz 21  
 22 do Iguacu, Brazil. Even if many tripartite borders are geopolitically significant in 22  
 23 Latin America, none is as well-known as this one, generally referred to as "LA 23  
 24 triple fonteira." The interpretation of the tripoint given by Brazilian artist, Beto 24  
 25 Shwafaty, called "Tripartite Reunited" (2011), consists of a sculpture based on 25  
 26 the Möbius strip and its geometrical dynamics.<sup>5</sup> According to him, it reflected the 26  
 27 merging of artistic and political preoccupations in such exceptional places. It is 27  
 28 indeed a place of unique symbolic power: "selva" for the Argentinian, "frontier" 28  
 29 for the Brazilian, resource and gateway for the Guaranis and Paraguayans, and 29  
 30 entry port to globalization and enrichment for the many communities who live 30  
 31 there, be them Palestinians, Chinese, or Koreans. 31

32 During the sixth Biennial, only one of the guest artists produced a work that 32  
 33 directly tackled border issues, even within the *Três Fronteiras* section. A. Lopez's 33  
 34 unnamed proposal is referred to as "The Guardian" in the exhibition catalogue. 34  
 35 His piece was inspired by the smuggling industry that takes place on the Parana 35  
 36 River border. Trafficking of kinds of goods is proliferating, a lot of it in plain 36  
 37 sight, involving a very delineated, almost choreographed, game of cat and mouse 37  
 38 between couriers and authorities. The "sacoleiros" throw boxes into the river on 38  
 39 one bank while others retrieve them on the other, having to undergo a number 39  
 40 40  
 41 41  
 42 42  
 43 43  
 44 44

4 He generally uses his ID-Number to sign his works.

5 <http://www.shwafaty.org/?portfolio=tripartite-reunited>. He also refers to Max  
 Bill's work called "Unidade Tripartida," which is a very important reference to Brazilian,  
 currently being shown at Brazilian Pavillion, in Venice Biennale (autumn 2013).

1 of negotiations—including bribery—with military and customs representatives 1  
 2 in order to be able to get away from the border zone. The local benefits of this 2  
 3 exchange system lie in contrast with the imposition of stricter border management 3  
 4 in the area, and the growing harassment of smugglers is the result (see Miggelbrink, 4  
 5 this volume). Fascinated with the hypocrisy of the situation and by its theatricality, 5  
 6 “a deeply rooted culture of smuggling that colors an array of practices and social 6  
 7 representations” (Escobar and Pérez-Barreiro 2007: 159), “a-1 53167” decided to 7  
 8 smuggle his work through: 8

9  
 10 Bringing this vast system to bear on art demands a strategy for approaching and 10  
 11 delving into this issue through subtle, precise and energetic moves: a rhetorical 11  
 12 movement capable of establishing a distance from it. But that distance must 12  
 13 be minimal; by moving too far away, the artist would lose the power that the 13  
 14 situation unleashes. (Escobar and Pérez-Barreiro 2007: 159) 14

15  
 16 He planned the packing up of empty cardboard boxes to be covered by black 16  
 17 plastic bags and allowing them to cross the river from Paraguay to Brazil, then 17  
 18 their subsequent transfer to Porto Alegre where they were piled up in the Biennial 18  
 19 exhibition hall. Once again, if the artwork resists the system, it is not only by 19  
 20 showing and sharing the representation of a place but by the capacity that the 20  
 21 creator develops to perform it. Here, “a-1 53167” displaces the flows and control 21  
 22 issues of the border contained within the apparently empty boxes from the 22  
 23 Tripartite zone to Porto Alegre to convey it to the Biennial visitors. 23

24 It took two more Biennials to see the theme of borders overlap and become 24  
 25 central to the whole event. The eighth Biennial, which took place in 2011, was 25  
 26 entitled “Essays in Geopoetics.” Its objective was not only to provide a temporary 26  
 27 artistic display but also to set the basis for a locally grounded initiative to foster 27  
 28 spatial awareness. According to the 2011 chief curator José Roca: 28

29  
 30 In terms of the choice of theme, I tend to think of a theme that can also be a 30  
 31 strategy for curatorial action. In my work as a curator I have tried to reconsider 31  
 32 the model of the Biennial so that it can be adapted to local conditions and more 32  
 33 effectively reflect the local scene where it is taking place. (Roca in Dias Ramos 33  
 34 and Roca 2011: 15) 34

35  
 36 It is very interesting that it should be within this curator’s system that a many 36  
 37 artists tackled the issue of borders, considered “not just as a ‘thematic framework’ 37  
 38 but as a form of ‘activation strategy’” (Roca in Dias Ramos and Roca 2011, *ibid.*) 38  
 39 liable to diversify the relation to place of the visitors and inhabitants of Porto 39  
 40 Alegre in general. The art works were chosen so that performing the border could 40  
 41 happen in a very subtle interaction with the international line. The context of 41  
 42 the eighth Biennial was generally that of a more complex relationship to space, 42  
 43 which includes relations to both here and there, and it mixed place experience with 43  
 44 multiscalar imaginaries. The curator himself referred to the “notions of locality, 44

1 territory, mapping and border” (Roca in Dias Ramos and Roca 2011: 16). Sections 1  
 2 of the art fair carried such evocative names as “Travel notebook” (*Cadernos de* 2  
 3 *Viagem*), “Continents,” and “Beyond borders” (*Além Fronteiras*). It was in the 3  
 4 latter that border standpoints were most developed, since the show was built in 4  
 5 order to share a critical view of the Rio Grande do Sul landscape through the work 5  
 6 of nine invited artists, among which I have chosen to detail *Tratado de Limites* 6  
 7 (“Boundary Treaty”), the work of a young Brazilian artist, Marina Camargo, in the 7  
 8 next section of this chapter. 8

9

10

### 11 **Marina Camargo’s *Tratado de Limites*** 11

12

13 The eighth Porto Alegre Biennial, which opened its doors in September 2011, 13  
 14 was focused on the local-national dialectic and border issues: they appeared as 14  
 15 a paroxysmal expression of complex relations to place. This came with more 15  
 16 intensity in the section curated by Aracy Amaral, “Beyond borders” (*Além* 16  
 17 *Fronteiras*), where *in situ* work was commissioned to local artists of different 17  
 18 generations and it is interesting to consider this section alongside the perspective 18  
 19 that was taken in the main show. The principal section of the eighth Porto Alegre 19  
 20 Biennial, under the title of *Geopoetics*, presented works dealing with land and 20  
 21 space, one of which can be highlighted for its capacity to tie the local and global 21  
 22 as well as questioning the borders of identity from a Brazilian point of view. It 22  
 23 is called *Bandeiras* and signed by one of the most famous contemporary visual 23  
 24 artists, Emmanuel Nassar. It is interesting to use *Bandeiras* as an introduction to 24  
 25 Marina Camargo’s *Tratado de Limites* because it stresses the power of national 25  
 26 imaginaries in the “continent-country” that Brazil composes, together with the 26  
 27 deep anchorage in localities which the size of the nation also imposes. Citizens are 27  
 28 easily captured by this local/national dialectic, now opened to global influences, 28  
 29 without really having to experience the national borders which are recalled upon 29  
 30 only as symbolic guardians of their territory. 30

31 *Bandeiras* consists of a very large display of flags (390 x 540 centimeters), 31  
 32 on three walls which encompass the visitor and give him/her an impression of 32  
 33 great exoticism, which contrasts with the fact that his/her rational capacities are 33  
 34 informing him/her that he/she is probably in front of very banal objects. Nassar 34  
 35 drew inspiration from an anthropological exhibition on Ghanaian flags that he 35  
 36 visited in Germany in 1993 and *Bandieras* had travelled quite a lot before, presented 36  
 37 for the first time in 1998 in Sao Paulo (see also “Como Fiz Bandeiras,” [http://](http://artenassar.blogspot.fr) 37  
 38 [artenassar.blogspot.fr](http://artenassar.blogspot.fr)). The strength of his contribution is that the 143 colorful 38  
 39 pieces that he assembled only present an appearance of territorial identity. They 39  
 40 can be immediately identified to flags, the utmost symbol of national belonging, 40  
 41 but it is impossible to tag the flags to the country they should refer to because the 41  
 42 pieces are not actually country flags. The work presents communal flags from the 42  
 43 municipalities of Para, Northern Brazil, the artist’s home region. It was a long 43  
 44 and participatory process for him to collect them, since the flags do not normally 44

1 circulate outside of their communities. Nassar had to launch a research campaign 1  
 2 in a local newspaper, *O Liberal*, with the slogan “I want your flag” to be able to 2  
 3 account for the diversity of his state. He then assembled them without tagging the 3  
 4 names of the places they came from. One could think that his technique of “collage” 4  
 5 refers to a traditional representation of hybrid identities in a “mestizo” continent, 5  
 6 but he likes to deconstruct this. According to the artist, the flags were also chosen 6  
 7 for their colorful diversity, in a pop-art perspective where they become objects 7  
 8 of consumption that are denounced by his technique. Only one state of Brazil 8  
 9 thus appears as a world of its own, giving place-belonging a fractal dimension 9  
 10 that the artist intended to apply at the scale of the country or the global level. 10  
 11 The 2011 edition of the work, however, presents a great difference to the original 11  
 12 installation, since Nassar does not present the flags themselves but a reproduction 12  
 13 of them on painted recycled metal plates. The use of old metal<sup>6</sup> to express the 13  
 14 identity of a fast developing country is intentionally paradoxical since it materially 14  
 15 stresses the “ready-made” component of nationhood that globalization confronts. 15

16 The challenge of the section of the eighth Mercosul Biennial in 2011 called 16  
 17 “Beyond borders” (*Além Fronteiras*) resided in the capacity of guest artists to 17  
 18 work upon their interpretation of the sense of place which the Rio Grande do 18  
 19 Sul provoked. The curator, Aracy Amaral, was able to invite a small group of 19  
 20 international artists to the region that hosted the Biennial, offering them good 20  
 21 conditions for the creation of an original proposal. Marina Camargo was thus able 21  
 22 to travel to the border region three times, first with two fellow invitees, Lucia 22  
 23 Koch and Cao Guimaraes, and the third time with Biennial staff, who helped her 23  
 24 with the logistics of her *in situ* performance. This was even more valued by her 24  
 25 since she was living in Germany for a long-term residency and thus experiencing 25  
 26 the Rio Grande do Sul immersion (a discrepancy which she sees as meaningful, 26  
 27 not only because of the material distance it implied). Camargo’s idea of borders 27  
 28 is not apparently very explicit, either in the name she gives to her exhibition or in 28  
 29 the other documents produced, since she proposes to overcome barriers and scales. 29  
 30 However, Camargo’s installation sparked a lot of debate and interest. Not only 30  
 31 was her title directly tackling the border issue, but she was also offering a sound 31  
 32 and visual device which included photos and video, and even a strange map that 32  
 33 visitors were invited to take home as a token of the work. 33

34 The *Tratado de Limites* was based on the documentation of the artist’s 34  
 35 immersion in the Pampas region, at the vast plains which join the South of Brazil to 35  
 36 Argentina, via most of the Uruguayan territory. Born in Maceió (Alagoas, northeast 36  
 37 37

38  
 39 6 This is one of his favorite materials, which he had used when featured in a previous 39  
 40 exhibition bearing the same name, “Fronteiras,” back in 1997 in his native state of Para (it 40  
 41 constituted in the 16th edition of the Arte Para art show). Although most of the works of 41  
 42 the show only alluded to the geopolitical component of the title, he had struck it frontally, 42  
 43 presenting an installation called *Brasil*, including a strange map of his country, *O Mapa em* 43  
 44 *Negro* (1996), featuring the shape of the country in a small red contour painted on a large 44  
 45 rusty black metal plate.



