Border Insecurity: The Original Anti-Essentialist Public Policy

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Immigration and border security policies provide vivid illustrations of anti-essentialism in the administration of public policy. For generations the US-Mexico border has largely been open to transnational labor and capital. Though anti-immigration groups have at times attempted to stop undocumented workers from emigrating to and from the US, typically pro-immigration forces on behalf of big business win out (Barkdull and Hansen 1997; Barkdull and Tuman 1999). Since 9/11 there has been a predictable reaction from government to impose bureaucratic “rationality” on border policy in the name of “homeland security.” After more than a decade of attempting to erase international boundaries altogether to reduce transaction costs (Anderson 1993), closing off the permeable border requires a complete reversal of US government policy. I argue that transnational boundaries are vanishing because of self-legitimation via recursive practices. This trend is ongoing and has evolved over several decades. Efforts to revert to administrative orthodoxy have failed to enhance security, and by some reports (Buchanan 2006; Nevins 2002; Ohlemacher 2006) have likely increased the number of illegal aliens in the US.

Introduction

Border insecurity has rapidly become one of the most controversial and contentious public policy issues since the 9/11 attacks on the US. Of idle interest is the harsh division that has been exposed within the Republican Party over illegal immigration, with pro-business Wall Street Republicans turning a blind eye to the externalities caused by their source of cheap labor, and the “law and order” Main Street Republicans demanding a complete sealing of the US-Mexico border and mass deportations of illegal aliens. The rhetoric of the latter group seeks to conjure an image of a homogenous America, harkening back to some imaginary age of cultural assimilation by arguing we should “take back our borders” (see Hanson 2002; 2003).
However, I am not terribly concerned with partisan politics. The reality is that permeable borders have been the rule rather than the exception for much of the common history of the US and Mexico (Bernal 1978; Ross 1978). Anti-essentialism, libertarianism and anarchy have been the norm since colonial times, while efforts to militarize the border, or to establish stronger essentialist bureaucratic law enforcement organizations, are relatively new practices since the mid-1990s (Nevins 2002). In fact, there is considerable evidence that the expansion of essentialist policies enacted since the mid-1990s have actually made immigration and border security problems worse rather than better (Nevins 2002). This has been accelerated by the apparently inept reorganization of border security agencies in the new Department of Homeland Security (DHS).

The bureaucratic rationality of homeland security politics and the postmodern character of anti-immigration rhetoric, attempt to address the symptoms without addressing their root causes, thereby exacerbating the problem. Corporate irresponsibility and the capture of elected officials and agencies by these same special interests on both sides of the US-Mexico border are the real culprits, not the immigrants themselves.

A number of not-for-profit humanitarian organizations have cropped up in recent years to combat the externalities of failed US border security and anti-immigration policies. Specifically, groups like Arizona-based Humane Borders-Fronteras Compasivas and its equivalent in California that leave water in the desert for migrants represent an ideologically centrist position, and an anti-essentialist backlash to US government practices that push immigrants away from previous crossing points at urban border checkpoints and into the southwestern deserts to die. Though humanitarian organizations work with government agencies, and represent nodes of policy discourse, they have
drawn the ire of nativist interest groups like the Minutemen, intent on sealing the US-Mexico border.

Like most political issues in the US, there are more than two sides to the immigration/border insecurity dispute. Unlike most political issues however, more than two sides are actually being discussed. I will describe each of these views following a theoretical section about anti-essentialism and policy discourse. Even though the open-vs. closed-border factions staked out firm ideological stances, there is still considerable middle ground and room to find practical solutions, as the Humane Borders-Fronteras Compasivas example illustrates.

**Public Discourse and Policy Implementation**

My argument is that it is the hybrid “Spanglish” border culture, which fuses elements of the essentialist macro-cultures of both the US and Mexico that is the original anti-essentialism. Transactions on the US-Mexico border, some going back to the World War I era and before, were the original anti-essentialist policies, because they bucked the system on either side of the frontier (for some history, see Cockcroft 1989; Ross 1978; Teitlebaum 1967). This section explores the theoretical role of public discourse in attempting to reconcile the differences between the two macro-cultures and their bi-cultural offshoot concerning the immigration and border security issues.

**Discourse Theory**

More than a decade ago, Fox and Miller’s (1995) *Postmodern Public Administration: Toward Discourse* took the study of public sector administrative theory by storm. Having been a student of the late Chuck Fox and in more recent years an acquaintance of Hugh Miller, I have learned a great deal from both formal academic
exchanges and informal discussions with both. The gist of such discussions and correspondences always seems to come back to a normative preference for facilitating bottom-up communication in the implementation of policy in opposition to the many incarnations of top-down orthodoxy (Hansen 1998; Miller 1998).

I see our current academic discussion about anti-essentialism in public administration theory as an extension or continuation of those exchanges between myself and Fox and Miller that began sometime ago. Common roots for both the postmodern critique of public administration and current notions of anti-essentialism derive from the social construction of reality (Berger and Luckmann 1966) and are really threads of the same cloth. Berger and Luckmann (1966) discuss at great length patterns of institutionalization and socialization, and conclude that such things are created by macro-level consensus. Building on this assumption, Fox and Miller (1995) borrow Giddens’ notion of recursive practices, which is the process of using the same methods repeatedly, to discuss how new habits become constructed, institutionalized and legitimized in bureaucracy. This is opposed to other views of government, like constitutionalism, administrative orthodoxy, and communitarianism, which are inherently top-down in their orientation.

