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Who Draws the Line in El Paso, Texas: Multiscalar Interactions and the Chances for Border Reform

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WHO DRAWS THE LINE IN EL PASO, TEXAS?

MULTISCALAR INTERACTIONS

AND THE

CHANCES FOR BORDER REFORM

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2009-2010

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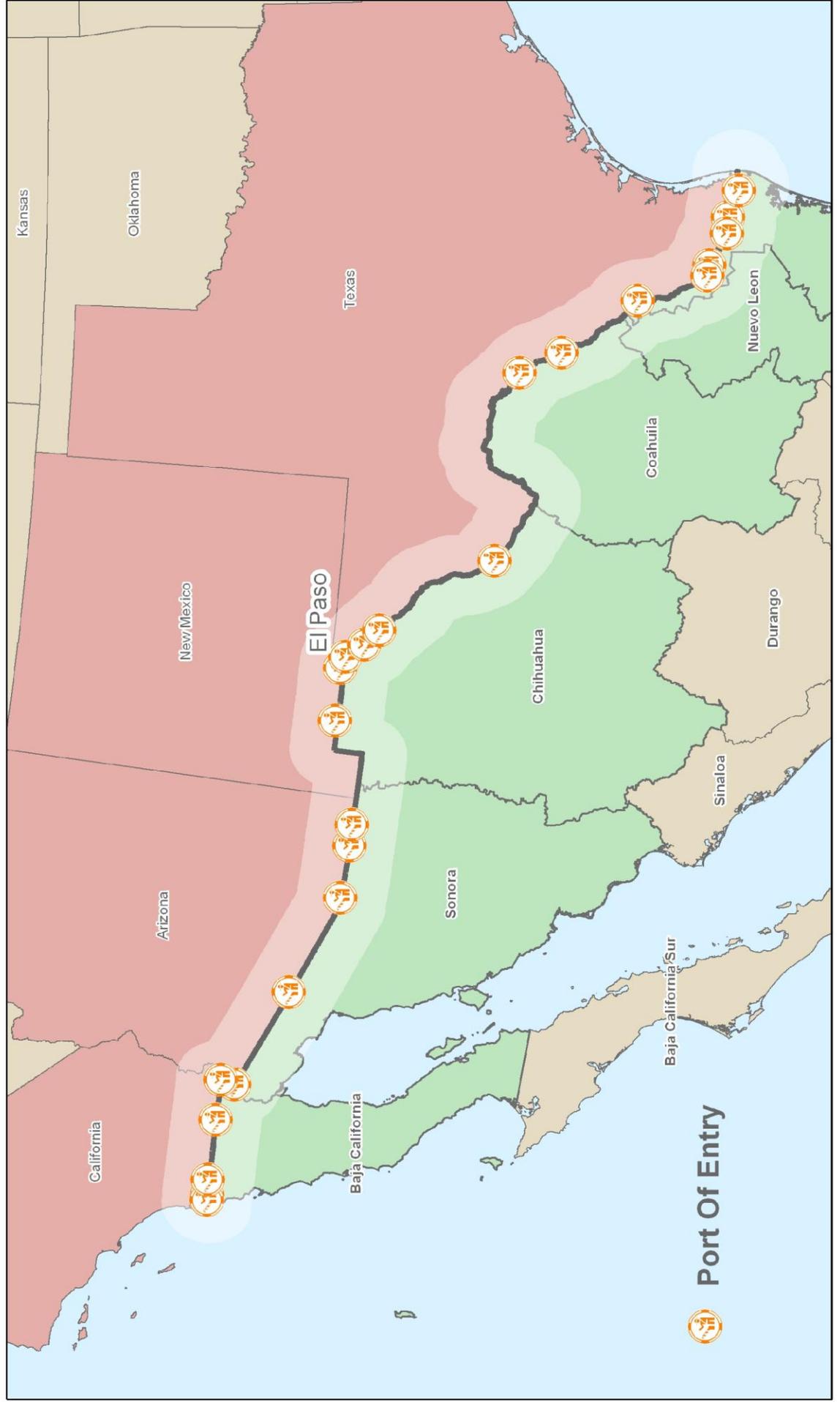
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The U.S.-Mexico Borderlands



Cartographer: Robert Heyman, 2010 Data Sources: Customs and Border Protection, ESRI
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ABSTRACT

The question of how borders are defined and enforced has always been an important issue both to the state and to residents between whom make and must deal with those decisions. This project examines El Paso, Texas as a case study for shaping a more progressive future for border and immigration enforcement. It does so by reporting on 16 interviews with key actors in border policy discussions. El Paso offers an excellent opportunity to study how border and immigration enforcement approaches are negotiated between scales, including federal enforcement agencies, state government, city and county officials, and community activists. Immigration enforcement has been marked by massive increases in manpower, technology, and resources over the past 15 years, yet have failed to stem the tide of migration and resulted in the deaths of thousands of persons. This presents a particular challenge to border communities hosting both enforcers and undocumented migrants, and that are the main place where the impacts of border enforcement are felt, a challenge heightened by devolutionary movement of immigration enforcement to local actors. The project focuses particularly on the possibilities and challenges for community groups to harness the devolution of responsibility for immigration enforcement as a means of projecting border voices into the national debate. While still marginalized, it appears that the prospect for border involvement in progressive reform is strong.

Keywords:

Political Geography, Devolution, Scale, Borders, Community Activism, Human Rights

CHAPTER ONE

INTRODUCTION

Looking for Progressive Reform

This thesis looks at the movement towards a progressive border and immigration reform that is emerging out of El Paso and other parts of the U.S.-Mexico borderlands. It is interested not only in reform, but particularly in ‘progressive’ reform, defining what that means and tracking the progress toward that goal. Specifically, it is interested in looking at how activists and organizations pursue reform and what the chances of reform are. It is interested in the actions that the pro-reform bloc takes, the interactions they have with various apparati of government, local, state, or federal, the coalitions they build locally, across the borderlands, and increasingly, across the country. It is interested in what barriers the pro-reform bloc faces and how those might be overcome, what advantages they have and how those might be harnessed. In doing this, the thesis hopes to address relevant discussions of how place is constructed, truly getting at that issue of who constructs the places of the border and how border reformers are seeking to alter place, as well as policy. The thesis finds the role of scale in immigration and border enforcement, emphasizing the role of devolution, and likewise the role that scale plays in reform. In looking at scale this thesis particularly looks at the contest between the tight link between local and national (which I refer to as ‘nlocalization’ in this thesis) that has defined border and immigration issues traditionally, and devolution, which forms what Mathew Coleman describes as a “uneven urban geography” of immigration policies (Coleman 2007).