**Figure 10.1 Marina Camargo, *Tratado de Limites*,  
overview of the installation**

*Source:* Photo by Fabio del Re, with the permission of the author.

Brazil), Camargo moved to Porto Alegre at the age of nine. She began university there, before completing her arts education in Barcelona, New York, and Munich. Although she had travelled the world, working at the Southern border was also her first opportunity to visit one of her own country's borders. She justifies her decision regarding the location of her piece for the Biennial on the basis of a very personal relationship to this place, both affective and interpretative of what she imagines of international limits: "I chose Pampas, because of special relations for my family, and also of its very vast landscape. I was very impressed on how geography could change the political and the borders: frontiers in this area made no sense, because of the isolation of these areas."<sup>7</sup> Later in the interview, she told me that she made this choice on the basis of previous visits, which had never been exhaustive ("I didn't cross the area before, I had never crossed them"). The borders located in the Pampa region offered a contradictory appearance: vast plains contrasting with, on some part of their delineation, "rivers make borders," and according to her, "this is the kind of borders that make sense, not political borders." The encounter provoked by the Biennial curator represented a very important turn in her life, both

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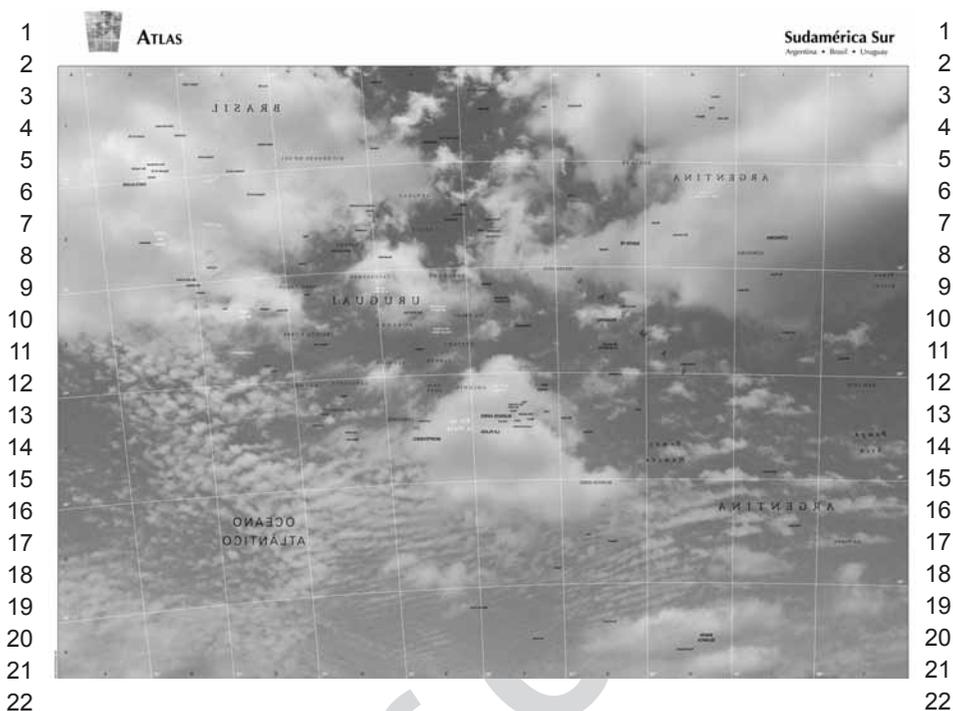
<sup>7</sup> Personal interview with the artist, "skype" voice and camera conversation, September 16, 2013. All quotes from this section of the chapter are extracted from the verbatim of this conversation.

1 emotionally and professionally: “that work was very special for me: I initiated a 1  
 2 different process of work, including more documentation, spending more time 2  
 3 on a project.” Its spatial dimensions, between living an enriching professional 3  
 4 life abroad in Germany and immersing herself into the Pampas borders, have 4  
 5 considerably transformed her artistic practices. 5

6 This “density of the research” explains the composition of the work finally 6  
 7 exhibited, including its title. In the process of documenting the border area she was 7  
 8 about to cross, Camargo visited the *Instituto histórico e geográfico do Rio Grande* 8  
 9 *do Sul*, the regional museum of the Historic and Geographic Society of Porto 9  
 10 Alegre, and found a copy of the treaties that had established the state contours and 10  
 11 the international limits of the countries. The opposition of these dry but powerful 11  
 12 words with the openness of the landscape was the founding inspiration for her 12  
 13 creation. She thus decided to look for a way to convey this complex experience of 13  
 14 place through multiple mediums. These included diverted pieces of information 14  
 15 (maps, official texts), pictures of what she discovered, and a soundtrack of the 15  
 16 wind in the high prairies. These aspects were connected with a model of the border 16  
 17 carved in ice that she photographed while it melted and a separate documentation 17  
 18 of an *in situ* performance in Tacuarembó. This plurivocality appears essential to 18  
 19 understand her intervention. 19

20 She appeals to the relation between what she expected from the border, the 20  
 21 upsurges of an apparently very uniform landscape, and the power of human 21  
 22 convention to create diversity and identity in an unforeseen process. Two elements 22  
 23 of her installation may appear as the most simple to understand for the visitor: two 23  
 24 almost black and white photos which represent a rain curtain over the plains. They 24  
 25 were taken near Bagé, where the climate progressively gets very arid—almost 25  
 26 desert—and where Marina Camargo was surprised to discover another “kind 26  
 27 of invisible frontier, that of climate; there, for some reason, the rain can’t go 27  
 28 further, causing the dryness.” They directly answer the “map” that was piled up 28  
 29 on the floor in order to be taken away by visitors. She uses picture of clouds in 29  
 30 the sky, whose shape could be compared to that of continents on a *mapa mundi*, 30  
 31 and she gives life to her oneiric divagation by superimposing a grid of supposed 31  
 32 meridians and parallels together with place names as seen in a mirror. The skies 32  
 33 reflect our earth and make our dreams of territorial horizons possible. Maps were 33  
 34 a very central element of Marina Camargo’s work before her participation to the 34  
 35 Mercosul Biennial, linked to her first long sojourn abroad. It is interesting to see 35  
 36 here how they are deconstructed: from the Atlas and old maps all that remains is 36  
 37 only the general title for her work and the take-away document—that, according to 37  
 38 her words, should work like a tourism office leaflet—and has only the appearance 38  
 39 of a classic, geospatially referenced, representation. 39

40 These samples of the region are the most figurative part of her composition. The 40  
 41 other very geographic element of her work is more conceptual. It consists of the 41  
 42 very condensed documentation of a performance set on the outskirts of a small town 42  
 43 of the Uruguayan part of the Pampas called Tacuarembó. She chose Tacuarembó 43  
 44 because the small locality has designated itself as the center of this vast region. 44



**Figure 10.2** Marina Camargo, *Tratado de Limites*, 2011,  
atlas map distributed to the visitors

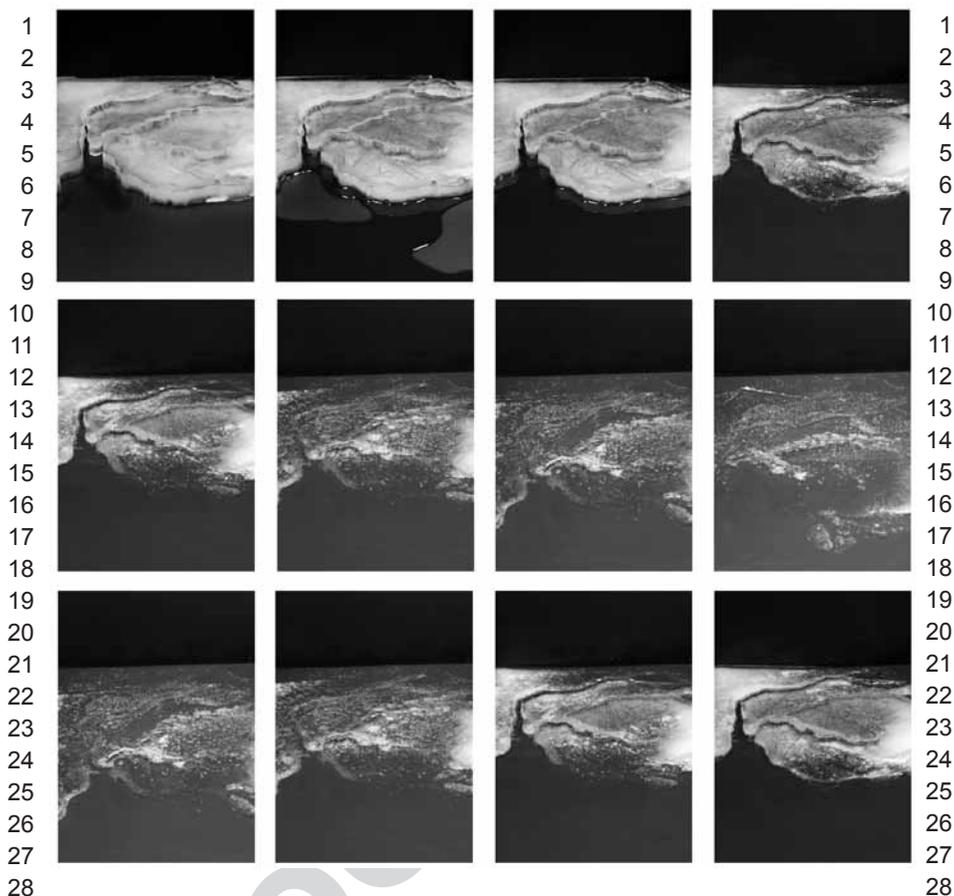
*Note:* Copyright M. Camargo, with the permission of the author.

This quest for centrality in such a landscape may appear as absurd as the border demarcation that straddles it. More precisely, this little town has reformulated its cultural identity as “capital of the Patria Gaucha.” this process bases itself in the rediscovery of the value of regional belonging when the plains enter the globalized world, which imposed a new intensity to the agri-business in the 1990s. Whereas “Pampas” is a toponym inherited from the autochthonous languages (“plains” in Quechua), the Gaucho identity bears the weight of the colonial frontier. “Gauchos” were partly nomadic Indians described by Europeans as vagabonds, before being used to forge an Argentinian national-type shared with the Brazilian state of Rio Grande do Sul. The meaning has mutated as gaucho was co-opted by the nation and forced into national imaginaries (Ludmer 2002). Camargo decided to make a replica of the city entrance signs, which she loved to find as she travelled. The material shape was not local but referred to another, world-famous, place name on a hill, that of Hollywood. “There is irony to put those letters in a place that is not important to the world, like Hollywood:” this was the kind of concertinaing that globalization could allow. The fact that was micro-locally and the setting reinforced the mimicking effect that was intended. She chose the town of Tacuarembó because

1 of its claim to a central position within the region, but she also worked hard to 1  
 2 ensure the letters were placed in very precise locations. She insisted on this: “I was 2  
 3 also very concerned on how to put this sign there. It was important that it should 3  
 4 be buried: maybe it can disappear into the landscape, it can melt down into the 4  
 5 landscape when the grass grows” (the process of melting also connects with her ice 5  
 6 carving). She therefore envisioned burying the letters that were to be displayed at 6  
 7 the entrance to the urban area so that they would little-by-little be incorporated into 7  
 8 the vegetative landscape that so fascinated her. But her intervention was looking for 8  
 9 a way to interrupt the evenness of the Pampas. In her own way and words, she was 9  
 10 “making some point on the landscape” and, in turn, using the power of demarcation. 10  
 11 This was undoubtedly tied to her fascination for maps, and her “concern about how 11  
 12 to mark a position in geography.” 12

