



A Voice of the US Southwestern Border: The 2012 “We the Border: Envisioning a Narrative for Our Future” Conference

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Executive Summary

In July 2012, a diverse group of US residents living near the US-Mexico border met in El Paso, Texas for a conference entitled, *We the Border: Envisioning a Narrative for Our Future*. This paper describes their vision for the US-Mexico border that is at odds with the widespread view of the border as a threat to the United States. These border residents viewed their region as a set of human communities with rights, capacities, and valuable insights and knowledge. They embraced an alternative vision of border enforcement that would focus on “quality” (dangerous entrants and contraband) over “quantity” (mass migration enforcement). They called for investments in the functionality and security of ports of entry, rather than in between ports of entry. They noted the low crime rate in US border cities, and examined how policies of not mixing local law enforcement with federal immigration enforcement contributed to this achievement. They saw the border region as the key transportation and brokerage zone of the emerging, integrated North American economy. In their view, the bilingual, bicultural, and binational skills that characterize border residents form part of a wider border culture that embraces diversity and engenders creativity. Under this vision the border region is not an empty enforcement zone, but is part of the national community and its residents should enjoy the same constitutional and human rights as other US residents. The conference participants emphasized the necessity and value of accountability and oversight of central government enforcement operations, and the need for border communities to participate in federal decision-making that affects their lives.

Introduction

The US border with Mexico is the subject of considerable media attention and policy concern. In general, this discussion contains national-level views of the border, and does not take advantage of the knowledge, experience and values of border region residents. National -level views of the border vary, but often prioritize rigid and inaccurate notions of national security threats over realities of community well-being, democratic participation, and economic development in the region. This perspective undergirds the 2013 Senate-passed Border Security, Economic Opportunity, and Immigration Modernization Act, and in particular the Corker-Hoeven amendment required for its passage. The amendment authorized doubling the number of Border Patrol agents (there are at present 18,500 agents) at the southern border, adding 350 more miles of pedestrian fence-wall to the existing 350 miles, and a number of other conventional and advanced technology surveillance systems, even though unauthorized entries at that border are at lows not seen since the early 1970s. It is not just a matter of local residents having a different view, but a failure to hear the valuable insights of local residents regarding national and continental well-being, including improved security. The residents of the border region chafe at imposed narratives, and seek to provide narratives of their own, which they believe would be valuable contributions to the larger public discussion.

In July of 2012, a diverse group of border constituents gathered in El Paso, Texas for a conference entitled “We the Border: Envisioning a Narrative for Our Future.” This meeting was deliberately constituted to represent a range of sectors of border society: immigrants and US born residents; local, state, and national elected officials; local law enforcement; the Department of Homeland Security; local, regional, and national non-governmental organizations (NGOs); faith-based organizations; academics; the business community; and border residents in general. This paper reviews key themes from the conference and outlines its overarching vision for the border based on an excellent documentary record, including sector papers prepared for the conference (Academic Sector, Faith-Based Sector, Local Law Enforcement, Local Elected Officials, and NGOs), break-out groups during the conference that produced thematic summaries (on National Security, Community Safety, Economic Development, and Human and Civil Rights) and a final (still unreleased) statement, as well as other reports.¹ Of course, the present paper is the author’s interpretation of the conference. While there are broad areas of consensus among border actors, there is not a uniform set of opinions and experiences. Not all attendees agreed with all of the sector papers, thematic summaries, or the final statement, as is to be expected.

This paper will first explain the importance of taking into account the perspectives and voices of border residents. Second, it will delineate key themes from the conference, and explain ways they add to national and continental policy understanding. In general, I address US border communities and US perspectives and policies (the main focus of the conference), rather than attempting a parallel discussion of Mexican interior and border perspectives. However, an element of transnational awareness is, of course, essential to

¹ While not a formal product of the 2012 conference, a report issued by the Border Network for Human Rights in 2013, *The New Ellis Island*, contains much content originating in the conference (Border Network for Human Rights 2013). Likewise, reports issued after two previous border region conferences held in El Paso relate closely to the 2012 initiative (US –Mexico Border and Immigration Taskforce 2008; 2009).

understanding border voices. From here forward, I will simply refer to the US side of the Mexican border as “the border.”