This thesis holds that the reform emerging out of El Paso is not a simple immigration reform, but is a progressive reform that has several key characteristics worth noting. Foremost, the push for reform out of El Paso is not solely seeking a reform of immigration policy, but rather is looking for fundamental changes in both border and immigration policy. This inclusion of border policy in the cause of reform is critical, as it allows for policy changes addressing many pressing issues, particularly for border residents, that immigration reform alone would overlook or exacerbate. In this regard, border reform would represent a movement away from the increasing militarization of the U.S.-Mexico border, a trend well documented by Timothy Dunn, creating a borderlands more respectful of the rights of residents and migrants alike (Dunn 1996; Dunn 2009). Furthermore, border reform would force policy makers to address human rights catastrophes such as the deaths of hundreds of migrants crossing the U.S.-Mexico border every year. One of the major flaws of recent immigration reform proposals is that they have cut deals where immigration reform only occurs in exchange for increased border enforcement, which has simply exacerbated those death rates. By explicitly considering such human rights concerns, the reform movement out of El Paso has drawn the cause of reform in a progressive direction.

Furthermore, the push for reform out of El Paso is progressive in that it aims to introduce the perspectives and views of border residents to a debate that has historically been lacking their voices. While it appears to be the aim of reformers to maintain the close federal-local link that has traditionally defined the scalar nature of border and immigration issues, their ability to pursue reform has been significantly aided by the movement toward devolution. Pre-devolution (late 1990s), there was a disconnect

between those pursuing reform at the national level, and those working at the local level, one at least partially illustrated in the separation of border and immigration reforms and in the willingness to exchange immigration reform for increased border enforcement. Devolution has done two things in this regard; it has forced people operating at the national level to pay attention to activity at the local scale, and furthermore it has created a space for local activists to engage national conversations and trends. This latter point is particularly important as it means that pro-reform activists operating in the local scale can effectively shape and resist the movement toward devolution. This has opened the door to greater coalitions between organizations within the local scale, and with the success of such activity, to the formation of pan-border coalitions that themselves are increasingly tied into national organizations and coalitions. Devolution has allowed this coalition building and scaling-up that makes for more progressive and more effective pro-reform advocacy.

Finally, the push for border and immigration reform will need to do more than just work on policy, it will need to remake El Paso and the borderlands as a progressive place. As Patricia Price informs us, place is not static, and not natural, but rather constructed from competing visions of what the place could be (Price 2004, 1). Misperceptions and misinformation currently dominate how people in the United States view the border, a barrier that will need to change before the progressive reforms, and lasting role, that these activists seek, can actually be secured. Pro-reform activists must seek to, and succeed at remaking the places, and with that the practices, of the borderlands. Where the border is currently marginalized, it will need to be recast as a central link between two countries. This will mean confronting cultural isolation,

poverty, political isolation, and racism, all of which have combined to prevent effective participation by borderlands communities in broader discussions about border and immigration policy. This is a process that is starting to happen, and confronting these factors is something that reformers realize needs to happen in order for reform to be successful, but it is probably the weakest area of progressive border and immigration reform. Contesting the way that El Paso and other communities on the border are constructed is a difficult, but crucial, step forward.

The Coming Journey—A Roadmap

This thesis will be an exploration of these themes as it puts together a picture of how scale, place, government officials, activists, limitations, and advantages all meet in El Paso, and what this means for the chances of progressive border and immigration reform. In doing so, it will begin with a brief overview of border and immigration enforcement, both nationally and in El Paso. Chapter Two aims to provide helpful history and background on what practices are observed today, how they have emerged, and why they are being contested. From there, the thesis moves to the Review of Literature (Chapter Three). This section aims to describe the four lenses that are being put together to analyze the situation in El Paso. Each lens is a subsection highlighting a line of geographic thought that the thesis wishes to be in conversation with as it looks at the push for reform and the final subsection is an attempt to put all of those lenses together. The first subsection ((Re)Bordering) looks at how place is a social construct, given to contestation and change, as it seeks to inform how the border has come to be constructed as it has. The second subsection (Scale and Devolution) looks at how scalar issues play out in the borderlands, highlighting a close connection between the national

and local scales that has traditionally defined border and immigration policy, but which is being usurped by a looser set of scalar relations in devolution. The third (Community and Government Relationships) aims to set some expectations for how government and community groups interact, giving a basis for comparison to be made in the analysis. The fourth (Defining ‘Progressive’—A Rights Framework) deals with what it means for reform to be ‘progressive’, expanding on the discussion above and reinforcing an emphasis on human and civil rights. Finally, the fifth subsection (Synthesis) looks to put the prior four together giving the reader a clear lens through which to view the coming analysis.

The thesis then moves to a discussion of the data and methods (Chapter Four) used in its construction, providing the reader with an overview of the case study process. This thesis is a single case study looking at El Paso, Texas as a notable case of the interactions that occur on the border around immigration and border issues. While the research uses a variety of data sources, including some use of local media, government and organizational documents, and participant observation, it is largely based on 16 interviews conducted with key actors in these interactions. These actors were chosen to represent a cross-section of all actors involved, including federal agencies, state and local government including both the city and county, local service providing organizations, local policy activist organizations, and other activists and scholars looking to help shape policy and practices around the border.