13 The intensity of the performance lies in its power to provoke significant events. 13  
 14 In this case, it proved very difficult to bring the letters from Brazil to Uruguay. 14  
 15 “But because of this, the work almost did not happen because of the bureaucracy. 15  
 16 [...] This is very important information to me: I was somehow provoking the idea 16  
 17 of the Biennial title, I was dealing of the limitations of the treaty.” Although the 17  
 18 art show was intended to promote the Mercosul regional integration process, its 18  
 19 field implementation was bluntly denied. A personal incident also allowed her to 19  
 20 measure both the permeability and controlling issues at stake on the border. She 20  
 21 recalls, “When I went to Uruguay, I presented my passport, but I didn’t have to do 21  
 22 so upon going out, because it was too easy, so when I came back, I had to pay a tax 22  
 23 for leaving the country illegally.” Borders were resurfacing at expected locations 23  
 24 as collective identity building disrupted the personal experience of landscape. 24  
 25 That could not be conveyed through images, which is why she included the sound 25  
 26 track (by Leonardo Boff) that would allow the spectator to feel the wind and its 26  
 27 waves, both in the air and in the high weeds. 27

28 The most visually astounding part of Marina Camargo’s *Tratado de Limites*, 28  
 29 and the one which represents the biggest element of it, is the carved piece of 29  
 30 ice that is a model of a three dimensional map of the Plata region where the 30  
 31 Pampas rivers flow into the ocean. After sculpting it, she let it melt while regularly 31  
 32 photographing it in order to make an animation film, “Geografia (Paisagem com 32  
 33 Ondas)” (<http://vimeo.com/51392489>). The fact that she did not video it also 33  
 34 reveals her manner of tackling the relation between trace and process. She recalls 34  
 35 that one of her first works was already done with ice, material that offers a “fast 35  
 36 way to have a shape becoming another thing or losing its shape.” It questions the 36  
 37 way territorialities imply orientation through the various dimensions of space and 37  
 38 explore the consequences of their blurring. For her, the process of water changing 38  
 39 states from liquid to ice and back reflects your feelings when, “for example, you 39  
 40 have a text and you lose its meaning, or when you have a map and you have 40  
 41 not element to interpret it [...]” The progressive disappearance of the sculpture 41  
 42 alludes to the frailty of borders. The latter can thus be defined as based on power 42  
 43 systems which are enforced by their existence in a self-produced dynamic which a 43  
 44 random event could unbalance. 44



**Figure 10.3** Marina Camargo, *Tratado de Limites*, 2011, detail of the melting carved ice Mercosul borders

Source: Photo by Marina Camargo, with the permission of the author.

The juxtaposition of these elements is not easy to justify and their authors tries to escape this issue: “I am not very concerned to present a coherent position but I want to approach the closer I can to my ideas.” We cannot totally believe her in those last words since indeed her living on the limits makes up for very profound sensible experience of the kinds of assemblage that define contemporary borders. Camargo’s *Tratado de Limites*, while intimately rooted into the Rio Grande do Sul’s landscape, still attains a very universal expression of what border work consists of. The contrasts between the visibility and invisibility of the line(s), their multiplicity and uniqueness, the subtle interrelations between crossing and control are all beautifully exposed here.

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**Conclusion**

Borders have not disappeared from the Brazilian art scene after the eighth Porto Alegre Biennial, although the coming edition of the fall 2013 switched to quite different spatial preoccupations, i.e. climate change. It is no coincidence that it also appeared in other contemporary events, such as the promotional show of contemporary Brazilian visual arts bearing the name of “From the Margin to the Edge. Brazilian Art and Design in the 21st century.” The exhibition was displayed in London last summer (2012, 7/21 to 09/08), at Casa Brazil at Somerset House, and was commissioned by the Rio 2016 Olympic organizing committee. It accounts for the Brazilian strategy to become a global stakeholder through a visible world event. The 2014 World Cup in Brazil is another visible step toward achieving this globalization of Brazilian influence, but the contemporary art showcasing that goes with it is not to be underestimated. The title of the exhibition

1 could be considered an oxymoron: it heralds the quest for a new central position 1  
 2 by claiming peripherality, a contradiction that can only be overcome through the 2  
 3 dialectical bordering process that artists who have experimented Brazilian borders 3  
 4 can perform and share. 4

5 Expressing borders from the Porto Alegre art Biennial displayed some of the 5  
 6 complexity of border places because both its curators and artists insist on the 6  
 7 discomfort of their position: 7  
 8 8

9 Partly traced over the center-periphery, the local-global opposition does not 9  
 10 allow dichotomist readings either: its deconstruction demands a space for 10  
 11 uncertain realms and precarious placements which consider that opposition to 11  
 12 be a contingent tension rather than a logical contradiction. Like a dispute that 12  
 13 always makes reference to third positions. [...] We find that a biennial like this 13  
 14 one, located in the Mercosur region, must necessarily render the problem more 14  
 15 complex by introducing the third term of the regional. (Escobar in Escobar and 15  
 16 Pérez-Barreiro 2007: 134) 16  
 17 17

18 Regions and borders alike, but maybe space in general, belong to this third space: 18  
 19 neither here nor there, center or periphery, but constantly territorialized places 19  
 20 where identity can be embedded and shared, and confronted. “Neither Center Nor 20  
 21 Periphery” is a potentially very strong positioning, claimed in various discourses 21  
 22 by Subcomandante Marcos who stressed that bringing back this kind of geography 22  
 23 into politics was a powerful means of resistance. It is noteworthy that the Mercosul 23  
 24 Biennial is visited by schools and groups, and the work shown there represented a 24  
 25 genuine identity oriented pedagogical effort, aiming at embracing the complexity 25  
 26 of the region with its future generations. 26

27 Let me give the last words to the eighth Mercosul Biennial chief-curator, José 27  
 28 Roca. In a road map for the event that he traces in 20 points (his “[duo]decálogo”), 28  
 29 the seventh point reads as such: 29  
 30 30

31 A biennial does not document (a) 31  
 32 32

33 If the work takes place in time, or outside the physical limits of the exhibition 33  
 34 space, one has to let it live (and die) there. There is nothing more frustrating than 34  
 35 an exhibition that documents performances, actions, temporary and outdoors 35  
 36 works, which are presented to us as a reminder of what we were unable to 36  
 37 experience. Unless it was conceived as a work, or has especially significant 37  
 38 contextual value, documentation belongs in the archive, not in the exhibition. 38  
 39 (Roca in Dias Ramos and Roca 2011: 23) 39  
 40 40

41 A detour through visual arts production for the purpose of a critical geopolitical 41  
 42 understanding serves to highlight the performative dimension of borders. They 42  
 43 exist because we experience them. Border work is not only top-down oriented, 43  
 44 made up of security policies, control procedures and fear: the multiplicity of 44

1 individual detours contribute as much to border design as the dominant stake- 1  
 2 holders' agency. Their anonymity makes them very complex to describe. Artists 2  
 3 should not be considered as transmitters of common representations. However, 3  
 4 their capacity to engage with both conceptual and sensitive relations to space 4  
 5 raises their testimony as precious component for those who wish to question the 5  
 6 links between identity and place-building, and the complexity of territorialities. 6

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Proof Copy

1	Chapter 11	1
2		2
3	“No Place Like Home”:	3
4		4
5	Boundary Traffic through the Prison Gate	5
6		6
7	Jennifer Turner	7
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12	<b>Introduction</b>	12
13		13
14	Similar to the identities constructed for non-nationals, the prisoner is often	14
15	determined as the Other, and at a distance, metaphorical as well as physical, from	15
16	the citizen majority. In this way, prisons and the diverse penal systems that they	16
17	help make manifest, have entered the geographic imagination as prime exemplars	17
18	of how seemingly invisible, peripheral sites are integral to the functioning of a	18
19	purportedly mainstream society. However, despite their often peripheral physical	19
20	locations, the inter-linkages between prisons and society are numerous and	20
21	complex. Recent work within and beyond the discipline of geography acknowledges	21
22	that where we might imagine a sharp boundary between the hidden inside and	22
23	outside of prisons, there is in fact a myriad of materials that cleave and bind penal	23
24	geographies, including forms of communication and inscription, networks of	24
25	machines or technological devices, and buildings, which mark the prison walls as	25
26	a site of transaction and exchange (Baer and Ravneberg 2008, Gilmore 2007, Loyd	26
27	et al. 2009, Pallot 2005, Vergara 1995, Wacquant 2000, 2001, 2009).	27
28	Political economic analyses stress the profit-generating potential that prisons	28
29	offer, with the prison system representing a “recession-proof economy,” which	29
30	is further entrenched by capitalism’s need to enforce pauperism and criminality	30
31	(Bonds 2006, Dyer 2000, Lemke 2001, Neumann 2000, Venn 2009). Indeed, the	31
32	prison can be seen to provide a venue for entrepreneurial investment, “solving” the	32
33	economic problems of depressed regions (Che 2005, Coulibaly and Burayidi 2010,	33
34	Daniel 1991, Farrington and Parcells 1991, Forest County Conservation District	34
35	and Planning Commission 1998, Gilmore 2007, Hooks et al. 2010, Millay 1991,	35
36	Pickren 2011, Rollenhagen 1999), such that prisons now act as “geographical	36
37	solutions to political economy crises” (Gilmore 2007: 26). Peck, for example,	37
38	argues that in a neoliberal economy the prison system is not located on the	38
39	“edges” of society—“as the designation ‘boundary institution’ might imply”	39
40	(2003: 227)—insofar as it has become a site of privatization and commodification	40
41	of services more traditionally associated with state welfare. There is a penalization	41
42	of poverty here, Wacquant (2009) argues, wherein the (especially) urban disorders	42
43	wrought by economic deregulation are met by what he calls a “garish theatre of civic	43
44	morality” that targets deviant figures, such as the welfare mother and the teenage	44

1 thug, as beyond both social and economic protection by the state. For Foucault 1  
2 (see Foucault 1986), prison is a heterotopia—a space that mirrors, yet subverts 2  
3 everyday life. According to Foucault, a heterotopia is the manner in which society 3  
4 and culture define the subject through his differentiation from general society, 4  
5 creating identity categories from the normal to the abnormal. On the one hand, 5  
6 Foucault considers individuals as free-willed members of a society, but at the same 6  
7 time they are subjects of a culture that examines, labels, and constructs them. This 7  
8 reconstitution of identity is one way of disciplining the subject and regulating 8  
9 behavior. Furthermore, Foucault argues that heterotopias are almost invisible 9  
10 and perceived as natural by members of a society. Yet, they are nevertheless 10  
11 measures for controlling and punishing the deviant or different—constituting a 11  
12 critical process in the formation of societal norms and expectations. Indeed, these 12  
13 binary geographies between inside and outside register as ideological obfuscations 13  
14 that hide the crucial role of prisons in current society. The prison is therefore an 14  
15 example of one of several boundaries marked out by the state. 15