The solution to top-down organizational barriers, according to Fox and Miller, is an egalitarian, situation-regarding discourse. If used properly, discourse can harness the process of social construction and initiate change through recursive practices. This can be used to expose and change top-down “advocacy coalitions” of bureaucracies and special interests that exploit the rights of workers and taxpayers, in favor of more feasible policy solutions for managing the US-Mexico border. An especially useful feature of discourse
is its ability to break down conventional barriers in pursuit of common goals (Fox and Miller 1995; Hansen 2004). However, in order to get anything done discourse is typically conducted by concerned policy elites. This would seem to reinforce the dominant essence, rather than democratize it, which presents us with an interesting dilemma if the ultimate goal is policy change based on some notion of egalitarian preference.

Identity Politics

Discourse may work well for small groups of willing participants among public institutions, but what does it contribute to how we all get along in society? This is the macro-policy dilemma that current anti-essential theorists have taken on. For instance, Jane Mansbridge (2000) discusses identity politics, which seem to define so much of current debates about who gets what in American society, and is especially pertinent to any analysis regarding immigration. “Essentialism involves assuming a single or essential trait, or nature, that binds every member of a descriptive group together, [e.g. race, gender] giving them common interests that in the most extreme version of the idea transcend the interests that divide them” (Mansbridge 2000, 108). She goes on to say that in the process of political negotiation, one socially-dominant group will exclude the others by use of its preferred norms and procedures (2000, 109).

Tariq Modood (2000, 175-6) argues that despite its progressive intentions, anti-essentialism, activated through political multiculturalism, has quickly come to be seen by some as too conservative or reactionary. This is likely because of the tendency for exclusion, also discussed above by Mansbridge. Chuck Fox would probably describe this as part of the postmodern problematic, which calls out for discourse to resolve differences between groups. While identity politics has helped me rediscover Native
American cultural roots, I can also see where it has been taken too far. Such is the downside of political correctness, which emphasizes differences of race, ethnicity or gender, over our commonalities—and constructs its own language, hierarchies, and perceived political redistributions—all designed to be institutionalized and limit free expression via our public sector recursive practices. Concerning immigration policy, the focus on cultural differences exacerbates the problem, distracting our focus to something other than resolving the issues at hand, or from recognizing the root causes of the conflict.

Perhaps then, Modood and Mansbridge are correct in that anti-essentialism quickly becomes essentialist by overemphasizing one element of group identity. The original essentialism of the white macro-culture is merely a straw man, designed to be knocked down to illustrate the arrival of a new multi-cultural essence. If this is true, then it does not really solve anything. Instead what we wind up with are competing essentialisms, each reacting to the other in a series of backlashes, to the point where we forget where the original essence began and the others end, expanding the postmodern cognitive dissonance of current politics. This threat of anti-essentialism may serve to clarify the situation between the competing Anglo and Hispanic macro-cultures of the southwest, as well as the “Spanglish” hybrid multi-cultural melding of the two that has existed at the border for decades, and which is in danger of being destroyed by the separatist conflict between them.

Constructivism and International Politics

Is there a solution to the problem of cognitive dissonance with regard to border policy? Perhaps the constructivist nature of public discourse theory can provide us with a
guide. Constructivism of the Berger and Luckmann (1966) and Fox and Miller (1995) variety, has found itself into the literature of international relations (IR) and comparative politics (CP). Since both fields at some point have to deal with institutions, such as the nation-state if nothing else, this is not an unwelcome addition to our discussion about border security and immigration. Zehfuss (2002) argues that constructivism fits into IR theory by providing an alternative to rationalism (logical positivism), much like our contemporary debate over “bureaucracy” vs. public discourse. In this debate, conventional schools of thought such as neo-realism and neo-liberalism are relegated to the positivist school in opposition to constructivism.²

However, I would argue that traditional IR theories and their current variants, despite claims to objectivity, are as value-laden as any other ideology. Certainly the neo-conservative view of international politics has little to do with systematically derived quantifiable facts, given its normative focus on how the world ought to be, rather than how it is. Nor do the “neo-cons” seem to be persuaded by typical notions of national interest as espoused by traditional realists (Snow 2006). The rise of the opposing view of neo-liberal globalization has occurred in part because of post-Cold War normative preferences for a Kantian or Wilsonian world of “democratic peace” where liberal republics trade rather than war (Snow 2006). This is also quite obviously ideological.

However, these perspectives are relevant to the anti-essentialist view of border policy. One cannot especially ignore the role of neo-liberal globalization as an underlying contributor to the current international political economy by simply saying that it’s not constructivist enough. Globalization is undoubtedly part of the context, and hence an
important element of any public discourse about immigration or national security. It is also responsible for having “constructed” elements of the current policy dilemma.

Comparativists have a better perspective of constructivism than the IR group. Perhaps this has to do with their focus on cases (individual nation-states and intra-state actors) than on global systemic organization. Data used in CP case studies are often both quantitative and qualitative. This allows for a more comprehensive analysis than either method alone. Additionally, comparativists evaluate commonalities across nation-states and find that “identity politics and a new set of issues on national agendas concerning free trade, protectionism, immigration, minority rights, religious identities, and political decentralization” (Green 2002, 4) have replaced traditional class consciousness, conflict, and the focus on materialism that occupied previous generations of CP scholars. This substantiates my view that identity politics is a big part of the conversation about cross national politics and border insecurity.