Moving forward, it shifts to the main body of the work, a statement and analysis of the project’s findings (Chapter Five). This broad section consists of four subsections, the first three focusing on analyzing how different actors involved with border and

immigration matters interact with each other, and the last looking at barriers and resources available to reform going forward. The first subsection (Community Groups and Activists) deals specifically with community groups and activists pushing for reform, largely detailing the emergence of coalitions and a division of labor between groups. The subsection then moves on to discuss how these coalitions have begun to expand beyond the El Paso area, how the pro-reform movement has been ‘scaling up’ their activity, before moving to classify this activity in a matrix developed in the review of literature. The second subsection (Intergovernmental Activities) begins by looking at how the activities of local federal agencies have become more focused on Washington D.C. in recent years, a form of concentration that is an interesting counterpoint to devolution. The thesis then turns to examine governmental responses to devolution more closely, looking both at pressures for local government to comply with a devolutionary framework, and at local government attempts to resist devolution.

The third subsection (Government and Activist Interactions) looks at interactions between activists and government bodies, particularly focusing on the incorporation of some local governmental officials into pro-reform coalitions and on how these coalitions interact with officials in D.C. From there it aims to illuminate how these interactions fit with some of the ongoing geographic discussions, looking at how pro-reform activists seek to reshape the nature of the traditional ‘nlocalized’ scalar framework for immigration and border policy. It then touches again on the role of local federal officials in the reform process, a role largely diminished since the creation of the Department of Homeland Security in 2003. Finally, the subsection closes by looking at some of the impacts of local efforts to ‘scale up’ activities around immigration and border reform.

The fourth and final subsection (Limitations and Advantages) of the Chapter Five looks specifically at limitations and advantages of pursuing border and immigration reform out of El Paso. Looking at limitations it focuses on how the border is constructed as a marginal place and at factors such as poverty, isolation, political power, and racism that serve to reinforce this construction. In examining these limitations, the thesis aims to emphasize the need for reform groups to seek not only to change policy, but to change the entire way that the border is constructed as a place. It then moves on to a discussion of advantages, focusing on the experience that life on the border gives the reform movement about what needs to be addressed, an expertise that is unmatched in D.C. or elsewhere, and the root cause that a progressive vision of border and immigration reform is emerging in the first place.

The conclusion (Chapter Six) follows, an attempt to tie up the thesis around some of the major conversations it has engaged in and offer a final appraisal of the chances for a progressive border and immigration reform. It looks at the organizational/power matrix, commenting on the ways that the pro-reform movement has adapted their tactics and organizational forms to effectively command all of these forms of power. It concludes a lengthy appraisal of the contest between ‘nlocalization’ and devolution as frameworks for border and immigration enforcement, looking at how the cause of reform favors a fundamentally ‘nlocalized’ framework, yet operates in ways that have benefited from having to resist devolutionary processes. Indeed, the dealings of organizations in the borderlands with devolution offers an example for similar resistance in other parts of the U.S. Furthermore, it touches on how reformers’ pursuit of a ‘nlocalized’ framework for border and immigration affairs is not just a return to the traditional model, but rather

an attempt to use that framework to reconstruct El Paso and the borderlands as a progressive place, addressing some of the limitations mentioned earlier. Finally, the thesis concludes with an assessment of the chances for progressive reform, noting both, what has been done, and what still stands in the way.

CHAPTER TWO

CONTEXT

Out in the West Texas Town of El Paso

Immigration is a topic that has been on the American political agenda as long as the country has existed. It ebbs and flows in approach to the point that immigration policy has been likened to a revolving door, sometimes welcoming people in, sometimes aiming to keep them out. The past twenty-five years have generally seen policy movements to close this door, a hardening of U.S. immigration and border policy that has drastically increased the manpower, resources, and money going to border control. At the same time, transnational economic agreements such as the North American Free Trade Agreement (NAFTA) and other forms of economic globalization work to keep these borders open. The impacts of these policies are disproportionately felt in the communities of the U.S.-Mexico borderlands. Here residents must live with the activities of border and immigration enforcement ever around them, and with the consequences of this hardening, most distressingly the 5,600 deaths that have occurred since 1994 as people try to enter the U.S, and with the need for the border to be open, as globalization continues to reshape the local economy (Jimenez 2009, Heyman 1999, Andreas 2000). However, policy decisions about border and immigration issues have been made at the federal level since the late 1800s, and such decision making at the national scale all too often has excluded the experiences, needs, and input of border communities (Jacobson 1998, 57). A situation has existed where the scales between policy-making and enforcement are disconnected, the former national and the latter local, although through

federal agencies. This is starting to change, however, as state and local governments assert themselves in discussions around border and immigration policy, and as the federal government seeks to harness local law enforcement for use in immigration and border enforcement.

El Paso, Texas, is a perfect example of these trends. The city of 750,000 people is the American side of a bi-national conurbation with total population estimated over two million. It is home to a plethora of federal immigration and border enforcement agencies, both field operations and regional headquarters. Decisions made elsewhere, play out here, such as the construction of a border fence/wall over local opposition. Likewise, enforcement tactics developed here can be seen across the country. The current strategy of immigrant interdiction was first developed in El Paso as Operation Hold the Line (originally Blockade) (see Dunn 2009 for an excellent examination of this). At the same time, it grew up because of its transportation links into Mexico, links that are still a vital part of the community, and which have been made more important by free trade. The population of the area is largely of Mexican heritage, a mix of people born in the U.S. and Mexico, and there are strong cultural ties between El Paso and northern Mexico. It is home to the Chamizal National Monument, a Kennedy era testament to goodwill between the U.S. and Mexico. The city then is home to two powerful and increasingly conflicting forces, an externally imposed federal force to tighten the border, and a local force pushing to open it.