16 When engaging with the distinct population of the prisoner, I acknowledge 16  
17 a plethora of novel power relationships that ensue as this quite particular 17  
18 boundary between outside and carceral space is crossed, and often blurred. This 18  
19 boundary is different from that crossed by other populations—in scale, legality, 19  
20 expectation, etc.—meaning that the prisoner allows us to move away from 20  
21 the typical populations encountered in border studies, in order to unravel the 21  
22 numerous scales, the differing boundaries and multiple power-space geometries 22  
23 that operate when different types of people move across and between variously 23  
24 defined territorial/legal borders. This consideration of the prisoner as an agent in 24  
25 border-crossing is situated alongside geographic research that provides a more 25  
26 nuanced understanding of other unique bordering practices. Examples include the 26  
27 bordered lives of young people (Aitken and Plows 2010); everyday experiences 27  
28 of home-making in relation to nature in suburban homes (Power 2009); embodied 28  
29 experiences of negotiating the boundary between the physical and the virtual 29  
30 world of video games (Ash 2010); and the theorization of geopolitical structural 30  
31 space in comic books (Dittmer 2007). In this chapter I similarly explore a 31  
32 unique border negotiation, namely prisoner employment as the cornerstone of 32  
33 successful rehabilitation, and examine the implications of this type of boundary 33  
34 interaction upon prisoner identities. I ground this discussion in examples drawn 34  
35 from research conducted on employment schemes for offenders who are either 35  
36 in prison and employed outside on day release, or employed within a company 36  
37 while on probation. By examining these cross-prison-border practices, I examine 37  
38 the implications of belonging to a group of conventional employees *and* those 38  
39 with criminal records; revealing a careful negotiation of “inside” and “outside” 39  
40 identities that complicate matters of belonging. In response to this, I explore the 40  
41 unwanted, or less than ideal, relationship with the prison as home, based on the 41  
42 lack of ability to re-integrate with the community that prisoners re-enter. 42

43 Throughout the analysis, this chapter attends to the hybridity of ex-offender 43  
44 constructions of “home.” I illustrate the strong ties to prison and its problematic 44

1 relationship with the high levels of recidivism that Britain is currently experiencing. 1  
2 A successful outcome for prison service authorities would be that, following 2  
3 completion of a prison term, ex-offenders would leave prison—embarking on a 3  
4 one-way journey. However, this chapter argues that, although ex-offenders may 4  
5 idealize a return to the communities where they lived prior to incarceration, the 5  
6 ability to re-integrate is often limited owing to the transformations individuals 6  
7 undergo following imprisonment. For example, this may happen consciously, such 7  
8 as through programs designed to shape psychological behavior; subconsciously, 8  
9 owing to friendships and allegiances developed within prison; or becomes 9  
10 manifested in legal markers like the possession of a criminal record. The body, 10  
11 in effect, becomes the carrier of the border (Amoore 2006: 347–8) acting as the 11  
12 finest scale of political space (Hyndman and de Alwis 2004: 549). This concept 12  
13 also displays similarities with offenders released from prison on license, or with 13  
14 electronic tagging, where the body literally carries a marker with them. As such, 14  
15 prisoners’ everyday lives engage with both a physical and metaphorical boundary 15  
16 between prison on the inside and non-prison outside that performs a unique type 16  
17 of border crossing—that serves to create, re-imagine, blur, and even ignore this 17  
18 border. In this way, the prison wall becomes a porous boundary, with the prison 18  
19 gate facilitating two-way traffic across it. In considering this type of border work, 19  
20 this chapter responds directly to the current call for attention to the value of 20  
21 perspectives from cultural geography in attending to the nuanced space of the 21  
22 prison, and in drawing out their significance “to open up the political at a more 22  
23 ‘personal’ level” (Turner 2013: 35). 23

24  
25

### 26 **Examining the Prison/Non-prison Boundary** 26

27

28 The purpose of the prison is to remove those deemed a threat to places that exist 28  
29 beyond liberal territory—which is where the literatures attending to borders and 29  
30 nations begin to dissipate into the field of interest of carceral geographies. Anderson 30  
31 (1996) argues that border control—the effort to restrict territorial access—has 31  
32 been a key concern of the state for a long time. Borders are traditionally viewed 32  
33 first and foremost as “strategic lines” which could be defended or breached by 33  
34 the military (Waltz 1999). According to Krasner (1985), it is the right of all states 34  
35 to determine who and what is granted legitimate territorial access. While the 35  
36 movement of trade and commerce is widely (and often necessarily) eroding the 36  
37 barriers between states, recent global events simultaneously shifted the emphasis 37  
38 away from military border concerns towards stronger policing of borders to 38  
39 maintain territorial control by each individual state—framing boundaries as social 39  
40 processes and practices that marginalize different geopolitical groups (Berg and 40  
41 van Houtum 2003, Newman 1999, Paasi 1996, 1999, Sundberg 2008: 876). 41

42 Physical barriers are created to prevent the movement of armies, uneconomical 42  
43 trade, as well as perceived “undesirables”—including migrants and the criminal 43  
44 (Andreas 2003). Border enforcement, imprisonment, and criminalization are 44

1 fundamental to nation-state building as they are “also key technologies in the 1  
2 continuous processes that make up citizens and govern populations” (Pratt 2005: 1). 2  
3 However, Loyd et al. “challenge the idea that borders and prisons create safety, 3  
4 security, and order” (2012: 3) and posit them as a problematic method of categorizing 4  
5 people as, for example, “illegal” or “criminal.” Post-9/11 governments suggest 5  
6 that “because they are fighting an unconventional enemy that has the capability to 6  
7 strike at any time and anywhere, governments need exceptional powers to prevent 7  
8 future attacks” (Jones 2009b: 880). As Andreas (2003) maintains, borders are not 8  
9 eroding or remaining unchanged, but are being re-crafted though new state regimes 9  
10 to exclude certain groups, while assuring territorial access for “desirable entries” 10  
11 (see also Sparke 2006). In this case, sovereign power does not only operate at the 11  
12 border. There are many efforts to observe, sort, and characterize people in their 12  
13 everyday lives, such as CCTV, biometric passports, immigration policing, visas, 13  
14 and so on, all of which aim to mark bodies as either acceptable or as a threat 14  
15 (Fyfe and Bannister 1996, Jones 2009a). We are also categorized, for example 15  
16 within UK populations, through the implementation of mechanisms such as Anti- 16  
17 Social Behavior Orders (ASBOs) or public house banning orders, both of which 17  
18 are designed to mark those who are deemed to be a threat to the rest of society. 18  
19 Ridgley (2008) describes how, eight weeks after 9/11 took place, US Attorney 19  
20 General John Ashcroft authorized the questioning of around 5,000 Middle Eastern 20  
21 men, many on temporary visas in the United States. Although they were not 21  
22 suspected of any crime, they were selected because they matched “criteria of 22  
23 persons who might have knowledge of foreign-based terrorists” according to their 23  
24 gender, age, and national origin (Office of the Attorney General 2001: 1). The 24  
25 unlawful action of the government based on stereotypes was called into question 25  
26 by civil liberties and immigrant rights groups who were concerned about racial 26  
27 profiling, mass detentions, and the targeting of immigrant communities in the 27  
28 post-9/11 security climate. Furthermore, Guantánamo Bay, Cuba—a detention 28  
29 center for those suspected of terrorist activities, which suspends the rule of 29  
30 law—bears striking similarities to the concentration camps holding Jews, Romani 30  
31 Gypsies, homosexuals, disabled people, and many others, run by Nazis in World 31  
32 War Two. Guantánamo Bay acts as a cornerstone for a regime in which liberal 32  
33 movement and multiculturalism poses a threat to the political authority of the state 33  
34 (McClintock 2009). 34  
35 As such, strategies aimed at spatial exclusion are proliferating across 35  
36 contemporary societies. In the US, over 1.3 million people were in state or federal 36  
37 prisons in 2000, up from 218,000 in 1974 (US Department of Justice, Bureau 37  
38 of Justice Statistics 2000: Table 6.27). This massive expansion of the prison 38  
39 system is a strategy that is being emulated by other countries with high numbers 39  
40 of prisoners, such as China and the UK. The processes of locking people up, and 40  
41 the segregation that it entails, renders incarceration a common and everyday 41  
42 practice (Gill 2009: 187). Yet, this is the obvious method of segregating space 42  
43 and creating boundaries within a national space. Other literature concerning the 43  
44 regulation of the built environment calls for focus upon architectural forms of 44

1 socio-spatial exclusion, such as the methods used in urban spaces to channel 1  
2 social undesirables. These include the fences, gates, walls, surveillance, and 2  
3 armed security which protect luxury areas in cities such as São Paulo, London, 3  
4 or Los Angeles (Caldeira 2000, Crawford 2008, Davis 1998, Harcourt 2005, 4  
5 Lynch 2001). Furthermore, previously-lost methods of criminal justice such as 5  
6 banishment are being re-imagined as concepts in the contemporary world (Beckett 6  
7 and Herbert 2010), and other mechanisms such as sex offender registration 7  
8 (Tewksbury 2002) emerge as hybrid tools to control populations. In Seattle, for 8  
9 example, the adoption of "civility codes" and "trespass admonishments," which 9  
10 prevented panhandling, sitting on sidewalks and camping; and "drug-free zones" 10  
11 and "prostitution-free zones" imposed in Portland, Oregon compelled certain 11  
12 people to avoid certain places for a period of time. Prior to the implementation of 12  
13 these ordinances, authorities needed probable cause, such as a criminal offence, 13  
14 to remove individuals from public space. Now, the Seattle authorities authorize 14  
15 police and parks officials to exclude alleged rule violators without providing any 15  
16 evidence of wrong-doing—effectively "banishing" the homeless from public 16  
17 spaces (Beckett and Herbert 2010: 6). As Beckett and Herbert (2010) rightly 17  
18 identify, the rationale of banishment divides the world neatly into orderly and 18  
19 disorderly, identifying the latter spaces as those rife with crime and vice. 19

20 However, in spite of these efforts, concerns about the effective segregation of 20  
21 law-breakers from the rest of society derive from the presentation of the physical 21  
22 boundary of the prison as an exchange point. The prison walls also act a border 22  
23 for other transactions, both legitimate and illegitimate. A prison sentence does 23  
24 not usually equate to complete isolation. Ties to the outside world are genuinely 24  
25 allowed, and are promoted by the flow of both people and objects such as gifts, 25  
26 letters, and photographs. However, there are also many other illegal interactions 26  
27 such as the presence of contraband mobile phones or drugs, recruitment of gang 27  
28 members, and even escape attempts, which illustrate that the border is neither as 28  
29 solid nor regulated as the directors of the penal system would hope. In response 29  
30 to this, in terms of the prison itself, location is often used to further deepen the 30  
31 boundary between carceral space and the rest of society. 31

32 Dartmoor prison located on barren moorland in Devon, England remains 32  
33 as one of these examples, as does Peterhead Prison, a lonely granite fortress in 33  
34 Scotland towering above a crag into the North Sea many miles from the nearest 34  
35 town (Sparks 2002). The architecture of the buildings themselves is often used 35  
36 to further enforce the prison/non-prison divide. Traditionally, prisons exhibited a 36  
37 threatening exterior, which was often decorated by gargoyles or figures pictured 37  
38 behind bars. This meant that as well as the bricks constituting a physical boundary, 38  
39 the public could still be reminded of the somber nature of the building and the 39  
40 detrimental aspects of committing crimes through the metaphorical juxtaposition 40  
41 with law-abiding society (Pratt 2002: 37). 41

42 Acknowledgement of the importance of spatial boundaries manifested 42  
43 itself in the architecture within prison as well. The "separate system" relied 43  
44 heavily upon penal architecture to enforce a regime of total cellular separation 44

1 (Henriques 1972, Ogborn 1995: 301). This system followed a well-defined 1  
 2 rationale about particular ideas about “society” and the “individual.” As well as 2  
 3 concerns about poor ventilation, lack of hygiene and the spread of “gaol fever” for 3  
 4 example, depravity (corrupt acts or practices) was considered to be something that 4  
 5 could cause some kind of moral infection or contamination. By using architecture 5  
 6 and separating practices in the daily regime to reduce contact, both physical and 6  
 7 moral contamination of new prison arrivals by more “hardened” criminals could 7  
 8 be eliminated (Fiddler 2010, Ogborn 1995: 301). 8

