



BORDER VOICES

Understandings of Undocumented Migrants in
Tucson, Arizona

Bachelor Thesis
2014-2015

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&
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Photograph Frontpage¹

¹ This picture was taken by us the day we visited Glenn Spencer, the president of the American Border Patrol, a non-governmental organization concerned with securing the U.S.-Mexico border. Part of the border fence is situated in Spencer's backyard. His property is highly securitized, motivated by his worry of Mexicans who want to 'reconquer' the American Southwest.

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Mayke & Benthe

Utrecht,

26th of June 2015

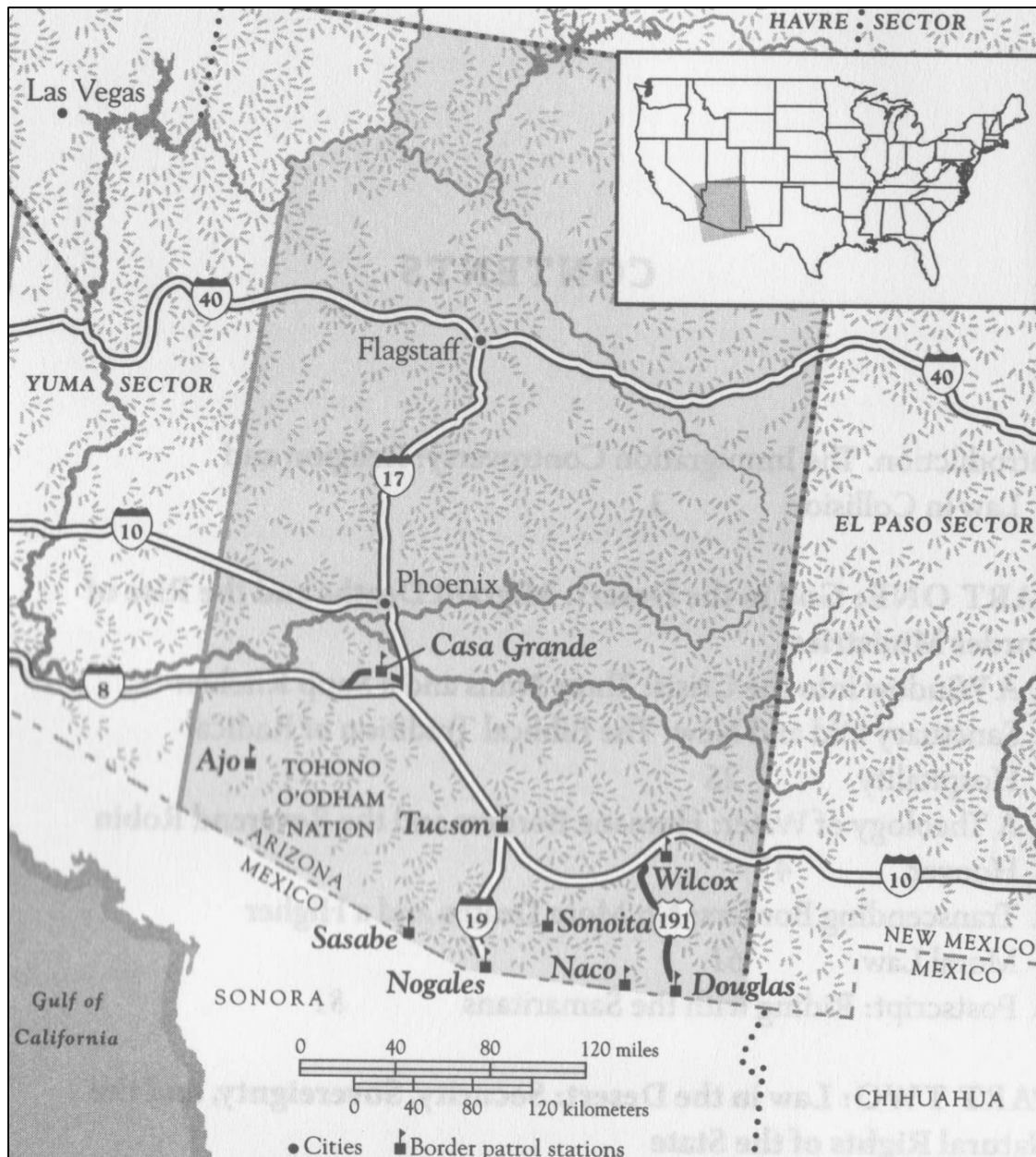


Figure 1: Map of Tucson showing the close proximity to the U.S.-Mexican Border as well as the Border Patrol stations located in Southern Arizona (Rose 2012).

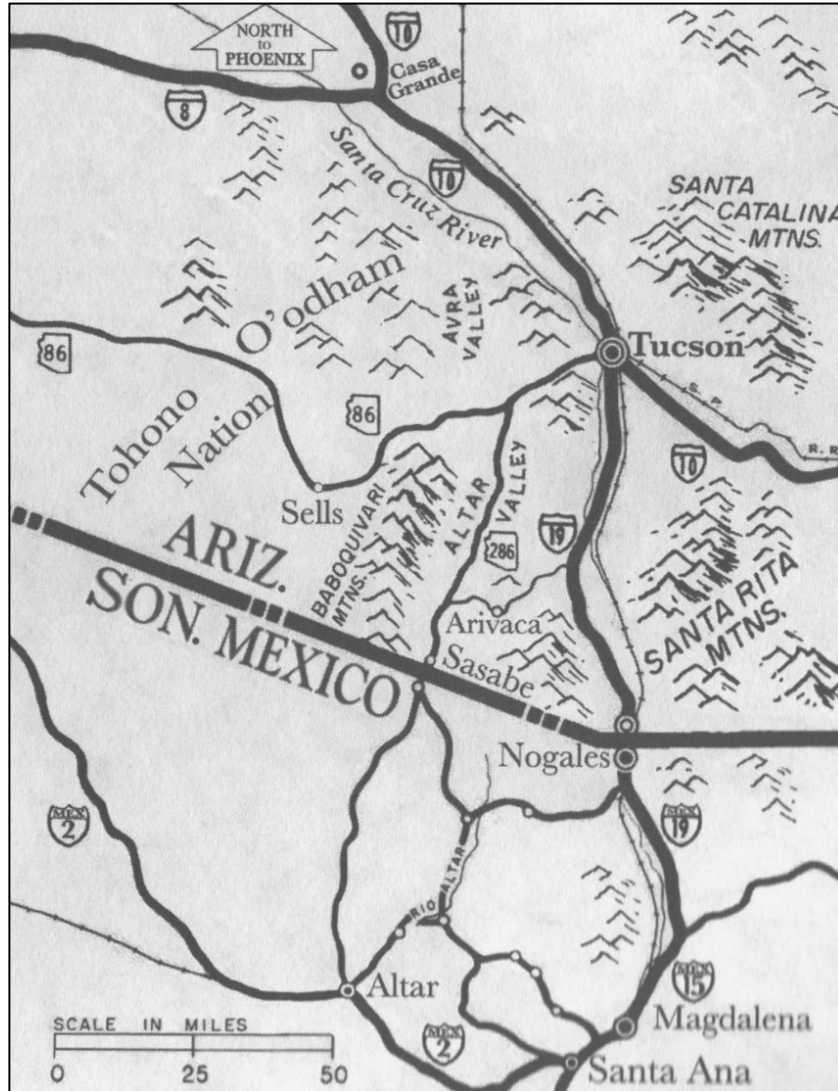


Figure 2: Map of Southern Arizona showing the region of Samaritans' activities (Ferguson 2010).

Introduction

Benthe

Despite the fact that scholars have extensively demonstrated the relation between restrictive border policies and the increase in the number of undocumented migrants who die during their journey to the United States (Martinez et al. 2013; Holmes 2013; De Leon 2012; Michalowski 2007; Squire 2014), the restrictive policies are still in effect. In 2014, at least 307 migrants perished² during their journey across the U.S.-Mexico border. The exact number of deaths is unknown. Due to the remoteness of the area some remains are never discovered. One-third of the recorded bodies were recovered in the Tucson Sector of the U.S. Border Patrol³, where migrants try to enter the U.S. by crossing the Sonoran desert.

During our fieldwork in Tucson we observed that undocumented migration is a sensitive subject within the U.S. Especially in Arizona, a state known for its controversial immigration laws. We have spoken with humanitarian aid workers, migrant rights advocates, Border Patrol, BORSTAR⁴, and BORTAC⁵ agents, Customs and Border Protection officers, civilian border patrol groups, immigration lawyers, ranchers and undocumented migrants. While listening to a diverse range of stories and experiences of people who regularly encounter undocumented migrants we became aware of the complexity of narratives surrounding undocumented migration.

Aim and Relevance

Benthe

In our thesis we will interpret and analyze experiences and stories about undocumented migrants by means of what Newman (2006) calls 'border narratives'. Border narratives reflect the diversity in experience with borders as well as the way individuals understand undocumented migrants (Newman 2006: 152). We have decided to focus our research on four different narratives⁶: that of migrant rights advocates, U.S. Border Patrol agents, civilian border patrol groups, and immigration

²U.S. Customs and Border Protection,
<http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20sector%20profile.pdf>, last accessed: 09-05-2015.

³U.S. Customs and Border Protection,
<http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20sector%20profile.pdf>, last accessed: 09-05-2015.

⁴BORSTAR stands for Border Patrol Search, Trauma and Rescue.

⁵BORTAC stands for Border Patrol Tactical Unit.

⁶We are aware of the fact that the distinction we have made between these narratives, in sake of our argument, is an artificial one, and that these eventually intersect and intertwine.

lawyers working for Operation Streamline⁷. All four actors regularly encounter or deal with undocumented migrants and are therefore important players in producing and reproducing understandings of undocumented migrants. By interpreting and analyzing their experiences and encounters with undocumented migrants, we aim to provide insight into the notions of migrants' social-political agency. This will contribute and add nuance to contemporary scientific debates about the narrativity surrounding undocumented migration. These debates have mainly been dominated by the 'scapegoating' of migrants (Castles 2010; Bakewell 2007; Appadurai 2006; Van Houtum 2010). Because of various social, economic and political reasons, migrants are often portrayed as threatening outsiders, sneaking across borders (Sassen 1999). Consequently, states seem to be increasingly preoccupied with border security, and are continually implementing restrictive border policies (Isacson 2013; McGuire 2013; Wittenberg 2013; Holmes 2013). New technologies such as drones, radiation detectors, ground sensors, biometrics, and other surveillance strategies⁸ of the U.S. Border Patrol monitor every move of possible 'undesirables' wanting to invade a society richer than those they originate from (Sassen 1999). The scientific relevance of our thesis lies in revealing the complexity of the current migration issue along the U.S.-Mexico border.

In order to reveal this complexity we will further explore the framing of undocumented migration by answering the following question: 'How do understandings of undocumented migration and undocumented migrants in Tucson, Arizona, shape notions of the social-political agency of these migrants?'

We divided this research question into three different sub-questions:

1. What border narratives are being produced by migrant rights advocates and how do these narratives shape understandings of undocumented migrants? Benthe
2. What border narratives are being produced by immigration policies and lawyers of Operation Streamline and how do these narratives shape understandings of undocumented migrants? Mayke

⁷ Operations Streamline is a legal program which handles the prosecution of undocumented migrants.

⁸ U.S. Customs and Border Protection,

<http://www.cbp.gov/sites/default/files/documents/CBP-Vision-Strategy-2020.pdf>, last accessed: 22-06-2015.

3. What border narratives are being produced by the U.S. Border Patrol and civilian border patrol groups and how do these narratives shape understandings of undocumented migrants?

Mayke

By answering these questions we will contribute to already existing literature about the framing of undocumented migrants by showing how this influences migrants' social-political agency. Interpreting and analyzing differences in understandings may enable us to bring awareness and action differently than offered by quantitative research and statistics. Although a lot of policymakers seem to be convinced by statistical evidence, others are more moved by narratives that focus on the human perspective (Holmes 2013). Narrative ethnography as such, can work to complement statistics both in understanding undocumented migration as well as motivating decision makers towards acknowledging responsibility by making necessary changes (Holmes 2013). Especially in the light of the amount of deaths along the border, a better understanding of migrants' agency will hopefully contribute to a better solution to the current 'human tragedy' (Skogberg Eastman 2012) along the U.S.-Mexico border. This makes our thesis socially relevant.

Methods

Benthe

We used several methods in order to grasp the four different border narratives and gain insight into the understandings of undocumented migrants. In addition to unstructured, semi-structured and structured interviews (DeWalt and DeWalt 2011: 139), we analyzed relevant articles in newspapers, writings and brochures of humanitarian aid organizations, as well as official government documents, websites of civilian border patrol groups, and flyers and documents of the U.S. Border Patrol. We segmented the gathered data by analyzing the way individuals spoke about undocumented migrants as well as the way these migrants were portrayed in their writings.

In addition to this, our ethnographic approach has allowed for an in-depth analysis of the lived experiences of these various groups by means of participant observation (Geertz 1973). By spending extended periods of time with them, either at meetings⁹, on desert trips¹⁰, at shelters¹¹ or during social events, we analyzed and

⁹ We joined Monday, Tuesday, and Wednesday meetings of No More Deaths, The Samaritans, and

observed their lived reality in the context of border issues. This has made us aware of the complexities, subtleties, and contradictions surrounding undocumented migration and border enforcement policies. Our ethnographic approach has allowed us for example, to learn about the moral struggles of Border Patrol agents concerning the policies they have to enforce.

Together, these methods will complement each other in allowing us to provide insight into the understandings of undocumented migrants among the four different actors. By analyzing these understandings we will derive notions of the social-political agency of these migrants.

Reflection and Ethical Concerns

Benthe

Getting into contact with the U.S. Border Patrol was a complicated and time-consuming endeavor. It warranted an extensive background check as well as a beforehand approved questionnaire. Eventually, we were allowed to interview two Public Affairs Officers. Pallister-Wilkins (2015) notes that consideration must be paid to the limits of analyzing government policies by means of the way practitioners talk about their work. She notes that public affairs officers are trained to give charming interviews, without revealing too much information. In order to reach beyond these 'rehearsed talking points' (Pallister-Wilkins 2015), we also interviewed retired Border Patrol agents, who were willing to talk about their concerns and moral dilemmas as long as they could stay anonymously. We used the snowball method (Boeije 2010: 40) in order to get into contact with other U.S. Border Patrol agents, as well as BORSTAR and BORTAC agents. Once we gained enough rapport, we frequently 'hung out' with several of these agents during their leisure time at bars and cafés. We noticed that our gender and age proved to be advantageous in researching Border Patrol agents (DeWalt and DeWalt 2011: 30). Being two young European women facilitated contacting and establishing rapport. We did question ourselves whether it would be ethically correct to use the information we had gathered during these nights. But as DeWalt and DeWalt (2011) argue, "we want our informants to become so comfortable with us that they will share insights and information only insiders would

Humane Borders.

¹⁰ We went on desert trips with volunteers of Humane Borders and The Samaritans. We also went on a desert trip with a 'concerned citizen' who regularly patrols the U.S.-Mexico border.

¹¹ During our fieldwork we regularly visited 'El Comedor', a shelter for deported migrants just across the border in Nogales, Mexico.

know” (2011: 214). Indeed, these conversations have proven to be of great importance by revealing the discrepancy between policies on paper and the enforcement of policies in practice.

We have always made it clear we were students doing research on attitudes towards undocumented migrants, and asked every person we interviewed informed consent beforehand. Due to the content of the information and in order to ensure the privacy, dignity and profession of the different agents¹², names were changed if requested.

Doing research on undocumented migration can cause different ethical dilemmas. During our visits to shelters for recently deported migrants we were confronted with the daily reality of these people. The hardships they endure, and the dangers they have to face in order to cross the U.S.-Mexico border. We have spoken with people who lived in the U.S. for decades, before they were deported to the other side of the border. Listening to these stories made it difficult to remain focused on doing research, and not let our emotions take over. It is an uneasy balance, having a young woman with small children tell you that she is going to try to cross the desert, the same day you are also interviewing a U.S. Border Patrol agent who might be the one apprehending her.

Our research focused on groups of people with completely different interests and deeply conflicting views. In order to understand both sides we were forced to constantly switch back and forth between opposing perspectives of undocumented migrants. It also meant we had to adjust our language and the terms we used to describe our research: are we talking about “undocumented migrants” or ‘illegal aliens’ today? During the first weeks of our research we were not sure how to familiarize ourselves with conflicting attitudes and were hesitant of people’s reactions after being informed we were researching ‘both sides’. It was a constant ethical back and forth, trying to decide ‘right’ from ‘wrong’. We have been forced to adopt different points of views, we have looked at migration policies from the perspectives of undocumented migrants who were directly affected by them, and we engaged ourselves in dialogues with people who held deeply opposing views. In this thesis we

¹² Code of Ethics of the American Anthropological Association, 2009.
<http://www.aaanet.org/issues/policy-advocacy/upload/AAA-Ethics-Code-2009.pdf>, last accessed: 22-06-2015.

invite our readers to do the same. Because in the end, by maintaining a broad look and letting people tell us their stories and experiences, we came to realize that situations are not always set in stone and it is not always a useful approach to decide right from wrong.