Something is emerging out of this tension in El Paso, a pushback against the hardening of U.S. border and immigration policy, a pushback against devolution and the move toward local immigration enforcement, a pushback against the exclusion of border

perspectives from national discussions of border and immigration policy. However, there is something more here as well, not just opposing these trends in border and immigration enforcement, but rather seeking to create a new approach to border and immigration issues. It is a humane movement, looking to address issues such as migrant deaths at the border and emphasize human rights more broadly. It is a just movement, calling attention to the impacts of enforcement on the civil rights of border residents. It is a movement that seeks to create a progressive set of border and immigration reforms aiming not only to correct flaws with the current immigration system, but to set U.S. border and immigration policy in a completely different direction. The aim is not to have the door turn open, but to force it open and keep it so. For more than a century the federal government has held authority over border and immigration affairs, but now with pressure from devolution and border communities, the question seems to be, “Who draws the line?”

A Brief History of Border and Immigration Enforcement in the United States

Border and immigration affairs are presently matters within the realm of the federal government, which has had purview over their regulation since the mid-1800s (Jacobson 1998, 57). This 150 year precedent is important in the present, where federal hegemony over immigration affairs faces a challenge from devolution to state and local authorities. For the first 70 years of U.S. history, immigration enforcement had been a matter left to the states, and many exclusionary practices originated at the state level, such as the barring of ‘undesirables’: the ill, criminals, people of ‘ill moral repute’, among others (Kanstroom 2007, 92). A series of actions undertaken by the U.S. Congress in the late 1800s, prompted in part by Supreme Court decisions that struck

down state immigration regulation under the Commerce Clause, led to the development of a federal immigration apparatus (Kanstroom 2007, 93-95). This development of federal regulation is notable in a series of bills passed in the late 1800s, which did two things, established the ability of the federal government to regulate immigration into the country, and also established federal authority to remove persons already within the country (Kanstroom 2007, 95-115). This establishment of federal authority set the stage for the development of greater mechanisms of border and immigration control that began to coalesce in the early 20th century.

Border control along the U.S-Mexican border and El Paso have a long intertwined history dating back to the dawn of the 20th century. General Pershing's unsuccessful pursuit of Pancho Villa across northern Mexico was based out of Fort Bliss in El Paso. When the Border Patrol was founded in 1924, one of its first two posts was in El Paso, the first on the southern border (CBP.gov, "Border Patrol History"). The earliest incarnations of regular border enforcement agents in the U.S. were a detachment of 75 mounted inspectors out of El Paso, tasked with patrolling the entire U.S.-Mexican border (CBP.gov, "Border Patrol History"). It is interesting to note that this patrol, born of the U.S. Immigration Service had a mission of stopping undocumented migration, much as today, but focused on stopping Chinese migration through Mexico, not Mexicans themselves (CBP.gov, "Border Patrol History"). Indeed, the Border Patrol would remain fairly small for much of the first half of the 20th century, numbering between fourteen and fifteen hundred in the 1940s, and during that time was more focused on smuggling operations, rather than immigration (CBP.gov, "Border Patrol History"). The organization's focus began to change in the 1950s with the passage of a 1952 bill

allowing the apprehension of undocumented persons in country, the Border Patrol was given this role of immigration enforcement and bringing with it a gradual shift in emphasis toward the southern border (CBP.gov, “Border Patrol History”).

While there had been concerns about the presence of Mexican immigrants in the U.S. during the Great Depression, one of the key moments in seeing border enforcement agencies mobilized against this population came with 1954’s Operation Wetback. This federally coordinated action in California, Arizona, and Texas saw the Border Patrol work with local law enforcement to round up and deport tens of thousands of undocumented Mexicans in the U.S. most of whom were employed in agriculture (CBP.gov, “Border Patrol History”). This special deployment of federal resources, including some military assistance, foreshadowed the future of immigration enforcement on the southern border as large scale, involving the vast majority of the national Border Patrol existing at the time, and acting in a quasi-military fashion (Handbook of Texas Online, “Operation Wetback”). This operation seems to have set both undocumented Mexican immigration as a national priority, and the old enforcement approach of seeking to round people up once they had entered the country. Indeed, the shadow of Operation Wetback is still with us today, whether as seen reflected in the many smaller scale immigration raids that occur across the country, or in the rhetoric of many of the most extreme anti-immigrant segments of American society who seek a repetition, or even an expansion of such a program today.

Several important changes happened to border and immigration policy in the 1960s that set the stage for future patterns of immigration and enforcement. First was the end of the Bracero program, a guestworker program for Mexican labor that had been in

place since World War Two. This program had provided a legal channel for temporary migration of laborers from Mexico into the United States, and ending had two important consequences, it made legal migration into the United States more difficult, and made such migration of longer duration. Following the end of the Bracero program was the Immigration and Nationality Act of 1965, which removed the national quota system first established in the 1920s (CBO 2006). It replaced this, however, with a hemispheric quota system that was the first time that immigration was restricted in the western hemisphere (CBO 2006). While this change opened migration to the U.S. from a number of places that had been previously restricted, the hemispheric quotas were not enough to keep up with demand to immigrate. As a result of this, undocumented immigration emerged as a much larger trend in migration to the United States, particularly among people from the Americas. While this trend took some time to emerge, it was a distinct and pressing political issue by the 1980s.

With the immigration reforms of the 1960s leading, in part, to increased undocumented migration from the Americas, this role of the Border Patrol, and general emphasis on border control and capture of undocumented immigrants grew significantly stronger in the second half of the century. Indeed, because of ramped up immigration enforcement paired with President Nixon's War on Drugs, declared in 1969, this period has seen much of the militarization that has occurred on the border (Dunn 2009, 15). What one sees as a result of the combination of the expanding role for border enforcement is a massive increase in the size of the federal customs, immigration, and border agencies. The Border Patrol alone has over 17,000 officers as of fiscal year 2008 (CBP.gov, "Border Patrol Overview"). This growth has come as part of a consistent

trend to increase a border policy of immigration deterrence and the capture of undocumented persons. This increase in enforcement has been consistent across political parties, whether pushed through to appease nativist sentiment, or used as a bargaining chip to secure a liberalization of immigration policy. This growth of the police forces such as the Border Patrol has also been met with the deployment of military or para-military resources to the border (Dunn 2009, 15). While these resources are often used in support of police operations, performing tasks such as reconnaissance, the potential exists for increased use of these resources on the front line, an unnerving prospect given their track record.