9 Aside from physically separating prisons from law-abiding society, one of 9  
 10 the main aims of imprisonment is to furnish individuals with skills that enable 10  
 11 them to manage the transition from prison to society successfully upon release. 11  
 12 In the remainder of this chapter, I explore offender employment programs as one 12  
 13 mechanism that penal authorities implement in order to facilitate the successful 13  
 14 re-integration of prisoners with outside society. As I will argue, there are many 14  
 15 occasions whereby prisoners gain skills that enable them to effectively—that 15  
 16 is, permanently—cross the prison border. However, what is also apparent, is a 16  
 17 number of attachments to the prison “home” that allow us to posit the prison walls 17  
 18 as a two-way boundary, across which individuals often participate in a cycle of 18  
 19 leaving and return. 19

20

21

## 22 **Working *With* and *In* the “Outside”** 22

23

24 One of the methods by which offenders and those released from prison can reassert 24  
 25 some of their liberties, perform obligations of good citizenship, and therefore 25  
 26 successfully negotiate a permanent crossing to the world outside of prison is in 26  
 27 employment. In order to ground this discussion, I draw upon research carried out 27  
 28 with two different employment schemes specifically targeting prisoners at various 28  
 29 stages in their sentences.<sup>1</sup> The first is the Oxford Citizens Advice Bureau (hereafter 29  
 30 OxCAB), which employs prisoners who are permitted daily release from HMP 30  
 31 Springhill to work as prisoner-advisers. Secondly, I discuss Blue Sky Development 31  
 32 and Regeneration, which employs those released from prison on a six-month paid 32  
 33 contract. In doing so, I critique the method in which schemes designed to allow 33  
 34 prisoners and ex-offenders training in work-based environments merely serve to 34  
 35 embody wider contemporary work ethics. These employments also reflect societal 35  
 36 36

37

38

38 1 A number of different companies targeting offender employment as a means of 38  
 39 rehabilitation were approached via email or written correspondence. Those detailed in 39  
 40 this chapter represent two case studies where I received invitation for further research. 40  
 41 Original intentions were to recruit participants from those currently incarcerated *within* 41  
 42 UK institutions to research prisoner attachment to “home.” However, due to the legal and 42  
 43 ethical issues surrounding access to this environment—chiefly the prisoners’ inability to 43  
 44 give non-coerced informed consent— this chapter uses empirical evidence obtained from 43  
 44 two of the companies that responded to my call for participants. 44

1 expectations of modern citizenship (in general) and the mechanisms via which 1  
2 penal authorities negotiate a particular rendering of these as they seek to create, 2  
3 recreate, and reform "ideal" workers/citizens who are, or were, subject to a penal 3  
4 system of punishment and rehabilitation. 4

5 OxCAB developed the idea of training prisoners to become volunteer citizens' 5  
6 advisers in order to increase capacity and meet growing demand. The Citizens 6  
7 Advice Bureau (CAB) delivers advice services from over 3,500 community 7  
8 locations in England and Wales, run by 382 individual charities. The membership 8  
9 organization of the bureau is run by Citizens Advice, which is itself a registered 9  
10 charity. Following much debate, prisoners at HMP Springhill are now able to 10  
11 become Citizen Advisers. Springhill is one of the country's 12 category D open 11  
12 prisons,<sup>2</sup> to which male prisoners at the lowest level of risk are allocated. It does 12  
13 not take sex offenders or arsonists. Owing to the fact that people who visit the 13  
14 CAB are also often vulnerable members of society, the selection of prisoners is 14  
15 rigorous and they must comply with certain eligibility requirements. Alongside 15  
16 other volunteer advisers, their training and performance monitoring is on-going 16  
17 (interview, facilitator, January 12, 2012). Prisoners are available on a full-time 17  
18 basis and typically work four times as many hours as other volunteers. As such, 18  
19 most prisoner volunteers complete their training more quickly than traditional 19  
20 volunteers (within 6–8 weeks) and the OxCAB can now give advice to many more 20  
21 people than ever before. 21

22 Research was also conducted with Blue Sky Development and Regeneration, 22  
23 in the Wakefield branch located in West Yorkshire in England. Working as a viable 23  
24 business venture, Blue Sky tenders for commercial contracts from soft-landscaping 24  
25 (designing elements of a landscape such as fencing and planting) through to 25  
26 recycling and ground-working (digging foundations and other under-support for 26  
27 various types of structures). The company reinvests income into providing six- 27  
28 month contracts specifically for those with a criminal record who are involved 28  
29 with their local Probation Trust. Originally designed as a rehabilitative scheme 29  
30 through the Future Jobs Fund, Blue Sky has developed into a profitable company, 30  
31 with schemes such as recycling plants generating profits for the Local Authority of 31  
32 £120,000 per annum. However, more importantly alongside the work experience, 32  
33 employees are supported in CV building and given the opportunities to do training 33  
34 courses for such things as construction-machinery operation and building-site safety, 34  
35 each costing as much as £800 per person (interview, facilitator, August 11, 2011). 35

36 In the first 18 months of the project, Blue Sky Wakefield helped 19 ex- 36  
37 prisoners successfully finish their employment contracts. For many, this type of 37  
38 work was a new challenge, unlike any work they had carried out before. But, what 38  
39 is overwhelmingly apparent from those who I spoke to, is the ethos of care and 39  
40 40

41 \_\_\_\_\_ 41  
42 <sup>2</sup> Category D prisons are known as "open" institutions, offering much greater levels 42  
43 of freedom including day release. Category A and B prisoners present the greatest security 43  
44 risk, whereas individuals who are categorized C prisoners are those who cannot be trusted 44  
45 in open conditions but are unlikely to try to escape. 44

1 future well-being that is promoted by the project. Facilitators highlighted the main 1  
 2 focus to be getting employees back onto the first rung of the ladder to a stable 2  
 3 routine of work and earning a steady income—a package attractive enough to 3  
 4 prevent them from reoffending. 4

5 In both the cases of Blue Sky and OxCAB, focus groups were carried out in the 5  
 6 workplace with participants who had volunteered and been selected by the company 6  
 7 themselves.<sup>3</sup> Conversations were taped, with permission from the participant, and 7  
 8 later transcribed and coded using the key themes of my wider doctoral research 8  
 9 focusing upon engagements across the prison/non-prison boundary—namely penal 9  
 10 spaces, penal identities, rehabilitation, and constructions of “home” (either on the 10  
 11 “inside” or the “outside”). Participants’ names are anonymized, although the case 11  
 12 studies of Blue Sky and OxCAB are not, as identification was requested owing 12  
 13 to the companies setting a precedent for other offender/ex-offender employment 13  
 14 schemes, and interviewees agreed to be anonymized in conjunction. 14

15 15  
 16 16

### 17 **Crossing the Border to the “Outside”** 17

18 18  
 19 As findings by Graffam et al. (2005) suggest, gaining paid employment upon release 19  
 20 lowers the rate of reconviction. Therefore, getting a job can be highly significant 20  
 21 in helping ex-offenders reintegrate into society outside of prison. My interviewees 21  
 22 recognize that contributing to tax, National Insurance and paying their way, rather 22  
 23 than society paying for them, all plays a part in their process of normalization. 23  
 24 Barke (2001) notes the emotional importance of dwelling in a private, domestic 24  
 25 property—allowing individuals the freedom from the critical gaze of society. In a 25  
 26 similar way, employment generates an ability to achieve both reintegration into the 26  
 27 mechanisms of capitalism, *and* the respect of family members through the wages it 27  
 28 provides. At OxCAB, Prisoner advisers relish the feeling of “fitting in” with other, 28  
 29 non-prisoner colleagues, and express a great enjoyment at having a conventional 29  
 30 “9 to 5” working day outside of the prison environment. Indeed, the importance of 30  
 31 achieving regular work in the future in order to legitimately provide for themselves 31  
 32 and their families is a fundamental concern of both groups of participants. As the 32  
 33 employees at Blue Sky explain: 33

34 34

35 Ben: It makes it look better, doesn’t it, when the family’s saying ‘oh what are 35  
 36 you doing now?’ 36

37 37

38 Steve: It makes you feel better doesn’t it? ... Yeah, cause you can say ‘yeah I’m 38  
 39 working now.’ ‘Aw right good, where are you working?’ Instead of saying, ‘oh 39  
 40 yeah, [nothing], just the usual on the dole, sat at home.’ 40

41 41

42 <sup>3</sup> All of my participants were male. HMP Springhill is a male prison. Furthermore, 42  
 43 although Blue Sky does also employ female ex-offenders, none were available to participate 43  
 44 in the interviews. 44

1 Chris: Yeah it gives you that image that you're going out and working I think ... 1  
2 2 2  
3 Rich: You feel better within yourself as well ... looked up to by my missus and 3  
4 my baby ... And you can afford things, you can afford to actually go out and 4  
5 do things ... buy my baby things, and buy him nice clothes rather than having 5  
6 nothing. (Focus Group Blue Sky, August 11, 2011) 6  
7 7  
8 Although the OxCAB–Springhill partnership was originally developed to aid the 8  
9 Bureau rather than act as a rehabilitation project, prisoners find many benefits 9  
10 in their preparation for release. For the prisoners interviewed, certainly, work at 10  
11 the CAB is very different to anything they had ever done before: their role gives 11  
12 them the possibility of a sense of normality and social inclusion, particularly in 12  
13 relation to the expectations of family and friends. The impact that a positive family 13  
14 relationship can have upon the reduction of recidivism is widely attended to by 14  
15 both scholars across a variety of disciplines (Comfort 2002, 2008, McGarrell 15  
16 and Hipple 2007, Mills and Codd 2008) and official reports (Her Majesty's 16  
17 Inspectorates of Prisons and Probation (HMIPP) 2001, Home Office 2004, 2006). 17  
18 Once solid links exist they can be a major contributor to severing all ties with 18  
19 prison. Mills and Codd (2008) find that families generate “resourceful social 19  
20 capital,” which can aid in forging positive links with liberal society—particularly 20  
21 useful when finding gainful employment (Farrall 2004). After a string of cautions, 21  
22 Chris finally received a prison term, which he claims, has scared him. However, 22  
23 he worries that the relationships he has built up since his release would simply be 23  
24 destroyed if he were to be incarcerated again: 24  
25 25  
26 I think they just gave me [my sentence] to make me realize ... an eye-opener, 26  
27 just to scare me and I think it has really ... I was scared shitless to be honest ... 27  
28 but no, I don't want to go back. My girlfriend's pregnant ... part of me going to 28  
29 jail was for pinching from [a supermarket] and my girlfriend's mum got me the 29  
30 job ... she hasn't spoken to me for like 12 months and now we go to her house ... 30  
31 so now, I'm building up a better relationship with her part of the family ... if I 31  
32 went back to jail it would be for them to think ‘what are you doing with him?’, 32  
33 you know what I mean? (Focus Group Blue Sky, August 11, 2011) 33  
34 34  
35 Conversely, 25-year-old Ben spent nine years in and out of prison. Similarly 35  
36 for him, the return to prison is undesirable as he now believes his life is much 36  
37 better outside of it and is motivated by the desire to perform his obligations to his 37  
38 family. He (like two of his other colleagues) believes that the birth of his first child 38  
39 changed the pattern: 39  
40 40  
41 Before it was just girlfriends I had to think about ... but now I've got a kid, 41  
42 this time I went to prison all I could think about was I'd let her down, not just 42  
43 myself, I've let her down as well cause I'm not there to see her, you know what 43  
44 I mean, and look after her ... I wouldn't like to go to prison now ... it's alright 44

