

INFRASTRUCTURES OF OCCUPATION | US-MEXICO BORDER | 1848 to present

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Abstract

Inherent complexities present insurmountable challenges in risk analysis for large-scale infrastructure projects, especially in zones of geopolitical sensitivity. In the case of the US-MX international boundary line, available measures of border security lack precision and comprehensivity, but still provide important guidelines for some aspects of future policy-making. However, other pertinent dimensions of risk assessment that are routinely ignored include negative impacts of the 'occupation' by security apparatuses of border-adjacent communities, overreach and abuse by agencies engaged by the 'border industrial complex,' and the needs and aspirations of border communities. By incorporating such dimensions, binational infrastructure planning in the US-MX borderlands could be better targeted and prioritized, and ensure accountability for mitigating negative outcomes.



1. Between Nogales, Arizona, and Nogales, State of Sonora. In the late-nineteenth century, boundary spikes driven into the ground were often the only visible 'infrastructure of occupation' marking the separation between the two countries. © 2014 Michael Dear.

In 2002 I began traveling the entire length of the US-Mexico border, on both sides, from Tijuana/San Diego on the Pacific Ocean, to Matamoros/Brownsville on the Gulf of Mexico, a total of 4,000 miles. What began as an opportunistic journey of discovery was rapidly overtaken by events. I had the good and bad fortune to begin just before the US undertook to seal and fortify its southern boundary, and so became an unintentional witness to the border's closure. As time passed, I became less focused on the customary trinity of borderland obsessions (drugs, immigration and national security), and more absorbed with the lives of border communities in the spaces between the two nations. I realized that these in-between spaces form a 'third nation,' not *separating* Mexico from the US, but instead acting as a *connective membrane* uniting them.²

Third-nation citizens on both sides readily assert that they have more in common with each other than with their host nations. The in-between zone is not a sovereign nation-state, but it contains many of the elements that warrant the appellation 'nation,' such as a shared identity, common history, joint traditions, and shared lives. Yet there is much more to the third

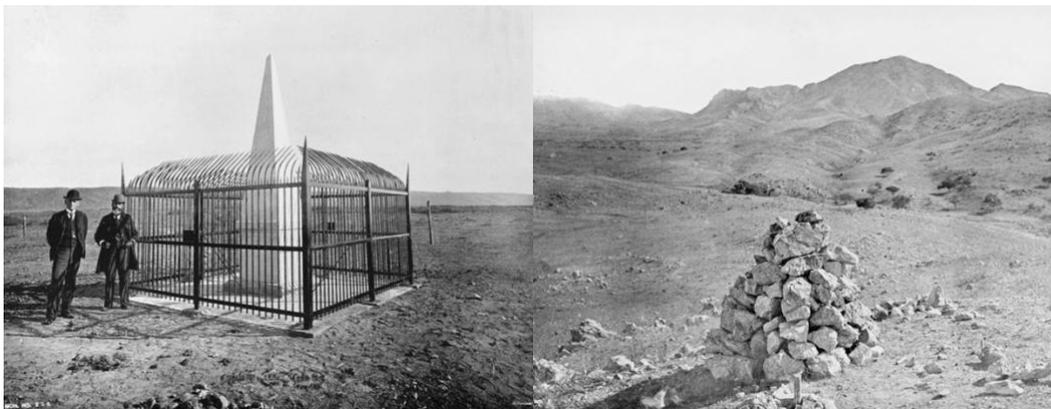
nation than a cognitive awareness. Both sides are also deeply connected through trade, family, leisure, shopping, culture, education, and legal obligation. Border-dwellers' lives are interwoven through these everyday connections, and buttressed by myriad formal and informal institutional arrangements. Such a third-nation perspective radically alters the way we perceive infrastructure, risk and territory in the US-MX borderlands.