The Need for a Border Voice

In US national discourse, the border is generally treated as an uninhabited location of national concerns and policies delineated across abstract geographic space (Nevins 2002). The only relevant persons are transitory crossers who are deemed subject to official examination and enforcement. It is not envisioned as a region with a large, settled population, with interests, opinions, and rights, commensurate with all other people in the United States. Of course, policy makers, public administrators, and specialists recognize the complexity of border flows and the importance of US-Mexico relations, but the dehumanized view of the border captures the essence of how the border is perceived and acted on. Even national actors who should know better are constrained by the political discourse of an “empty border.”

Nevins’s (2002, 2010) important work on the historical rise and dominance of the walled, defensive territorial nation-state includes as a crucial element the reductive treatment in political and media discourses of Mexico, migrants, and the border region as one-dimensional threats. Leo Chavez’s (2001) study of national magazine covers addressing immigration provides considerable evidence for the existence of this view of the border. Such a narrative helps drive a symbolic political process, as explored by Heyman (1999; 2012) and Andreas (2009), in which the border is never sufficiently secure, no matter the level of actual control and resources devoted to the region. This vision has led to an enforcement system that targets migrants seeking to work and to join family in the United States, rather than one that targets advanced criminal organizations and the guns and money heading to Mexico (Heyman 2011). Drug law enforcement comes in and out of focus as a rationale for the border threat/response narrative, though over the long run it is seen as less important than labor migration. Terrorism is spoken of as a threat, though a 2006 study shows that no Salafist terrorists or terrorist materials had been intercepted at this border (Leiken and Brooke 2006) and I am unaware of any such case since then for which reliable information is available to the public.

Related to this narrative is a geographic emphasis on enforcement in between ports of entry rather than at ports of entry. Ironically, the reductionist “immigrant threat” narrative about the border neglects important concerns and interests about the border even at the national and international levels. These include multi-billion dollar flows of goods and investments between the two countries, water and other environmental resources, and a shared epidemiological environment. A number of these issues focus on facilitation and regulation of flows at US-Mexico ports of entry, some of the largest land border ports in the world. These considerations were very important to the participants in the conference.

Yet the crucial point is not to argue which centrally imposed strategic policy is correct. The point is to learn about border perspectives for two reasons. First, there is a large accumulation of regional experience and insight that should inform national and regional public policy. But more important, in a democratic framework the people of the region should participate amply in public discussions, decision-making, and oversight of official conduct. Their participation should include but go beyond voting (the numbers of regional voters are not trivial, but are fragmented among four states, and voting rates in the region

are low). Their participation should also include consultation on policy formation and involvement in agency training, oversight, and accountability. This is necessitated by the position of border-landers as persons and communities affected by official actions of a particularly massive and coercive kind who have ethical rights to participatory involvement. These “ethical rights” are particularly acute given the fact that border communities are the closest to and most knowledgeable about how these public policies and decisions play out. Participation by border-landers in border enforcement and administration is a compelling case for devolution, quite different from the completely centralized national sovereignty framework currently applied to the region.

In parallel, Symons and Heyman (2012) have demonstrated that people from outside the border—including activists—tend to have simplistic, one-dimensional frameworks for normative (moral) evaluation of and action toward regional issues. The border is a site of unalloyed threat, or, conversely, pure suffering. Symons and Heyman found that border perspectives tend to acknowledge normative complexities, subtleties, and grey areas in diverse boundary-crossing processes, as opposed to moral and political absolutes. Hence, border voices tend to deepen and enrich our normative thinking about difficult national and transnational issues, and add value to democratic decision-making. The conference identified many stereotypes of the border and the often contrastive realities, as seen from border perspectives.