Content and Structure

Benthe

In this thesis, we begin with discussing the most relevant concepts and theories. In our theoretical chapter we will argue that although processes of globalization have influenced migration in regards to the widening, deepening and speeding up of interconnectedness, a 'borderless world' has not yet arisen (Held 1999; Eriksen 2007; Hannerz 1997). On the contrary, states seem to be more pre-occupied with securing their borders than ever. States are increasingly trying to exercise control over people's mobility. We will explain the complexity of controlling state borders by looking at the 'liberal paradox' states find themselves in: the paradoxical relation between economic openness and developing securitizing migration policies (Hollifield 2004). Furthermore, we will focus on the importance of 'framing' of migration, especially in the dominant political discourse and the influence of social political elites who decide the way in which the border is demarcated and managed (Newman 2006). By explaining the concept of 'selective migration' we argue that migration has become class specific. Besides that, we state that current migration policies cause criminalization, illegalization, stereotyping and victimization of migrants (Martinez and Slack 2013; Resnik 2015; Dauvergne 2008; Bloch and Chimienti 2013; Boehm 2011).

In our empirical chapters we will accompany 'the migrant' on his journey northwards, from the perspectives of four different actors. The first chapter explains the way undocumented migrants might encounter migrant rights advocates while hiking through the desert. The second chapter illustrates the way border enforcement policies, U.S. Border Patrol agents and civilian border patrol groups handle and understand undocumented migrants. We end by explaining the legal procedure of Operation Streamline, which eventually leads to the deportation of migrants across the border.

In our concluding remarks we discuss how these particular border narratives shape processes and notions of inclusion and exclusion of undocumented migrants.

1. Theoretical Framework

1.1 Globalization and Migration

Mayke

Processes of globalization and migration are closely connected. Globalization can be defined as ‘all the contemporary processes that make distance irrelevant’ (Eriksen 2007:16). Papastergiadis (2013) describes globalization in a different way by saying that globalization includes the spatially and extended forms of production, information of goods, denationalizing of capital, rapid mobility of capital, de-territorialization of culture, interpretation of local communities by global media networks, and dispersal of socio-economic power beyond the Euro-American axis. As a result, the world seems more open and interconnected (Papastergiadis 2013). Migration is not a result of globalization. Neither has the amount of both international and national migration increased due to processes of globalization. Nowadays, only 3 percent of the world’s population are immigrants, whereas the proportion was around 10 percent in 1913 (Cohen 2006 in Eriksen 2007:93). What did occur was a shift in the way migration is constructed (Bakewell 2007, Castles 2004, Eriksen 2007). Triandafyllidou (2010 in Bloch and Chimienti 2013:5) confirms this notion by stating that repressive policies have not prevented undocumented migration, but have diversified its characteristics and modes of illegality. Processes of globalization have led to an increase in the number of migrants migrating to industrialized states (63%). More migrants move from South to North (Bakewell 2007 and Eriksen 2007). Castles (2004) states that the most important borders of today are the ones which divide the wealthy North from the poor South. This division provides and maintains inequality (Zolberg 1989). Wittenberg (2013) confirms this by stating that nations that try to protect themselves by reinforcing entering procedures, creating borders and increasing border patrol, are nations in which the average income per capita is fourfold as those of the less wealthy neighboring countries.

Because of these global movements from the South to the North, Northern countries are faced with the dilemma of closure versus openness. Hollifield (2004:885) introduces the ‘liberal paradox’: ‘How do states regulate migration in the face of economic forces that push them towards greater openness, while security

concerns and powerful political forces push them towards closure?'. Governments must keep their societies open in order to join the global market and maintain a competitive advantage. At the same time, the international state system and powerful (domestic) political forces push states towards greater closure. Many states respond to these pressures by creating extra protective forces, such as border walls. This results in another development, concerning the increased difficulty in border crossing (Bloch and Chimienti 2013; Brown 2010). Today, migration is more time consuming, more expensive and can entail greater risks. This leads to the necessity of human smuggling as well as curtailing these activities (Bloch and Chimienti 2013:5; Brown 2010). This again leads to another shift, which is the fact that more undocumented migrants will stay permanently instead of temporarily (Brown 2010; Roberts, Frank and Lozano-Ascencio 1999). As a result, more transnational communities will emerge: groupings of immigrants who routinely participate in a field of relationships, practices, and norms that include both places of origin and places of destination (Roberts, Frank, and Lozano-Ascencio 1999:239). Transnationals have strong ties on 'both side of the border' and since it is extremely difficult to 'change or radically break with one's social relations' (Van Houtum and Naerssen 2001:132), transnationals will put a lot of effort in keeping these relations intact. Transnationals send back remittances, try to help fellow townspeople to migrate and try to return in case of illnesses, celebrations, and funerals (Roberts, Frank, and Lozano-Ascencio 1999). However, risks in going back and forth have increased drastically.

As explained in this paragraph, the way migration is understood is an important factor in shaping government policies. Therefore, the next paragraph will focus on the framing of migration, and the fact that, even though migration is seen as a problem in the dominant political discourse, states do accept 'undesirable' people.

Framing Migration

Mayke

"Immigration and border policing are enmeshed in a dense weave of discourse and representation" (De Genova 2013: 1181).

Different actors, both state and non-state, are concerned with, or involved in, undocumented migration. Such actors are human rights activists and campaigning organizations focusing on the lack of rights experienced by undocumented migrants,

employers profiting from cheap labor and the undocumented migrants themselves, whose journey can be extremely demanding in many ways (Bloch and Chimienti 2013). However, the policy makers, the government agencies, are the ones who have the final say in the rules and regulations surrounding undocumented migration and migrants.

A comparison of policies across time and space shows that, for almost all countries, undocumented migration is seen as a 'problem' that has to be solved (Bloch and Chimienti 2013:5). Castles (2010:1567) argues that this problem (migration) needs to be fixed by means of appropriate policies since it is seen as both harmful and dysfunctional. Bakewell (2007) refers to a sedentary bias: A discourse of contemporary development in which the poor are considered to constitute a threat to prosperity and public order if they move and should refrain from migrating. In addition, Appadurai (2006) mentions that migration and other processes of globalization have resulted in a fracture between 'Us and Them', which creates a feeling of uncertainty among the majority towards the minority.

However, the gap between the goals of national immigration policies and the actual results of policies in this particular area is growing wider in all major industrialized democracies (Cornelius, Martin and Hollifield 1994). In other words, states do accept 'unwanted'/undocumented immigration, even though their policies show otherwise (Joppke 1998). Sassen (1996) mentions that there are two global constraints which 'force' states to accept undocumented migrants. These constraints are economic globalization and the rise of the international human rights regime. Economic globalization can be explained by referring to the push- and pull factors described by Joppke (1998) and Portes (1978). Countries in which there is tension created by underemployment, inequality, and political, social and economic uncertainty push people away, while the more wealthy countries that can profit from providing cheap, compliant and flexible labor attract them (Portes 1978). The work undocumented migrants do is often in the 'three D' category: Dirty, dangerous, or degrading (Dauvergne 2008). Second, human rights regimes are emerging. These regimes try to protect undocumented migrants (independent of their nationality), change the negative understanding of states towards these migrants, and try to decrease the importance of the national identity (Sassen 1996).

In the field, we hope to better understand the impact transnational ties have on the transnational movement of migration. We will also try to understand the acceptance and, at the same time, rejection of undocumented migrants in the U.S., for we are aware of management of the liberal paradox (Hollifield 2004). We will further more focus on the relation between what Sassen (1996) describes as the rise of international human rights regimes, to which Tucson Samaritans and No More Deaths contribute, and economic globalization. All this is related to the way undocumented migrants are framed by different actors.

1.2 Borders

Benthe

This paragraph will further elaborate on the framing of migration with regards to the security measures Northern destination states are implementing in order to protect themselves. These states are increasingly concerned with the influence they feel migrants are having on their prosperity and sense of security. In this paragraph we will place protective measures, such as the construction of border walls, in the context of a globalized world.

In the twenty-first century, terms like fluidity and openness have dominated the globalization discourse. The technological progress has made global movement relatively easy, making it natural for people to think beyond static, rigid, and fixed borders (Castles 2010). Consequently, many scholars have suggested that we are moving towards a borderless world (Paasi 2009; Ohmae 1990; Appadurai 1996). However, there are also scholars who note that although the world has seemingly become more borderless in regards to the widening and speeding up of interconnectedness (Held 1999), some borders are still crossed with great difficulty, if at all (Hannerz 1997). Wittenberg (2013) takes it a bit further and argues that our preoccupation with border walls is at an all time high. McGuire (2013) even argues that there are different processes of what he calls the 'fortification of borders' taking place.

Judging from the increase in the number of border walls during the past decades (Brown 2010), the utopian image of a globalized, de-territorialized, and borderless world with unlimited mobility has not yet arisen (Paasi 2009). Migration, as such, has to be understood in relation to inequality and discrimination, controlled

and limited by states (Castles 2010). States exercise power over who can and who cannot cross their borders.

According to Newman (2006), a distinction has to be made between the demarcation and management of borders. Demarcation is the process through which social political elites determine the criteria of inclusion and exclusion (e.g. on the basis of citizenship, religious affiliation, ethnic group relation etc.). These elites determine for whom the borders are open and closed, and the ease with which they can be traversed (Newman 2006). Border management encompasses the system through which border guards enforce these criteria and restrict the mobility of people who lack the necessary documents. These two processes of bordering (demarcation and management) complement each other in exercising control over a certain territorial entity and to prevent categories of people from certain social and economic levels from entering (Newman 2006: 148).

Since the attacks of September 11, 2001, international migration has moved to the top of the international security agenda. Migration flows are seen as a conduit for international terrorism (Adamson 2006). There is a certain apprehension about the unlimited mobility of people. A securitization discourse of migration and mobility has developed. This has substantially changed the nature and function of national borders. An increasingly changing and uncertain environment leads to the need to control borders in order to protect 'the core' (i.e. the state) from the influences of 'outside' (i.e. the rest of the world) (Van Houtum 2010). The perceived fear of 'outsiders' leads certain states to strictly control the mobility of people by means of restrictive border policies. Policymakers concerned with migration have to weigh the pros and cons of their policies to implications for national security, social welfare and economic growth (Adamson 2006). This has led to what Paasi (2009) calls 'neo-liberal citizenship': 'business elites can cross borders and follow principles of utopian cosmopolitanism whereas most people cannot' (2009: 219). Van Houtum terms this: 'selective mobility': mobility has become class-specific, some people are able to go wherever they want, while others do not have that freedom (Van Houtum 2010; Castles 2010). This selectivity is mainly based on the 'capitalization of people's resources'. Thus, it is not so much about security, as it is about economic benefits. States only select those who are believed to be beneficial for their economies: mainly the 'skilled, touristic and entrepreneurial strangers' (Van Houtum 2010). This 'fencing of wealth' is implemented in order to protect an economy and stems from a

form of self-interest of a certain ‘imagined community’ (Van Houtum 2010; Anderson 1983). Sassen (1991) argues that this leads to the framing of migrants as “threatening outsiders, knocking at, or crashing or sneaking through the gates into societies richer than those they originate from” (1999:1). Xavier Inda (2000) takes a more pathological approach on the framing of migration. He argues that the social ‘illness’ of states is exclusively attributed to external factors. Immigrants are seen as ‘parasites’ invading the ‘body’ of the nation, drawing on its nutrients, threatening its survival.

In short, globalization has not resulted in the rise of a borderless world. On the contrary, key elements of globalization (e.g. fluidity and interconnectedness) have caused states to increasingly enforce their borders and exercise power over people’s mobility. The demarcation of borders, often done by socio-political elites, has made mobility class-specific and has shaped the current dominant framing of migration. The difference between the demarcation and the management of borders is an important insight for our research because we will look at the ways border enforcement agents (i.e. border management) understand the border enforcement strategies implemented by ‘social-political elites’ (i.e. border demarcation). By listening to stories and experiences of Border Patrol agents, we will provide insight into the way their understandings shape processes of inclusion and exclusion of undocumented migrants.

Implications of Border Policies

Benthe

Many scholars have argued that the increase in restrictive U.S. migration policies is directly correlated with the increase in migrant deaths (Martinez et al. 2013). The main strategy of the U.S. government’s migration policy is ‘prevention through deterrence’ (Holmes 2013; McGuire 2013; Michalowski 2007; Martinez et al. 2013). Operation Gatekeeper and Operation Hold-The-Line implemented segmented militarization: easy-to-cross urban areas such as the cities San Diego and El Paso were sealed off by walls, funneling migrants into more dangerous and unforgiving terrain like the Sonoran Desert in Arizona (Holmes 2013; Isacson et al. 2013), where temperatures can rise over 50° Celsius during the day, and can plunge below zero at night. This section of the border, near Tucson, has been referred to as the ‘Corridor of

Death' (Holmes 2013; Doty 2011; Isacson et al. 2013), the 'Arizona Killing Fields'¹³ (Doty 2011), or 'Landscapes of Death' (De Genova 2013). According to U.S. Border Patrol statistics, between 1998 and 2014, the remains of 6330 migrants were found along the Southwest Border, 2507 of which were found in the Tucson Sector¹⁴. Mbembe (2003) states that the U.S. border enforcement strategy of prevention through deterrence can be understood as 'necropolitical': the possibility of death is used to curtail the actions of migrants and exercise power over their mobility. The U.S. Border enforcement policies created a zone in which migrants are turned into 'bare life': they lack political subjectivity and are thus considered to be of no importance (Doty 2011). Doty (2011) argues that the harsh landscapes of the southern Arizona desert provide a 'moral alibi' for the state to forgo responsibility for the increase in migrant deaths because they can blame the rugged terrain. The physical forces of the desert have been mobilized as a means to control migrants.

This evaluation of current U.S. border enforcement strategies are of great significance because these insights contribute to a better understanding of the relation between current border policies and the development of humanitarian aid organizations and migrant advocacy groups in Tucson, Arizona. It is also useful with regards to a better understanding of the hardship an undocumented migrant has to endure. It also provides insight into the way U.S. border policies frame undocumented migrants.

Process of Bordering

Benthe

In addition to the above mentioned top-down bordering processes, in our research we will also focus on bottom-up processes of bordering. The development of borders cannot be understood solely as a top-down process, stemming from the governing power. In democratic countries borders are not just implemented from above, they stem from an implicit, tacit agreement among the majority of the people (Van Houtum 2002). Producing borders is also a question of how people themselves reproduce, understand, and give meaning to border walls and their enforcement. Newman and

¹³ The words 'Killing Fields' are also used as a subscript of a picture of the Sonoran Desert in the 2015 Humanitarian Aid & Social Justice Calendar, given to us by a volunteer of the Tucson Samaritans. The calendar was publicized by Michael Hyatt.

¹⁴U.S. Customs and Border Protection, http://www.cbp.gov/sites/default/files/documents/BP%20Southwest%20Border%20Sector%20Deaths%20FY1998%20-%20FY2014_0.pdf, last accessed: 07-05-2015.

Paasi (1998) state that the construction of boundaries of all sorts and sizes takes place through narrativity. They note that all social life is 'storied' and that by means of narrativity we come to understand and make sense of the social world around us. In our research we will therefore focus on 'border narratives'. 'Border narratives reflect the diverse experiences and meanings of which borders have for the individual, for different people' (Newman 2006: 152). Newman (2006) states that, in order to find out what borders mean to people, we have to study people's personal stories. By listening to individual experiences you gain more knowledge about the impact borders have on people, especially in relation to the construction of the 'Other' because in these narratives, boundaries are responsible for creating the 'Us' and the 'Other' (Newman and Paasi 1998). In our empirical chapter we will look and interpret the narratives of U.S. Border Patrol agents, immigration lawyers who work for Operation Streamline, civilian border patrol groups, and migrant rights advocates (Newman 2006).

Terms as 'bordering' emphasize the possibility that the organization of human life can be sharply categorized into a binary distinction between 'us' and 'them', with the assumption that culture can be neatly packaged. But when we look at cultural variation within the global context, it makes hard to understand the separation of homogeneous cultural entities that these border walls presume. Culture cannot be neatly packaged into mutually exclusive categories (Hannerz 1997). Rather, in anthropology, borders are regarded as liminal areas where cultures become 'unpacked'. We have come to understand borders as being absolute, static and fixed, but only relative, artefactual and socially constructed (Hannerz 1997). Most state borders are not natural, they become what people make of them. They are man-made, socially constructed and imaginative.

In our thesis we will look at the U.S.-Mexico border not as a static line separating two countries, but as a complex whole of diverse social-constructions, all of which are shaped by means of different narratives.

1.3 National Identities and Othering

Mayke

Borders can be understood as devices which contribute to processes of inclusion and exclusion since they literally bound a territory and prevent outsiders from entering

(Coutin 2000; Kinvnull and Nesbitt-Larking 2011). These outsiders can be understood as ‘the other’, or, as Andreaouli (2012:361) describes: ‘the poorer, less skilled migrants, originating outside the West who epitomize difference and have less freedom of mobility.’ However, argue Van Houtum and Naerssen (2001:134), ‘the other is needed and therefore constantly produced and reproduced to maintain the cohesion in the formatted order of a territorially demarcated society.’ Othering is done in both the reified sphere of state institutions and the consensual sphere of everyday debate and practice. The process of othering is closely linked to the construction of a national identity, which is as much about identification with certain groups as it is about recognition from those groups and from others (Duveen 2001). In some cases, national identities become essentialized. This essentialisation legitimizes the in-group as a distinct and cohesive community and justifies the exclusion of outsiders (Wagner, Holtz and Kashima 2009). As a result, becoming a citizen or obtaining some sort of legal status as an outsider becomes extremely difficult. Kostakopoulou (2003:98) argues that the process of naturalization becomes one of nationalization, in which ‘the other’ is expected to assimilate into the national culture, and act like a national. This, in turn, ensures the nation’s ‘cultural survival’. Migrants are not always aware of the importance and dominance of a national identity. However, argue Van Houtum and Naerssen (2001:132), ‘these migrants will soon discover that, for the time being, it will be their only anchor in the unknown sea of the foreign environment that identifies them as a stranger, the other.’