Creating the border: a brief history

On February 2, 1848, a 'Treaty of Peace, Friendship, Limits and Settlement' was signed at Guadalupe Hidalgo, terminating the Mexican-American War. The so-called Treaty of Guadalupe Hidalgo required the designation of a "boundary line with due precision, upon authoritative maps, and to establish upon the ground landmarks which shall show the limits of both republics." The subsequent surveys took six years to complete, ending in 1855. Only 52 markers were erected along the 2,000-mile boundary, mostly on the land-based section. Seven of these were made of marble, weighing about five tons apiece; other markers were piles of stones.

During the later-nineteenth century, disputes over the exact location of the boundary line proliferated as population and settlements expanded. A new joint commission began work in 1892 to resurvey the land boundary, locate and rebuild the old monuments, and install additional markers as necessary. The resurvey took two years, and increased the number of boundary monuments to 258. (Currently, there are 276 official monuments jointly maintained by both nations, and almost 500 smaller 'markers'.)

For most of the 20th century, the international boundary line between Mexico and the US remained loosely marked and casually observed. Outside the cities, the divide was often left unmarked. In 1924, as a result of increasingly chaotic crossing conditions, the US Border Patrol was inaugurated, the first agency with direct authority to police the line. By 1945, in another border 'first,' the rising rate of undocumented crossings into California caused a chain-link fence to be erected for five miles on either side of the All-American Canal near Calexico, using materials that had been recycled from a former World War II internment camp.



2. A marble monument near Tijuana marks the first point established by the boundary survey following the 1848 Treaty. The photograph was taken at the end of the 19th century after the original monument was renovated and fenced to prevent vandalism, and re-numbered as monument 258. Source: Jacobo Blanco. *Vistas de los Monumentos a lo Largo de la Línea Divisoria entre México y los Estados Unidos de El Paso al Pacífico*. 1901.

3. Ancient boundary monument No. XVI was a simple pile of stones. Source: Jacobo Blanco. *Memoria de la Sección Mexicana de la Comisión Internacional de Límites entre México y los Estados Unidos que Restableció los Monumentos de El Paso al Pacífico*. 1901.



4. Monument No. 185. The monuments erected during the second boundary survey at the end of the nineteenth century were iron columns.
 Source: Jacobo Blanco. *Vistas de los Monumentos a lo Largo de la Línea Divisoria entre México y los Estados Unidos de El Paso al Pacífico*. 1901.

5. Border fencing from 1990's Operation Gatekeeper era, near Campo, CA. Copyright ©2002 by Michael Dear.

For the remainder of the 20th century, the volume of undocumented crossings into the US continued to grow, largely in response to demand for workers from the US, and economic hardship in Mexico. In the mid-1990s, the US undertook more concerted efforts to build border fences cities such as Tijuana and Ciudad Juárez. These were constructed from steel plates that had originally served as temporary landing strips for aircraft during the war in Vietnam, recycled by turning the panels upright to construct a fence. Subsequently, the numbers of undocumented did not diminish but more people turned to remote desert and mountainous regions to cross the line, and the number of **migrant deaths** increased rapidly.³

The secure border initiative: infrastructures of occupation

After 9/11, the Bush administration created a Department of Homeland Security (DHS) charged with ensuring operational control over the nation's borders. The centerpiece of DHS operations was the 2005 "Secure Border Initiative" (SBI), engaging the Coast Guard, Border Patrol (USBP), and Immigration and Customs Enforcement (ICE) agencies. DHS activities also impacted some functions of agencies with no direct responsibility for immigration, such as the caseloads of the Department of Justice, and in the widespread suspension environmental protection laws.

The DHS outsourced many of its obligations to states and municipalities, thereby co-opting local law enforcement into national security protocols. ICE contracted with multiple private corporations (such as the Corrections Corporation of America and Boeing) for the construction of physical and virtual fences, the provision of security training and services, private detention facilities, and deportations.