Additionally, some comparativists also ascribe to the notion of interpretivism, which for them involves the inclusion of non-traditional variables such as culture. Identity politics is based on underlying cultural norms, which are socially constructed (Green 2002; Hall 2002). Constructivism then is explicitly used to link cultural identity to perspectives on the political issues enumerated in the previous paragraph. “Societal collective identity and individual identity are thought to be co-constituted. They are mutually constitutive” (Hall 2002, 122).

Hall (2002) draws on the Habermasian notion of “legitimation crisis” to explain cultural interpretivism. Where new social constructs no longer jive with dominant governing institutions, societal transformation may occur. This process causes a
legitimation crisis until a resolution is constructed that synthesizes individual and group identities. Though Hall doesn’t discuss US-Mexico border politics, such a process may be ongoing cross-nationally concerning what is meant by “being an American” or “being a Mexican.” Disputed elections in both countries in the last few years and questions over who is allowed to participate in the political economy could certainly be used as evidence of a Habermasian-style legitimation crisis between old and new essences.

Caught in the middle of the legitimation crisis between competing national macro-cultures is the anti-essential border culture. If decision makers use this hybrid culture as a basis for constructivism—or in other words, as a bridge between them—perhaps anti-essentialism can play a role in the situation-regarding discourse needed to resolve policy dilemmas on the US-Mexico border.

**The IPE and the Open Borders Dilemma**

While I maintain that a hybrid border culture has existed for a much longer time than many would care to acknowledge, globalization has pulled everyone together at an accelerated rate, making what was a previously unimportant frontier into a valuable commercial crossroads (see Ross 1978; Nevins 2002). This did not happen accidentally. It was guided by the international political economy (IPE), and its libertarian representatives in Washington, DC and Mexico City that support and direct globalization.

The externalities of material interest-driven, cross-national trade include simultaneous social melding in some places, and dislocation and disruption in others. Essentialist institutions find themselves with a legitimation crisis, accompanied by an anti-essential reaction on behalf of civil rights for immigrants, followed by a nativist backlash against it. Despite societal externalities, there are organized corporate libertarian
interests that benefit from anarchy on the US-Mexico border, and that encourage immigration to the US as a means of maintaining low wages and to subvert labor laws (Striffler 2005).

**Libertarian Interests**

Believe it or not, there are people who are in favor of completely open borders. Much to the ire of conservative bloggers, *The Wall Street Journal* annually runs pro-immigration editorials because they favor cheap wages and large supplies of unskilled labor on behalf of corporate interests (Hoover 2006). The poultry industry is greatly responsible for the increase in illegal immigration so they can sidestep domestic labor regulatory requirements such as OSHA, or avoid paying people a living wage, or even minimum wage (Striffler 2005). The strongly trade-oriented Texas congressional delegation has consistently voted against anti-immigration legislation and in favor of free trade because they too favor cheap labor for state agricultural, service and construction interests. Mexico is also the state’s largest trading partner (Barkdull and Tuman 1999; Barkdull and Hansen 1997). A report released in late 2006 by the state of Texas Comptroller’s office extolled the positive economic impact the estimated 1.4 million illegal immigrants had on the state’s economy, arguing that the estimated $18 billion they generated in GDP and $1.5 billion they paid in taxes more than covered the approximately $1 billion they took in services from the state government. The Texas Association of Business endorsed the findings (Peterson 2006).

For commercial interests, international borders are an inconvenience because they increase transaction costs such as tariffs and increase the time needed to ship goods to market. International agreements like the North American Free Trade Agreement
(NAFTA) were mostly designed to decrease, if not eliminate, these transaction costs. According to one anthology on NAFTA, the most controversial aspects had nothing to do with transaction costs, but with potential effects on the environment and wage labor (Anderson 1993). What this suggests is that the international political economy (IPE) has reached a virtually unanimous position on eliminating transaction costs. For them, a world without borders is good for business.

Pro-globalization advocates and free-market environmentalists maintained that investment and development across the US-Mexico border would increase the standard of living in Mexico by raising wages and improving the environment (Anderson 1993). Still others thought that Mexico would become more democratic through association with the US. However, several studies (cited in Li 2000) indicate that economic liberalization does not have the positive relationship on political liberalization that its advocates would have us believe. “Contrary to what neo-liberals hold, the prediction that increased flow of foreign capital leads to democracy is not supported” (Li 2000, 171).

**Alphabet Soup Agency Enablers**

What action has the US government taken in response to the outcry against illegal immigration? Until recently they have chosen to listen to the pro-immigration interests by providing what I like to call the Alphabet Soup Agency Enablers. Everyone is familiar with the notion of classifying government bureaucracies as “alphabet soup agencies” going back to the New Deal because of the governmental tendency to use acronyms to describe them. The same situation exists with regard to border policy.