The difficulty in applying for citizenship has increased drastically, partly due to the importance of a national identity. But this difficulty can also be seen in the process of requesting asylum. Many nations only accept outsiders when considered a political refugee. However, ‘it is extremely difficult to trace and categorize the many and different motivations and apparent needs for people to migrate’ (Van Houtum and Naerssen 2001: 129). Besides, argues De Genova (2013:1180), the majority of those who seek asylum are turned down because of stringent criteria. It is perfectly reasonable to contend that what asylum regimes really produce is a mass of purportedly ‘bogus’ asylum seekers. Hence, in systematic and predictable ways, asylum regimes disproportionately disqualify asylum seekers, and convert them into ‘illegal’ and deportable ‘migrants’ (De Genova 2013).

We will use this as an analytical perspective to understand the importance of a national identity among those who are ‘in favour of’ undocumented migration, as well

as those who are against undocumented migration. We will focus on the consequence of how the process of ‘othering’ reflects on the migrants.

1.4 Illegalization and Criminalization

Mayke

There is an increase in ‘illegal’ migration due to both to the broadening category which defines ‘illegality’, as well as to the growing state and border enforcement. This growing state and border enforcement has led to an increasing amount of apprehensions of ‘illegal aliens’. Dauvergne (2008:15) argues that state migration agencies will find more illegal migration when they set out to look for it. This state and border enforcement has also led to ‘illegal border crossers’ to stay permanently instead of temporarily once having safely crossed the border (Brown 2010). But what does the term ‘illegal’ actually mean?

The term ‘illegal’ is defined and created by the law. Dauvergne (2008) argues that labelling migrants as ‘illegals’ fulfills the function of borders, which is the prevention of illegal migration, where borders come short. Labelling migrants as ‘illegal’ excludes these people from within, whereas borders exclude from the outside. In this sense, migration laws and borders supplement each other. De Genova (2002:422) argues that the term ‘illegality’ is preeminently a political identity, since it is a juridical status that entails a social relation to the state. He further argues that the law defines the parameters of its own operations, engendering the conditions of possibility for ‘legal’ as well as ‘illegal’ practices. ‘Illegality’ are constituted and regimented by the law – directly, explicitly, in a manner that presumes to be more or less definitive and with a considerable degree of calculated deliberation (De Genova 2002:424).

For many years, the use of the word ‘illegal’ has been debated. Since the twenty first century, ‘No one is illegal’ campaigns have taken place in several European countries, as well as in Australia, Canada and the United States. These groups stood up against the notion of using the term ‘illegal’ as an identification for someone who is outside the law. Migrants have been made ‘illegal’ and states talk about the ‘illegals’ as if that is ‘what they are’ (Dauvergne 2008; Resnik 2015). This identification may lead to stereotyping, victimization, generalization (Dauvergne 2008) and criminalization (Bloch and Chimienti 2013; Boehm 2011; Coleman 2007; Golash-Boza 2009; Martinez and Slack 2013; Resnik 2015; Welch 2003, 2007).

We live in an era in which undocumented migration and the immigration law is criminalized (Bloch and Chimienti 2013; Boehm 2011; Coleman 2007; Golash-Boza 2009; Martinez and Slack 2013; Resnik 2015; Welch 2003, 2007). Due to increasingly anti-immigrant political climate and worries surrounding potential terrorist attacks (Martinez and Slack 2013:537), migrants who enter a nation without the required documents are immediately and primarily seen and treated as ‘criminals’ (Resnik 2015). Criminalizing undocumented migrants leads to the condoning of the broad range of crackdown measures which are currently implemented by states. Political and public acceptance concerning the increasing migration enforcement arises when migrants are first identified as transgressors before being identified as migrants (Dauvergne 2008).

According to Martinez and Slack (2013), criminalization and incarceration of undocumented migrants leads to significantly reducing peoples chances of gaining some sort of legal status – permanently or temporarily. Having a criminal record reduces the chances of being granted a legal status, due to the fact that criteria have become so stringent and completely predicted upon suspicion (De Genova (2013:1180). Besides, argue Martinez and Slack (2013), those who are incarcerated are introduced into illegitimate structures because the incarcerated become entangled in a network of drug- and human smuggling. The trafficking market is already being fed by the crack down on illegal migration (Dauvergne 2008) due to border enforcement and limited territory for crossing the border. Now, incarceration is reinforcing the trafficking market even more.

When focusing on border narratives, we will use this knowledge to pay attention to the way in which migrant advocate organizations, civil- and governmental border enforcement groups and the policies ‘talk’ about the undocumented migrants. We will focus on expressions used by people and the way in which their responsibilities have an impact on the way in which they understand and position themselves towards the undocumented migrants.

In the coming chapter, we will explain how these theoretical insights help us analyze the border issues in Tucson, Arizona. This chapter will also further elaborate on the four main actors.

2. Context

Opening and Barricading the US-Mexico Border

Benthe

A clear North-South relation can be characterized when we look at the migration flow from poorer areas of Mexico and Central-America to the wealthier United States (Castles 2004; Brown 2010). No other border in the world surpasses the level of inequality in economy and power as the US-Mexico border. The world's economically and politically most dominant state, borders on Mexico's 'third world' economy (Alvarez 1995; Hannerz 1997). Besides that, large amounts of drug- human- and weapon trafficking make the US-Mexico border one of the most violent borders between two countries not at war with each other (Holmes 2013: 153). The land on the Mexican side of the border is ruled by powerful drug cartels.

The way the U.S. handles its Southwest border with Mexico is a perfect illustration of the 'liberal paradox' (Hollifield 2004). Global forces and economic interests have pushed the US to greater economic openness and the disappearance of trade barriers (Heyman 1997; Suarez Orozco 1996). The signing of the North American Free Trade Agreement¹⁵ (NAFTA) between the U.S., Canada and Mexico is a good example of this. Paradoxically, at the same time as the implementation of NAFTA in 1994, the U.S. government started a series of highly visible 'crackdowns' on illegal immigration: Operation Gatekeeper and Operation Hold-The-Line (Singer

¹⁵ Under the North American Free Trade Agreement (NAFTA) Mexico was required to end all agricultural subsidies for corn, rice, and beans. The country was also mandated to phase out all tariffs on agricultural imports from the U.S. and Mexico. Meanwhile, the U.S. extensively subsidized agriculture and exports. People who oppose NAFTA argue that this agreement favored the large, well-equipped, U.S. government-subsidized farmers. Small-scaled Mexican farmers were undersold by U.S. corporate farmers (Holmes 2013). Holmes (2013) argues that these political economic structures are forcing migrants to cross a dangerous border.

and Massey 1998). These operations were the first steps toward militarizing the U.S.-Mexico border (Nevins 2002). Agents and technologies were concentrated in specific areas providing a “show of force” to potential border crossers as an effort to deter migrants¹⁶. Populous areas such as San Diego and El Paso became increasingly militarized, forcing migrants to cross in more unforgiving desert areas (Michalowski 2007).

The constant tension between opening and barricading the border (Brown 2010) results in two different discourses: one of economic openness and the other of fear inflicted closure. Newman argues that when these two discourses meet, the securitization discourse often predominates. Especially after 9/11, the securitization discourse generated a consensus on the closure of the border, stemming from perceived and constructed fear from ‘outside’ (Newman 2006). Since 9/11 the management of migration has become a top national security priority for the U.S. (Adamson 2006). Fear of terrorists, illegal migrants, drug trafficking and other criminal activities resulted into the militarization of the border, restricting the free movement of ‘undesirable peoples’ (McGuire 2013).

The Borderlands of Tucson, Arizona

Benthe

As the two maps¹⁷ at the beginning of this thesis show, Tucson is located in close proximity to the U.S.-Mexico border. It takes about an hour to drive from Tucson along the Interstate 19 southwards to reach Nogales, Mexico.

Many people from border communities like Tucson, have come into contact with undocumented migrants in some way, shape, or form: knocking at their doors to ask for food or water, crossing their properties, walking on the side of the road, etc. These encounters have motivated some of these inhabitants to organize themselves in order to change current border enforcement strategies, be it for varying reasons, from national security to a more humanitarian approach (Skogberg-Eastman 2012; Rose 2012).

The Sonoran desert is also home to a group of Native Americans: the Tohono O’odham (i.e. ‘Desert People’). Some parts of the U.S.-Mexico border crosses their land, dividing it into an American and a Mexican side. The Tohono O’odham

¹⁶ U.S. Customs and Border Protection, <http://www.cbp.gov/border-security/along-us-borders/history>, last accessed: 21-06-2015.

¹⁷ Figure 1 and figure 2, page 7 and 8.

Reservation has become a popular corridor for drug and human smuggling¹⁸ due to the lack of physical border security¹⁹ as well as impoverished residents who are willing to act as lookouts or drivers in return for money.

Due to large amounts of undocumented migrants trying to cross the U.S.-Mexico border in this area (Rose 2012), the U.S. Border Patrol seem to have become a frequently seen actor within the desert landscape. Their checkpoints mark the roads and their white and green vehicles patrol the desert trails.

But the Border Patrol is not alone in patrolling the Sonoran desert. A number of people from Tucson provide humanitarian aid to undocumented migrants. Different organizations provide bottled water or drive around in bright red 4x4 vehicles in search of migrants in distress.

An hour south of Tucson lies the border town of Nogales. Vehicle barriers, speed bumps, cameras, Customs and Border Protection officers and canine-units are supposed to ensure the Nogales border checkpoint is secure. On the Mexican side, a few hundred meters from the border fence, there is a shelter for men, women, and children who have been deported from the U.S. to Mexico.

In our thesis we highlight the following four actors in Tucson who frequently encounter undocumented migrants.

Migrant Rights Advocates

Benthe

Historically, people in Tucson have played an important role in advocating for migrant rights. During the civil wars in El Salvador and Guatemala in the 1980's, the Southside Presbyterian Church in Tucson declared itself Sanctuary for Central-American refugees seeking (and being denied) asylum. The U.S. government refused to recognize these people as refugees and continued to deport them. Clergy of different faith groups then decided to provide safe havens for these people. An underground railroad was established in order to smuggle refugees across the border into the US, effectively violating the law which prohibits the harboring of 'illegal aliens'. The initiators of the Sanctuary movement gave a new term to what they were doing: instead of calling it an act of 'civil disobedience', in which activists deliberately break the law, they called it an act of 'civil initiative', the moral

¹⁸ The biggest percentage (56 percent) of the deaths in the Tucson Border Sector happen on Tohono O'odham Reservation land (Rose 2012).

¹⁹ The whole southwest Border covers 262 miles. Of those 262 miles, 210 miles have some sort of fencing, mostly in the form of vehicle barriers (Squire 2014).

responsibility of a society to act when their government is in violation of their own laws. Sanctuary supporters were of the opinion that the US government was in violation of its own laws (the UNHCR Convention and the Refugee Act) by not granting asylum to the refugee seekers from Central-America (Rose 2012). During our fieldwork we have interviewed two members of the clergy who initiated the Sanctuary movement.

Ever since the Sanctuary movement, a large activist community has remained and developed within Tucson, Arizona. In our fieldwork we have worked with volunteers of The Samaritans²⁰ ²¹, No More Deaths²², and Humane Borders²³. All three of these organizations are concerned with providing water, food, and medical aid to migrants in distress. They differ however, in their amount of political engagement and advocacy. Humane Borders was founded in 2000, and offers humanitarian assistance to migrants by means of the deployment of water stations on routes known to be used by migrants²⁴. These water stations are mainly located on federal land, which means that Humane Borders has established a good working relationship with Border Patrol in order to get permission to do so. In 2002, the Tucson Samaritans organized themselves in the Southside Presbyterian Church. They take a more active approach and hike into the desert carrying water, food packs, and medical aid. At last, No More Deaths was established. This organization actively resists criminalization, militarization and migrant deaths as much as possible. No More Deaths volunteers are in the desert 24/7, they hike the migrant trails, and have put up a medical aid station in the desert. These volunteers are regularly involved in demonstrations, protests, and other advocacy opportunities.

U.S. Border Patrol

Benthe

The U.S. Customs and Border Protection (CBP) is part of the Department of Homeland Security (DHS). With more than 60,000 employees, CBP is one of the world's largest law enforcement organizations²⁵. The main priority of the CBP is

²⁰The Green Valley Samaritans, <https://www.gvsamaritans.org/>, last accessed: 16-05-2015.

²¹The Tucson Samaritans, <http://www.tucsonsamaritans.org/>, last accessed: 16-05-2015.

²²No More Deaths, <http://forms.nomoredeaths.org/en/>, last accessed: 16-05-2015.

²³Humane Borders, <http://www.humaneborders.org>, last accessed: 16-05-2015.

²⁴Humane Borders, <http://www.humaneborders.org/mission/>, last accessed: 26-05-2015.

²⁵U.S. Customs and Border Protection, <http://www.cbp.gov/about>, last accessed: 16-05-2015.

‘preventing terrorists and terrorists’ weapons, including weapons of mass destruction, from entering the United States’²⁶.

CBP consists of different law enforcement agencies who work different areas: Customs and Border Protection agents work at so-called ‘Points of Entry’: International airports, road and railroad crossings, and seaports. The Office of Air and Marine (OAM) provides direct air and marine support between ports of entry, as well as within maritime operating areas. At last, the U.S. Border Patrol mainly guards the areas between the points of entry.

The Tucson Sector of the U.S. Border Patrol is one of the busiest sectors (both in apprehending undocumented migrants and marijuana seizures) of the Southwest Border (Squire 2014). There are currently 4.052 agents working in the Tucson Sector. In the fiscal year of 2014, 87.915 undocumented migrants were apprehended by the U.S. Border Patrol, 509 migrants were rescued and 107 migrants died²⁷. Border Patrol Search Trauma and rescue Unit (BORSTAR) is in charge of rescuing injured people along the U.S. national borders²⁸.

Civilian Border Patrol Groups

Benthe

In Arizona, there are various civilian border patrol groups concerned with observing and presumably reporting the movement of undocumented migrants to the U.S. Border Patrol. Vina et al. (2006) note that some of these are ad hoc groupings of ‘concerned citizens’, while others are highly organized and well-funded. A lot of media attention has been focused on the Minute Men Project. In 2005, this project mobilized hundreds of people along the Arizona-Mexico border to observe and report illegal activities to the U.S. Border Patrol (Vina et al. 2006:7). The formation of these groups has been an apparent response to the number of undocumented entries and the perceived lack of federal resources to control this (Vina et al. 2006). The U.S. Border Guards for example describe themselves as a “Patriotic Constitutionalist watchdog

²⁶ U.S. Customs and Border Protection, <http://www.cbp.gov/border-security/along-us-orders/overview>, last accessed: 08-05-2015.

²⁷ U.S. Customs and Border Protection, <http://www.cbp.gov/sites/default/files/documents/USBP%20Stats%20FY2014%20sector%20profile.pdf>, last accessed: 07-05-2015.

²⁸ U.S. Customs and Border Protection, <http://www.cbp.gov/sites/default/files/documents/Border%20Patrol%20Search,%20Trauma,%20and%20Rescue.pdf>, last accessed: 17-05-2015.

[...] committed to securing the American Border from Narco Terrorists and Human traffickers, as well as putting the spotlight on Government inefficiencies”²⁹.

Operation Streamline

In 2005, the Department of Homeland Security initiated ‘Operation Streamline’, an *en masse* criminal hearing of undocumented migrants in order to promote a ‘zero-tolerance’ approach towards all non-citizens caught crossing the border without authorization. In reality, this proved to be infeasible: there are simply not enough resources to prosecute every undocumented migrant (Human Rights Watch 2013). Operation Streamline allows Magistrate judges to conduct hearings during which up to eighty defendants can be tried simultaneously. Operation Streamline has been scrutinized for being un-Constitutional, ineffective, and criminalizing migrants (Human Rights Watch 2013).

We have looked into the way this legal system treats undocumented migrants and analyzed the way in which these procedures shape notions of the social-political agency of migrants. We were also interested in the way notions of the social-political agency of undocumented migrants among lawyers who work to defend these migrants.

Having explained the four actors who are responsible for producing and reproducing important understandings of undocumented migrants, we will now accompany ‘the migrant’ on his journey northwards from the perspectives of these four different actors.

²⁹ U.S. Border Guard, non-governmental organization, <https://www.facebook.com/USBorderGuard>, last accessed: 13-12-2014.

3. Migrant Rights Advocates: A Narrative of Victimization

Benthe

Undocumented migrants who cross the U.S.-Mexico border can potentially encounter migrant rights advocates. Be it during their journey through the desert where volunteers actively search for migrants in bright red 4x4 vehicles, or at one of the shelters for deported migrants on the Mexican side of the border, where they assist with money transfers, bus tickets, phone calls, clothes, toiletries, etc.

In this chapter we explain our interpretation of the narrativity of these migrant rights advocates as a border narrative which is mainly constructed around the victimization of migrants.