After his 2008 election, President Obama continued the policies of his predecessor. First, a strategy of "prevention through deterrence" assumed that a concentration of resources (e.g. for walls, policing and surveillance) would deter unauthorized crossers; and second, "enforcement with consequences" would discourage border transgressions by imposing tougher penalties for offenders. By 2012, the Obama administration was spending nearly \$18 billion annually on a suite of "enforcement first" strategies, making it the nation's premier immigration policy

Today, much of the US-MX borderland resembles a military zone of occupation. The DHS presence is announced most directly in fences and walls, surveillance towers, official ports-of-entry, and border patrol stations. However, the detritus of occupation is also manifest in dams, stadium lighting, diverted drainage channels, landfills, airborne surveillance, custom-built access roads, staging areas, parking facilities, internal checkpoints, endless vehicular patrols, heavily-armed foot patrols, large-scale earth removals, warehousing, acres of trash, drones, and the ubiquitous signage of prohibition. Border residents in Arizona refer to this occupied zone as a “police state.”



6. The post-9/11 fence at San Luis Río Colorado, AZ. The locked ‘box’ contains boundary monument 201. Copyright ©2008 by Michael Dear.



7. The ‘caged fence’ outside Mexicali/Calexico. Copyright ©2008 by Michael Dear.

SBI performance outcomes

A comprehensive accounting of SBI program outcomes is unlikely ever to be achieved, given the diffuse nature of the DHS efforts and absence of fully representative data sources. For instance, while the federal government collects information on many immigration measures, none explicitly measures the most significant SBI indicators, namely: the volume of undocumented border crossings, and the extent to which the border is in fact ‘secure.’⁴

In 2006, just as the SBI was beginning to gain traction, RAND security expert Jack Riley testified before the US House of Representatives that the US had “woefully underinvested” in developing a comprehensive border security strategy. While the nation was developing numerous security programs, “the impacts and cost effectiveness of virtually all of these initiatives are poorly understood.” Eight years later, when SBI interventions were fully operational, Riley lamented that his assessment remained essentially unchanged.⁵

On the best available evidence, following is my estimate of an aggregated account of SBI outcomes to date.

By January 2013, DHS contractors had installed a total of 651 miles of *fencing* along the border: 352 miles to stop pedestrians, and 299 miles to block vehicles. This total was only two miles short of the distance identified by the USBP as “appropriate” for barrier construction (some land is simply too steep, and fencing water boundaries is impractical). During the most frenzied period of construction (2006-09), the extent of fencing grew from 150 to 600 miles. After that, the rate of construction quickly declined, and few extra miles were added.

In order to complete fortification, Congressional **appropriations** (which included money for surveillance technology) increased from \$25 million in 1996 to \$298 million in 2006, and peaked at \$1.5 billion in 2007. Since then, expenditures on these so-called “tactical infrastructure appropriations” steadily dropped, to \$324 million in 2013.

The **number of border patrol agents** along the line more than doubled after 2000, to over 20,000 personnel, with growth concentrated in Tucson and El Paso, the sectors of major undocumented crossing activity.

Immigration enforcement actions resulted in almost 421,000 migrant **apprehensions** in 2013, the lowest level since the early 1970s. Almost two-thirds of these apprehensions were made by the USBP, and the remainder by ICE officials acting in the US interior.

In the five years up to 2014, there were two million **deportations** from the US, the highest level ever recorded. In 2013 alone, an historic high of 438,000 people were removed. Two-thirds of all deportations originated from the border region, the rest from the interior. Later, when Obama stepped in to slow deportation rates by executive order, lawsuits by several states delayed their implementation.

Between 2005 and 2011, as the number of apprehensions fell and deportations reached record levels, the outflow of Mexicans from the US began to exceed inflows. The **unauthorized migrant population living in the US** fell from an estimated 12.4 million in 2007 to 11.1 million in 2011. DHS enforcement actions likely contributed to these trends, but many other factors were influential, including rising deaths and injuries incurred by border-crossers; their increased exposure to personal violence, such as kidnapping for ransom; and the spiraling costs of assisted border passages. In addition, declining job opportunities in the US caused by economic recession were slowing the ‘pull’ factor of migration to the US, just as improvements in the Mexican economy were reducing the ‘push’ factors encouraging Mexicans to migrate. What no-one is able to demonstrate conclusively is the specific contribution of any single variable toward the decline of undocumented population in the US over the lifetime of SBI. ⁶



8. Multi-million dollar canyon landfill, with new fencing and access roads on top. Smuggler’s Gulch, near Tijuana. ©2008 Michael Dear.