Of course, who is included in the border constituency is not obvious. A reasonable if imperfect approximation of the US southwestern border region is all the counties that touch the international land boundary.² This region had 7.3 million people in 2010, a significant number. However, its geography, socio-economic profile and ethnic makeup tend to marginalize it. The border counties are often quite different—socially, economically, and politically—from the so-called “border states” of California, Arizona, New Mexico, and Texas, each of which politically pivot on large interior metropolitan areas. While not simple, the broad contours of the debate in Arizona over S.B. 1070 (the mandate for local and state police to inquire into immigration status in specific stops) involved support in the massive interior Phoenix metropolitan area overriding widespread though not universal dissent from border communities and the metropolitan area of Tucson.

Farther afield, the southwestern border region is likely distinctive in many regards, in terms of social composition and public policy opinions, from the entire national interior; if not substantiated through empirical study, this is certainly the feeling of border-landers. The region near the land border with Canada is beginning to experience intensified border and near-border federal law enforcement, and may be developing a border voice of its own (though without the bitter particulars of how the southwestern border and the nation as a whole relate to Mexico and Mexican-origin people). Obviously, Mexico’s northern border with the United States is also a borderland, with distinctive voices (see portions of Vila 2000; 2005); the 2012 conference focused on US public attitudes and policies, but it is in some ways informed by interaction with perspectives from Mexico and especially its northern borderlands.

² See the list of counties in Anderson and Gerber 2008. For a useful introduction to the region, see Ganster and Lorey 2008.

The border region tends to be marginalized in terms of public voice because of geographic location and lack of a single large unit of political representation. It is also heavily “Hispanic” in most areas, mainly of Mexican-origin, in some parts over 80 or 90 percent, in a country with at best ambivalent attitudes to Mexican-origin people. Linguistically, the borderlands contain both monolingual English and Spanish speakers, but a majority of persons are bilingual to some degree and some switch frequently between languages (G. Martínez 2006). As a result, some of the voices characteristic of the border tend to be rendered silent in an English dominant nation (this is, of course, not unique to the region). Finally, the region is economically poor (except for San Diego), and includes in Texas some of the poorest areas in the country, reinforcing its political marginalization (for border socioeconomic data, see Anderson and Gerber 2008).

An important quality that border voices bring to the national discussion is extensive experience with interacting directly and often daily with Mexico. Mexico is, of course, one of the United States’ most important partners in all dimensions (trade and investment, cultural exchange, interpersonal movement, politics, environment, and other shared policy issues). Border-landers especially tend to have transnational experiences and perspectives (see O. Martínez 1994 on everyday transnationalism on the border). Yet, at the same time, the border-landers at the 2012 conference think of themselves as full participants in and members of the United States polity, as seen in the way their positions were framed. Without more extensive survey research, it is difficult to be sure if this US-public policy orientation is representative of the border population as a whole, but it seems to be widespread. The border region thus can bring a valuable perspective to US public conversations of communities that closely interact with Mexico and Mexicans, while at the same time remaining grounded in the United States. The concept of cultural citizenship (Flores and Benmayor 1997) addresses the tendency in nation-states, including the United States, to merge cultural assimilation with political membership and voice. It argues that culturally (and regionally) distinctive populations can at the same time be active and constructive within a national polity, which seems to describe well the case for listening to border voices.

In the remainder of the paper, I present the main themes from conference, as developed by attendees. First will be issues of national security policy, and then local public safety and law enforcement. The character and importance of the border economy will follow. The final two major themes are the rights and personhood of all persons in the border region, in a context of intensive federal law enforcement, as well as the cultural distinctiveness of the borderlands and its value to the nation as a whole. Each theme will be developed in terms of locally perceived outsider stereotypes (termed “myths” at the conference), local responses to those stereotypes, a vision statement of a positive future for the region and the two nations, and suggested policy steps toward that positive future. I offer additional evidence and assessment at times to deepen the discussion, but in general the goal is to report on these border voices and their contributions to wider national discussions.

National Security

The border is an important site for federal law enforcement (including some military involvement) of migration, contraband (especially drug), money, and gun laws, and

potentially interdicting terrorists and terrorism materials. These activities are encapsulated here as national security or homeland security issues. For the purposes of this discussion, we set aside the question of whether these issues should actually be considered matters of national security (see Heyman 2011); what mattered to the border conference were the specific activities within those frames, the gap between myth and reality, and possible alternative policies in this domain. The key finding is that the border is an asset to national security, not a gap in it.