Opposing the Dehumanization of Border Enforcement Strategies

Victims of Necropolitical Policies

The situation along the U.S.-Mexico border has been represented by various scholars as a ‘major human tragedy’, a ‘human rights crisis’, and a ‘humanitarian crisis’ (Doty 2011; Martinez et al. 2013; Androff and Tavassoli 2012; Skogberg-Eastman 2012). During training sessions of the Tucson Samaritans, a ‘death map’³⁰ is used as a prominent visual tool to show the locations where remains of migrants have been

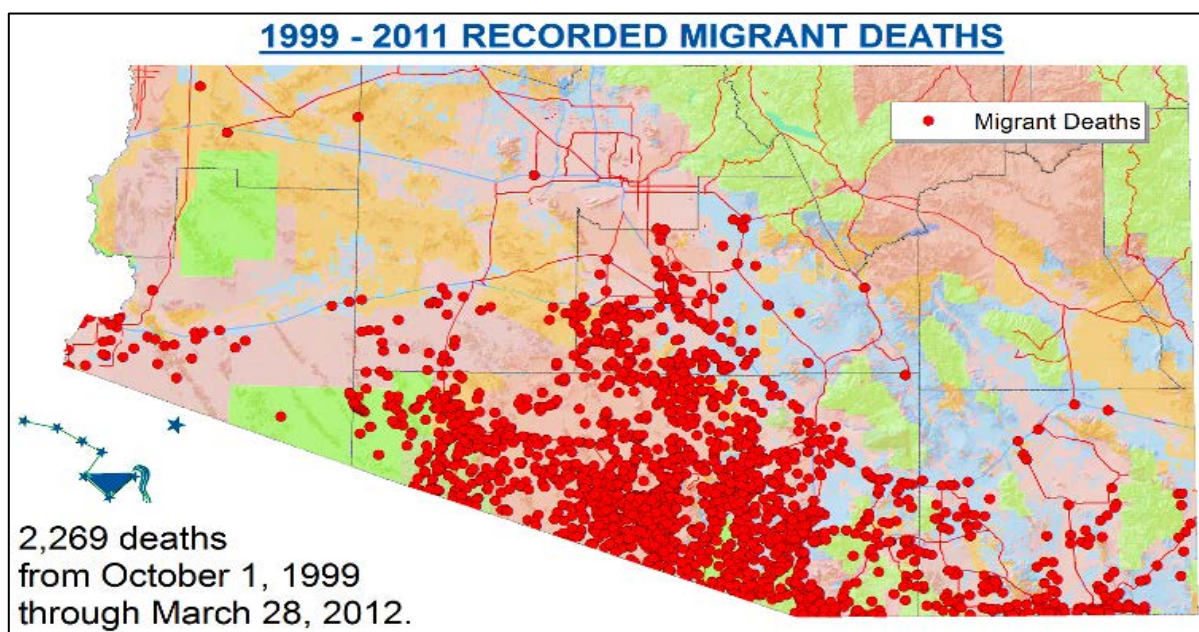


Figure 3: Death Map of Southern Arizona. <http://www.humaneborders.info/app/map.asp>, last accessed: 23-06-2015.

found. During these trainings it is explained that the red dots displayed on the map are a direct result of the implemented U.S. border policy of ‘prevention through deterrence’. This strategy funnels undocumented migrants into desolate and rugged terrain, limiting their chances of survival. It is generally agreed upon among volunteers that current policies have gotten out of hand: “US immigration policy has turned what once was a ‘humanitarian crisis’ into a human disaster of nearly inconceivable scope³¹”.

Indeed, the deaths and injuries suffered by undocumented migrants are not unintended collateral damage of migration policies but are intentional results of border militarization strategies designed to deliberately force migrants to take routes that place them in ‘mortal danger’ (Michalowski 2007). Volunteers argue that the U.S. government falsely claims that the fence is working: “The wall is just theater. It

³⁰ See figure 3

³¹ Excerpt from ‘Designed to Kill: Border Policy and How to Change it’. This information booklet was given to us by a No More Deaths volunteer at the Humanitarian Aid and information station in Arivaca.

is a show of power and money.³² It is regarded as a symbol of a sense of security and protection by the rest of America but it is seen by volunteers as a false solution with lethal consequences. The fence, together with military tactics, surveillance technologies, armed guards, watch towers and guard dogs, all deemed politically necessary to 'defend' the U.S., have made crossing the border a matter of life and death for a certain segment of society (Walters 2010). The 'skilled, touristic and entrepreneurial strangers' seem to have no problem crossing the border, while less established 'others' are in danger of losing their lives. Policy measure have created a zone of exception in which undocumented migrants are turned into 'bare life': they are merely understood as bodies crossing the border, with no political significance (Doty 2011; Williams 2015). They are represented as deserving their fates, including ultimately death, because they are framed as people who have made the choice to break U.S. immigration laws and thus need to be punished (Machilowski 2007; Holmes 2013). Lives of undocumented migrants are structurally deemed expendable (Williams 2015). A volunteer stated: "Our government doesn't care about the poor brown people. They are implementing deterrent policies so that they die. We are trying to give a voice to those people."³³

Holmes (2013) states that instead of migrants who *put themselves at risk*, as argued by social-political elites in charge of border demarcation, it is the migrants who are being *put at risk* by restrictive policies. Holmes (2013) notes that to put the blame on migrants presupposes the fact that the decision to migrate is the personal voluntary choice of a migrant. Rather, as volunteers argue as well, the decision to migrate should be seen not as a risk-producing choice, but rather a lack of choice, a determined process necessary to survive (Holmes 2013).

Humanitarian Aid is never a Crime: A Loophole for Activists

The understanding of migrants as victims of border enforcement strategies works to explain and legitimate many actions of volunteers of humanitarian aid organizations. They are doing their utmost to undermine the necropolitics of their government. The notion of undocumented migration as a matter of life and death makes volunteers push the limits of what is considered to be legal (and illegal) in order to save lives. For example, in 2005, two No More Deaths volunteers were arrested by Border Patrol

³² Unstructured interview, Tucson Samaritans desert trip, 03-03-2015.

³³ Participant Observation, No More Deaths meeting, Tucson, 02-02-2015.

for aiding and abetting illegal immigration while they were transporting three undocumented migrants. Allegedly, the migrants were severely dehydrated and in need of medical attention. No More Deaths responded to the accusations with a campaign called “Humanitarian Aid is never a Crime” which flooded Tucson with yard signs and bumper stickers to raise awareness. The charges were eventually dropped and the actions of the two volunteers were considered to be lawful.

It is a thin line between providing legitimate medical aid and ‘aiding and abetting illegal migrants’. In our fieldwork we noticed migrant care and humanitarian aid to be a loophole through which volunteers try to increase migrant’s chances of successfully crossing the border. For example, at one of the shelters for deported migrants we noticed some migrants were in possession of little pocket compasses. We have also heard people talking to migrants, who said afterwards: “He wanted to cross back into the U.S., I probably gave him more information than Border Patrol would have liked.³⁴” A Border Patrol officer told us he arrested volunteers from one of the organizations who were transporting ‘illegals’:

“Humanitarian organizations put themselves in risk. They cannot transport any migrants. When I look into your car and you have a blanket covering something, and you don’t respond to my questions.... You do either good or bad, you can’t do both. So I arrested them for transporting illegal migrants.³⁵”

During a meeting of the Tucson Samaritans, a woman spoke up about a volunteer of another organization who she had heard bragging about transporting undocumented migrants across the border. “That is crossing the line, we do not do that.³⁶” It was stated that this was a “breach of protocol³⁷”: “We cannot transport them, although that would be nice, it would be nice to have them here, they are an asset to this country, you cannot do it under our flag.³⁸”

These examples illustrate the extent volunteers are willing to go to in order to prevent undocumented migrants to fall victim to the necropolitical border enforcement strategies.

³⁴ Participant Observation, shelter for deported migrants, Nogales, 17-03-2015.

³⁵ Semi-structured interview, retired Border Patrol Agent, Phoenix, 19-03-2015.

³⁶ Participant Observation, Tucson Samaritans meeting, Tucson, 03-02-2015.

³⁷ See Appendix 1 for Samaritans’ Protocol.

³⁸ Participant Observation, Tucson Samaritans training, Tucson, 01-02-2015.

Victims of Militarization: The 'War on Migrants'

A big part of the current border enforcement policy is the so-called 'militarization' of the border. The U.S. Border Patrol uses military equipment and tactics in order to secure the border. Migrant rights advocates are worried about the border region being turned into a 'low level war zone' (Ferguson et al. 2010: 13). They argue that the amount of military equipment alienates and intimidates communities as opposed to seeing Border Patrol as a force that is working to serve and protect people. Helicopters are flying over their backyards and Border Patrol vehicles are flooding their streets. Still, the overall feeling is that Border Patrol is 'terrorizing' border communities with their military enforcement strategies: "Agents drive around in unmarked vehicles, wearing ski masks, and pointing their automatic guns at people. You don't even know who is following you in those cars, because they don't identify themselves. It's nasty." And:

"Look at those guys, they are so scary with those black masks riding around on All Terrain Vehicles, you can't even see their faces. You see them wearing these gloves, with knuckle protectors? Why would they even need that if they are just patrolling?"³⁹

Volunteers are worried about Border Patrol officers who have served in Iraq and Afghanistan and who are now being deployed in their neighborhoods:

"Those young men are just coming back from Afghanistan and Iraq, they have seen a lot of things, and are struggling with PTSD. They go out in the desert, carrying guns, ready to go. That's not okay."⁴⁰

The deployment of advanced surveillance technologies and the use of military tactics to detect threat levels and criminal flows is understood by volunteers to be dehumanizing migrants by fostering images of undocumented migrants, not as ordinary human beings, but as national security threats. It frames migration control as war-fighting which promotes a conceptual shift in understandings of migrants as 'the enemy other' (Michalowski 2007). This understanding of undocumented migrants is thought to be misleading:

"Border Patrol's mission is to counter terrorism, so how many terrorists have they caught? Zero. But countering terrorism justifies the amount of money spent

³⁹ Participant Observation, Tucson Samaritans desert trip, 04-04-2015.

⁴⁰ Participant Observation, Green Valley meeting, Green Valley, 16-02-2015.

on securing the border. The majority of people come here for jobs, or to reunite with their family. They are not terrorists. You can't solve a socio-economic problem with military force.⁴¹”

We have heard lots of complaints among volunteers about the display of violence by Border Patrol. For example, a technique called ‘dusting’, where they fly a helicopter as low as possible over a group of migrants in order to create panic and scatter them:

“One time when we were helping a group of migrants, a helicopter flew by, the doors of the helicopter were open and there was an officer hanging out, pointing a gun at us. It was so intimidating! They flew right over us... dust and cacti spikes were flying everywhere. He did not have to do that. The men were very upset because they had two women and two babies with them but they were all scattered and we could not find them anymore. So sad. We spent a lot of time looking for them⁴².”

Volunteers feel that the way law enforcement approaches undocumented migrants is socially constructing them as enemies, which is not a fair approach. They feel it would be more productive to take on a more civil approach: “Personally it gives me great pleasure to be able to go unarmed daily to places that people with automatic weapons are terrified to set foot in. I have not made myself an enemy of the people.⁴³”

Border Patrol's ‘War on Drugs’

“I just got out of prison, I was caught by ‘El Migra⁴⁴’. I got sentenced two years for smuggling marihuana. The drug cartels own the land along the Mexican side of the border. If you don't have money to pay them, they beat you up and force you to smuggle drugs for them. I just want to see my daughter. She lives up in Phoenix. She is a good girl, she is going to college. I want to be there for her, you know, see her grow up”. He rolled up the sleeve of his shirt: His daughter's name ‘Gabriella’ is tattooed on his arm. He pulled a picture out of his pocket, of

⁴¹ Semi-structured interview, Todd Miller: Author of *Border Patrol Nation*, Tucson, 11-03-2015.

⁴² Participant Observation, Green Valley desert trip, 19-02-2015.

⁴³ Excerpt from ‘Designed to Kill: Border Policy and How to Change it’. This information booklet was given to us by a No More Deaths volunteer at the Humanitarian Aid and information station in Arivaca.

⁴⁴ Hispanic slang for ‘U.S. Border Patrol’.

a girl in a red dress. “That’s my girl! Isn’t she pretty? But what can I do? Society says I am a delinquent...⁴⁵”.

One of the reasons behind Border Patrol’s militarization of the border is to counter ‘narco-terrorism’⁴⁶. We have heard from agents that they apprehend drug traffickers almost every day. The increase in smuggling activities has “pushed Border Patrol agents to the front line of the U.S. war on drugs⁴⁷”. A complicating factor is the accusations of Border Patrol agents who accept bribes to let drugs pass through checkpoints⁴⁸. In addition, we have heard about Border Patrol agents who regularly use drugs themselves.

However, volunteers’ understanding of drug traffickers focus on the notion that migrants have to pay drug cartel to cross the border. Migrants who cannot afford to pay the large amounts of money are forced to smuggle drugs, as illustrated in the quote above. Also, a volunteer told us: “When I visited Operation Streamline this week a guy spoke out to the judge. He told him he was threatened at gun point by the drug cartel to smuggle drugs across the border. He wasn’t even sure he wanted to come to the U.S. in the first place”⁴⁹. In regards to drug trafficking, migrants are understood to be unfortunate victims of drug cartels’ violence. Many volunteers we have spoken supported the legalization of drugs which, as they argue, would solve the problem of drug traffickers crossing the borders.

Volunteers regularly encounter migrants, either during the process of crossing the border, or after they have been apprehended and deported to one of the shelters in Mexico. These encounters, experiences and interactions have made them understand undocumented migrants not as terrorists, drug traffickers or enemies, but as fathers, mothers, brothers and sisters, who are desperately trying to reunite with their family or are trying to find better jobs in order to provide for their families. Noticing the way in which law enforcement agencies such as Border Patrol portray undocumented migrants as terrorists and threats to national security is upsetting to most volunteers.

⁴⁵ Unstructured interview, deported migrant, shelter for deported migrants, Nogales, 26-03-2015.

⁴⁶ Customs and Border Protection,

http://www.cbp.gov/sites/default/files/documents/bp_strategic_plan.pdf, last accessed: 23-06-2015.

⁴⁷ Customs and Border Protection, <http://www.cbp.gov/border-security/along-us-borders/overview>, last accessed: 24-06-2015.

⁴⁸ Federal Bureau of Investigation, <https://www.fbi.gov/phoenix/press-releases/2011/border-patrol-agent-indicted-for-accepting-a-bribe>, last accessed: 25-06-2015.

⁴⁹ All meetings of humanitarian aid organization begin with a moment of silence. Participant Observation, Green Valley Samaritans meeting, Tucson, 16-02-2015.

Witnessing how migrants are (mis)treated by the U.S. migration system and dehumanized by law enforcement agencies disturbs them. Militarizing the border is not a humane way to handle the migration issue, they argue. People in power need to reflect on the value they attribute to family values. Volunteers feel it is necessary to walk a more humanitarian (and Christian) path, a path of justice, compassion and mercy.

In the next paragraph I will illustrate how these efforts to ‘re-humanize’ migrants effectively risk reproducing the same logic of dehumanization volunteers attempt to overturn (Squire 2014).

Understandings of Migrants’ Agency

“Let’s begin with a moment of silence for those lost in the desert on this cold night, and those who are missing their families⁵⁰”

Understating Migrants

As I have explained, volunteers consider migrants to be victims of enforcement policies and militarization strategies which they deem to be dehumanizing migrants (Michalowski 2007). By portraying migration as a romantic and tragic tale of dislocation, separation and death volunteers try to ‘re-humanize’ the border (Squire 2014). These tales are influenced by emotions of sympathy and empathy due to encounters and shared experiences with migrants, either in the desert or at one of the shelters for deported migrants. In these tales migrants are represented in certain ways: women are often understood as vulnerable victims to rape (e.g. volunteers told us about ‘trophy trees’: after a woman has been raped, her underwear is displayed on the branches of a tree to high-light the event), children as innocent victims of cruel border enforcement policies, and men as unfortunate victims of the economic inequality between Mexico and the U.S.⁵¹ which forces them to cross the border in order to find work and provide for their families. The next excerpt is taken from a No More Deaths flyer:

“I have seen people who were too weak to stand, too sick to hold down water, hurt too badly to continue, too scared to sleep, too sad for words, hopelessly

⁵⁰ Participant Observation, Tucson Samaritans meeting, Tucson, 27-01-2015.

⁵¹ Generally speaking, volunteers blame the implementation of NAFTA for the structural economic inequality between the U.S. and Mexico.

lost, desperately hungry, literally dying of thirst, never going to be able to see their children again, vomiting blood, penniless in torn shoes two thousand miles away from home, suffering from heatstroke, kidney damage, terrible blisters, wounds, hypothermia, post-traumatic stress, and just about every other tribulation you could possibly think of.⁵²

We came across various examples of victimization of migrants during our fieldwork. For example, we visited shelters for deported migrants in Mexico, where we had the opportunity to join volunteers in helping out making phone calls to family members, giving medical aid, and preparing breakfast and dinner for recently repatriated migrants. During conversations with deportees, some volunteers were actively in search of stories that added to the social construction of ‘the migrant as a victim’. Conversations were steered into this direction. A guy with a broken arm and a sore back walked into the shelter. The first question asked was: “You were probably running from Border Patrol?”⁵³ Also, volunteers emphasize the hardships migrants have to go through. One of the volunteers told us he had been talking with a man who had been living in the U.S. for 35 years before he was deported. The volunteer said: “That was the first time I had to cry...it was just the way he thanked me for the stuff we had done for him and that he would never forget what we did for him. ‘God bless you guys’, he said.”⁵⁴ Also, during meetings of the various organizations, volunteers share the stories they were told by migrants at shelters, or during desert trips. The stories that are told are the heart-breaking ones, which adds to the victimization.

Although these stories represent the many struggles of crossing the border undocumented, the efforts to ‘rehumanize’ migrants seem to fail since migrants become portrayed as disempowered victims, understating their social-political agency (Squire 2014). It is, of course, critical to expose the rough realities of crossing the border. But victimization risks to reduce migrants to a humanity which is denied, without actively introducing political interventions to empower these ‘victims’. In other words, focusing on migrants as victims does not effectively overturn the logic of dehumanization, rather, it produces the same understating of migrants’ agency (Squire 2014: 17). The perspective of victimization becomes increasingly problematic when migrants become socially constructed as ‘people in need of saving’. Abu-Lughod

⁵² Excerpt from ‘Designed to Kill: Border Policy and How to Change it’. This information booklet was given to us by a No More Deaths volunteer at the Humanitarian Aid and information station in Arivaca.