9. The noisy, ubiquitous all-terrain runabouts favored by many Border Patrol agents, Algodones Dunes, CA. ©2008 Michael Dear.



10. Mobile surveillance tower and Border Patrol vehicle, Algodones Dunes, CA. ©2008 Michael Dear.



11. Anti-vehicle impediments, Algodones Dunes, CA. ©2008 Michael Dear.

The border industrial complex

Consciously or otherwise, since 2005 the SBI has caused a vast border security apparatus to be created. I refer to this as a 'Border Industrial Complex' (BIC), deliberately invoking President Eisenhower's 1961 warning of the emergent Military Industrial Complex in the US. Some observers may be heartened by this consolidated national security apparatus. However, as BIC influence penetrates evermore deeply into the territory and fabric of the US, complaints about overreach and abuse are emerging.

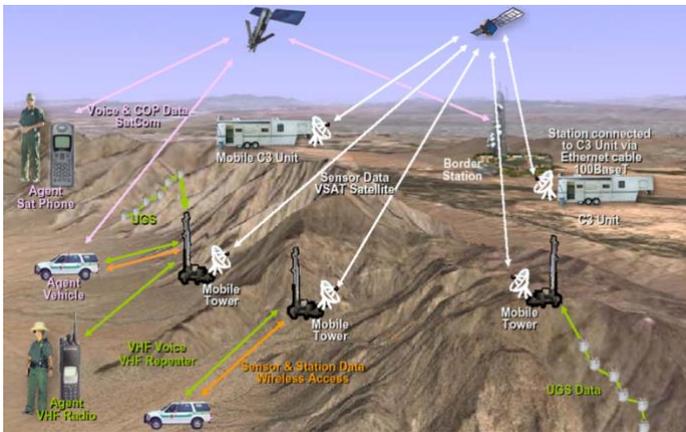
The **USBP has authority to operate within a 100-mile zone inside the nation's borders**, including its water boundaries – a territory encompassing two-thirds of the US population. Its agents possess stop-and-search capacities that exceed those of local law enforcement. Journalist Todd Miller claims that the entire country has been transformed into a "virtual border zone" under the authority of a "Border Patrol Nation."

An **increased belligerence toward law-abiding citizens** has become characteristic of border policing. The USBP is often accused of excessive force, including situations that resulted in death. A culture of impunity is also part of citizens' rebuke. In 2014, new guidelines were issued to ensure greater restraint by USBP agents. ICE officials have also been accused of **exceeding their authority**. In 2013, revised guidelines were issued governing its conduct during raids on private homes in search of undocumented migrants.

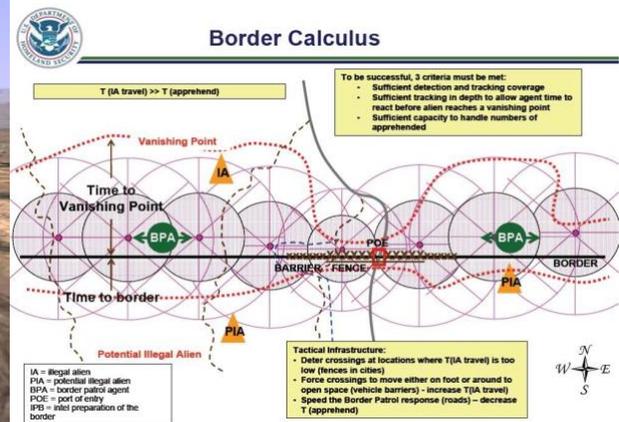
As the numbers of migrant apprehensions increased, **ICE's detention system** expanded into a far-flung network consisting of more than 500 county jails, for-profit prisons, and federal jails, where detainees were held prior to deportation. According to Tom Barry, these centers represent a new mode of incarceration: "the speculative public-private prison, publicly owned by local governments, privately operated by corporations, publicly financed by tax-exempt bonds, and located in depressed communities." Immigrant advocates reserve their harshest complaints against these **privatized, for-profit jails** under contract with ICE. They are often **under-regulated and non-accountable**, where detainees were sequestered in unsafe conditions without representation or adequate medical care, and transferred unnecessarily within the detention system, making it more difficult for them to maintain contact with legal counsel and families. Excessive use of **solitary confinement** in detention centers is an especially-contested practice currently undergoing review.