Trends in Border Enforcement from 1993-Present

Indeed, it is the last three decades that have seen border enforcement be deployed much more aggressively than in the past, marked both by the massive increases in agents and resources, but also by changes in tactics. Continued concerns over immigration led many in the early 1990s to consider the 1986 Immigration Reform and Control Act (IRCA) legislation, which legalized millions of undocumented persons already in the country, a failure because it did not stop future undocumented immigration (Martin 1994; Van Den Berg 2009). Around this point, in 1993, there was the implementation of a new strategy by the El Paso sector of the Border Patrol. Operation Hold the Line, originally Operation Blockade, took almost all of the sector's resources, which had been deployed to track down undocumented persons once they had entered the U.S., and redeployed them directly on the border in El Paso, a tactic called linewatch, where officers sit overlooking the Rio Grande, literally watching the border for any undocumented crossers (Dunn 2009, 51-96). This operation was designed to deter the flow of migrants through

urban El Paso, hopefully stopping crossers, but at the very least, moving them to much less hospitable desert and scrubland surrounding the city (Dunn 2009, 60-61). Although it was met with initial hostility from directors in the Immigration and Naturalization Service (INS), Hold the Line presented the Clinton Administration with an excellent political opportunity to address public concern remaining from IRCA, an opportunity they quickly seized upon (Dunn 2009, 77-80). As a result, Hold the Line like operations were imitated up and down the border, most notably with Operation Gatekeeper in San Diego (Dunn 2009, 80; Nevins 2002).

And, while this shift in tactics has dominated enforcement along the southern border since its implementation in the fall of 1993, undocumented immigration has continued unabated. This has led to the continued, and if anything more rapid, build up of a police presence along the U.S.-Mexican border in response to what many view as continued policy failures rooted in the failure of IRCA. The Border Patrol more than doubled in size during the 1990s, mostly to meet public demand for these more manpower intensive operations (Orrenius 2001). They have since more than doubled again to their present level of about 17,000 (CBP.gov, “Border Patrol Overview”). The 1990s also saw the introduction of widespread use of military forces in support of Border Patrol operations, a tactic that has had significant public support, but turned tragic with a 1997 shooting death of a U.S. citizen teenager in rural Redford TX by U.S. Marines supporting Border Patrol operations (Dunn 2009, 166). While military involvement in the frontlines of immigration enforcement was greatly curtailed after this incident, it has started to reemerge in recent years, particularly with the deployment of National Guard units to the border, where they fill a variety of roles (Dunn 2009, 180-181).

This buildup of a militarized police presence along U.S borders has been extremely selective however, almost entirely focused along the U.S.-Mexican border. Before 9/11 there were 350 Border Patrol agents deployed along the entire U.S.-Canadian border, and five years ago only 1,000 agents were deployed there (U.S. Border Patrol 2004). This means that the vast bulk, over 80 percent of Border Patrol manpower has been deployed against Mexico. This is even though there is little to suggest that drug interdiction from Canada is proportionally that much smaller, and, in terms of the anti-terrorism justifications used for increased border enforcement since 2001, the only notable terrorist activity apprehended entering the U.S. by land, was apprehended along the northern border (Leiken and Brooke 2006). These massive increases in resources for the Border Patrol also come as there has been an underinvestment in Customs workers for the ports of entry, meaning that lines of legal trade, commerce, and migration have been ignored, even as the U.S. tries to make undocumented and illicit processes more difficult (Peters 2008). While such resource decisions do not have much impact on long-term, long-distance migration into the interior of the U.S., they have significant economic impacts on communities based around constant cross-border trade, transport, and short-term flows of people.

More important than the impacts on local communities, and this is certainly not to dismiss such impacts, which go well beyond those listed above, are the impacts of these strategic shifts and resource deployments on the migrants themselves. The fifteen year period since the introduction of Hold the Line and Gatekeeper, has been a period of never before seen death along the U.S-Mexican border. Death rates for migrants entering the U.S. over the southern land border more than tripled between 1992, the last full year

before implementation of a linewatch oriented approach, and 2002 (Massey 2007). Indeed, estimates state that about 5,600 people have died crossing the U.S.-Mexican border in the 15 years since Operation Gatekeeper was undertaken in San Diego (Jimenez 2009). These deaths come about as a direct result of one of the Border Patrol's goals with linewatch strategies, the diversion of migrants away from urban areas and into much more hostile terrain (Dunn 2009, 178). This diversion has left migrants at much more risk during crossing, exposing them in the summer to extreme heat and dryness, and in winter to deadly cold, or in south Texas forcing them to navigate the Rio Grande at much more difficult crossings (Cornelius 2001, 670-671; Sapkota et al 2006, 1282-1287). The conditions migrants face, and the amount of death and injury that they accrue presents an obvious humanitarian crisis and many immigration scholars and activists would argue, a violation of fundamental human rights as well (Dunn 2009, 177-178).

Underlying this rise in death rates is that diversion, while the main outcome of the linewatch strategy, was only the secondary goal. The primary goal of linewatch, and of the buildup of border enforcement, deterrence, has been a failure (Dunn 2009, 205; among many others). While U.S. officials had hoped that the increased difficulty and risks migrants would face to enter the country would stop some from seeking to cross, recent academic work has shown that this is not the case. Rather, migrants tend to be well aware of the difficulties they face in attempting to enter the U.S., but are distinctly not deterred by such efforts (Massey 2005a; Massey 2005b; Massey 2007; GAO 1994, 23-25; Stone 2007; U.S.C.I.R. 1994, 25-26). Most migrants are driven by economic concerns, concerns that are not outweighed by those risks (Massey 2005b). It is likely that only by changing the base imperative driving these migrants, usually, economic

conditions, would patterns of migration actually change, as we are seeing in the current economic crisis. Otherwise, with increased enforcement, and the resultant greater risks associated with crossing the southern border, the pattern that held in the 1990s and early part of this decade, with high death totals reflecting high totals of undocumented migration, seems likely to hold.