Border security has, since 9/11, largely been justified as an extension of security against terrorism. This is identified as the principal mission of the Border Patrol, for example. Despite this cover, U.S. border security policy has been little changed by 9/11 or other acts of terrorism. Ackleson and Heyman (2009) found much more continuity than change in U.S. border policies after 9/11, with a continuing focus on mass immigration enforcement at the Mexican land border outside of ports of entry and to a lesser extent interdiction of physical drug contraband. While this specific research was not discussed at the conference, a shared understanding of these paradoxical patterns was crucial to the conference's diagnosis of border security myths and policies.

The conferees pointed out that despite stereotypes of an imperiled border, there have been no cases of political terrorism involved in the region.³ Furthermore, acts or threats of violence of any motivation crossing or emanating from border crossers are few and far between. (But see the discussion of drug-business related violence inside Mexico below). The border conferees started from knowledge that the region is not a site of major threats, either locally or to the security of the nation. As a result, the conference challenged the standard prescription about border security.

In the standard prescription, the border region is considered a major site of risk to the national interior, rather than a site of secure and peaceful exchange and commerce. The perceived threats blend (in an undistinguishing way) terrorists, migrants, and drugs. These threats occur mainly in the spaces between the ports of entry where people are not supposed to enter the country. Hence, under this analysis, enforcement policies need to be continuous with and simply add resources to the existing border control paradigm. This would include raising Border Patrol staffing levels, technology, and infrastructure (including walls and other items), and support by the military, aimed at interdiction of unauthorized entries at the non-port boundary.⁴ A good example of mass enforcement is Operation Streamline, applied to many sectors of the border, where arrested undocumented border entrants with no other criminal acts or records are charged with federal-level misdemeanors and felonies (depending on the number of times apprehended at the border), tying up the majority of federal criminal enforcement resources (prisons, marshals, courtrooms, public defenders, and judges) throughout the border region (Lydgate 2010).

This perspective has failed, in the view of border observers, to undergo modification to reflect significant changes over time, including the reduction in 2011 in the number

3 People from so-called "special interest countries," such as Lebanon or Syria, are sometimes arrested at the border on immigration charges, but none have been linked to potential terrorism. Often, they are refugees fleeing persecution or war in those same countries.

4 For a detailed, up-to-date survey on border security and migrants, see Isacson and Meyer 2012. For evidence of long-term patterns, see Andreas 2009; Dunn 2009; and Nevins 2010.

of apprehensions of undocumented migrants at the border to levels equivalent to 1971 (Simanski and Sapp 2012) and an estimated zero or negative net flow of unauthorized migrants from Mexico to the United States (Passel, Cohn, and Gonzalez-Barrera 2012). More important, the border conference provided a novel and informative alternative policy vision for border security.

The vision can be summarized as a change from “quantity to quality.” Current policy focuses on numbers of arrests of unauthorized migrants, even if their security risk to the country is minimal.⁵ Conferees advocated a change in the assessment of risks. In part, this means shifting the homeland security focus away from the U.S.-Mexico border toward the potential paths of terrorist travel through airports and other ports of entry (Ginsburg 2010). But it also means refocusing the security apparatus at the border on members of transnational criminal organizations (Olson, Shirk, and Selee 2010). Likewise, it means going after the key flows that sustain criminal activities and organizations, including drugs, weapons and munitions, and especially money (Goddard 2011; Heyman 2011). Such targeted investigations of people and key flows involves a thoughtful (and of course, rights-respecting) investigation approach to border security, rather than mass arrests and mass punishment, as exemplified by Operation Streamline.