⁵³ Participant Observation, shelter for deported migrants, Nogales, 24-02-2015.

⁵⁴ Participant Observation, shelter for deported migrants, Nogales, 12-03-2015.

(2002) calls this the danger of a rhetoric of salvation, because this reinforces a sense of superiority by Westerners. Indeed, it is of course a questionable neo-colonialist image when white privileged people are out in the desert ‘saving poor Mexicans’. It would be of more use to take on a more egalitarian approach of alliances and coalitions, Abu-Lughod states. This is done, for example, by No More Deaths. They are promoting to ‘put power in migrants hands’ by ‘know-your-rights’ campaigns before migrants are being put through immigration procedures.

Overstating Migrants

In contrast to understating migrants’ agency, Squire (2013) also notes the overstating of migrants’ agency. Undocumented migrants can become representatives of an idealized form of humanity. Volunteers told us about the many great people they meet during their desert trips:

“If you think the nurses, the lawyers, and all the other volunteers are good people... the real good people are the migrants. Who would we want more in our country than people who are willing to cross a desert to work for twelve hours a day, scrubbing toilets for \$9 per hour?⁵⁵”

Another volunteer noted: “The average person needs four liters of water, but these are very strong people, they can go much longer, they can go by much less than we can.⁵⁶” Migrants are almost portrayed as being supreme human beings.

Approaching migrants this way, stressing the human side, leads some volunteers to promote a world without borders. They argue that opening the borders will mitigate the current suffering at the U.S.-Mexico border. Encouraging messages like: ‘Para un mundo sin fronteras’ or ‘ni fronteras, ni migra’ are written on water bottles left behind by No More Deaths volunteers⁵⁷. This is not appreciated by everyone. During one of the meetings, a volunteer showed some water bottles he had found on which the slogans had been altered into ‘Agua Sucia’ and ‘Agua Mala’, together with a drawing of a skull. Volunteers stated that this was either done by hunters or by Border Patrol



⁵⁵ Semi-structured interview private lawyer/volunteer, Tucson, 19-02-2015.

⁵⁶ Participant Observation, desert trip Green Valley Samaritans, 13-02-2015.

⁵⁷ Participant Observation, Tucson Samaritans meeting, 24-03-2015.

agents. We were told that agents had been caught on camera before, while they were slashing water bottles. Border Patrol agents told us they see drug traffickers guarding the water tanks of humanitarian organizations and that they are only letting people who smuggle their drugs use them. This exemplifies the differences in understandings of undocumented migrants in the borderlands near Tucson. Humanitarian aid organizations are trying to help undocumented migrants survive their journey through the desert while others are worried about what kind of people are using the aid of these organizations to enter the U.S. illegally. The slashing of water bottles also exemplifies the negative attitudes towards actions of migrant rights advocacy groups. In the next paragraph we will further elaborate on the tension between humanitarian aid organizations and the U.S. Border Patrol.

Relationship with U.S. Border Patrol

Victims of Abuse

In our fieldwork we noticed a clash between migrant rights advocates and the U.S. Border Patrol. We have witnessed multiple protests, demonstrations and acts of civil disobedience in Tucson, in order to shine a light on the ‘culture of cruelty’⁵⁸, within Border Patrol. One of the volunteers sent us a news article which stated that, since 2004, 46 people have been killed by Customs and Border Protection officers, but none of them have been disciplined⁵⁹. Volunteers are genuinely worried about the impunity of the U.S. Border Patrol:

“I do not know how to convey the extent of the abuse that I have heard migrants report at the hands of these jokers. I have heard of agents beating, sexually abusing, and shooting people, as well as throwing them into cactus, stealing their money, denying detainees of food and water, deporting unaccompanied minors, driving around wildly with migrants chained in the back of trucks that unmistakably look like dogcatchers, and on and on”⁶⁰.

⁵⁸ No More Deaths has collected and documented incidents of abuse and mistreatment of undocumented migrants by Border Patrol in their report “Culture of Cruelty: Abuse and Impunity in Short-term U.S. Border Patrol Custody”. This report note is a collection of more than 30.000 incidents of abuse and mistreatment of migrants by Border Patrol agents. <http://forms.nomoredeaths.org/wp-content/uploads/2014/10/CultureOfCruelty-full.compressed.pdf>, last accessed: 20-06-2015.

⁵⁹ <http://www.azcentral.com/story/news/arizona/investigations/2014/09/14/border-deaths-agents-transparency-secrecy/15616933/>, last accessed: 19-06-2015.

⁶⁰ No More Deaths information booklet ‘Designed to Kill: Border Policy and How to Change it’.

Law enforcement brutality, rights suppression, and a lack of accountability seem to be integral parts of the institution's culture, volunteers argue. The desolate and remote areas make undocumented migrants an easy target for abuse and excessive use of violence by Border Patrol. The fact that there are few witnesses around in the 'Corridor of Death' (Holmes 2013; Doty 2011; Isacson et al. 2013) or the 'Arizona Killing Fields'⁶¹ (Doty 2011), makes this a lawless area with little accountability for law enforcement officers. Volunteers feel officers are more tempted to cross lines in regards to the use of excessive force against undocumented migrants. During the Samaritans trainings the importance of 'being a witness' is emphasized⁶². By being actively present in the desert, volunteers are trying to let Border Patrol know that they are not alone. Volunteers argue that Border Patrol might be less likely to be abusive towards migrants because their actions will not go unnoticed.

The difference in understandings of undocumented migrants is putting a strain on the relationship between migrant rights advocates and the U.S. Border Patrol. While we joined volunteers on desert trips, we noticed that they regularly cross paths with Border Patrol agents. Watching these two groups interact, we found out that this relationship has become increasingly hostile. Not only have Border Patrol officers been caught on camera while slashing water bottles, but they have also 'raided' the humanitarian aid camp of No More Deaths under the accusation volunteers were 'harboring illegal aliens'⁶³. In addition to this, several volunteers have been cited, indicted or arrested for varying accusations, from 'transporting illegal aliens'⁶⁴ to 'littering' (Rose 2012). The next two quotes are based on our own experiences of being in the desert and watching volunteers and Border Patrol interact. These quotes exemplify the hostile relationship between the two:

Volunteer: "They do not expect us to say anything, so I always try to speak to them." He rolled down his car window: "Nice hat! I did not know they let cowboys into the Border Patrol!" "Yeah man, that is how we roll." "Ah, where is your horse then?"⁶⁵

⁶¹ The words 'Killing Fields' are used as a subscript of a picture in the 2015 Humanitarian Aid & Social Justice Calendar given to us by a volunteer of the Tucson Samaritans. The calendar was publicized by Michael Hyatt.

⁶² Participant Observation, Tucson Samaritans training, 01-02-2015.

⁶³ Semi-structured interview, volunteer, 02-03-2015.

⁶⁴ Semi-structured interview, retired Border Patrol Agent, 19-03-2015.

⁶⁵ Participant observation, desert trip Green Valley Samaritans, 13-02-2015.

Two Border Patrol agents drove up to us in ATV's. I saw one of the guys had attached a little teddy bear on the front of his ATV. "I like your bear!" He noticed we were part of a volunteer team, laughed and said: "Yeah...it makes us look less evil..."⁶⁶

Border Patrol as an 'Occupying Army'

But the migrant rights advocates are not the only ones who find themselves in a hostile relationship with the U.S. Border Patrol. A tribal member of the Tohono O'odham Nation told us that he regards the Border Patrol to be an 'occupying army' on the Nation's land. He told us about an incident where Border Patrol stormed into someone's house, took him outside, and kept him on his knees at gunpoint. Six agents, who did not identify themselves, had kicked in his door. He was being accused of harboring illegal migrants. There was an M16 rifle magazine left behind by one of the Border Patrol guys. It was noted that this meant an officer had been using his civilian ammunition for federal use⁶⁷. This anecdote was used to exemplify the lack of accountability, misuse of power, and overall lack of respect for the Tohono O'odham people.

We were also told about a town hall meeting on the Nation with Border Patrol. This meeting was part of a new Border Patrol strategy. Through the Border Community Liaison Program, Border Patrol officers are supposed to facilitate better relationships and interactions between government, law enforcement, border community partners, and non-government agencies. The town hall meeting was an open-mic event in order to raise what migrant rights advocates considered to be "human rights violations". The following quote exemplifies how this meeting was understood:

"It was a show of force, with lots of military vocabulary, but no one mentioned anything about human rights. It was just a public relations image they wanted to promote, just to make them look good. I told them my worries about Border Patrol being an occupying army on our nation, our problems with the militarization of the border, and our worries about human rights violations.

⁶⁶ Participant observation, desert trip Tucson Samaritans, 04-04-2015.

⁶⁷ Participant Observation, Greenvalley Samaritans meeting, 30-03-2015.

They did not have an answer. Their military vocabulary did not provide answers to these questions.⁶⁸

This anecdote illustrates the way a lot of people who oppose the militarization of the border understand the U.S. Border Patrol: they are a large militarized enforcement agency, with a limited perspective on current border issues: national security while migrant rights advocates argue to approach undocumented migrants from a human perspective.

Dehumanizing Border Patrol Agents

The overall image being portrayed by migrant advocates of Border Patrol agents is not a very positive one. It is generally acknowledged that there are also respectful agents working within law enforcement, and that some of them are just “caught in a fraud system”, “There is no use in generalizing, or taking it out on individual agents”⁶⁹. As explained, civil initiative is one of the guiding principles of the migrant rights advocates in Tucson. This is the legal right and the ethical responsibility of civil society to protect victims of human rights violations when the government is the violator. In the ‘Training Booklet and Field Guide’ of the Tucson Samaritans they stress the need for dialogue. It states that government officials should be addressed as persons, not as adversaries. Nevertheless, the emphasis among the majority of volunteers is on the level of abuse and the impunity of Border Patrol agents.

The next excerpt is taken from a book written by three volunteers of the Tucson Samaritans about their experiences and encounters with undocumented migrants during desert trips, but also about encounters with Border Patrol and BORSTAR agents.

⁶⁸ Participant Observation, Greenvalley Samaritans meeting, 30-03-2015.

⁶⁹ Participant Observation, shelter for deported migrants, Nogales, 04-04-2015.



“I looked at the agents face. Beyond the glossy surface of the eye, deep inside, it was hard and angular- no soft edges or recognition that what he was about to chase was made of the same blood, skin, sinew, and soul as he. No recognition that he was hunting down his own species. The clean, steely precision of the military doesn’t allow for the edgeless peculiarity of desire, empathy, or hope. The agent started running, hand reaching for his holstered gun. He mistook a dream for an enemy on two legs. The hunt was on. But the prey had no chance.” (Ferguson et al. 2010: 169).

This fragment describes how most volunteers understand Border Patrol agents. These agents are generally regarded as hunting down innocent migrants, who are trying to cross the desert in order to reunite with their families, or are in search of work to be able to improve their families’ economical situation.

Main Border Narrative of Migrant Rights Advocates

The dominant border narrative among migrant rights advocates revolves around the victimization of migrants. Whether it are the necropolitical border enforcement

strategies, the militarization, the structural economic inequality between Mexico and the U.S., or the violence of drug cartel and Border Patrol. In narratives of migrant rights advocates 'the migrant' has solely become a disempowered victim. This understanding is largely due to the current border enforcement strategies which seem to deem undocumented migrants as socially and politically insignificant. This arises the need for volunteers to advocate for migrants' rights because they are not seen as rights-bearing individuals by the social-political elites in Washington D.C., who continue to implement restrictive immigration policies. In order to curb the dehumanization processes of militarizing the border, volunteers are making efforts to 're-humanize' the border. But these efforts are mainly causing migrants to be victimized while the migration system which limits migrants' social-political agency is still in effect. At the same time, the victimization of undocumented migrants can also be regarded as a functional advocacy approach. Highlighting the amount of human suffering will increase their political leverage.

4. Border Patrol: Paradox of Protection

Mayke

Another actor which might be encountered by undocumented migrants is the U.S. Border Patrol. An enormous amount of Border Patrol agents are positioned in the Sonoran desert. As law enforcement agency, they are obliged to enforce the 'necropolitics' (Mbembe 2003). This chapter makes a distinction between border demarcation and border management (Newman 2006). Whereas these two processes are supposed to complement each other (Newman 2006), we have noticed a discrepancy between the two, for both have their own border narrative. Demarcation is the process through which social political elites determine the criteria of inclusion and exclusion (e.g. on the basis of citizenship, religious affiliation, ethnic group relation etc.). Within this demarcation, undocumented migrants are lumped together with terrorists, drug dealers, and other criminals, being denied any prospect of access. Border management encompasses the system through which border guards enforce these criteria of demarcation, and restrict the mobility of people who lack the necessary documents. Pallister-Wilkins (2015:54) argues that Border Patrol agents are faced with the paradox of protection, in which undocumented migrants are understood

to be *a risk*, when he or she is violating US migration law, as well as *at risk*, when they need to be rescued. However, we will argue that by managing the policies of the socio-politics elites, Border Patrol creates their own paradox of protection.

Demarcation of Borders

Who is the threat?

The U.S. Border Patrol was first initiated in 1924 as part of the Immigration and Naturalization Service (INS). Its primary mission was to ‘patrol the land border and stop smuggling’ (Trevino 1998:89). After 1924, the agency grew slowly but steadily for about 70 years. However, in the last 20 years there has been a massive and quick expansion of border enforcement. Since then, the United States has become an extremely militarized nation (Miller 2014). The word militarization is used because of Border Patrol agents carrying heavy assault rifles and other military equipment (Trevino 1998:492). Especially after the September 11, 2001 terrorist attacks against the nation, a lot of resources have been put in border patrolling. Today, a new mission has to be accomplished, which is ‘to prevent terrorists and terrorists weapons, including weapons of mass destruction, from entering the United States’⁷⁰.

Whereas the priority mission of the Border Patrol is based on the ‘war on terror’, alternative missions include the apprehensions of drug traffickers, human traffickers and undocumented migrants. Their activities include: actively patrolling the border in known smuggling areas between the ports of entry, ‘signcutting’ for evidence of entry (footprint, tire tracks); responding to various intrusion sensors and intelligence; detecting, tracking and apprehending ‘illegal’ entrants; case processing of aliens, drug and human smugglers; conducting traffic checkpoints on highways leading from the border area; and inspection of Commercial and Public Transportation (bus, train, boat, aircraft).⁷¹ These activities are supposed to contribute to the current border policies, which are to exclude the undesirable. Borders are permeable, for access should be given to those who can provide economic benefits. The theme will be developed further in the next paragraph.

⁷⁰ U.S. Customs and Border Protection, <http://www.cbp.gov/border-security/along-us-borders/overview>, last accessed: 25-06-2015

⁷¹ Leaflet: Your Career Protecting America - U.S. Border Patrol

Border Policies: Selective Mobility

Today's border policies, set up by the social political elites (Newman 2006), are designed to exclude. Anyone who wishes to enter the U.S. without the required documents will be deported, and in some cases, incarcerated for violating U.S. migration law. One of the critical elements of Obama's executive actions on immigration will illustrate the government's attempt to exclude:

“Cracking Down on Illegal Immigration at the Border: The President's actions increase the chances that *anyone* attempting to cross the border illegally will be caught and sent back. Continuing the surge of resources that effectively reduced the number of unaccompanied children crossing the border illegally this summer, the President's actions will also centralize border security command-and-control to continue to crack down on illegal immigration”⁷².

The green card provides an option for people to legally enter the US. However, today's excessively restrictive legal limits on green cards mean that practically none undocumented immigrants have avenues for legal entry to the United States⁷³. Bill Walker, immigration judge, confirms this notion by saying that:

“The only way migrants can enter the U.S. is with a green card. But this is only a temporary stay. Besides, only the well-established migrants can apply for a green card, since they need to prove a high-enough financial status.”⁷⁴

Access is given to “foreign entrepreneurs looking to start businesses in the US and the most promising foreign graduate students in science and math who wish to remain in the US after graduation. For the US would rather have their skills than taking them to other countries”⁷⁵. In other words, the U.S. only allows foreigners a (temporarily) legal status when economic benefits are involved. This is what Van Houtum (2002) refers to as selective mobility: mobility that has become class specific. States only

⁷² U.S. Government, <https://www.whitehouse.gov/issues/immigration>, last accessed: 25-06-2015.

⁷³ Immigration Policy, <http://www.immigrationpolicy.org/just-facts/why-don%E2%80%99t-they-just-get-line>, last accessed: 25-06-2015.

⁷⁴ Semi-Structured Interview, Immigration Judge, Tucson, 05-03-2015.

⁷⁵ U.S. Government, <https://www.whitehouse.gov/issues/immigration/streamlining-immigration>, last accessed: 25-06-2015

select those who are believed to be beneficial for their economies: mainly the ‘skilled, touristic and entrepreneurial strangers’ (Van Houtum 2002).