However, more difficult crossing conditions and the resultant deaths are not the only ways that undocumented migration across the southern border have changed since the early 1990s. In general, the increased difficulty in crossing has made migrants more open to exploitation and abuse. With the increased difficulty in crossing, more migrants turned to the use of guides or other human smugglers, known by the Mexican slang *coyotes* (Cornelius 2001, 667-668; Ruiz 1998, 161). However, these coyotes are all too frequently lacking in concern for the people they deal with. The past few years have been littered with incidents where migrants have died in the process of being smuggled into the U.S., such as a notable incident from 2003 where 19 people died in the back of an unrefrigerated semi-trailer when temperatures rose as high as 173 degrees (Blumenthal 2006). The increased enforcement regimes have caused the price of hiring a coyote to skyrocket, from a few hundred dollars a person in the early 1990s, to several thousand dollars per person today (Ruiz 1998, 161; Massey 2007; Cornelius 2001, 668). These exorbitant rates put migrants in a position of extreme vulnerability as many either use all of their resources, or go into debt to finance the trip, an economic position that opens them to unscrupulous smugglers or employers. Indeed, with such large debt obligations, migrants can be seriously taken advantage of, put into conditions verging on slavery, as has happened in Florida (Evans, et al 2003). In fact, given their lack of legal status, many

undocumented immigrants face situations where they are taken advantage of, or cheated of wages, and feel that they have little recourse to such abuse.

Furthermore, it is increasingly the case that undocumented migrants to the U.S. do not enter the country out of status. Rather, recent estimates for undocumented migrant entry have over half of all incoming migrants entering the U.S. legally, and going out of status once they are in the country, a process commonly known as visa overstay (Stone 2007). The rise of visa overstay as a tactic for undocumented migrants would seem to threaten the current approach of immigration control through border enforcement, as the breakdown is not at that stage in the process. Indeed, this is an approach the efficacy of which is also made questionable with the rise of professional smugglers noted above. Some scholars have argued that the beefed up border enforcement has been responsible for the rise of these smugglers, with migrants more likely to turn to them, to get past the increased patrols (Cornelius 2001, 666-668). Nevertheless, and even if it has proven inefficient, there has been one constant in American immigration policy over the past two decades, increased enforcement along the southern border.

Increased manpower for the Border Patrol, coupled with the emphasis on linewatch has not been the only form of increased enforcement undertaken in recent years. Since 2005 there has been a project underway, called the Secure Border Initiative (SBI), the main component of which, SBInet, has been an effort to create an ‘virtual’ border (Lipowicz 2007). The contract to develop the entire SBI project was awarded to Boeing in late 2006 (CBP.gov 2008). SBInet, in particular, has been little less than a fiasco, with much of the technology developed for the project failing to meet quality standards or be delivered on time (Dunn 2009, 224 ;Lipowicz 2007). At the same time,

costs for the project have boomed, from 2-8 billion dollars in the initial contract, to an estimated 30 billion dollars in mid 2008 (Lipowicz 2008). While such technology would potentially reduce the need for additional manpower, and make linewatch enforcement more effective, it does not address emerging trends such as the tendency of migrants to use visa overstay as a means of entering the U.S.

This addition of electronic surveillance directly on the border is not the only attempt by the government to use technology in border and migration control. Similar efforts have been made at ports of entry with the implementation of United States Visitor and Immigrant Status Indicator Technology (US-VISIT) and with the Western Hemispheric Travel Initiative (WHTI). WHTI requires all persons entering the U.S. from a western hemispheric country to present a passport, or equivalent, upon arrival as a means of performing more thorough checks on people entering the country (State Department 2009). This has had some issues with implementation, however, as it requires a passport even of U.S. citizens, a burden for border residents, especially in the relatively poor communities along the southern border, and led to delays in implementation. US-VISIT is a more involved project that seeks to collect biometric data from all non-U.S. citizens entering the U.S (DHS 2009a; Electronic Privacy Information Center 2007). This data is intended to be checked against criminal and terrorist databases, and more relevant to border and immigration issues, create a database for use in managing exit control (Electronic Privacy Information Center 2007). Implementation issues similarly delayed use of US-VISIT at all crossings, particularly land crossings, but has now been put into use at those ports of entry as well. The biggest failure of US-VISIT so far has been the failure to implement the exit checks that had originally been

intended as part of the system, a date for the implementation of this part of the system has not even been set (DHS 2009a). The system has faced criticism for problems, such as misspellings of names that can lead travelers to be confused with a watch list and falsely detained (Electronic Privacy Information Center 2007). Notably for the border, the program does not require biometric identification for persons holding Border Crossing Cards (also called a laser visa, it is the equivalent of a business or tourist visa that is good for a ten year period) and who are traveling within the border zone for short durations (DHS 2009b).

A related and much more controversial program instituted by the federal government for border security is the border fencing authorized by Congress in 2006. This fencing, commonly known as the ‘Border Wall’ is being/has been constructed on 850 miles of the southern border, representing a significant addition to the walls that had already been built, most of which had been constructed in urban areas (Dunn 2009, 222-223, 249-250). The border fencing was met with opposition from a number of groups across a broad spectrum, raising objections on environmental, civil and human rights, and international relations grounds. Objections were particularly strong from border communities in Texas, where local officials and residents felt that DHS had not adequately allowed them to comment on the proposal. This became a point of particular concern after former Secretary of Homeland Security Chertoff waived all applicable federal law, such as the Clean Air, Clean Water, and National Historic Preservation Acts, amongst others, to expedite the wall’s construction, a decision that is not open to judicial review (Environmental News Service 2008). Several border communities, particularly in Texas, El Paso being one, brought suit against the Federal Government over construction.

However, all of these suits were dismissed (Dunn 2009, 259). The lawsuit brought by El Paso County will be something touched on again later in this thesis.