And in what is the greatest irony, migrants held in detention centers often work in kitchens and laundry rooms, for which they usually get paid \$1 per day. Such **coercive use of detained migrant labor** makes the federal government – which prohibits hiring illegal workers – the largest single employer of undocumented migrants in the country.

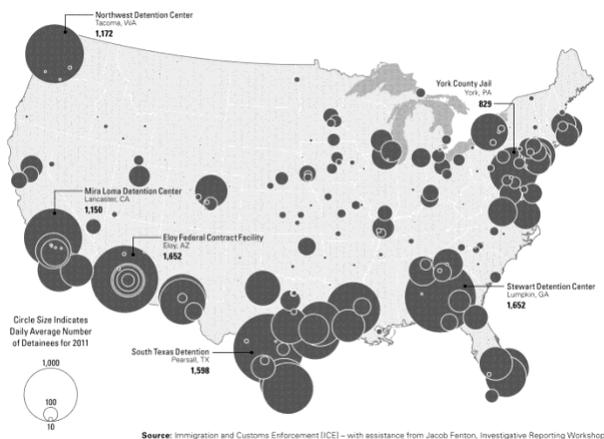
Opposition to DHS practices emanate from across the political spectrum, and cumulatively, they have begun to affect changes. Most dramatic was the termination of the “Secure Communities” (SC) program, a benchmark policy in both Bush and Obama administrations. Marketed as a program to identify and deport serious criminals among the undocumented population, SC suffered in two ways: from ‘bait-and-switch’ tactics (i.e. the program was justified as described, but implemented differently); and ‘mission drift’ (a conscious or unconscious deviation from original program intentions). Either way, roughly three-quarters of those deported under SC had no criminal record, only convictions related to minor offenses. In 2015, DHS conceded that Secure Communities had failed to meet its stated goal of making communities more secure, and terminated the program.



12. The Virtual Border. DHS diagram of “mobile systems communications as deployed along the U.S./Mexico border.” From: ‘Tactical Infrastructure’ and the ‘Border Calculus.’ Source: <http://subtopia.blogspot.com/2006/11/tactical-infrastructure-and-border.html>



13. A DHS “Border Calculus’ conceptualizing the effectiveness of different border defense deployments in given geographic ranges.” From: ‘Tactical Infrastructure’ and the ‘Border Calculus.’ Source: <http://subtopia.blogspot.com/2006/11/tactical-infrastructure-and-border.html>



14. Location of private detention centers in the US, 2011. ©2013 Michael Dear. Artwork by Dreamline Cartography.



15. US-Mexico Ports of Entry, 2011. ©2013 Michael Dear. Artwork by Dreamline Cartography.

Third nation

I have revisited many places along the border many times since I began exploring in 2002. Today, the raucous efforts toward fortification have slowed, replaced on both sides by busy efforts to open new ports of entry in the wall, or expand the capacity of existing ports.

Most memorably, I returned to El Paso-Ciudad Juárez, where the river boundary meets the land boundary at monument number 1. Accustomed by now to the walls' shadows, I was taken aback to discover that there was no border fence at this critically important juncture in the boundary line. Instead, the border is marked only by a shallow earthen berm with a modest sign atop it, announcing the international border. The ambience during my visit that day was relaxed. I chatted amiably with people on the other side, exchanging courtesies in Spanish and English. Things were as they should be. Of course I knew from past experience that someone, somewhere was observing our behavior, but such surveillance may be the price of security without walls.