Criminalization

Illegalizing migrants justifies treating them as criminals, for they are opposing U.S. migration laws. This criminalization contributes to the increased incarceration and deportation of migrants, and therefore, contributes to the function of borders, which is to exclude ‘the poorer, less skilled migrants’ (Andreouli 2012:361; Dauvergne 2008). Incarceration excludes migrants from US society, and deportation excludes them from the country. In Arizona, controversial federal programs and policies, such as Operation Streamline⁷⁶ and the Arizona Senate Bill 1070 (SB1070), contribute to the increased incarceration and deportation of undocumented migrants. The SB1070 obligates agents to arrest people in Arizona who have already crossed the U.S.-Mexico border but do not have a legal status. Most often, these arrests take place after small offenses, such as speeding, or when passing through a checkpoint. However, consequences are huge, for migrants face jail time and deportation. In 2009, 380.000 people have been incarcerated, and 387.000 people have been deported⁷⁷. The criminalization of immigration also enriches the private prison industry⁷⁸, for this is where the convicted migrants are detained to detention. These private prisons are federal prisons which only house non-citizens and are operated by for-profit companies instead of being run as federal institutions by the Bureau of Prisons⁷⁹ (BOP). Therefore, these prisons are low-custody institutions with lesser security requirements than the medium and maximum-security institutions run directly by the BOP.⁸⁰

Narrativity of Socio-Political Elites

Demarcation, designed by the socio-political elites, is intended to exclude all of those who cannot contribute to the economic welfare of the country. The undocumented

⁷⁶ Juridical program which deals with prosecuting undocumented migrants

⁷⁷ Detention Watch Network, [http://www.detentionwatchnetwork.org/SB1070 Talking Points](http://www.detentionwatchnetwork.org/SB1070_Talking_Points), last accessed: 25-06-2015.

⁷⁸ Report Private Prisons: Warehoused and Forgotten. Immigrants trapped in our shadow private prison system. ACLU

⁷⁹ The BOP is a leader in correctional excellence and consistently recognized for outstanding government stewardship - <http://www.bop.gov/about/>

⁸⁰ Report Private Prisons: Warehoused and Forgotten. Immigrants trapped in our shadow private prison system. ACLU

migrants are understood to be *a risk*, threatening national security. They are lumped together with terrorists, criminals, child molesters, drug traffickers and other undesirables, for they are all violating US migration law. Policies designed within border demarcation are aiming to be an effective deterrent by excluding migrants in any possible way. Controversial programs and policies, such as the SB1070, OSL, and the private prison system, contribute to this exclusion. This, in addition to the impossibility of entering the US legally, limits migrants' socio-political agency.

We have spoken with Border Patrol agents who go along with this dominant thinking and policies. 'IS is crossing our border. They are already inside. It is just a matter of time before they act.'⁸¹; 'The desert is dangerous. There are terrorists, child molesters and gang members entering our nation'⁸². However, some agents created a different understanding of the undocumented migrants, due to the many encounters and interactions with these people. Instead of understanding the undocumented migrants as *a risk*, they better understand migrants to be *at risk*, as well as 'normal people' searching for a job to provide their family.

Management of Borders

"In training, they teach you how to deal with drug traffickers and terrorists. But in reality, you mostly encounter the 'normal' people [the undocumented migrants]. This is one of the reasons I quit. It is hard for me to deal with these people."⁸³

Spending time in the field and interacting with Border Patrol agents made us realize there is a discrepancy between border demarcation and management. Border Patrol's priority mission, based on the 'war on terror', does not correspond with what Border Patrol agents have to deal with in real life, which is the apprehension of drug- and human traffickers and undocumented migrants. Border Patrol statistics show numbers of apprehended illegal migrants and the seized amount of drugs⁸⁴. But no facts are

⁸¹ Semi-structured Interview, Retired Border Patrol agent, Tucson, 19-03-2015.

⁸² Unstructured Interview, BORSTAR agent, Tucson, 23-03-2015.

⁸³ Semi-structured interview, retired Border Patrol agent, Tucson, 02-03-2015.

⁸⁴ U.S. Customs and Border Protection, <http://www.cbp.gov/newsroom/stats/typical-day-fy2014>, last accessed: 25-06-2015

given concerning the apprehensions of terrorists crossing the US-Mexico border. Due to the 9/11 attacks, insecurities and fears of terrorism and violence has led the US to assert their sovereignty. Security along the border was heavily increased and the movement of 'undesirable' people was restricted (McGuire 2013:469). The US became a militarized nation (Miller 2014), justified by the 'war on terror'. After 9/11, undocumented migration became an matter for the Department of Homeland Security⁸⁵, whereas this used to be a matter for the Department of Justice. With this shift, undocumented migration became an issue of national security. Thus, a new kind of battle emerged: the battle against undocumented migrants.

Liberal Paradox in Practice

Whereas the demarcation shows a liberal paradox in which 'foreign entrepreneurs looking to start businesses and the most promising foreign graduate students in science and math'⁸⁶ are allowed to enter and stay in the U.S., management also shows a liberal paradox for undocumented migrants. One reason for liberal states to accept undocumented migrants is economic globalization (Sassen 1996), in which wealthy countries can profit from cheap, compliant and flexible labor, performed by the undocumented migrants. Undocumented migrants fulfill jobs, such as construction work, and harvesting produce. Dauvergne (2008) argues that the work they do often in the 'three D' category: Dirty, dangerous, or degrading. In an interview with a Border Patrol agent, he said: "Even though we stop them, you have to let some of them get through". However, his motivation didn't only concern economic globalization, "They provide cheap labor". Another example which exemplifies the liberal paradox of undocumented migrants is the deployment of Border Patrol agents at the Olympic Winter Games in 2002. We were told by a Border Patrol agent that they were asked to help out with the security at this event, but that they were told to ignore the illegal migrants who were also at work: "Some of them have to get across our border, America depends on their labor."⁸⁷

⁸⁵ Umbrella agency over Custom and Border Protection, Border Patrol, and Immigration and Customs Enforcement

⁸⁶ U.S. Government, <https://www.whitehouse.gov/issues/immigration/streamlining-immigration>, last accessed: 25-06-2015.

⁸⁷ Unstructured interview, BORSTAR agent, Tucson, 19-03-2015.

“Being a Border Patrol agent is not just about the work. It’s about deporting migrants who do not really have a good home. Sometimes, something bad happened to them. That is why they crossed. I understand why people cross. It has happened that I, alone, arrested groups of people, sometimes 20 to 30 people. You need to show authority, because you have to control them. But at the same time, I want to show them my respect. A lot of times, I just hung out with them, waiting for somebody to pick them up. We shared food and water, kids wanted to play with my equipment, and sometimes, when there was no language barrier, we talked a lot. They would ask me about girls and stuff. We were just joking. It’s strange. I try to arrest them without judgement”⁸⁸

This quote clearly exemplifies the paradox of protection Border Patrol agents are faced with. Williams (2015:11) refers to a humanitarian border, in which not only migrant rights advocates provide humanitarian aid to those who are crossing the border, but also the Border Patrol. Since the mid-2000’s, Border Patrol has become increasingly involved in providing and trying to control migrants care. We have spoken with Border Patrol agents from the Search and Rescue unit. This unit was initiated in response to the growing number of injuries to Border Patrol agents and migrants deaths along the nation’s border ⁸⁹. BORSTAR agent:

“We get about 3 to 4 phone calls a day. People tell us a person is out there [in the desert] and needs to be rescued. We ask them where we can find the person, but you know, the desert is huge. It is very hard to explain and, for us, understand someone’s location. Other times, it is the migrant themselves who call us. Then, chances are, the person loses reach or the battery is too low. This is so frustrating and hard. You know the person is out there, but you don’t know where. However, we do save lives. But off course, this is not our priority. Our priority is to enforce immigration law.”⁹⁰

⁸⁸ Semi-structured interview, Retired Border Patrol agents, Tucson, 03-03-2015.

⁸⁹ U.S. Customs and Border Protection, <http://www.cbp.gov/sites/default/files/documents/Border%20Patrol%20Search,%20Trauma,%20and%20Rescue.pdf>, last accessed: 25-06-2015

⁹⁰ Semi-structured interview, BORSTAR agent, Tucson, 04-02-2015.

Secure Border, Save Lives

The Border Patrol functions as a Human Border Wall (Heyman 2010:622). They both control operations in close proximity to the boundary, as well as arrest people after having crossed the border (SB1070). With the implementation of the prevention through deterrence strategy in 1994 (Nevins 2002), the number of Border Patrol agents has increased drastically and effective use has been made of technology. This enforcement would raise the risk of apprehensions high enough to be an effective deterrent. Although they didn't expect to apprehend a 100 percent of all undocumented border crossers, they believed to achieve a rate of apprehensions sufficiently high to stop the attempts of illegal entry. Today, this strategy is still being reinforced. Border crossers are forced into remote and dangerous areas. In 2013, 445 migrants died along the Southwest border. But it is not just a matter of life or death. People get severely injured, both physically and mentally, and it is often the Border Patrol that encounters these situations.

“Once, I encountered a woman with her baby in the desert. They were left behind. The woman had already passed away, and she had her baby in her arms. It was hard for me to take the baby because the body of the mother was all dried up and stiff. The baby was about five or six months old. Is it worth the risk?”⁹¹

Border Patrol enforces the ‘necro’-politics and functions as a human border wall (Heyman 2010). They force undocumented migrants into hazardous areas and jeopardize the lives of these migrants. By policing, more migrants are being put *at risk*. Therefore, the Border Patrol create their own paradox of protection. They save the lives of those they endanger.

Trafficking Market

Another factor contributing to the risks migrants face in the desert is the expansion of the trafficking market. Unintentionally, US government nurtures the trafficking market along the US-Mexico border by cracking down on illegal migration (Dauvergne 2008). Crossing the border unnoticed and safely has become extremely difficult, due to the increasing border enforcement and the prevention through

⁹¹ Semi-structured Interview, Retired Border Patrol agent, Phoenix, 19-03-2015.

deterrence strategy. This created ideal conditions for the emergence of the human trafficking market as a new type of organized crime (Michalowski 2007:67). In addition, traffickers have been enabled to charge more for their services (Laufer 2004). Border Patrol heavily criticizes the presence and activities of human and drug traffickers. The trafficking market is the most sophisticated evasion of migration laws.

This market is so well resourced and coordinated, that it makes it almost impossible for the government to crack down on (Dauvergne 2009:71). Traffickers withhold the agents from accomplishing their mission, which is to prevent the undesirables from entering. In addition, there is a lot of cruelty and abuse among those who are trafficked. Migrants are often abandoned by their human trafficker, who did not allow them to carry a cell phone or compass in order to have full control over his group. Migrants are left behind without a clue about where to go and the basic necessities, such as water and food. Sexual abuse of women by human traffickers also occurs frequently. This leads to disastrous situations, most often encountered by the Border Patrol. The next quote exemplifies these encounters.

“Let me tell you a story. I once encountered 5 men from Guatemala – they were farmers. They came across a store window which said 'Come to Vegas and become rich'. This is why they came. They paid a human smuggler, who, after a day, left them. I found them by following their food tracks. They run out of water and were totally dehydrated. I contacted BORSTAR, who picked them up by helicopter.”⁹²

SB1070: Breaking up Families

The Arizona Senate Bill 1070 raises a lot of controversy among migrants advocate organizations, and migrants themselves. Discussing this subject with Border Patrol agents made us realize that they too struggle with this bill. Bob, Border Patrol agent, said:

“Everyone hates this bill. It belongs to the Tucson Police Department, which is a federal agency. This means that the tasks included should be a federal responsibility. However, we are obligated to respond to every law enforcement agency calling for us. So, if the Tucson Police Department calls us, we come.”⁹³

⁹² Semi-Structured Interview, Retired Border Patrol agent, Phoenix, 19-03-2015.

⁹³ Structured Interview, Border Patrol Public Affair Agents, Tucson, 20-03-2015.

Agents are very well aware of the consequences this bill entails, which is detention and deportation. An informant in El Comedor, Nogales, was ‘victim’ of this bill:

“I did something stupid, and then they caught me. Now, I am here (shelter in Mexico) and my family is still on the other side. I have to go back. But I will not try to cross the desert. I am too old for that. I will try to enter through the port of entrance. Sometimes, if they don’t pay enough attention, they let you through. I will wear my neat clothes.”⁹⁴

Besides, The SB1070 should only be implemented when a small offense has occurred. However, argue Border Patrol agents, you have those who arrest people after they suspect people to be ‘illegal’, pretending not to need a valid reason for apprehensions. Border Patrol agent: “Some make up a reason to arrest when there is suspicion”⁹⁵. This, again, shows a discrepancy between border demarcation and management, since not all law enforcement agents play by the rules.

Border Patrol’s Narrativity

Border Patrol agents are supposed to put demarcation into practice. Whereas socio-political elites understand migrants as *a risk*, terrorists, drug traffickers and other criminals, many Border Patrol agents have created a more moral attitude towards undocumented migrants. This difference has emerged due to Border Patrol agents obliged to work along the line. Here, they have faced many encounters with migrants. They created a more nuanced understanding of the migrants *at risk* as well as the migrant in search for a better life in order to provide for their family. However, whereas the Border Patrol is enforcing the ‘necro’-politics, they contribute to the many difficulties migrants face in the desert. Therefore, by policing, they create their own paradox of protection.

The next chapter will introduce another border enforcement actor: the civilian border patrol. These are patriots, mostly ex-military men, trying to stop illegal migration by voluntarily patrolling along the U.S.-Mexico Border. Whereas these men might be confused with the Border Patrol, they are quite diverse. The Border Patrol is following the border policy, imposed by the U.S. government, whereas the civilian

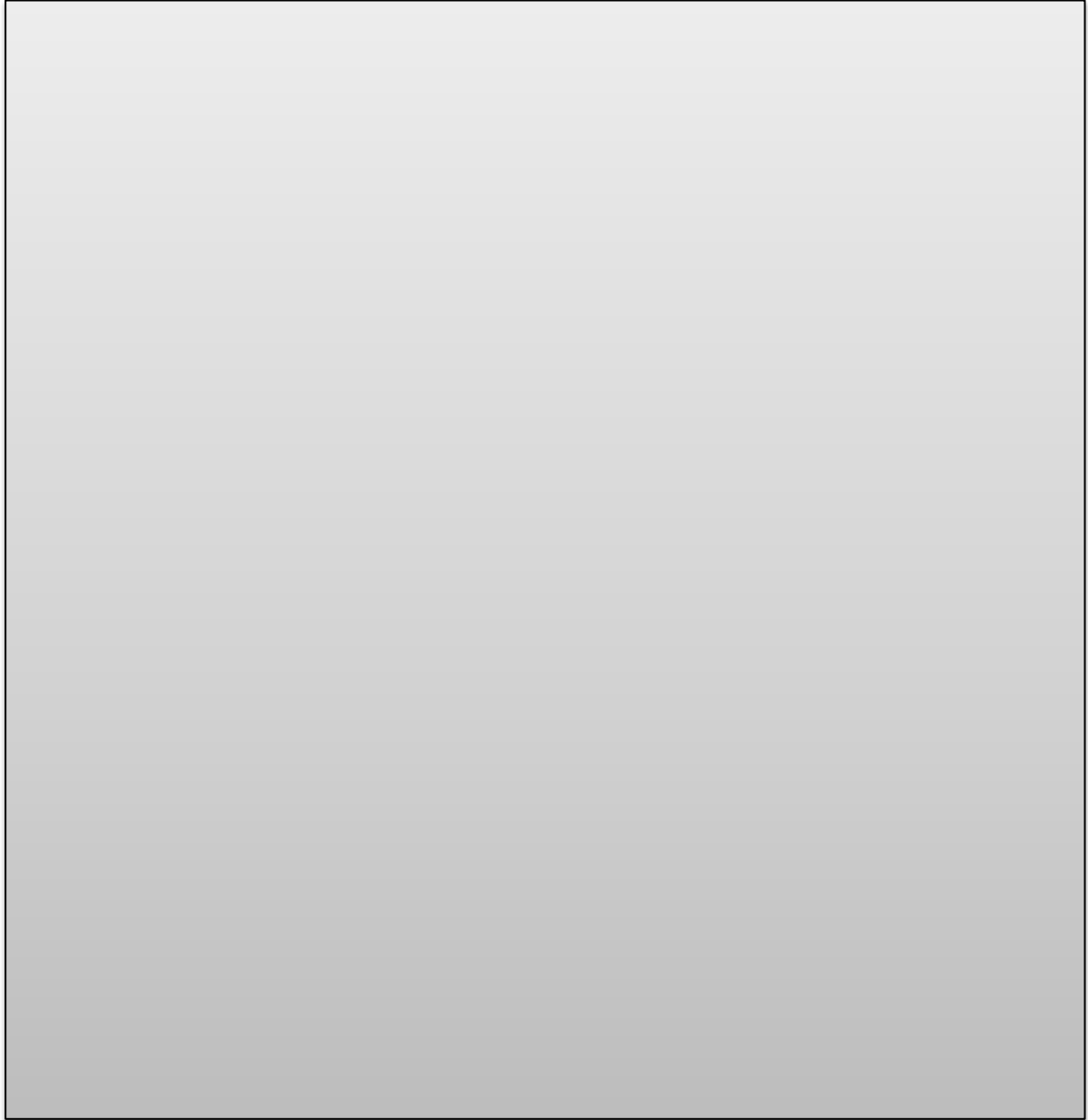
⁹⁴ Unstructured Interview, Shelter for deported migrants, Nogales, 17-03-2015.

⁹⁵ Unstructured Interview, Border Patrol agents, Tucson, 13-03-2015.

border patrol is argued to take the law into their own hands. Besides, the Border Patrol gets paid for the work they do, and this, heard from in the field by agents themselves, is no modest salary⁹⁶. Civilian border patrol men have to finance themselves, or search for donators. It will be argued that these civilians disagree with both the border demarcation, as well as the border management. The policies have to be more stringent and better implemented. They are motivated by their own border narrative, which is the threat to their national identity.

⁹⁶ Hanging Out, Border Patrol agents, Tucson, 18-03-2015.