There are several federal law enforcement agencies deployed on the US-Mexico border to mollify critics of immigration and ostensibly to provide security for the US.
However, they all compete for the same budget dollars, and are generally considered ineffective by critics, given that an estimated of eleven or twelve million illegal immigrants slipped by when they weren’t looking—four million since the 9/11 attacks (Buchanan 2006; Ohlemacher 2006). While their presence gives the façade of security, of “doing something about the problem,” they don’t provide much of an obstacle to illegal immigration, guaranteeing business interests will not be disappointed. In fact, current policies of constructing walls at border towns and crossings that thwart seasonal farm labor is greatly responsible for keeping illegal immigrants in the US, when they would naturally return home after the harvest if the borders were more open than they are at present (Hoover 2006).

Besides keeping seasonal workers in the country, another externality of current US border policy and bureaucratic infighting is the increase of drug smuggling and organized crime on the border, which has now become greatly intertwined with the transportation of illegal immigrants. US Senator Dianne Feinstien’s (D-California) office released two maps in the spring of 2006 illustrating the number of tunnels under the borders of California and Arizona for just such a purpose (see Appendix A). Besides going over the fence, migrants, the coyotes who smuggle them, and criminals, are also going under. Efforts to liberalize the border would deflate these black market trends, but current politics seem to be running against that.

As disruptive as the forces of globalization might be for American society, they are even worse on the Mexican side of the border. Without minimum wage and worker safety requirements, life for Mexican workers in the maquiladoras is extremely harsh. In Ciudad Juarez, which is across the border from El Paso, Texas, there are 286
maquiladoras that employ 237,679 workers at the rate of six dollars a day. 400,000 people live in colonias, or slums, where living conditions are substandard at best (Leyva 2006).

These colonias are almost completely lawless, with state, local and federal police unable to keep control of the population or even provide basic infrastructure. For them it is easier to encourage people to cross the border into the US. Violent crimes against women are particularly widespread, with governments unable to prevent or solve them. Since 1993, 400 women have been brutally murdered in the colonias or on the border. On those rare instances when suspects are caught, they are tortured by the Mexican government, but provide little useful information about criminal activity (Leyva 2006).

The maquiladoras are primarily funded by US capital interests taking advantage of the border anarchy situation. According to an activist from the Mexican Solidarity Network, eighty percent of the maquiladoras are American owned (Leyva 2006). The thing about true anarchy is that it is supposed to be characterized by responsible behavior, in order to preclude the need for government action. Clearly the American corporate interests have not behaved in a responsible fashion on either side of the border, thus prompting calls for government intervention, ineffective though it may be, in the globalization process.

But this begs the question, what is the role of government in either maintaining open borders, or attempting to seal them off from illegal immigration? Both Kettl (2004) and McSwite (2002) argue that government has become less efficient and effective because of over-politicization of the executive, agency capture, and the mushrooming of “labyrinthine” rules and procedures. McSwite especially argues that the postmodern role
of government should be that of a societal mediator. What McSwite is describing in a more contemporary, Madisonian sense is a constructivist role for public agencies in support of private-sector globalization, arguing that such institutions are uniquely qualified to resolve societal differences and enhance discursive communication.

The libertarian “open borders” situation is the policy preference of the international political economy. However, there are numerous externalities resulting from the imperfect implementation of such preferences, namely unbridled immigration to the US, worker exploitation on both sides of the border, lawlessness, crime, and the rise of black markets. Government agencies that are supposed to regulate border transactions are sufficiently decentralized and under funded to the point where they exist merely for the sake of appearances, rather than for actual effect. Constructivism and discourse are proposed as means to resolve these policy and societal dilemmas. If constructivism works to resolve these differences concerning US-Mexico border policy, then perhaps the border culture will return to its previous, less prominent position. However, there is that nativist faction in the US that seems to have no interest in mollification. That is the subject of the next section.

**Postmodern Cognitive Dissonance and “the Rationality Project”**

This section discusses the postmodern character of the nativist reaction to globalization, immigration and the lack of security on the US-Mexico border. Many public policy issues or trends, such as reinventing government in the 1990s, for example, can be understood as a manifestation of postmodern symbolic politics (Fox 1996). This can be used to discuss the imposition of bureaucratic rationality on the new politics of homeland security, a large element of which, border security, has in part been hijacked by
nativist (i.e., essentialist) fears that foreign terrorists might sneak in amongst the “vast sea” of illegal immigrants streaming into the US from Mexico.

The current backlash against Mexican immigration began in the 1990s, in response to NAFTA. From anti-immigrant ballot propositions and their accompanying campaign rhetoric in southwestern states, Operation Gatekeeper, the formation of direct action vigilante groups, nativist scholars and bloggers who espouse the “Americana” identity/cultural essentialist view, all provide fodder for the anti-immigrant postmodern hyperreality. Rather than keeping Mexican immigrants out of the US, nativist policy preferences have largely lost out to libertarian interests. The uneasy compromise between the Wall Street Republicans (libertarians) and the Main Street Republicans (nativists) has resulted in migrants being pushed into areas of the desert Southwest where several thousand have lost their lives. Yet still they come to work for the IPE in the US despite the advent of Homeland Security.7

No Bureaucracy Left Behind

Following passage of the Homeland Security Act of 2002, twenty-two separate agencies overseen by eighty-eight different congressional committees, were merged into the new Department of Homeland Security (Badey 2004; Kettl 2004). This was a bipartisan effort, with Democratic Senator Joe Lieberman leading many of his party to support the creation of the new department in the name of “rational” policymaking. Former Pennsylvania governor and then-Office of Homeland Security (OHS) advisor Tom Ridge was the obvious choice to serve as the first DHS Secretary, followed by Michael Chertoff after the 2004 presidential election. Though the 9/11 Commission and congressional hearings into the attacks on the World Trade Center and the Pentagon
found that the biggest problems with homeland security were the result of intelligence failures (National Commission on Terrorist Attacks 2004), most intelligence agencies escaped from being swallowed up by DHS (Kettl 2004; Lowenthal 2006). Instead, it became a hodge-podge of agencies that were unable to escape reorganization politics because of a lack of external political support (see Knott and Miller 1987, for how this happens).