1 when you've got something to do during the day, which isn't much to do, but it's 1  
 2 something ... it's when its night-time and you're just sat there with [nothing] to 2  
 3 do and all you're doing is thinking and the only thing that kept coming into my 3  
 4 head was my daughter ... thinking I wanted to go home because I wanted to 4  
 5 see her, and I wouldn't want to go again just to have that feeling again, that gut 5  
 6 feeling again because it was horrible. (Focus Group Blue Sky, August 11, 2011) 6  
 7 7

8 Aside from the reward of praise from family and friends (and the stronger familial 8  
 9 ties associated with this), these types of employment stimulate something else 9  
 10 amongst prisoners: a sense of personal aspiration. A comparison is sometimes 10  
 11 made with this "intellectually-challenging" employment and "mundane" or 11  
 12 "mediocre" jobs (repetitive and low-skilled tasks such as laundry work) that are 12  
 13 typically deemed appropriate for the prisoner: 13  
 14 14

15 Liam: I've never been in this line of work ... building sites, warehouses, things 15  
 16 like that, but ... I've now discovered ... that it is something that I enjoy doing, 16  
 17 compared to what I was doing before, which was something that I didn't like 17  
 18 doing ... so, yes ... I've discovered something new about myself ... I didn't 18  
 19 think I was into this sort of thing but now, obviously, I've changed completely. 19  
 20 20

21 Oliver: What I like about this here is that it's not mediocre work ... Some of the 21  
 22 community work jobs that people do are a bit ... mundane if you like, they have to 22  
 23 steam and press clothes, that sort of thing. (Focus Group OxCAB, January 12, 2012) 23  
 24 24

25 The CAB also aims to equip people with the knowledge required to deal with any 25  
 26 problems they face, as well as endeavoring to shape the way policies influence 26  
 27 daily lives. According to Citizens Advice, their service provides "free, independent, 27  
 28 confidential and impartial advice to everyone on their rights and responsibilities" 28  
 29 (2012, no page). It is interesting that in this case, then, that the OxCAB is staffed 29  
 30 by prisoners, who society posits as *not good* citizens (Thompson 2000). And, 30  
 31 interviewees spoke about the development of their personal knowledge database 31  
 32 as a result of their work experience; particularly their ability to find sources of 32  
 33 support and information for themselves following future release. Facilitators 33  
 34 explained scenarios where prisoner-advisers are asked to help with form filling 34  
 35 and make suggestions about appropriate organizations for their fellow inmates. In 35  
 36 this respect, it can be argued that this turns the CAB itself into a training ground, 36  
 37 both in terms of the users and the prisoner-advisers themselves. 37

38 Both of these examples illustrate the different methods by which prisoners 38  
 39 may negotiate a successful, permanent border crossing from carceral spaces to 39  
 40 liberal society outside. However, not all prisoners effectively enact these methods 40  
 41 and there are a variety of reasons why certain offenders will return to prison. In 41  
 42 the next section of this chapter, I address a number of barriers to re-integration 42  
 43 (that may prompt a return journey through the prison gate), namely, prisoners' 43  
 44 attachment to the prison "home." 44

1 **The Prison “Home:” A Barrier to Re-integration** 1

2  
 3 According to figures from the Ministry of Justice, in the quarter ending 3  
 4 September 2011, over 32,000 first-time receptions were made to the prison system 4  
 5 in England and Wales (see Table 11.1). During this same time, there were also 5  
 6 nearly 22,000 offenders discharged from determinate sentences. Of those, 2,500 6  
 7 had served more than four years in prison. This means, that in addition to the 7  
 8 prison/society relationship being highly fluid with numerous networks, there 8  
 9 is a large number of people re-entering society having spent a significant time 9  
 10 incarcerated within the specific prison lifestyle. 10

11  
 12  
 13 **Table 11.1 Prison reception and discharge figures for England and Wales,** 13  
 14 **quarter ending September 2011** 14

15 \_\_\_\_\_ 15

16 Number of first-time receptions	32,212	16
17 Number of discharges	21,677	17
18 Discharges after sentences > 4 years	2,560	18

19 \_\_\_\_\_ 19

20 *Source:* Ministry of Justice (MoJ) 2011. 20

21  
 22  
 23 There is a very clear relationship between recidivism and high levels of ex- 23  
 24 offender unemployment. Ex-offenders face many difficulties when seeking 24  
 25 employment including poor reading, writing and numeracy skills; behavioral and 25  
 26 health problems; debt and homelessness; as well as discrimination by employers 26  
 27 (Webster et al. 2001). According to Opperman, 50 percent of prisoners cannot read 27  
 28 and write or do basic mathematics. Hence, half of the prison population is lacking 28  
 29 in the skills required for 96 percent of jobs (2012: 24). Unemployment among 29  
 30 offenders is very high. A 1997 UK study found that employment of offenders 30  
 31 under probation was only 21 percent compared to around 60 percent of the general 31  
 32 population (Mair and May 1997). Fletcher et al. (1998) reported that ex-prisoners 32  
 33 are said to comprise between two and three percent of the average monthly inflow 33  
 34 to the unemployment pool. Aside from the personal issues that lack of a job may 34  
 35 create, research highlights the impact of this upon reoffending. Although there is 35  
 36 little direct evidence of a causal relationship between unemployment and crime, 36  
 37 studies at the individual level reveal that periods of unemployment are related to 37  
 38 periods of offending (Farrington 1996) and reconviction (May 1999). Currently, 38  
 39 recidivism in the UK is of serious concern,<sup>4</sup> with more than a third of those released 39  
 40

41 \_\_\_\_\_ 41  
 42 4 Although it might be useful, raw reoffending rates between countries should not be 42  
 43 directly compared as there are a range of underlying differences in the justice systems and 43  
 44 the methods of calculation (See Ministry of Justice (MoJ) 2010. *Compendium of Reoffending* 44  
*Statistics and Analysis: Ministry of Justice Statistics Bulletin*. London: Home Office).

1 from prison committing another offence within the first year<sup>5</sup> (Ministry of Justice 1  
 2 (MoJ) 2011). As such, the prison wall can be posited as a kind of border, with 2  
 3 both “migrants” and “returnees” crossing in both directions for different lengths 3  
 4 of time. 4

5 Furthermore, with many jobs in the UK requiring a criminal records check, 5  
 6 the offence is likely to have significant logistical and legal effects upon the life of 6  
 7 the ex-offender—acting as a permanent reminder of their incarceration. For many 7  
 8 prisoner volunteers, the reference from OxCAB is a major contributing factor to 8  
 9 their decision to participate, as it goes a long way to prove their credentials to 9  
 10 potential employers, particularly in the face of the decreased opportunities owing 10  
 11 to their criminal record: 11

12  
 13 Liam: ... the fact that it's good for future references ... you're going to do well 13  
 14 to get a reference when you leave prison, because obviously you've got the thing 14  
 15 of having a criminal record, coming out of prison to get a job with employers not 15  
 16 wanting to take you on, so obviously if you've done this you've got a head start, 16  
 17 haven't you? (Focus Group OxCAB, January 12, 2012) 17  
 18 18

19 The potential negative consequences of being exposed as a former prisoner 19  
 20 were raised as a concern by many participants. For example, it is clear that there 20  
 21 remains a necessity for anonymity for staff who are prisoners to be retained with 21  
 22 regards to members of the public using the Bureau. Although it is advertised that 22  
 23 the branch acts in partnership with Springhill, the prisoner-advisers have never 23  
 24 been individually identified as such to any clients. When asked to comment on 24  
 25 anonymity and disclosure, the comments were varied: 25

26  
 27 Oliver: I think it's quite important, but not to the people who volunteer ... they 27  
 28 might not like prisoners giving them advice. 28  
 29 29

30 Liam: I don't mind them knowing. They might look at it as ... you're giving 30  
 31 back and you're changing your life around. (Focus Group OxCAB, January 31  
 32 12, 2012) 32  
 33 33

34 Although CAB staff recalled instances where the media were critical of the use of 34  
 35 prisoners as advisers (with one referring to the “Con Advice Bureau”), facilitators 35  
 36 maintain that the prisoner status is of no more relevance to the job role than 36  
 37 someone's age or sexuality. This is largely based on the quality of work that CAB 37  
 38 receives from its prisoner volunteers, the positive feedback, letters of thanks, and 38  
 39 even monetary contributions, which members of the public offer in return for the 39  
 40 service. Certainly, the invisible nature of the prisoner-adviser renders them able to 40  
 41 41

42 <sup>5</sup> The report found that 39.3 percent of adults were re-convicted. This is defined as 42  
 43 offences committed in a one-year follow-up period and convicted within the follow up 43  
 44 period or a further six month waiting period. 44

1 exert their participation in ways that may not be afforded by their exposure in this 1  
2 environment. However, it could be argued that the elision of volunteers’ identities 2  
3 as prisoners serves precisely to erase the “prisoner” as “citizen” while ensuring 3  
4 that he/she must simultaneously give advice to others about how to successfully 4  
5 participate in civic regimes. 5

6 Conversely, my interviewees describe Blue Sky’s workplace, where 6  
7 disclosure is one of the eligibility requirements, as one where the common 7  
8 ground is welcoming. No-one is forced to lie to anyone, as both employees and 8  
9 facilitators are aware of individuals having spent time in prison. Ben and Rich also 9  
10 commented upon the negative treatment they encountered when visiting the Job 10  
11 Centre to claim their Job Seeker’s Allowance, and the difficulty in finding a job 11  
12 they have experienced. 12

13  
14 Rich: They treat you like you’re trashy on that Job Seekers’ [Allowance] ... 14

15  
16 Ben: ... you go in and they just talk down to you. They know you’re on the dole, 16  
17 they know you’re coming to sign on, you’re getting your money for [nothing] ... 17  
18 They like really belittle you and talk down to you ... 18

19  
20 Rich: And they always say to you ‘Why haven’t you found a job, there’s all these 20  
21 jobs out there?’ ... but it’s like you apply for hundreds and hundreds of jobs and 21  
22 they don’t understand that not every job you are going to get. (Focus Group Blue 22  
23 Sky, August 11, 2011) 23

24  
25 I note here that social processes of inclusion and exclusion critically depend 25  
26 on the categorization of people as belonging and non-belonging (Ralph and 26  
27 Staeheli 2011: 523). However, this categorization is less about the subjective 27  
28 feelings of the individual and more about powerful actors such as societal elites, 28  
29 and political authority figures, for example, saying who belongs and who does not 29  
30 (Castles and Davidson 2000, Crowley 1999, Ilcan 2002). Membership must be 30  
31 validated (Young 2011). Drawing upon Probyn (1996), ex-offenders clearly exist 31  
32 between two interrelated states that together define belonging: that of “*being*,” and 32  
33 that of “*longing*.” There is a definite antagonism between the actual and idealized 33  
34 meaning of home (Ralph 2009). It is unsettling for those released from prison to 34  
35 discover that, despite every effort to sever all ties to carceral spaces, they may no 35  
36 longer belong in the place they always called their *home*. The reality of return to 36  
37 life outside prison may be far from the one that was dreamt about. For some, this 37  
38 may create a disenchantment, but more importantly, forces others “to revise their 38  
39 self-identities and articulate a liminal status as both insiders and outsiders” (Ralph 39  
40 and Staeheli 2011: 523). 40

41 In recent years, geographies of home have come to be theorized as both 41  
42 material and symbolic, located on the threshold between past memories, the 42  
43 everyday present and future dreams and fears (Blunt and Varley 2004). In similar 43  
44 vein, Baer (2005) illustrates the manner in which prisoners “decorate” their cells 44