The key policy emphasis in the border conference was on directing new border management and security funds to ports of entry rather than enforcement in between ports, as in the current policy. Ports both facilitate legitimate commerce and non-commercial travel, and also detect and interdict contraband and other criminal flows. The huge growth in cross-border movement in recent decades, especially after the North American Free Trade Agreement (NAFTA) in 1994, has resulted in overwhelmed port infrastructure and staffing. Overwhelmed ports fail to facilitate legitimate movement or to provide security to the region and the nation. Heavy traffic and long lines do not just have economic and social impacts, but also mean that officers are pressured to clear traffic and are too busy to conduct smart and effective inspections. Hence, improvement of ports should not just be viewed as part of an economic agenda, but also as a well-justified target for investment in border security. For example, the US Department of Justice National Drug Threat Assessment (2011, 13) indicates that ports of entry are the main route for transportation of heroin, cocaine, methamphetamine, and large volume marijuana from Mexico to the United States, though smaller-scale marijuana smuggling occurs between ports. Ports are also the main outbound routes for criminal money and weapons.

Conference participants, including law enforcement experts and other community voices with many decades of experience with the realities of the border, thus proposed an important alternative vision for US homeland security. The need for security was taken seriously, but the status quo understanding was challenged in three ways. First, the conferees questioned if the US-Mexico border, including the flow of unauthorized migrants, constitutes a core threat to national security in the way that the region is depicted nationally. Second, the conferees provided an alternative overall framework for how to secure the border and the nation, through the concept of shifting policy from “quantity to quality.” And finally, the

⁵ The vast majority of current targeted border-crossers are non-criminal workers and family members, a point that merits further empirical research for full substantiation but seems highly likely to all observers of border migration.

conferees identified practical policy measures that could embody that shift, such as calling for new border management and enforcement resources to be devoted to ports of entry rather than border walls and border patrols.

Community Public Safety

The border as threat narrative, which conceives of the border as an empty space, devoid of settlements and only of security importance to the interior, results in a persistent stereotype that border communities must be filled with dangerous criminality. This is reinforced by violence in Mexican northern border cities, which is truly horrific, but which in the main has not spilled over into US communities (Finklea 2013). In fact, the US side of the border is notably safe. In 2012, El Paso was the safest large city in the United States (for the third year in a row) and San Diego was the second safest (CQ Press 2013). The border conferees, like many border residents, resist the stigma placed on the US border as a dangerous place. What is more important is that the border conference—which included sophisticated law enforcement leaders, such as El Paso County Sheriff Richard Wiles—provided an analysis about the positive lessons the region can offer.

The causes of US border community safety are not fully understood. Immigrants in the United States have age- and gender-specific crime rates (especially violent crime rates) that are lower than those of native-border residents (Rumbaut 2009). Border communities have a large contingent of federal law enforcement agencies, which may contribute to a sense of attention to law violation, even if they are not directed toward common municipal crimes. The social-cultural climate of border towns seems distinctly positive, considering their overall poverty and high chronic underemployment.

However, border law enforcement leaders attribute low crime rates, in part, to a conscious community policing strategy. An important part of this strategy has been keeping federal immigration enforcement as separate as possible from local law enforcement, within the constraints of state and federal imposed mandates (which are viewed negatively in most border communities). This means that local police and sheriffs should not stop people on suspicion of being unauthorized migrants, or question victims or low-level misdemeanor offenders about immigration status. From the perspective of local law enforcement, to do this would be a wasteful distraction from their work, and more important, place barriers between law enforcement and the immigrant community, their family members and neighbors. Perhaps the widespread recognition of the dysfunction of mixing federal immigration enforcement and local policing comes from the everyday experience of border crossers and visitors from Mexico in US border communities. Whatever its origin, this is a lesson that can be brought from the border to the nation as a whole, with the goal of improving public safety in communities comprised of immigrants and settled residents. This lesson can arguably be extended to such communities as a way to enhance civilian security in the fight against transnational organized crime and political terrorism.