The new department was divided into five directorates; Border and Transportation Security, Information Analysis and Infrastructure Protection, Science and Technology, Emergency Preparedness and Response, and Management (Congressional Quarterly 2003). By far the largest directorate is Border and Transportation Security, both in terms of budget and personnel. The newly-created Transportation Security Administration (TSA) employs the most people—roughly 70,000—and hence receives the lion’s share of the budget. The Border and Transportation Security Directorate, including the TSA, get half the DHS budget—$18 billion of the $36 billion total for FY 2004 (Center for Arms Control and Proliferation 2003).

Also included in the Border and Transportation Directorate are the newest variants of the former Immigration and Naturalization Service (INS), Customs, and the Border Patrol—Immigration and Customs Enforcement (ICE), plus Customs and Border Protection (Congressional Quarterly 2003). Asa Hutchinson, a former Republican congressman from Arkansas and then-head of the Drug Enforcement Agency (DEA) was appointed the first Undersecretary of the Border and Transportation Security Directorate. INS was taken from the Justice Department, while Customs was transferred from the Treasury Department (National Journal 2002). Immigration agencies shared part of the
blame for 9/11 because all nineteen of the al Qaeda terrorists were in the country legally or on expired visas, which INS and Customs were supposed to keep track of (National Commission on Terrorist Attacks 2004).

**Essentialist Backlash to Libertarianism**

The metaphor of rearranging the chairs on the *Titanic* has been used to describe a number of the Bush administration’s policies with regard to national security. The above discussion attempts to illustrate the same kind of failed attempt at rationality as in the previous section on the IPE. The alphabet soup agencies that characterized border security before 9/11 have been restructured to be more rational, but by most accounts they still enable market forces to the detriment of security. The essentialist backlash against the international political economy and immigrant labor did not begin with 9/11, however. It began during the debate over NAFTA.

Almost immediately after the passage of NAFTA, congressional Republicans tapped into isolationist and nativist sentiments against immigrants from Mexico. Riding the wave of “angry white guys” opposed to Clinton administration policies, Republicans swept into control of Congress in 1994, for the first time in fifty years. Anti-immigrant sentiment, especially in southwestern states like California, contributed to this victory. Governor Pete Wilson was reelected largely because of his support of Proposition 187, which was designed to render illegal immigrants ineligible for social services (Hyink and Provost 2004). “An August 1993 Field Poll showed that 74 percent of Californians believed that unauthorized immigration hurt the state” (Nevins 2002, 89). The number rose to 81 percent among whites, and was 62 percent nationwide (Nevins 2002). Not wanting to be left behind, the Clinton administration endorsed tighter security on the
border by endorsing Operation Gatekeeper, an INS operation that forced Mexican
immigrants away from urban border crossings and into the desert. The externalities of
this policy would lead to a massive humanitarian crisis after the turn of the millennium.

The Four Horsemen of Anti-Immigration Politics

The postmodern, hyperrealist language of the backlash against immigration is
generated by an essentialist intelligentsia of politicos and intellectuals, then disseminated
through conservative talk radio shows, and implemented through direct action groups in
the form of anti-immigrant electoral ballot initiatives or agenda-setting stunts designed to
grab media attention. The “four horsemen” of anti-immigrant essentialism are; former
Republican presidential candidate and political commentator Pat Buchanan (2006),
Hoover Institute fellow and former CSU, Fresno classics professor Victor Davis Hanson
(2002; 2003), international relations scholar Samuel P. Huntington (1996; 2005), and
Republican congressman Tom Tancredo (2006). What these four individuals have in
common is a notion that the predominantly white macro-culture in the US is in danger of
being outnumbered by immigrant cultures, especially the Hispanic culture, if they refuse
to assimilate into American society. In short, they fear the postmodern problematic. But
instead of engaging in a situation-regarding discourse to resolve multi-cultural
differences, they advocate exclusion of the other, defined as the Mexican immigrant.

Buchanan advanced what he termed the “culture wars” in 1992 with his speech at
the Republican national convention. Besides complaining about the liberal news media
and socially liberal public policies in his primary challenge to the first President Bush, he
advocated a post-Cold War isolationism for the US, which included sealing the US-
Mexico border. Buchanan’s reference to culture typically means promotion of a
conservative Christian lifestyle. His opposition to immigration seems to be based more on a devout belief in isolationism, as evidenced by his outspoken criticism of the current Iraq war, rather than on ethnicity per se like Hanson, Huntington, and Tancredo (2006). But he makes the argument nevertheless.