1 with items considered mundane in the “outside,” in order to provide a material link 1  
 2 to the non-prison world. Equally, for migrants, the desire to pin down identities 2  
 3 to a fixed home provides a stable sense of self in a world characterized by flux 3  
 4 (Conway 2005). This flux is intrinsic to my on-going research surrounding the 4  
 5 relationship, and more specifically the “boundary traffic,” between prison and 5  
 6 society (Turner 2013). 6

7 Scholars problematize notions of home as a fixed entity or physical dwelling 7  
 8 place (Brettell 2006, Datta 2010). Instead, home is linked to local networks and 8  
 9 communities, or even national identities through ideologies and practices with both 9  
 10 humans and non-humans (Jacobs and Smith 2008, McDowell 1997, Miller 2001). 10  
 11 Home is also a threshold-crossing concept, traversing the boundaries across time/ 11  
 12 space. It is therefore messy, mobile, blurred, and confused (Ahmed et al. 2003, 12  
 13 Nowicka 2007). For Ralph and Staeheli, “the challenge ... is to conceptualize 13  
 14 the simultaneity of home as sedentary and as mobile” (2011: 518). Therefore, 14  
 15 the concept of home can be both dynamic *and* moored—a location, or a set of 15  
 16 relationships that shape identities and feelings of belonging. Mobility *and* stasis, 16  
 17 displacement *and* placement, as well as roots *and* routes go into the making of 17  
 18 home (Clifford 1997, Gustafson 2001). This ambiguity about “home” is well 18  
 19 researched, positing the possibility of multiple homes (Constable 1999, Ni 19  
 20 Laoire 2007, 2008a, 2008b). 20

21 Recent work considers the generation of “hybrid” identities (Brubaker and 21  
 22 Cooper 2000, Walter 2004, 2006, Yau 2007). Home, therefore, incorporates both 22  
 23 a lived and longed for state (Ralph and Staeheli 2011: 522). Fluid, fragmented, 23  
 24 or partial identities do not exclude the desire for an integrated, whole, and stable 24  
 25 identification with home (Varley 2008, Young 1997). This is of particular interest 25  
 26 when we consider penal spaces, and the generation of a hybrid attachment 26  
 27 to both prison and the outside community they are released into. Participants 27  
 28 also acknowledged the way that ex-offenders generate attachment to a prison 28  
 29 “homeland,” which results in further inability to forge positive links with the 29  
 30 communities they are released into—making a return journey across the prison/ 30  
 31 non-prison border all the more likely. 31

32 Scholars such as Hayner and Ash (1939) illustrate the informal rules created 32  
 33 by inmate hierarchies, or gang allegiances, which exist alongside those of the 33  
 34 administration. Other attachments may include adhering to prison jargon—which 34  
 35 often becomes a subconscious activity (Fox 1999). They might become part of 35  
 36 the system of supply and demand that is prominent in prison life, where everyday 36  
 37 objects such as the foil in sweet wrappers become valuable trading commodities 37  
 38 due to their alternative use as aids in drug-taking (Valentine and Longstaff 1998). 38  
 39 This “inside” world soon becomes a domestic regime, a way of life, and in 39  
 40 many cases a “home”—something that became clear to me even through the 40  
 41 conversational language used when talking about the prison. On one occasion, an 41  
 42 unintentional use of the word “home” sparked discussion: 42

43 43  
 44 JT: And so when you get home, oh sorry, I’ve said it again ... 44

1 Ian: [laughs] 1

2 2

3 Oliver: It's alright it is home. 3

4 4

5 Liam: I find myself saying that all the time ... when I'm on home leave, for 5

6 instance D-cat prisoners can go home, I say to the missus or whatever, 'I've 6

7 got to go home [back to prison] tomorrow,' I'm at home but I still say it. 7

8 (Focus Group OxCAB, January 12, 2012) 8

9 9

10 However, for some, the ambivalence towards the prison environment is clear. 10

11 Ben described to me how he settles fairly quickly into the routine of prison life, 11

12 always easily achieving the most sought-after jobs, and learning to do what was 12

13 necessary to "make it look good." The former-prisoners are quick to recognize the 13

14 leniencies of the prison environment, with one describing it as "a boarding school 14

15 where you just don't get to go home at the weekend." When I asked Ben if he 15

16 wanted to go back he said not seeing his daughter and losing his job would be the 16

17 only downside to it. Harman et al. (2007), for example, use evidence sourced from 17

18 wives of incarcerated prisoners who are affronted and dismayed at the degree of 18

19 free time and relaxation that their male partners enjoy when in prison, at precisely 19

20 the time when they are having to manage both the family finances and the children 20

21 themselves. There is also a clear recognition of the fact that some of the people who 21

22 experienced prison found it to be less harsh than their original pre-conceptions. 22

23 May and Wood (2005) demonstrate that many American prisoners would prefer 23

24 to go to prison than do community service, house arrest, or "boot camp" when 24

25 offered the choice. Furthermore, there are others who purposefully make prison 25

26 a return destination if they are not succeeding in the outside world upon release. 26

27 Prisoners can receive basic needs, such as shelter and food, but may also be offered 27

28 opportunities not enjoyed by some people on the "outside," such as enhanced access 28

29 to education (Cohen 2012) or a social network that they might lack elsewhere 29

30 (Howerton et al. 2009). As such, a return journey to a homeland widely defined as 30

31 problematic and undesirable may still exhibit appeal for this group of people. 31

32 For ex-prisoners, it seems they are torn. As discussed earlier in the chapter, 32

33 prisoners may have families on the outside, often aiding their reintegration into 33

34 liberal society. However, the friendships or "families" that are often metaphorically 34

35 created in prison can also be strong—particularly for those with dysfunctional 35

36 upbringings and other difficulties with their biological kin. This sense of ambiguity 36

37 comes when prisoners exhibit a sense of allegiance with the other inmates. This 37

38 sense of allegiance is something I explored with my interviewees insofar as it 38

39 makes Blue Sky something of a nurturing environment; its employees can remain 39

40 within the comfort blanket of like-minded people for the daunting and often- 40

41 difficult first six months after release. Rich comments: 41

42 42

43 I don't know, there just seems to be something between people, because they've 43

44 done the same kind of thing ... it's not like we start a new job and everyone's 44

1 law abiding citizens and none of them have seen police unless they've phoned 1  
 2 'em, we're all the same so when we come to this job ... you know that he's 2  
 3 been in prison and he has, so you feel comfortable ... (Focus Group Blue Sky, 3  
 4 August 11, 2011) 4  
 5 5  
 6 Other recent work within a carceral setting notes particularly how prison may 6  
 7 constitute a positive place of friendship (Caine 2006), or generate a hybrid form 7  
 8 of prisoner citizenship (Turner 2012). Bronson (2008) observed the intense 8  
 9 friendships that are forged within the prison environment, with commonalities 9  
 10 provided by jobs on the outside, religions, birthplace or hobbies. These friendships 10  
 11 also become intensified by the close contact of the penal environment, facilitating 11  
 12 relationships as strong as familial ties: 12  
 13 13  
 14 Jake: Three or four guys in here I consider *almost like blood brothers*. Like 14  
 15 they're real relatives. I know I could tell them anything, show them any side of 15  
 16 me, whatever. (Bronson 2008: 79, emphasis added) 16  
 17 17  
 18 As such, these relationships further complicate the engagements by prisoners with 18  
 19 the prison/non-prison boundary—creating a depth to the border that exists well 19  
 20 beyond the prison gate—both blurring its solid definition and reproducing it as a 20  
 21 two-way interface between the opposing sides. 21  
 22 22  
 23 23  
 24 **Conclusion** 24  
 25 25  
 26 In this chapter I consider the prison as one, among many, manifestations of a 26  
 27 border. This is a boundary different to that crossed by other populations—in scale, 27  
 28 legality, expectation, etc.—meaning that the prisoner allows us to move away from 28  
 29 the typical populations encountered in border studies to consider the novel power 29  
 30 relationships that ensue as this quite particular boundary between “outside” and 30  
 31 “carceral” space is crossed (and often blurred). By illustrating the complexities 31  
 32 of this situation in relation to prisoner employment programs I present one way 32  
 33 in which we can re-conceptualize traditional notions of the border in order to 33  
 34 unravel the numerous scales, the differing boundaries, and multiple power-space 34  
 35 geometries that operate when different types of people move across and between 35  
 36 variously defined territorial/legal borders. 36  
 37 In particular, this chapter considers that, while prison authorities would aim to 37  
 38 produce ex-offenders that successfully negotiate a permanent border crossing from 38  
 39 prison to society, high levels of recidivism in the UK are indicative of the number 39  
 40 of individuals who are more likely to participate in a frequent cycle of leaving and 40  
 41 returning. Prisoners and ex-offenders may generate a hybrid attachment to both 41  
 42 prison and the outside community into which they are released. However, those 42  
 43 like OxCAB and Blue Sky recognize the support of peers that ex-offenders may 43  
 44 subconsciously require during a period in their lives where a sense of “home” 44

1 might be ambiguous. Trapped between the place that they want to belong to and  
 2 the one that binds them, the time spent in prison may indeed render them ever  
 3 more absent from the societies they are released into, with their “prison home”  
 4 remaining ever present in their everyday lives. The sentiment is worrying, as one  
 5 interviewee commented, “Prison has totally changed me ... but, deep down, you  
 6 can never really leave” (Focus Group Blue Sky, August 11, 2011).

7 In view of this, however counter-intuitive they seem, prisoners and ex-prisoners  
 8 may hold positive attitudes to prison, and this should be recognized by key agents  
 9 in the penal system in order to produce a “person-centered approach to supporting  
 10 resettlement” (Howerton et al. 2009: 458). In this way, perhaps paying attention to  
 11 the hybridity of both “home” and prisoner-migrant may facilitate the reintegration  
 12 from “inside” to “outside” more effectively, that is, a one-way journey through the  
 13 prison gate to liberal society.

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1	Chapter 12	1
2		2
3	Conclusion	3
4		4
5	Corey Johnson	5
6		6
7		7
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9		9
10	<b>Borders in Everyday Life</b>	10
11		11
12	Not too far from where I live, but very far from an international land border,	12
13	Kiawah Island, South Carolina, is part of our bordered world. Kiawah just happens	13
14	to be my most recent encounter with bordering in everyday life, and at the risk	14
15	of trivializing the significant trends explored in this edited volume, I open with	15
16	this anecdote to illustrate one modern face of bordering. A barrier island near	16
17	Charleston, Kiawah’s beautiful beaches and world class golf courses attract a	17
18	particular class of privileged residents and visitors: mostly white, arriving at the	18
19	airport and shuttled by van or private car to the island, and capable of living on	19
20	the self-contained enclave for weeks or more oblivious to the cares of the outside.	20
21	I went with some friends to find a beach, not knowing that Kiawah, which prides	21
22	itself on having hosted the 2012 Professional Golf Association Championship and	22
23	being listed on any number of “best beach” rankings, does not throw open its gates	23
24	and lay out the welcome mat for just any itinerant beach comber or nature lover.	24
25	Cars are routed through two lanes of entering traffic, one for residents and one for	25
26	visitors, and both lanes are strictly controlled by a private security force. After	26
27	visually assessing the occupants of the car, the “officer” asks your destination and	27
28	whether you have registered to visit the island—to these authorities the practical	28
29	equivalent a passport. A reply of “no” quickly earns you a request to turn around	29
30	and head to the public beaches elsewhere. We asked if it would be possible to visit	30
31	one of the hotels for lunch, which earned us a yellow permit, a short-term visa on	31
32	the exclusive island. “Half mile ahead on the right, please,” the security officer	32
33	told us, and we proceeded believing erroneously that we had gained unfettered	33
34	access to Kiawah. Our yellow permit, however, had marked us as visitors worthy	34
35	of little else but suspicion, and it kept us from passing subsequent border crossings	35
36	set up on the island. No interaction with the state occurred during our brief visit,	36
37	but it had the trappings of a border encounter even if the stakes of this particular	37
38	encounter were exceedingly low.	38
39	Has the once exceptional border encounter become commonplace? The	39
40	contributors to this volume have collectively sharpened our focus on bordering	40
41	practices in everyday life in a number of ways. What we set out to do with this	41
42	set of interventions was to complicate the connection between borders and the	42
43	sovereign state by identifying individuals and organizations that engage in border	43
44	work at a range of scales and places. In the example above, bordering is distilled to	44