Conference participants were well aware of deadly violence and widespread criminality in Mexico, including Ciudad Juárez, which is across the border from El Paso. The violence in Mexico presented a dilemma to conferees. Many have been active in raising awareness in the United States and proposing US public policy measures that might help to improve the situation. On the other hand, violence in Mexico slips in the US imagination across

the border, even if this is empirically inaccurate, to support the threat narrative about the region, and other kinds of stigmas that hurt and dismiss the borderlands. The conference documents and discussion did not fully overcome this dilemma, and in the opinion of this writer, more needs to be said. However, it is important to emphasize that the conference recommendations concerning an alternative vision for and specific policy positions about border/homeland security, discussed above, are indeed the most appropriate responses from the US side to long-term reduction of criminality and violence in Mexico. These include redirecting enforcement focus from “quantity to quality,” which centrally addresses Mexican criminal organizations rather than ordinary immigrants, paying more enforcement attention to money and weapons that fuel violence in Mexico, and directing current and future budgetary resources toward ports of entry.

While Mexican criminal organizations operate in a number of border environments—such as collecting “rent” from human smugglers and farming out loads of marijuana to lower-level operators to transport across the border between ports—in the main, the highest value and most concentrated contraband of deadly weapons and the large quantities of physical cash are carried through ports. Thus, a more adequate US port policy has the potential to contribute to violence-reduction in Mexico. In addition, focusing on higher-level trafficking of guns, drugs, and criminal proceeds at ports will have the beneficial effect of redirecting border drug enforcement away from low-level carriers (“mules”) and other such actors. A shift toward ports and away from non-port border interdiction (where “mules” are disproportionately arrested) will help in this regard.⁶

Recognizing the Value of the Border Economy

The US border region in itself is relatively poor, except San Diego. However, it is the nexus of a highly valuable trade relationship between the two nations, the United States and Mexico. Mexico is the United States’ third largest trade partner and the second largest destination of US imports (Villarreal 2012), with a value of \$459.8 billion dollars. Because of the land connection between the two countries, most of this trade moves across the land border, through border city ports of entry and exit. In this regard, the southern land border offers lessons for other parts of the country. For example, land border port policy reform is also relevant for trade with Canada which is by far the United States’ largest trade partner. A central point of the conference was a long-term vision and narrative about the value of this trade, and making the rest of the nation aware of the centrality of border policies, communities, and people in making this trade occur. Likewise, there was a concern that US-Mexico joint economic development be relatively equitable, that it help produce value for poor and middle class residents of both countries, help increase standards of living in the poor border region and enable potential migrants in Mexico and Central America to stay home, should they so choose.

Appropriately, there was discussion at the conference about the free trade model of US

⁶ In turn, this will possibly reduce several tendencies that should concern us. These include disproportionate imprisonment of low-level drug criminals with enduring consequences for societal marginalization and the growth of expensive mass enforcement bureaucracies rather than targeted enforcement agencies on the governmental side.

and Mexican development, particularly since NAFTA began in 1994. This approach has resulted in a tremendous boom in cross-border commerce and has strengthened the relocation of manufacturing to Mexican border cities that started in the 1960s. However, this form of economic growth has produced largely low-income jobs and has failed to fund infrastructural investment commensurate with the extensive urbanization it has generated. Nevertheless, conferees concluded that the region cannot easily escape this historical legacy, but rather needs to build on and improve it. In particular, the border's key geographic position astraddle the continental routes of commerce and manufacturing provides an important role and voice that counters the empty zone/threat narrative about the region. In addition, it demonstrates a viable alternative to an economy based only on central government spending on boundary enforcement, and helps make the case that the fate of the border matters to the national interiors of the United States and Mexico.

In this process of continental integration, the border region brings important commercial skills, from many years of customs brokerage and import/export trade, linguistic skills (ability to move between Spanish and English), and cultural skills (in parallel to linguistic skills, ability to move between Mexican and U.S. cultural repertoires). The border perspective is that these assets are undervalued or even ignored in a narrative that prioritizes national interiors and that treats the border region only as a site of unwanted intrusion, risk, and social-cultural contamination. Given the enormous level of integration between the United States and Mexico, the border voice offers an important correction to nationalistic US frameworks and policies based on them. Likewise, investing in ports of entry, discussed above in terms of effective security policy, is also justified economically by reducing long lines and inefficient inspections at the border. In an important study, the San Diego Association of Governments (2006, vii) found that:

Inadequate infrastructure capacity, which is failing to keep up with the increase in trade and security requirements at the principal border crossings between San Diego County and Baja California, currently creates traffic congestion and delay that costs the US and Mexican economies an estimated US \$6 billion in gross output in 2005 (...). Fully 51,325 jobs are sacrificed because of the reduction in output.