The mantra most oft-repeated by the anti-immigrant essence is the one espoused by Victor Davis Hanson (2002; 2003) lately of the conservative Hoover Institute. The polemical Mexifornia (2003) argues that Mexican nationalists have the goal of infiltrating large numbers of immigrants into the US for the purpose of making Spanish the official language, gaining control of California’s political institutions, then either seceding back to Mexico, or joining with other like-minded states to create an independent Hispanic nation in the US Southwest called Aztlan. Other than citing a Chicano studies professor from New Mexico who wrote back in the 1950s, he really provides no evidence to support these claims. His considerable anger is apparently derived from having Mexican immigrants take over the formerly white town of Selma, California, where he grew up, and some unspecified but oft-stated negative experience with the Chicano and Latin American Studies Department during his tenure at California State University, Fresno. Though he does some pretty impressive mental gymnastics to avoid overt racism, his depiction of “culture” equates with “race” in a rather transparent fashion, fueling proponents of direct action against immigration in the Southwest.

In The Clash of Civilizations Huntington (1996) describes seven major macro-cultures spread over the world’s continents, of which the Western (Anglo-European) and Hispanic (Latin American) cultures are included. The “neo-cons,” both within and without the Bush administration view Huntington as having been prescient concerning
the western conflict with Islamism. For Huntington, religion is the primary focus of his notion of “civilization” or culture. What is sometimes less recognized is his discussion about the potential for conflict between the Anglo and Hispanic cultures in North America, representing Protestantism and the more Left-leaning Latin American version of Catholicism, respectively. Echoing Hanson, he explicates this notion, invoking a protest against the multi-cultural “mongrelization” of the American Southwest (Huntington 2005). Whereas Hanson inspires activists, Huntington reinforces the Anglo essence among conservative intellectuals. But they both make a similar argument.

The architect of the essentialist legislative backlash against illegal immigration in the US Congress is Rep. Tom Tancredo (R-Colorado) who sponsored the controversial HB 4437, with the support of the roughly 100-member Immigration Reform Caucus, which he organized. His law enforcement policy-oriented approach has focused its ire on the Bush administration, which Tancredo believes has done little to stem the tide of immigrants from Mexico. His bill would have criminalized and deported all illegal aliens in the US, and built a fence the length of the 2000 mile US-Mexico border. These suggestions put immigration on the national policy agenda for the 2006 election cycle, but contributed more to the postmodern cognitive dissonance on the issue, with little in the way of preventative solutions for the causes of unrestrained immigration to the US.

While the four horsemen of anti-immigration have rallied support for the Anglo essence, attempts at imposing bureaucratic orthodoxy through homeland security reorganization have failed to stem the tide of illegal immigration, as evidenced by the arrival of four million illegal immigrants from Mexico since 9/11 (Buchanan 2006). HB 4437, which passed the House but failed in the Senate advocated more of the same, but
instead had the unintended effect of mobilizing the anti-essentialist movement on behalf of Hispanic civil rights in the US. Instead, using an election year ploy, Congress passed and the president signed into law a provision that authorizes the building of 700 miles of fencing at key points along the US-Mexico border. Some of this is “virtual” fencing, using proposed high-tech surveillance capabilities rather than an actual wall. I would be surprised if it actually gets built, given the recent revelation that the Boeing Corporation received a secret, no-bid contract as soon as the law was signed.

The postmodern problematic and identity politics have distracted any and all attempts to conceive and implement a viable solution to border security and immigration dilemmas. The “rationality project” of Homeland Security has thus far been ineffective. It has become apparent that there is a need for policy compromise on the issue, which requires discursive will formation and the articulation of an ideological middle ground. That is the focus of the next section, where I attempt to articulate a centrist position that utilizes international discourse and constructivism to address border policy issues.

**Humane Borders-Fronteras Compasivas**

The centrist position in the debate over immigration is represented by the Bush administration, some Democrats in the US Congress and in Border states, the PAN government of President Felipe Calderon in Mexico, and humanitarian groups along the US-Mexico border. They favor a comprehensive immigration plan that would allow guest workers temporarily into the country and provide an eventual route to citizenship (i.e. assimilation) for those who choose to stay. This view provides at least a tacit recognition of the anti-essentialist character of the border culture. It also represents an effort to find
tangible solutions to the externalities of the open borders preferred by the IPE, as opposed to the essentialist-orthodox view that fails to provide discursive will formation.

**A Discursive Compromise?**

President Bush made his position on border security clear to the American people on a May 15, 2006 national TV broadcast. With this speech he took the middle ground between the libertarian market-orientation view (to which he is predisposed due to Texas roots and connections to Wall Street), and the essentialist law enforcement-oriented perspective advocated by the Tancredo-led House Republicans. Bush maintains that migrant labor is needed to do jobs that white Americans are unwilling to do, and that immigrants are “hard working people who practice their faith.” At the same time he ordered the National Guard, already stretched thin by deployments to Iraq, down to the border to help build fences until such a time as more border control agents can be hired and trained.

Despite Bush’s more moderate view of immigration his administration has failed to explicitly address the humanitarian crisis in the southwestern deserts. Instead, that concern has fallen to state and local governments and the not-for-profit sector. Because of federal policies beginning in 1993, immigrants have been forced away from traditional urban entry points (Nevins 2002). Instead, they are forced to cross into the US via the deserts—an extremely hazardous route. Literally thousands have died attempting to reach jobs or family in the US from Mexico (Hoover 2006). Southwestern states and border cities are the governments that are forced to deal with the externalities of open borders and the failed orthodox response from the federal government. Besides the financial burdens on the educational, law enforcement and health care systems, they also have to
pick up and refrigerate the corpses of the dead, often numbering in the hundreds during a hot summer (Hoover 2006).