Additionally, it is important to note the legislative failures of immigration reform since IRCA passed in 1986. With the public perception of IRCA as failing to stop undocumented migration into the U.S., paired with security concerns after September 11th, 2001, attempts to overhaul the federal immigration system have notably failed to gain traction in Congress. Instead, the only legislation that becomes law, if any makes it through at all, is legislation beefing up the federal border security apparatus. On the other hand, it is worth noting, that the harshest of the anti-immigrant legislation has met a similar fate. Most notably, in 2005-2006, H.R. 4437 which would have felonized undocumented migrants and those who assist them in any manner, and the McCain-Kennedy bill, a measure that would have opened additional avenues for migration into the U.S. and given a path to normalization for those undocumented persons in the country both failed (Sensenbrenner 2005; McCain 2005). Congress instead went for a political middle ground with the passage of the Secure Borders Act, which authorized the border wall discussed above (Dunn 2009, 222-223). Indeed, the Congress' approach to immigration policy in recent years seems defined by being trapped in a stalemate, where supporters of immigration reform, and supporters of greater immigration restrictions are each powerful enough to stop the other side's agenda.

This context is also marked by significant and growing citizen activism around these issues, in large part because so few feel that the current policy is working, whether they critique it from the left or from the right. While both pro and anti immigrant groups have lengthy histories with prior waves of immigrants, this is a relative peak for such

activity. Opposition to immigration, and to the provision of public benefits to immigrants, has been a bulwark of rightwing organizing for some time, particularly emerging in California in the early 1990s, as with the example of Proposition 187. On the other hand, pro-immigrant groups have been active since the emergence of the Sanctuary Movement in the 1980s. A pro-enforcement agenda was particularly dominant in the 1990s in the aftermath of IRCA and before it became clear that the introduction of linewatch techniques had both serious human rights implications and was not effective at deterrence. The past decade has seen more balance between the two sides, but in the context of much more public activity across the board. When we look back on the national politics of immigration in the 2000s, the two highlights will have been the rise of the Minutemen as citizens took it upon themselves to watch the border in the face of continued undocumented migration, and the massive pro-immigrant protests that swept the country in the spring of 2006.

Emergence of Devolutionary Practices

While many of these trends above have focused on the practices of federal agencies, especially the Border Patrol, and tactics they have employed, another important trend to note in immigration and border enforcement has been the devolution of federal authority over immigration enforcement to state and local law enforcement agencies. These devolutionary practices generally mirror the broader devolution of governmental authority that has occurred from the 1980s forward (Staeheli, Kodras, and Flint 1997, xii-xxxiii). What is interesting, however, is that they do not represent an attempt by the federal government to exit the arena of border enforcement; rather, these practices come in addition to the massive expansion of the federal border control apparatus. This runs in

contrast to other government provisions, such as social services like welfare or housing, that have been the subject of devolution to state or local governments in which responsibility for these services was shifted entirely to the lower tiers of government (Kodras 1997, 79-96). This would seem to reflect an intersection of two separate sets of dominant thinking in federal policy making over the past 30 years. The growth of the federal border control apparatus reflects the general rise of the national security state in the U.S. On the other hand, many devolutionary practices represent a response to similar frustrations with government programs viewed as ineffective, in this case in response to the inability to stop undocumented migration, as with the frustrations that drove the devolution of social services.

We can see some of that frustration in the fact that much of this devolution has been driven by the actions and desires of state and local governments. Since the passage of California's Proposition 187 in 1994, there have been a slew of state and local governments seeking to create and apply their own tools for immigration enforcement. There has been near constant pressure in many communities across the country to adopt such policies, pressure that has made its presence known in recent occurrences such as Hazelton, Pennsylvania's 2006 ordinance against renting to, or employing undocumented migrants, or Oklahoma's HB 1804 which denies any public services to undocumented persons, felonizes provision of any assistance to undocumented persons, and requires local police to check the status of anyone in the state suspected of being undocumented (Schorn 2006; Estrada and Oppenheim 2007). Indeed, recent years have seen states consider and pass dozens of bills each year related to regulating undocumented persons, while dozens of localities like Hazelton have attempted to use local ordinances to such

ends (Morse et al. 2009). These actions have been broadly welcomed by the federal government, which has its own means of trying to engage states and local communities in immigration enforcement, namely section 287(g) which authorizes DHS to train and certify local law enforcement officials to enforce immigration law, a job otherwise bound to federal enforcement only (ICE.gov 2007).

287(g) has met with criticism both from communities that have engaged with the federal government, and from some in the law enforcement community. Indeed, the concerns over this are reflective of broader concerns over devolutionary practices in immigration and border enforcement. The three main concerns surrounding devolution of immigration enforcement are: the chance of isolating undocumented communities from local governments, especially police, risky given their vulnerability discussed earlier; that it places an unmanageable burden upon local law enforcement; and that immigration and border enforcement is constitutionally specified as a realm of federal enforcement (Solis 2009). Certainly, these are concerns that communities facing devolution of immigration would be well advised to consider, but given the, so far, voluntary nature of this devolution, it is a matter almost entirely in a community's hands. There are also some signs that the push for devolution may be fading, particularly on the part of DHS, after going through a period of intense promotion in the aftermath of the failed immigration reforms of 2006 (ICE.gov 2008). In a significant, and high-profile, move, DHS has decided not to reauthorize the vast majority of its 287(g) agreement with the Maricopa County (AZ) Sheriff's Department (Archibold 2009). This decision is effectively a public rebuke of the department and Sheriff Joe Arpaio, who have gained national notoriety for their pursuit of undocumented persons, which has drawn large

numbers of human and civil rights complaints (Archibold 2009). Whether this move represents a specific desire to reign in that single law enforcement agency, or represents a slowing of the entire program is still unclear.