About \$3.3 billion of this cost involved freight delays, concentrated in the maquiladora manufacturing sector, and \$2.6 billion involved personal trip delays. Most of the impact is regional, but a significant proportion of it is continental (for example, about \$1.3 billion of the freight effects extend beyond California and Baja California, states that are of global importance anyway). This is only one of many important ports in the US-Mexico border region; while San Diego-Tijuana is the single largest non-commercial port on this border, Laredo-Nuevo Laredo is more important for commercial traffic, and El Paso-Ciudad Juárez, McAllen-Reynosa, and Brownsville-Matamoros are important for both personal and commercial transit, and suffer from comparable impacts. The overall point is that the two nations—and especially the border-security obsessed United States—should recognize the crucial positive economic value of the border region, its infrastructure, and its people, for the future national and continental economy.

Border Society and Culture

The nationalistic perspective looks on border people, cultures, and languages as threats to uniform national units. In the United States, there is anxiety about and stigma toward Mexican-origin persons, the synthesis of US and Mexican cultures, and the Spanish language (see Santa Ana 2002), though there also is a substantial constituency that welcomes these contributions. The border is substantially the converse of that narrow nationalistic vision. In this region, the majority of the population is bilingual in Spanish and English (Heyman, calculations from the American Community Survey, available from the author). Likewise, a substantial but not well-measured segment of the population visits the other country regularly (they are everyday “transnationals”) and even a larger portion is bicultural (see O. Martínez 1994). This sets a wider pattern in border interactions of acceptance of cultural and linguistic diversity and complexity.⁷

The border conference sought to reassess and value positively these qualities of border culture. Cultural openness and creativity are always valuable assets. But they become even more important as the societies and economies of North America become increasingly connected. The vision of the border conferees is that this region can become an important source of bilingual, bicultural, and transnationally experienced people. Investment in education, such as improving formal communication skills among border residents, would enable such cultural assets to be used in more effective and ample ways. The border region and its people, rather than being seen as social and cultural problems, as violators of monolithic nationalism, should be seen as worthy in themselves and as important assets to the wider nation and continent.⁸ The conference participants envisioned two possible paths for border residents. One consists of narrowing and perhaps ceding the border to illegal businesses and the enforcement arms of the central government locked in increasingly harsh and conflictive struggles for control. The other consists of the unleashing of creative potentials in biculturalism, bilingualism, and transnationalism. These capacities, so highly developed in the region, could place border-landers at the center of the continent in many positive dimensions, for trade, public safety, human security, cultural exchange, and international cooperation. The border perhaps portends the future of much of the rest of the United States and Mexico in facing a juncture between conflictive and cooperative alternatives. A central question posed at the border conference was, “Which future will we develop?”

Constitutional and Human Rights for Border Residents

Many of the fundamental rights in the United States are applicable to “all persons.” This covers people of every citizenship and immigration status, and even visitors to the country. Clearly, it applies to people in the border region (many of whom are US citizens, of course). Fundamental human rights apply in all geographic locations. However, the

⁷ Pablo Vila (2000) has pointed out that widespread biculturalism at the border, especially in the United States, does not necessarily mean that border people lack national identifications or do not participate in polarizing narratives about the other country or about migrants.

⁸ This applies more generally to immigrants and their children (the second generation), and the border experience provides a useful window on that wider possibility.

empty enforcement zone and border as extreme threat narratives tend to erase recognition of these rights. Securitization prioritizes central state imperatives over individual and community considerations;⁹ this is, of course, inconsistent with the universal nature of fundamental rights. The border conference discussed critically violations of rights such as warrantless stops, searches, seizures, and detentions on local roads, streets, and public spaces (outside authorized sites such as ports of entry) and racial profiling by the Border Patrol at checkpoints and on highways. The participants expressed concern over cases of poorly controlled overlap between immigration and local law enforcement, and over poorly supervised use of force, officer conduct, and detention/removal conditions by federal border agencies.