1 what political philosopher Carl Schmitt defined as the essence of the political: the 1  
 2 process of differentiating “friend” from “foe” (*Freund-Feind-Unterscheidung*). As 2  
 3 recent interest by Anglo-American geography in Schmitt attests, these processes 3  
 4 play out in and through space (Elden 2010, Barnes and Minca 2012, Meyer, 4  
 5 Schetter, and Prinz 2012, see also Schmitt 1996, Joseph and Rothfuss, this volume). 5  
 6 But this volume does not propose a rigid theoretical framework for 6  
 7 understanding the why and where of borders. Instead, we sought to assemble a 7  
 8 range of theoretically informed, empirically rich perspectives on a very simple 8  
 9 question: Who borders and how? What we received in return exceeded our 9  
 10 expectations. The themes that have emerged are numerous, multifaceted, at times 10  
 11 troubling, and as we did expect, ultimately largely unresolved. Rather than wrap 11  
 12 up all of the loose ends, then, by way of conclusion, we set forth five themes 12  
 13 of mobility and control, the vernacular border, border encounters, contested and 13  
 14 constructed borders, and the collaboration between state and non-state border 14  
 15 workers that connect the chapters in the preceding volume. We hope these themes 15  
 16 will offer some possible directions for future work in everyday bordering. 16  
 17 17  
 18 18  
 19 **Five Themes in Everyday Bordering** 19  
 20 20  
 21 *Mobility and Control* 21  
 22 22  
 23 Both at the borderline itself as well as on the “inside,” several contributors to 23  
 24 this book underscore the securitization of all types of mobility in space, alluding 24  
 25 to what Didier Bigo has described in his work as “liberal governmentality.” 25  
 26 This paradigm of modern border security boils down to reframing “freedom” 26  
 27 as not being stopped, while security is about impeding mobility for particular 27  
 28 subjects—creating for particular subjects under particular circumstances the 28  
 29 “governmentality of unease” (Bigo 2011). However, this book also challenges and 29  
 30 complements Bigo’s focus on borders being everywhere. Importantly, it is not just 30  
 31 the state, broadly conceived, that seeks to control mobilities, but also a range of 31  
 32 non-state actors. These processes play out in multiple time-spaces (see also Parker 32  
 33 and Vaughan-Williams 2009). 33  
 34 The most familiar face of borders as a form of social control happens at the 34  
 35 borderline between sovereign states, but the hypermobility that characterizes an 35  
 36 increasingly interconnected, globalized world has led to, in the words of Coleman 36  
 37 and Stuesse, an “implosion” of bordering not just to sites but to new realms of 37  
 38 daily life. Yakubu Joseph and Rainer Rothfuss touch on a similar theme in their 38  
 39 chapter, namely the blurring of the distinction between “national security,” for 39  
 40 which a military was traditionally responsible, and personal security, traditionally 40  
 41 the realm of the police. Indeed, at the heart of the Westphalian territorial order 41  
 42 was a distinction between the security and defense of the sovereign territory 42  
 43 against external threats on the one hand, and the internal policing on the other 43  
 44 (Hayes 2009, Hörnqvist 2004). As Judith Miggelbrink shows in her chapter on 44

1 the EU, and then again in Joseph and Rothfuss's examination of Jos, Nigeria, 1  
 2 the merger of biopolitical and territorial forms of enforcement and that merger's 2  
 3 impact on social reproduction are neither unique to American immigration 3  
 4 policing, nor are they constrained to the scale of nation-states. Indeed, if mobility 4  
 5 and control are central themes to modern bordering, then Jen Turner's chapter 5  
 6 on prisons provides another useful example of how carceral geographies create 6  
 7 boundaries around what is accepted by the state and what is not. 7

8 8  
 9 *The Vernacular Border* 9

10 10  
 11 While mobility under the rubric of security will undoubtedly remain central to 11  
 12 the study of borders, the contributions to this volume point to a need to push 12  
 13 engagement with borders into the everyday ways that humans parcel and 13  
 14 experience space. Cooper, Perkins, and Rumford call this emerging agenda the 14  
 15 "vernacularization of borders." Borders in everyday life are not always threats to 15  
 16 everyone, but also present opportunities for collaboration, resistance, and artistic 16  
 17 expression not only across borders, but across scales as well. Sakaguchi Kyōhei's 17  
 18 performative bordering in response to the Japanese government's response to 3/11 18  
 19 and the various artists involved in the Mercosul Biennial described by Anne- 19  
 20 Laure Amilhat Szary provide examples of the possibilities for citizen action in 20  
 21 space. In these examples, borderwork is occurring in ways that rupture, or at least 21  
 22 present alternatives to previous orders and how humans understand them. The 22  
 23 vernacular border, one that is controlled and produced by citizen actors through 23  
 24 language, media, and art, defies what John Agnew called the "territorial trap" at 24  
 25 the grassroots level (Agnew 1994) and opens a host of possibilities for citizen 25  
 26 action and scholarship. 26

27 27  
 28 *Border Encounters* 28  
 29 29

30 If the vernacular border offers opportunities for pushing out the agenda of border 30  
 31 studies, we are also reminded throughout the book of our persistently bordered 31  
 32 world (Newman 2006). For those who live close to a sovereign state border, the 32  
 33 border in everyday life is a reality to challenge, to adapt to, and to overcome, 33  
 34 but it is still a reality. Emma Norman shows in Chapter 4 the challenges in 34  
 35 mobilizing citizen actors across jurisdictional divides toward a common goal, 35  
 36 in her case the mitigation of environmental degradation in Boundary Bay. The 36  
 37 theme of encounters between nature, human attempts to manage nature, and the 37  
 38 superimposed boundaries that were created with little heed to nature, has been an 38  
 39 important avenue of inquiry in political geography and allied disciplines, and there 39  
 40 is little doubt it will continue to be. 40

41 If in simple terms Emma Norman reminds us that "nature matters" to the border 41  
 42 in everyday life, then Ken Madsen stresses in Chapter 5 the role that culture plays 42  
 43 in the political reality of a bordered world. How humans perceive and internalize 43  
 44 territory and belonging differs between cultural groups, but Chapter 5 also reminds 44

1 us that culture is not a static fixed entity. Similarly, in Vanessa Lamb's chapter 1  
 2 on the Hatgyi dam we see a transboundary ethnic minority group, in this case 2  
 3 the Karen, that is both inordinately impacted by the state bordering practices and 3  
 4 simultaneously not consulted. In each of these three chapters, the colonial border 4  
 5 becomes embedded in human–environment relations and the impacted people 5  
 6 must negotiate the existence of borders. 6

7 7  
 8 *Contested and Constructed Borders* 8  
 9 9

10 Another theme that emerges from this volume involves the ways in which borders 10  
 11 are contested and constructed in everyday life. There is no doubt that many borders 11  
 12 have been transformed since the early 1980s, which also happens to be when I had 12  
 13 my first encounter with the US–Mexico border near dusty Lukeville, Arizona. The 13  
 14 most excitement I sensed from my grandparents upon re-entering the US was from 14  
 15 the prospect of having to surrender the excess tequila they had stashed somewhere 15  
 16 in their Minnie Winnie motorhome. As important work by Jones (2012), Nevins 16  
 17 (2010), Wright (2011), and others shows, of course, the contemporary reality is 17  
 18 of a heavily militarized border zone where human casualties are the norm, and 18  
 19 this particular border bears little resemblance to the one of decades past. In this 19  
 20 volume, Jones illustrates how the narrative about borders is shaped by the media, 20  
 21 but it would be a mistake simply to dismiss “Border Wars” as a particularly banal 21  
 22 form of American “bordertainment.” In spite of the creative liberties taken by 22  
 23 the show's producers, the plausibility of constructing the Border Patrol and those 23  
 24 who cross the US–Mexico border as a crucial nexus in the war against the Other 24  
 25 is fed by the reality of a 350 percent increase in the US Border Patrol's budget 25  
 26 from 2000–2010 and the attendant new military and surveillance hardware, as well 26  
 27 as human capital, that has been placed at the border over the last decade or two. 27

28 The materiality of borders meets the discursive in other chapters as well, such 28  
 29 as in Lamb's analysis of “discursive governance of the political border”—border 29  
 30 talk—or in artistic representations of South America's geo-scapes as impacted by 30  
 31 colonization and neoliberalization. Throughout much of the book, examples of 31  
 32 borders being constructed and performed in particular ways by state and non- 32  
 33 state actors are juxtaposed with contestation of the border, as in the example of 33  
 34 the Tohono O'odham intersecting at “The Gate” or the mother talking to her son 34  
 35 across waters of the Tisza River in the Documentary “The Bridge” (Chapter 7). 35

36 36  
 37 *Collaboration between State and Non-State Border Workers* 37  
 38 38

39 Although part of the framing for this volume involved identifying how both 39  
 40 state and non-state actors make the border in everyday life, it is also clear for 40  
 41 the preceding chapters that the border between those two categories is not neatly 41  
 42 drawn. This echoes work by other geographers in critiquing strict state–non-state 42  
 43 and public vs. private divides (e.g. Bulkeley and Schroeder 2012). Part of the 43  
 44 challenge in border studies moving forward is in identifying how and where the 44

1 state is in cahoots with non-state actors. The private police at Kiawah Island only  
 2 can exist with the blessing of and active collaboration with the state. The same  
 3 is true with the “Border Wars” bordertainment show: celebrating the heroism of  
 4 the Border Patrol is only possible because the government allowed the crew to  
 5 accompany them on their various missions. Indeed, every chapter of this book  
 6 pointed to the expansion of “the state” into a range of different locations and  
 7 practices that had not previously been thought of as the places where borders are  
 8 materialized. This expansion of the ordering practices of the state are carried out  
 9 with, at the minimum, the acquiescence of the population and often through the  
 10 active participation of individuals and organizations that want to make borders in  
 11 their everyday lives.

12

13

14 **Coda**

15

16 As the contributors to this volume show in their work, border studies has become  
 17 decentered from a singular focus on sovereign states and their borderlines  
 18 (Johnson et al. 2011). Thus the question we began with: who borders and how?  
 19 This book answered that question by demonstrating that state and non-state  
 20 individuals are making their own ideas of the border at the border line, official  
 21 border work is being expanded into the interior of states, non-state individuals are  
 22 creating boundaries to access away from the borderline, and the idea of what the  
 23 border signifies is contested and produced by both state and non-state actors, often  
 24 in collaboration with each other. New technologies and non-traditional border  
 25 workers are expanding the reach of the sorting and dividing practices of the state  
 26 into the everyday lives of the population. As a result borders are materializing  
 27 in new sites, but they are not designed to ensnare everyone. Borders are not  
 28 everywhere, but they are in a lot more places and are more effective at locating the  
 29 people they are intended to find.

30 So where to go from here? We hope that the contributions to this book,  
 31 individually and collectively, provide if not a practical guide then at least a range  
 32 of possibilities for examining how borders are made in everyday life.

33

34

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