5. Civil Border Patrol Groups: Preserving National Identity



More Rigorous Demarcation, Better Management

Mayke

During our fieldwork, we have spoken with two men, Walter and Glenn Spencer, who are concerned with the crossings of illegal migrants. These are civilian border patrol groups, collectively known as the Minutemen: a variety of groups across the US who campaign for stricter border controls and are known for flamboyant and media-attracting demonstrations (Fletcher 2009:223; Vina et al 2006). Civilian border patrol are mostly ex-military, patrolling along the US-Mexico border in search for illegal border crossers. These men are worried about insufficient policing. They argue that both government and Border Patrol is failing in securing the US-Mexico border. They disagree with the border demarcation, since border policies should be more stringent, and border management, since the Border Patrol fails in their duty to prevent 'illegal' migrants from entering the U.S. According to them, they are doing the job the government and border patrol is supposed to be doing (Fletcher 2009:225). The next quotes exemplify civilian border patrol's discontent with both border demarcation and management.

"The government is lying to us. They say they are securing the border, but they are not. They are all globalists. They want to reconnect with Mexico and Canada. I am here to tell the truth about the border. I am public enemy number one. I know too much. I know the problem and I know how to fix it. We're being lied to and we're being cheated. [...] The Border Patrol is not that happy with me either. I know how to eliminate the Border Patrol. Give me a break. I know how to solve the border problem. Border Patrol doesn't have a measure of effectiveness. If you can't measure it, you can't improve it. Did you hear about the drug tunnels? The Border Patrol doesn't know how to catch these diggers. The Border Patrol is redundant, I know how to limit the Border Patrol. I know how to secure the border. I fly my airplane and take pictures of their stupidity. I am their worst nightmare"⁹⁷

"The U.S. has become a country in a country. Obama is a wackjob. He shouldn't have been president. We have got to build a better fence. Now, there is the vehicle barrier, they just pull over. The government is too remiss [...]"

⁹⁷ Semi-Structured Interview and Participant Observation, Glenn Spencer, President of American Border Patrol, Hereford, 25-02-2015.

The Border Patrol is full of shit. Besides, they are not that effective. You never know where they are at. They don't have any cell service. Also, communication between the agents is really bad. And they make so much money. I pay for it all myself. I don't get any donations. I brought 200 people in over the past two years"⁹⁸

'The other', threatening national identity

Mayke

Most civilian border guards are concerned with the idea that illegals migrants carry drugs, crime, filth, diseases, ignorance, and sloppy work ethics with them (Fletcher 2009:224). This coincides with Walter, who said:

"Illegal migrants have impact on hospitals, the quality of schools, jobs and diseases. Diseases that we conquered years ago all of a sudden are coming back, like tuberculosis. [...] This is my country. This area here, I used to hunt here, and it became so junky. It was really trashed up. You would be knee-deep in shit. Backpacks, clothes, everything. It would be so busy that it kept us from hunting. That's what got me here in the first place. We try to stop them from wrecking the desert. Groups of illegals would give us shit. Groups became bigger and bigger, fifty people at once. That is what bums me about this area: people are scared to come in here. But it is so beautiful (See Figure 1) [...] I feel really sorry for my grandkids. This country isn't the country I grew up in any more."⁹⁹

⁹⁸ Semi-Structured Interview and Participant Observation, desert trip, Walter, 07-03-2015.

⁹⁹ Semi-Structured Interview and Participant Observation, Walter, desert trip, 07-03-2015.

This quote exemplifies the importance Walter attaches to his country and its national identity. Eilbaum (2013) argue that civilian border guards feel the need to protect their nation and restore a sense of community, belonging, meaning and purpose. They operate under the notion of ‘America’ as a nation. Civilian border guards try to maintain traditional culture and demographic distinctiveness by restricting control over the illegal border crossing (Fletcher 2009:226). Constructing and maintaining a

Figure 6: Caution: Illegal Entry and Drug Smuggling Activities are Common Within these Refuge. Be Aware of Your Surroundings. Do Not Travel Alone or Approach Suspicious People or Activities.



national identity includes the process of othering, for this construction is as much about identification with certain groups as it is about recognition from those and from others (Duveen 2001). It is the undocumented migrant who is understood as ‘the other’, endangering national identity when crossing the self-defined distinguished border of comfort (Van Houtum & van Naerssen 2001:129).

Another concern among civilian border guards is the idea of the ‘Plan de Aztlan’, also



Figure 7: United States Secure the Border'. The letters are padded with US flags, sent to him by US-citizens who wish to support, financially and socially, the American Border Patrol in their effort to stop illegal migration.

contributing to the threat these guards face of their national identity. 'Plan de Aztlan' refers to the notion of Mexicans wanting to (re-)conquer the Southwest of the U.S. by migration. Glenn Spencer is one of these civilian border guards who is motivated by the notion of this plan. Spencer is president of the American Border Patrol: a team of six concerned citizens. He lives right beside the U.S.-Mexico border. In between the border and his home, he created his own border wall, saying: United States Secure the Border. Glenn Spencer bought one square mile of land, on which he exhibits his own design of ground sensors. These sensors are supposed to recognize human footstep which are heading North from the border.

“These ground sensors are the solution to the migration issue along the Southwest border. When they recognize human footsteps, they will go off and a drone will be sent to the person or group of illegals. We will use an amplifier to tell people: “go back, or you will go to jail”. This is a technological deterrence. If that doesn't work, we will send in a bigger drone, with missiles on it. I am not saying that...well, only if you are a terrorist.”¹⁰⁰

As argued, Glenn Spencer is motivated by the 'Plan de Aztlan'. The next quote will exemplify this.

“Mexico is going to pay us back for what we have done to them. They call it 'La Reconquista'. The president of Mexico once said: 'We are going to expand our border by migration. And that is what they are doing now. The Reconquista's (undocumented migrants) are politically motivated. They dream of conquest. After the shut down on Obama's executive order, what are they going to do? Use violence. We will have to start a war while we can still win.”¹⁰¹

Civilian border guards who fear the Plan de Aztlan, fear both cultural and political occupation from the ongoing movement of 'illegal' migrants (Fletcher 2009: 224). Their national identity is threatened by 'the other' (Andreouli 2012). By socially

¹⁰⁰ Semi-Structured Interview and Participant Observation, Glenn Spencer, President of American Border Patrol, Hereford, 25-02-2015.

¹⁰¹ Semi-Structured Interview and Participant Observation, Glenn Spencer, President of American Border Patrol, Hereford, 25-02-2015.

constructing illegal migrants as 'la reconquistas' or 'the enemy other' (Michalowski 2007), civilian border guards legitimize their violent behavior towards these migrants. This behavior can be exemplified by referring to guards wearing camouflage suit and carrying heavy assault rifles when out on desert trips. In addition, we have heard of many stories about civilian border guards being guilty of abuses and killings of undocumented migrants in the lawless area with little accountability for official law enforcement agents. Both of these contribute to the notion of civilian border patrol being vicious towards undocumented migrants in the desert.

Narrativity of Civilian Border Patrol

Mayke

Even though we have only met with two civilian border guards, we have gathered enough and relevant information to be able to understand their main border narrative, for we have spent one entire each of these men, both interviewing and doing participant observation. The civilian border patrol fairly disagrees with border demarcation and management. They feel the need to take the law into their own hands, for, according to them, the U.S. is being threatened by 'the other', 'the illegal immigrant', 'la reconquista'¹⁰². By understanding the undocumented migrant as a threat to national identity, they can be understood as 'the enemy other' (Michalowski 2007). This legitimizes the guards' violent behavior towards these migrants. Once migrants have crossed the nations self-defined distinguished border of comfort (Van Houtum & Van Naerssen 2001:129), the migrants are restricted from their freedom of mobility (Andreouli 2012:261) and choice. This causes the socio-political agency of the undocumented migrants to be very much limited.

¹⁰² Semi-Structured Interview and Participant Observation, Glenn Spencer, President of American Border Patrol, Hereford, 25-02-2015.

6. Operation Streamline

Official Juridical Procedure

Mayke

Due to the drastic border enforcement, with an immense amount of Border Patrol agents and civilian border guards patrolling along the line, the chances of being apprehended is high. These apprehensions, as well as the implementation of SB1070, contribute to the criminalization, incarceration and deportation of undocumented migrants. A major factor in this is Operation Streamline (OSL). OSL was implemented in Tucson in 2008. This program was set up as a zero tolerance program in order to first, be an effective deterrent for illegal immigration in general, and second, keep ‘dangerous criminals’ from entering the US¹⁰³. Everyone who would enter the United States without documents would go to court, get a criminal record and be sentenced to jail. However, in Tucson it turned out a zero-tolerance approach was infeasible, due to the enormous amount of migrants. Now, only ten percent of the undocumented migrants apprehended in the desert are sent to Operation Streamline.

This 10 percent is chosen by the US Border Patrol. Apprehended migrants are first brought to the Border Patrol office. Here, fingerprints are taken and people’s criminal records are checked. This administrative procedure reveals the history of immigration and the criminal record track. Based on these findings, the Border Patrol decides how people will be furtherly processed. This is called ‘prosecutorial discretion’. Those who are not sent to OSL may be sent to Flipflop¹⁰⁴, civil court¹⁰⁵, or they will be ‘voluntarily’ repatriated^{106 107}. Every day, seventy defendants are

¹⁰³ Report Human Rights Watch. Turning Migrants into Criminals. The Harmful impact of US Border Prosecutions

¹⁰⁴ Criminal court in which the more severe cases (drug traffickers or those with a serious criminal record) are being dealt with

¹⁰⁵ Possibility for being granted asylum with the support of an immigration judge

¹⁰⁶ Also called the ‘catch and release program’. A program which used to be a standard procedure before the emergence of OSL. People are apprehended and, within a few hours, deported and dropped

brought to the federal courthouse and approximately 700 people daily cross the desert in the Tucson sector (262 miles/422 km).

Operation Streamline is known for its dehumanization and criminalization of undocumented migrants by a lot of people we talked to, varying from migrant rights advocates, to law students, to immigration judges. Due to increasingly anti-immigrant political climate and worries surrounding potential terrorist attacks in the United States (Martinex and Slack 2013:537), migrants who enter a nation without the required documents are immediately and primarily seen and treated as ‘criminals’ (Resnik 2015). They are lumped together with terrorists, drug traffickers, human traffickers, and other criminals. This understanding of migrants justifies the broad range of crackdown measures which are currently being implemented (Dauvergne 2008). Whereas undocumented migrants used to be treated in only a civil procedure, which is the catch and release program, they added the criminal procedure as one of the ‘crackdown’ measures. This includes the assignment of a criminal record, jail time, and in some cases also a fine. Important to note is that Operation Streamline is not a trial, it is a hearing. This means that all defendants have already signed a plea-agreement on beforehand in consultation with their public defender or private lawyer. In other words, the final judgement of the judge, which is the guilt of the defendant, has already been defined before the session.

Defendants are charged with 8 US Code 1325 (Misdemeanor – Improper entry by alien¹⁰⁸) and US Code 1326 (Felony – Reentry of removed aliens¹⁰⁹). Being charged with a misdemeanor would include jail time up to 6 months, a possible fine and deportation. Being charged with a felony would include jail time up to 20 years, a possible fine and deportation. Defendants are highly encouraged to plead guilty to the misdemeanor. If they do this, the felony is left out. This is considered to be a ‘good deal’, because all defendants in Operation Streamline are ‘already removed aliens who have reentered the US’, which means they would actually have to be punished according to the felony crime. This would also mean that defendants have to be processed individually, because it indicates a much more serious crime. However, there is no money for this procedure, and neither is there enough money and space to

off on the other side of the US-Mexico border

¹⁰⁷ Formal Interview with Public Affair Agents

¹⁰⁸ <https://www.law.cornell.edu/uscode/text/8/1325>, last accessed: 26-06-2015.

¹⁰⁹ <https://www.law.cornell.edu/uscode/text/8/1326>, last accessed: 26-06-2015.

put these ‘criminals’ in prison for such a long time. Therefore, every defendant is charged with a misdemeanor.

If defendants do not sign the plea-agreement, they will go to trial. In trial, their case will be taken more seriously. However, there are diverse reasons why this rarely occurs. First of all, not many defendants are aware of their rights or do not understand their rights when they are. Second, the requirements for being granted some sort of asylum (being a political refugee or falling under the immigration policies DAPA (Deferred Action for Parents of Americans) or DACA (Deferred Action for Childhood Arrivals) are extremely strict and complicated. Genova (2013:1180) argues that ‘the criteria for being granted asylum tend to be so strict and so completely based upon suspicion, that it is perfectly reasonable to contend that what asylum regimes really produce is a mass of allegedly ‘bogus’ asylum seekers. Therefore, in systematic and predictable ways, the government disproportionately disqualify asylum seekers, and convert them into ‘illegal’ and deportable ‘migrants’. Third, the burden of evidence lies with the migrants themselves. Whereas the government has enough proof to show the defendant’s guilt, such as a criminal record and one or more Border Patrol agent(s) who can testify for the illegal entry of the person, the defendant hardly has any evidence for being a political refugee. Meeting the requirements for DACA or DAPA on the other hand is easier to prove. However, this again eliminates when the person has illegally entered the US. Martinez and Slack (2013) argue that the criminalization and incarceration of undocumented migrants leads to significantly reducing peoples chances of gaining some (temporarily/permanent) legal status. People who have crossed the border without the required documents will be given a criminal record, which will lessen the possibility of being granted some sort of asylum, while the demands temporary/permanent asylum is already extremely strict. For example: Part 4 of the ‘Consideration of Deferred Action for Childhood Arrivals’ is titled ‘Criminal, National Security, and Public Safety Information’, of which the first questions says: ‘Have you EVER been arrested for, charged with, or convicted of a felony or misdemeanor, including incidents handled in juvenile court, in the United States?’ Answering ‘Yes’ to this question will extremely limit a person’s chance of being granted DACA.

Since Operation Streamline is a criminal procedure, defendants are facing a loss of liberty. Therefore, defendants have the right to an attorney. Defendants are assigned a private lawyer or a public defender. Both defenders are members of the

CJA and get paid by the government. The Criminal Justice Act Panel is a group of qualified and court-approved attorneys who are eligible for appointment by the Court to represent individuals in criminal cases who are unable for financial reasons to retain counsel. The appointments are made by the Court on a rotating basis among members of the panel.¹¹⁰ Whereas private lawyers do both Streamline and other cases, public defenders only do Streamline four days a week. There is a lot of controversy concerning these public defenders since they don't seem to be able to protect defendants from both sentence and deportation. Also, they are supposed to make \$100 dollar a client. And every day they defend 7 people. Before the hearing, defenders are given 3 hours in total to spend with their clients.

Defendants are send to Federal Private Prisons. These private prisons have a contract with the government. However, since private prisons are profit agencies, they try to make as much money as possible. Private Prisons in Arizona are known to be neglecting its inmates, for instance by cutting on service and food.

¹¹⁰U.S. Government: <http://www.cand.uscourts.gov/becomingamember>, last accessed: 26-06-2015.



Border Narratives of Lawyers and Public Defenders

Benthe

In addition to analyzing the legal procedures of Operation Streamline, we have also interviewed several immigration lawyers who work for this program. We found that these lawyers are not always confident that Operation Streamline is the right way to handle undocumented migrants. One of the public attorneys told us:

“I was sceptic with Operation Streamline to begin with. We should be focusing on securing our borders because of the dangers that lurk. Terrorism is the real threat. We are working in the trenches, but I do not see any terrorists. I see farmworkers, ‘campesinos’, agricultural workers who come to the U.S. for economic reasons. And we keep dinging them on the head.¹¹¹”

The overall notion among attorneys is that Operation Streamline is not targeting the people it should target: the terrorists and other criminals. This is confirmed by Human Rights Watch (2013) which states that many people going through Operation Streamline, do not have a criminal history at all. A growing number of people are former long-term residents seeking to reunite with their families. Once a person has a record of being in the U.S. without the necessary papers, they have no legal way of entering the U.S. Human Rights Watch states that the current system is splitting families apart by means of lengthy prison sentences and deportations (Human Rights Watch 2013). Two private attorneys we spoke with confirmed this: “It’s the guy with family, with kids...that is the guy who just keeps trying and trying.¹¹²”

Insufficient Legal Representation

Benthe

Migrant rights advocates argue that the attorneys who work for Operation Streamline are not concerned with effectively representing their clients. They claim that they are “just going through the legal motions, doing their charades.” Operation Streamline is represented as a cruel theater play: “You can visit Monday to Friday, the show starts at 1.30 pm. Bring Kleenex. It is an emotional experience.¹¹³” They are worried that migrants are not defended in a proper way:

¹¹¹ Semi-structured Interview, Public Attorney, Tucson, 18-03-2015.

¹¹² Semi-structured Interview, Private Attorney and Public Attorney, Tucson, 23-03-2015.

¹¹³ Participant Observation, Tucson Samritans Desert Trip, 03-03-2015.

“They [the migrants] are being forced and intimidated by their lawyers to sign those plea agreements, without fully understanding what repercussions this has for them. Their lawyers go through the legal motions as fast as possible to shove people out the back door and get their paycheck of a \$100 per client at the end of the day. Those lawyers spend little time getting to know their clients. They just convince them to sign a piece of paper, which waives all their rights [e.g. the right to remain silent, or the right to go to trial]. Those lawyers are working alongside the government to get those people out of the country as fast as possible. Those people are traumatized, they are in a foreign country, thrown in jail, and nobody’s on their side, not even their lawyers¹¹⁴.”