The border conference emphasized that the communities of the US border region, totaling over seven million people, should be treated as subjects, people with full political and ethical standing, and not just objects of control or objects in the way of law enforcement. At a minimum, all persons in the region should be afforded core constitutional and human rights. In addition, regional communities should have a voice—meriting serious attention—in border enforcement policies. Of course, all US citizens and residents should have a voice in political decisions. But it is particularly important that the communities directly affected by government activity, with detailed knowledge of local issues and realities, inform the development and implementation of federal laws and policies. For example, border community members have a great deal to offer in terms of real-world scenarios and issues in Customs and Border Protection training. Such training should not be tightly controlled from the center, or substantially kept secret, but rather be positively informed and improved by border community knowledge and participation.

Broader policies similarly should reflect border perspectives, such as issues regarding dysfunctional ports of entry or lack of need for further enforcement infrastructure between ports of entry. The border region should not just be a backdrop that national media and politicians occasionally visit while promoting centrally-driven policies, but a place from which participatory knowledge and engagement begins, including the involvement of outstanding border region elected officials and community organizations. When the government invests substantial resources in border enforcement, this needs to be rendered accountable, in terms of fiscal responsibility and performance oversight. It needs to be accountable both nationally and regionally. However, security conceived in a narrow and arguably mistaken way as mass migration enforcement in between ports of entry remains the dominant paradigm, justifying all expenditures and operations by federal enforcement agencies without reference to cost, effectiveness, or rights. The border conferees emphatically questioned this uncritical, unsupervised acceptance of massive central government expenditures, particularly between ports of entry, such as adding to the border fence-wall. In any event, local knowledge deserves inclusion in the national discussion about border policy.

Conclusion

The people of the US border with Mexico are not just objects of nationalistic narratives and central government policies, let alone non-existent beings in an empty zone exclusively

⁹ On the concept of securitization applied to the border, see Heyman 2012.

dedicated to security. Border residents are subjects, with rights, a democratic responsibility to participate in governance, and valuable local knowledge. The 2012 border conference in El Paso, which brought together a remarkable cross-section of regional actors, developed this understanding across a variety of issues. We critiqued the dominant narrative of the border as a site of danger focused on unauthorized immigration from Mexico and Central America, and the policies driven by that narrative of unselective, mass enforcement between ports of entry. Yet we recognized the importance of safety and security for civilians in both nations, and as a result articulated an alternative vision of enforcement quality (dangerous actors) over quantity (mass migration). That discussion led to a focus on the sites and issues related to potential criminal risk in the region, the triangular guns-drugs-money trade that passes through ports of entry. We also took notice of the outstanding public safety record of the US side of the border, which not only puts into question the dominant “border as threat” narrative, but also draws attention to the sources of that success, keeping local law enforcement out of federal immigration enforcement and maintaining good relations between police and communities with many immigrant members. We also addressed the lack of public safety on the Mexican side of the border, and proposed that our major redirection of border security policy would be helpful in this regard.

The border region, we suggested, can move from the marginal edge to the center of a new North America. It can do so through its increasing importance as a mediating site between the United States and Mexico, and drawing on its large stock of bicultural, bilingual, and binational people. This brokerage skill is, of course, crucial to the increasingly integrated North American economy (albeit, an economy with considerable unevenness). But it goes beyond instrumental uses of cultural and social resources. Border people and their cultural repertoire should and we think will in the future be viewed as a source of creativity and basis for positive social development, turning away from stigmatizing views of closed and monolithic national cultures. The border conference insisted that residents of the U.S. side of the border, of all citizenship and immigration statuses, are full persons in terms of constitutional and human rights, and that government operations must respect the rights, dignity, and physical safety of people in this region. Furthermore, principles of democratic participation point to an important role for border communities in oversight and accountability over central government institutions.

Above all, the We the Border: Envisioning a Narrative for Our Future conference staked out a vision of the border region as central to a positive future for the continent. This vision is shared by a diverse variety of actors and sectors in the region, and across the nations of North America.

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