Constructivism, Not Fence Construction

The solution to the postmodern border insecurity problematic is a situation-regarding discourse encouraged by organized interests who seek to directly facilitate the constructive engagement of governments, at all levels, on both sides of the border. The Tucson, Arizona-based Humane Borders-Fronteras Compasivas organization is a religiously-affiliated “points of light” type of nonprofit that was founded by the Reverend Robin Hoover, Ph.D.\textsuperscript{10} of the United Disciples of Christ church. The organization was created in 2000 in response to the deaths of several immigrants crossing the desert south of Nogales, Arizona.\textsuperscript{11} Their primary function is to provide and maintain water stations near the main corridors used by migrant labor traveling north on foot (humaneborders.org 2006). Far from enabling the black market, as they are often accused by their critics, they work with the different agencies of the Homeland Security Department and sub-national governments to rescue illegal immigrants when they are found. It is then left to DHS agencies to determine whether they stay or return home.

In January, 2006, controversy erupted when the Mexican federal government announced they were going to distribute maps made by Humane Borders illustrating the location of water stations, migrant deaths, and cell towers, along migrant travel routes through the Arizona desert (see Appendix B). These maps are designed to warn potential immigrants of the dangers inherent in crossing the desert. They illustrate the distances and the number of days on foot it takes to get from the Mexican border to Nogales and Tucson, with warnings not to attempt crossing without substantial preparation. What the
controversy illustrated was that the Mexican government in fact encourages emigration in order to alleviate domestic pressure to reform their corrupt political system (the “push factor”). This drew considerable ire from the Anglo essentialist faction in the US. But it also served to illustrate the agenda of the Mexican essentialism under the previous Vicente Fox administration that was unable to achieve satisfactory concessions from Washington, DC in the aftermath of the 9/11 attacks on the US.

Humane Borders has maintained a relationship with the city of Tucson and the state of Arizona for several years. But beginning in the summer of 2006, they began sending delegations to Mexican states and other Central American governments asking them not to send migrants during the most extreme seasons of the year. Though most people who die in the desert die of dehydration or heat stroke, many people have also frozen to death from hypothermia in the middle of winter (Hoover 2006). The state of Arizona is also considering supporting a network of cell towers so that people who get lost in the desert can call for help on their cell phones. There are already maps illustrating the location of existing cell towers (see Appendix C), but there is a need for several more. Most who call for assistance from government agents are eventually sent back across the border, but it beats the alternative (Hoover 2006).

Why would state and local governments assist nonprofit organizations in efforts that some would consider to be aiding and abetting illegal immigration, especially if such assistance ran counter to stated national policies? One answer has to do with cost. It is far cheaper, both in real dollars and in human terms, for local governments like the city of Tucson to support leaving water in the desert, and the state of Arizona to support the building of more cell towers—to prevent more deaths. When migrants die in the desert,
local governments must pay to recover and refrigerate human remains until such time when they can be repatriated to next of kin, assuming they can be located and contacted. This is a much more costly endeavor than leaving water in the desert.

The second reason why governments would assist border nonprofit organizations is to hold the moral high ground. By speaking truth to power about human rights, groups like Humane Borders can influence government policy by advocating that policymakers do the right thing when it comes to values. If one listens to the arguments made concerning immigration policy by Rev. Hoover and his supporters, President Bush, Governors Napolitano of Arizona, Richardson of New Mexico, and Schwarzenegger of California, values—particularly human rights and equal opportunity—are a consistent theme throughout the debate. In Mexico, state and local officials, the Mexican Human Rights Commission (Comision Nacional de los Derechos Humanos) and newly inaugurated President Felipe Calderon have lent their voices to addressing the humanitarian crisis on the border. It would seem there are extant nodes of public discourse and that John Kingdon’s policy window is open, but for how long?

**Conclusion**

The postmodern identity politics that surround the immigration controversy in the US illustrates the conflict between essentialist orthodoxy and anti-essentialist anarchy. The essential view has a couple of stripes. The first is the international political economy’s preference for globalization and its libertarian market orientation, which seeks to remove transaction costs associated with international borders, and is the “pull factor” for immigration to the US. This is also supported by certain Mexican elites who prefer to export their problems rather than dealing with them at home. This is the “push factor.”
The second view is a backlash to the first and advocates an effort to maintain the Anglo macro-culture in the US by returning to bureaucratic rationality in defense of Anglo cultural hegemony. To say that the Anglo essentialism in the US is at odds with itself is an understatement, but such phenomena characterize the postmodern problematic. The US cannot have it both ways, and Mexican societal elites will not have anything other than the globalization policy unless they have acceptable alternatives.

The anti-essential view is the “Spanglish” border culture, which is a unique melding that is neither totally American nor totally Hispanic, but has elements of both. Inherent in much of the anti-essential view is an effort to find practical, humanitarian solutions to externalities caused by both the market and orthodox policies on both sides of the border. This notion represents the responsibility required by anarchists in order to forestall government intervention of the type advocated by nativists in the US. Anti-essentialist interests on both sides of the border have a unique opportunity to participate in the policy process because neither of the essentialist perspectives can articulate policy solutions that would be acceptable to the masses in either country. This is why the Humane Borders organization is able to operate as a node of discourse to help drive the discussion. In order to be successful, they need to help facilitate a bottom-up, situation-regarding discourse across nations and across interests.