The attorneys we talked to explained to us that the amount of time they spend with their clients varies from 15 to 20 minutes. They said:

“It really does not take long. Are you guilty? Yes? Take the plea offer. With ninety percent of my clients it is just slam-dunk. There is no doubt about it that pleading guilty is the best way. It becomes plainly obvious that it is the best thing to do. The government offers them a very good deal.¹¹⁵”

One of the lawyers, in his turn, blamed the speedy prosecutions on the judges: they are responsible for trying to make the prosecutions go as fast as possible. “Judge [name] is a joke. He makes OSL into a game. He always tries to improve his time. I mean, convicting seventy people in an hour? That is just crazy.” The attorneys stated that there is not much they can do about the system. Their motivation is clear: “I decided to do OSL because it pays. You take any work they have for you.¹¹⁶” Meanwhile the criminalization of migrants continues, but lawyers say they are powerless: “All we can do is give them a plea agreement. When you see OSL in court, everything is already set and done. There is nothing we can do, no argument. The plea agreement is the best we can do.¹¹⁷”

¹¹⁴ Semi-structured Interview Private Lawyer/Volunteer Samaritans, Tucson, 05-03-2015.

¹¹⁵ Semi-structured Interview, Private Attorney and Public Attorney, Tucson, 23-03-2015.

¹¹⁶ Semi-structured Interview, Private Attorney, Tucson, 23-03-2015.

¹¹⁷ Semi-structured Interview, Public Attorney, Tucson, 18-03-2015.

Main Border Narrative of Operation Streamline

Mayke & Benthe

In short, whereas Operation Streamline is supposed to be an effective deterrent for illegal migration in general, as well as prevent ‘dangerous criminals’ from entering the nation¹¹⁸, it has been proven that both goals are not being accomplished¹¹⁹. Undocumented migrants are lumped together with terrorists, drug and human traffickers.

Operation Streamline contributes to the criminalization, incarceration, and deportation of undocumented migrants. Once they have gone through Operations Streamline, they immediately become labeled as federal felons with a criminal record, which forever disables them in a legal sense, from regularizing their immigration status. But as we have shown in our vignette of Operation Streamline, even before migrants are officially sentenced as delinquents they are already treated as such. They are “herded into the courtroom like cattle¹²⁰,” in *en masse* hearings, they are being handcuffed and chained, and have no other choice but to plead guilty.

The U.S. government implemented Operation Streamline in order to deter illegal immigration and to keep dangerous criminals from entering the U.S. But people who are seeking to join their children or other loved ones are not likely to be deterred by the threat of prison (Human Rights Watch 2013). Immigration lawyers note the fact that a growing number of people seeking entry are former long-term residents wanting to return to their families. Increasingly, the U.S. migration system is splitting up families by putting undocumented migrants through Operation Streamline and labelling them as federal felons. By not providing a legal way for undocumented migrants to reunite with their families, Operation Streamline severely limits the social-political agency of undocumented migrants and forcing them to search for alternative ways to enter the U.S.

¹¹⁸ Report Human Rights Watch. Turning Migrants into Criminals. The Harmful impact of US Border Prosecutions

¹¹⁹ Report Human Rights Watch. Turning Migrants into Criminals. The Harmful impact of US Border Prosecutions

¹²⁰ Interview Private Lawyer/Volunteer Samaritans, Tucson, 05-03-2015.

Concluding Remarks

Mayke & Benthe

In our thesis, we accompanied undocumented migrants on their journey through the U.S. migration system. By interacting with different actors who frequently encounter undocumented migrants, as well as analyzing relevant documents of these actors, we interpreted their understandings of migrants into four different border narratives. In doing so, we noticed a clash of narrativity concerning the understandings of undocumented migrants. We will further elaborate on this clash in order to exemplify the complexity of the migration issue along the U.S.-Mexico border.

The Clash of Narratives

The main factor concerning the understandings of undocumented migrants are U.S. border enforcement strategies. The dominant political discourse in the U.S. understands migration as a problem that needs to be solved by means of restrictive immigration policies (Castles 2010; Bloch and Chimienti 2013). These policies are designed by socio-political elites, whom decide who is allowed to cross the border and who is not (Newman 2006). We found the current U.S. enforcement strategies to be highly exclusionary. Access is denied to most of the poorer and less skilled migrants, because they are not understood to be economically beneficial. Thus, mobility is class-specific, which is referred to by Van Houtum (2010) with the term 'selective mobility': some people are able to go wherever they want, where others do not have that freedom.

By means of exercising power over people's mobility, the U.S. government implements increasingly restrictive migration policies in order to curb the migration flow from South to North. Current border enforcement strategies are considered to be 'necro-political' (Mbembe 2003). This is legitimized by the understanding of undocumented migrants as terrorists, criminals and other undesirable people. Current immigration laws are designed to criminalize and therefore exclude undocumented migrants from society. In addition, border enforcement strategies such as 'prevention through deterrence', are reducing migrants to 'bare life'. Their deaths are not understood to be socially or politically relevant by social-political elites (Doty 2011; Newman 2006), severely limiting migrants' agency.

Whereas it is the social-political elite who decide the demarcation of borders, it is the U.S. Border Patrol who is in control of managing these necro-political

enforcement strategies (Newman 2006). During our fieldwork we noticed a discrepancy between these two, for Border Patrol agents have their own border narrative. Whereas the social-political elites understand the undocumented migrants as *a risk*, U.S. Border Patrol agents are more aware of the fact that migrants are being put *at risk* by current policies. By encountering migrants on a regular basis, they are getting to understand migrants as ‘normal people’ who do not pose a threat to society, but are in search of better lives in order to provide for their families. Pallister-Wilkins (2015) argues that Border Patrol faces a paradox of protection, in which the undocumented migrant is understood as being at risk, when he or she needs to be rescued, as well as a risk, when he or she is in violation of the law. There is a struggle between humanitarianism and policing. However, we argue that the Border Patrol is creating their own paradox of protection by enforcing the necro-politics because they function as a human border wall (Heyman 2010). This enforcement strategy puts migrants at more risk.

Even though agents face moral struggles concerning the understandings of undocumented migrants, being a Border Patrol officer requires enforcing immigration laws, whatever those laws entail. Therefore, it is the understanding of undocumented migrants as being *a risk* which is managed by Border Patrol agents. So in the end, it is the law that prevails. Even though the understandings of migrants by U.S. Border Patrol agents differ from the understandings of migrants of those who design border demarcation, they manage undocumented migration as obliged by social-political elites. Therefore, they go along in the exclusionary processes, contributing to the limitation of migrants’ socio-political agency.

Elaborating on the understandings of migrants to be *a risk* or *at risk*, different organizations in Tucson work on changing current border enforcement strategies. Civilian border patrol groups focus on the understanding of migrants as being *a risk*. These groups are worried about insufficient policing. They complain about border demarcation, for border policies should be more stringent. In addition to this, they complain about border management as well, for Border Patrol is failing its duty to secure the U.S.-Mexico border. For them, ‘illegal’ migrants are a threat to national identity and should therefore be prevented from entering the U.S. The construction of a national identity is inseparable from the process of ‘othering’, for people have to distinguish themselves from ‘the other’ in order to create their own identity. Civilian

border patrol groups and individuals we spoke to, understand undocumented migrants as ‘La Reconquistas’. According to them, these migrants are aiming to reconquer the American Southwest. The use of violence by civilian border patrol is legitimized by the social construction of ‘La Reconquistas’ as ‘the enemy other’ (Michalowski 2007). ‘The other’ becomes dehumanized. They are not understood as equal beings, wishing to seek for better opportunities, but as enemies who are threatening the national identity. This dehumanization of undocumented migrants severely limits their social-political agency.

In contrast to civilian border patrol groups, migrant rights advocates focus on the understanding of migrants as being put *at risk* by necro-political border enforcement strategies. Just like civilian border patrol groups, migrant rights advocates are not content with border demarcation and management. However, whereas the civilian border patrol are promoting more stringent border policies and management, migrant rights groups are advocating for a more humane approach. By means of an advocating strategy, the focus within these groups lies on the amount of deaths and abuses along the U.S.-Mexico border. Undocumented migrants are primarily understood as ‘victims’, whether it concerns militarization, violence of U.S. Border Patrol and drug cartels, necropolitical border enforcement strategies, or the disparity in economy between the U.S. and Mexico. This victimization becomes problematic, as argued by Abu-Lughod (2002), when migrants are solely understood as ‘people in need of saving’. This approach portrays undocumented migrants as disempowered beings, limiting their social-political agency.

Maintaining the Status-Quo

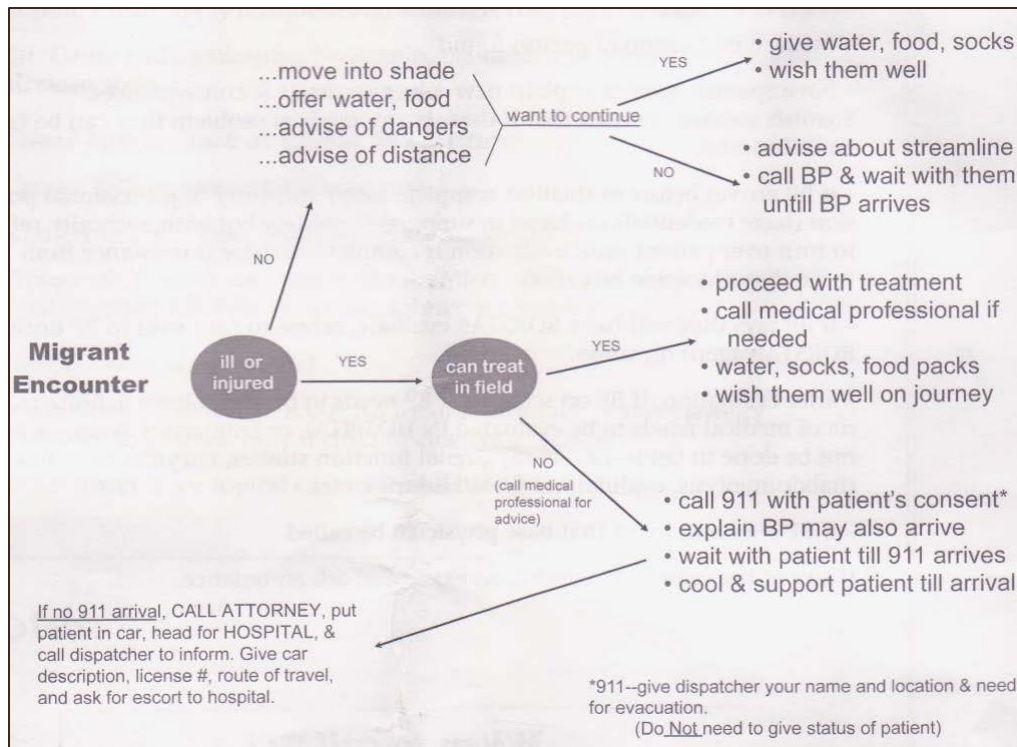
The clash between the different border narratives in Tucson, Arizona contributes to maintaining the status-quo. This status-quo is an exclusionary system designed by those in power, who understand undocumented migration as a threat to national security. The current system has caused an increase in the amount of deaths along the U.S.-Mexico border. But bringing change to this system will have to entail a collaboration between groups of people with entirely different understandings of undocumented migrants. As we have witnessed during our fieldwork, all four different actors strive towards a different solution to the current U.S. migration issue.

Whereas some groups are advocating for a more humanitarian approach of an open border, others are promoting a heavily securitized border.

The current status-quo of the immigration system is turning migrants into illegal and deportable individuals (De Genova 2013), as we have argued by illustrating Operation Streamline. This program was set up as a zero tolerance program in order to be an effective deterrent for illegal immigration. However, the power of transnational ties is underestimated. Once individuals are labeled as felons, they are no longer capable of entering the U.S. legally, but motivated by their desire to reunite with their family, many of these people are searching alternative ways of getting into the U.S. As such, Operation Streamline is contributing to the circular movement of undocumented migrants by deporting family members. We will exemplify this by a conversation we had with one of the deportees in the shelter for deported migrants in Nogales. He told us he had recently been deported and was now separated from his daughter and son, who lived in Phoenix. He showed us pictures and told us how much he missed them. When we asked him what his next move would be, he answered: "It's simple, I will cross the desert again, like I've always done."¹²¹,

¹²¹ Unstructured Interview, deported migrants, shelter for deported migrants, Nogales, 23-02-2015.

Appendix 1: Tucson Samaritans Protocol¹²²



Summary

Since the implementation and management of the ‘nerco’-political border enforcement strategy, a large number of undocumented migrants have died along the US-Mexico Border. This strategy, designed by the socio-political elites, is intended to force migrants into the remote and dangerous areas by avoiding all (visible) border enforcement strategies, such as the wall and the border patrol. This strategy is supposed to stop undocumented migration by causing migrants’ deaths, and therefore being an effective deterrent. However, undocumented migrants are still crossing the US-Mexico border and the deaths are still continuing. In 2014, at least 307 migrants perished during their journey to enter the United States. Different actors are involved

¹²² ‘Training Booklet and Field Guide’, Tucson Samaritans.

and concerned with the undocumented migration. In order to indicate the complexity of this migration issue, we have met with these actors, doing participant observation, interviewing, and hanging out. The actors include the U.S. Border Patrol, Civil Border Patrol, Migrant Rights Advocates, and Immigration lawyers contributing to Operation Streamline ¹²³. By focusing on their border narratives, we have been able to get a better notion of the way they understand undocumented migrants. It is also the clash between these border narratives, and therefore, the clash between the different understandings of undocumented migrants, that the current U.S. migration system is still in full operation. In our thesis, we will follow the undocumented migrant through this U.S. migration system. In addition, we have spoken with the undocumented migrants, in order to understand how they themselves experience and give meaning to this issue.

This U.S. migration system is designed by the socio-political elites. This is called border demarcation (Newman 2006). The purpose of this demarcation is to exclude. Access to the country is only provided to those who can provide economic benefits. Therefore, there is a liberal paradox (Hollifield 2004), and access is denied to a large number of undocumented migrants. Therefore, migrants have no option but to cross the border undocumented. In order to prevent this from happening, the socio-political elites created policies which increases the border enforcement to an even higher extent. As mentioned, the 'necro'-political enforcement is part of these border policies. It is the Border Patrol who has to manage these border policies.

In the field, we have noticed a discrepancy between border demarcation and border management, for within these processes, a different border narrative can be found. Whereas the socio-political elites lump together the undocumented migrants with terrorists, drug traffickers, human traffickers, and other criminals, the Border Patrol understands migrants in a different way. They have learned, by encountering undocumented migrants in the desert on a regular basis, that undocumented migrants should be understood as those who are put *at risk* by current border policies, as well as 'normal people' in search for a better life to provide for their family. Pallister-Wilkins (2015:54) argues that Border Patrol agents face the paradox of protection, in which migrants can be considered *at risk*, when he or she needs to be rescued, as well

¹²³ A zero-tolerance program which focusses on the prosecution of undocumented migrants

as *a risk*, when he or she is in violation of the law. However, we have argued that by policing, Border Patrol is creating their own paradox of protection. By reinforcing border strategies, the Border Patrol contributes to the ‘necro’-politics. They force migrants into the hazardous areas in the desert. More migrants are faced with the threats of the desert, and therefore, more migrants are being put *at risk*. When encountering these situations, Border Patrol agents struggle between humanitarianism and policing (Pallister-Wilkins 2015). However, it is the law that prevails, since this law is imposed upon them by those in power. Agents feel the need to implement every policy, as long as it belongs to their function as Border Patrol agent.

There are two actors which fully disagree with both the demarcation of borders and the management of borders. Besides, there is a difference between the focus on migrants *at risk*, and migrants as *a risk*. These actors are the civilian border patrol and the migrant rights advocates. However, both have the complete opposite border narrative and understanding of undocumented migrants. The civilian border patrol disagrees with the demarcation, for stricter policies are needed, as well as the management, for the Border Patrol is failing its duty to secure the border. Civilian border patrol understands the undocumented migrant to be a threat to national identity. Undocumented migrants are understood as ‘illegals’, ‘*la reconquistas*’, ‘aliens’, and ‘the enemy other’ (Michalowski 2007). Therefore, they voluntarily contribute to the border enforcement by patrolling along the line.

Migrant right advocates focus on the understanding of migrants as being put *at risk* by necro-political border enforcement strategies. Just like civilian border patrol groups, migrant rights advocates do not contend with border demarcation and management. However, whereas the civilian border patrol are promoting more stringent border policies and management, migrant rights groups are advocating for a more humane approach. By means of an advocating strategy, the focus within these groups lies on the amount of deaths and abuses along the U.S.-Mexico border. Undocumented migrants are primarily understood as ‘victims’, whether it concerns militarization, violence of U.S. Border Patrol and drug cartels, necropolitical border enforcement strategies, or the disparity in economy between the U.S. and Mexico. This victimization becomes problematic, as argued by Abu-Lughod (2002), when migrants are solely understood as ‘people in need of saving’.

In the end, a large amount of undocumented migrants are apprehended by U.S. Border Patrol. Ten percent of the apprehensions are sent to Operation Streamline. Within this program, criminalization, incarceration and deportation of the undocumented migrants take place. They are deprived from every possible right they might have had, for they are now labelled and identified as a ‘federal felons’. Whereas Operation Streamline is implemented as a zero-tolerance program, contributing to the crack down on illegal migration, it has been proven that this the program is ineffective ¹²⁴. After incarceration, undocumented migrants, now ‘officially criminals’, will be deported. However, the U.S. Government underestimates the importance of transnational communities, for these ties can be so strong and unbreakable, undocumented migrants will return again, ‘illegally’.

This movement of undocumented migration is circular. Whereas this should be enough proof for the ‘inefficiency’ of U.S. Governments’ migration policies, these are not being reconsidered, but reinforced. In the meanwhile, deaths of men, women, and children, are continuing.

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