In the almost three decades since the 1986 Immigration Reform and Control Act was passed, the US has spent over \$187 billion has been spent on immigration control and border security. The unlamented 2013 Senate proposal for immigration reform included provisions for \$40 billion more to be spent on another 700 miles of walls, and a doubling of USBP agents from to 40,000. (The trade publication 'Homeland Security Today' described the bill was a "treasure trove" for contractors in the border security business.) We may forever lack a comprehensive cost-benefit analysis for the SBI program, but sufficient evidence exists already to suggest that many such emphases have little or no justification based in evidence.

What do the citizens of the borderland 'third nation' want? In a nutshell: they want to get their lives back; to manage their own destinies without interference from outsiders; and to act urgently to help themselves. In my many conversations, they are clear about their preferences.

- **End the occupation** Border communities deeply resent the pervasive presence of agents of the "police state," especially in the US interior. Justifying the presence of immigration enforcement agencies, judging their performance, and curtailing abusive practices are integral to any program evaluation calculus.
- **Take down the wall** The DHS long ago backed away from the claim that the fortifications have sealed the border, instead asserting that they were intended solely to slow down migrants who would then be apprehended by conventional Border Patrol agents. Where other means of adequate surveillance and security are, or can be made available, the well-being of the third nation outweighs the profitability of the BIC.
- **Restore the land** The occupied zones near the line often resemble sites of military occupation or natural disaster. The cost of cleaning up this mess should be charged to past and present contractors, and be incorporated into borderland risk assessment and infrastructure planning.
- **Invest in economic health and community development.** The prosperity and well-being of third nation communities on both sides are vital to our binational economies. Every dollar spent on risk infrastructure along the border should be measured alongside the opportunities foregone.



16. Holtville Cemetery, CA, containing many unmarked graves of migrants who died attempting to cross into the US. ©2008 Michael Dear.



17. Ancient Monument No. 1 between El Paso and Ciudad Juárez, noteworthy for the absence of fences or walls. From the left, panel 1 shows the Casa de Adobe, the restored headquarters of Mexican Revolution leader Francisco Madero; panel 2, a bust of Madero; panel 3, a berm topped with a sign marking the international boundary; and panel 4, the ancient monument. Copyright ©2011 by Michael Dear.

Endnotes

¹ Unless otherwise indicated, all images and photographs in this essay were prepared or executed by the author, and are used here by permission.

² Complete references and citations for this essay are available in Michael Dear, *Why Walls Won't Work: Repairing the US-Mexico Divide* (New York, Oxford University Press, 2015, paperback edition), chapters 1, 7 and 11. Quick access to many of my arguments and sources is available at:

<http://blogs.berkeley.edu/2015/09/16/dousing-the-flames-of-immigration-rhetoric-with-facts/>

<http://blogs.berkeley.edu/2015/10/06/beware-of-the-growing-us-mexico-border-industrial-complex/>

<http://blogs.berkeley.edu/2015/11/04/an-eight-point-plan-to-repair-the-u-s-mexico-border/>

³ In this essay, boldface italics are used to permit easy identification of a suite of existing and proposed variables pertinent to my evaluation of US-MX border security infrastructure practices.

⁴ Henry H. Willis, Henry H., Joel B. Predd, Paul K. Davis, and Wayne P. Brown, "Measuring the Effectiveness of Border Security Between Ports-of-Entry" (RAND Technical Report, 2010, RAND Corporation, Santa Monica, CA).

⁵ Riley, K. Jack, "Strategic Planning for Border Security," Testimony Before the Committee on Science, Space, and Technology, Subcommittee on Research and Technology, Subcommittee on Oversight, United States House of Representatives (July 31, 2014) p.2.

⁶ A concise discussion of this issue is provided by Seghetti, Lisa. "Border Security: Immigration Enforcement Between Ports of Entry." (Washington DC: Congressional Research Service 7-5700, December 18, 2014.) <https://www.fas.org/sgp/crs/homesec/R42138.pdf>