The construction of cross-national discourse is a difficult, time consuming endeavor. It must be nurtured and maintained despite differences in national essences. It also needs to be inclusive of all relevant actors, especially those that represent the anti-essentialist border culture, since they are the ones most directly affected by whatever policy decisions or non-decisions are reached through discursive will formation. Humane
Borders is about facilitating anti-essentialist nodes of discourse for humanitarian, rather than political or economic purposes. For this reason, the organization’s activities represent constructivism in opposition to bureaucratic rationality. They also represent hope that sub-national and nonprofit policy actors can work diplomatic back channels to reach viable solutions where nationalist top-down solutions have failed to address the root causes of the postmodern border insecurity problematic.

As a postscript, I attended the awards ceremony of the Comisión Nacional de los Derechos Humanos (National Human Rights Commission) at Los Pinos, the Mexican equivalent of the White House, on December 13, 2006, to witness President Felipe Calderón present Reverend Hoover with an honorary Mexican human rights award. I was able to see first hand the discursive will formation at work between the Commission and the Humane Borders entourage that accompanied Rev. Hoover, as well as that of Padre Flor María, from Tijuana, who also won an award. At this ceremony and at a subsequent visit to Nogales, Arizona a week later, President Calderón spoke about the necessity to create more economic opportunity to keep Mexicans at home, rather than encouraging additional emigration. Mexico is now losing its educated and skilled middle- and upper-class workers to the US, presenting the Calderón government with a looming economic debacle on top of the human rights and organized crime issues.

In my opinion, President Calderón clearly sees the need for cross-border constructivism to deal with the immigration and border security dilemmas. He recognizes that transnational boundaries are vanishing because of self-legitimation via recursive practices, although he does not put it in quite those terms. These practices are not just economic, but also reflective of common values between the US and Mexico, based on
his recognition of the importance of human rights and the encouragement of nodes of discourse. This anti-essentialist trend is ongoing and has evolved over several decades, if not longer considering the history. Efforts to revert to administrative orthodoxy via Homeland Security politics have failed to enhance protection for governments or individuals alike. Therefore, people of wisdom must seek to find resolution in the face of postmodern cognitive dissonance.

References


Hanson, Victor Davis. 2002. “Do We Want Mexifornia?” *City Journal.* Spring.


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Patricia Goff (2002) argues that multilateral NAFTA and GATT negotiations entertained both rationalist and constructivist elements that were not necessarily in opposition to each other.

Anecdotally speaking, my great aunt and uncle used to cross the border between Texas and Mexico decades ago. Nobody cared. When my grandmother and great aunt were growing up in South Texas, English was their fourth language, behind Hungarian and German, spoken by the European immigrants, and Spanish, spoken by the other half of the population. Growing up within two hours of the US-Mexico border in Southern California, most of us spoke at least rudimentary Spanish if we wanted to get along with the rest of our community. Then there’s the Terlingua chili cook-off…a true exercise in border anarchy!

Citizenship and Immigration Services (formerly INS), the Customs Service, Immigration and Customs Enforcement (ICE), the Drug Enforcement Agency (DEA), and the Federal Bureau of Investigation (FBI) are all involved in some aspect of counter-immigration enforcement. CIS, Customs, and ICE are now part of the Border and Transportation Security Directorate of the Department of Homeland Security (see Kettl 2004).

Consider the story told by Edward Humes (1989) in a Pulitzer Prize-winning book that chronicled the story of drug traffickers who practiced human sacrifice under the guise of Palo Mayombe, an offshoot of Santeria. When Mark Kilroy, a University of Texas junior on spring break in Matamoros was kidnapped and decapitated as part of a human sacrifice ritual, dozens of state, local and federal agents based in Texas ventured across the Mexican border to search for him. Until Kilroy’s dismembered body was found a month later, bureaucratic turf wars reared their ugly heads as competing agencies were unable to decide what to do next—a classic postmodern public administration dilemma.

Chuck Fox used to refer to the “rationality project” saying he still had not given up on it, only that it been conceived and implemented ineffectively.

In addition, anti-immigrant policies are not consistently enforced. Consider the policy of admitting Cuban exiles who land on Florida’s shores, but not admitting those who fail to make it to land. Then consider that those that land on Seven Mile Bridge in the Keys are sometimes admitted and sometimes not, and policy becomes extremely inconsistent (AP Dec. 17, 2006). Last time I fished off Seven Mile Bridge it was US territory and I was required to have a fishing license!

While Chuck Goodsell’s polemic on behalf of bureaucracy is quite persuasive most of the time, I don’t think he has surveyed immigrants on their view of US policy. Given that it takes something like twelve years to come to the US legally, I can’t imagine that there is a great deal of satisfaction with the pertinent agencies.

This is simply an old word for the Atlantis legend among Mexican Indians, which is also somewhat common in North America, rather than some political conspiracy.

Rev. Hoover is also a Chuck Fox disciple and is actively encouraging the application of discourse theory.

There is a similar organization in California founded by the brother of Republican US Representative and anti-immigration presidential candidate Duncan Hunter. In Arizona, Isabella Garcia runs an organization that gives aid and comfort to immigrants. On the Mexican side of the border in Tijuana, Father Flor Maria has a ministry that provides a way station for migrants.