However, community anger over immigration is not the only factor driving the devolution of border and immigration enforcement; money also has a significant role to play. Much of the participation by local law enforcement agencies in immigration activity is driven by the ability to tap state and federal grants by doing so, money that is used to supplement what are often tight departmental budgets. Indeed, the importance of such pressure is readily visible in how money from Texas Governor Rick Perry's Border Star program has been spent. A review of all money and resources allocated to that program showed that the Texas Department of Public Safety had been re-directing resources allocated to border initiatives to other parts of the state for normal law enforcement work (Grissom 2009a). Similar studies of local law enforcement agencies also saw similar patterns of use (Grissom 2009a). It seems apparent then that part of the success of devolution is that it can buy the participation of local law enforcement, although apparently it does not get as much in local efforts as it pays for.

A Brief Overview of Border and Immigration Enforcement in El Paso, Texas

Many of the developments in immigration and border enforcement have been closely tied to El Paso. Some, such as the use of linewatch tactics, started in El Paso, others have manifested themselves in El Paso in less unique ways, like El Paso County's suit against the federal government in attempt to stop the border wall. Obviously, it does not make sense to repeat all of the information provided above, but it is certainly worth noting how some of these trends have occurred in the case study area. If anything, it is

worth isolating the history of border and immigration control practices in El Paso, because of their more intense presence in this community for a longer period of time. Indeed, this intensity in itself is notable, very few other communities, even on or near the U.S.-Mexican border have the relationship with the border, or with border enforcement that El Paso has developed over the past century.

The first aspect to realize when looking at the relationship between El Paso and border enforcement is how much of the border enforcement apparatus is based, or has been based, out of the city. As mentioned, El Paso was the birthplace of the forerunner of the Border Patrol and its main post on the southern border upon founding. While it has been overtaken by other sectors, such as San Diego, in terms of manpower, the El Paso sector of the Border Patrol is still one of the country's largest in terms of number of patrolmen. El Paso is also a major port of entry, and has a significant Customs enforcement presence, as well as other federal agencies that may become involved in criminal investigations, such as the FBI, ATF, or DEA. Furthermore, Fort Bliss, located in El Paso, is home to the U.S. Army's Joint Task Force North (JTFN, formerly known as Joint Task Force 6—JTF6), a unit set up by the U.S. military to support drug interdiction efforts led by civilian border or law enforcement agencies. This drug and border interdiction unit harkens back to another border oriented military unit based out of El Paso, General Pershing's expeditionary force which wandered northern Mexico in search of Pancho Villa. While this specific occurrence was some time ago, its impact lasts to the present, helping suggest a role for the military in enforcing the border. Indeed, we can see JTFN as a modern-day equivalent to the Pershing Expedition, helping set the precedent for military involvement in border and immigration enforcement that has

become so much more prevalent, and widespread across the borderlands, over the past few decades. Finally, beyond interdiction itself, El Paso and the surrounding area is home to significant migrant detention facilities, and to a significant portion of the immigration court system that hears their cases.

Beyond the presence of enforcement organizations, other approaches to border control also have their roots here. Urbanized portions of El Paso have had fencing since the 1970s, and while this was not unique to El Paso, nor was such fencing as sophisticated as current approaches, it again helped set a precedent for tactics such as fencing to be used across the borderlands. Furthermore, as Tim Dunn profiles in a recent book, the specific set of reactions to ongoing Border Patrol practices by El Paso residents, helped move the new local Sector Chief to adopt linewatch tactics in 1993 with Operation Hold the Line (originally Operation Blockade), a move that was ended up quickly emulated across the U.S.-Mexican border (Dunn 2009, 77-80). In this change in tactics we can see trends such as the displacement of migrants from core urban to outlying rural communities, or even further into the barren desert, and then the beginnings of subsequent redeployments of Border Patrol resources to outlying stations to address those changes (Dunn 2009, 166-169). In the end, almost everything that we observe as result of current Border Patrol enforcement practices today, in places across the border, was first evident in the aftermath of the implementation of this strategy in El Paso.

The other aspect of note in El Paso is the history and continued presence of many non-governmental organizations active around border and immigration issues. Indeed, this community has a lengthy, if not entirely constant history of activism around the border, especially from the 1990s forward. As Dunn profiles, El Paso was one of the first

communities on the border to challenge abuses that came with border enforcement, activism that ironically contributed to the rise of current enforcement techniques, but nevertheless a strain of activism that has continued almost constantly to the present (Dunn 2009). Indeed, El Paso has developed a broad array of community activists and non-governmental organizations that address each step in the migration and border enforcement process. There are organizations focused on ports of entry and customs issues, detention issues, rights abuses in the course of enforcement, and with the fundamental emphasis on constantly increasing border enforcement itself. And these organizations represent a broad range of community actors as well, from the Catholic Church, and other local religious figures, to local immigration and civil rights attorneys, local business leaders, to local law enforcement figures, local politicians, academics, and people who simply are residents of communities that deal with these enforcement regimes. As it stands, the only group that is lacking a serious presence in the current group of actors around immigration and border enforcement are anti-immigrant groups. While the Minutemen made some effort to enter the area in the mid part of the decade, local participation was low and the group quickly retreated.

In the end, with this combination of local activists and a large border and immigration enforcement presence, El Paso has developed a highly sophisticated local discourse on these issues, many engaged actors, and complex patterns of action. It is lasting; neither the enforcement apparatus, nor the activist groups look to be going anywhere in the near future. Furthermore, it is a vital discourse, one with significant implications for human and civil rights, and of importance not only to communities in the borderlands, but across the country. With this in mind, the questions of how exactly this

discourse and related political-organizational practices emerge, and where they can go from here, are issues that will be tackled in the other sections of this thesis.

CHAPTER THREE

REVIEW OF LITERATURE

Overview

This thesis assesses the likelihood of a 'progressive' border and immigration reform emerging out of the current politics of the border and immigration in El Paso. However, this is a very broad concept to analyze, almost impossibly so in its current configuration. What is needed then is to clarify this question, and ground it in what we know of these debates so far. It specifically evaluates 'borders', but in El Paso, as in many other cases, the 'border' is more than just a line in the sand, and the question must entail an understanding of what borders are themselves. It looks at scale, but scale is a broad topic by itself, with vagaries of its own that must be addressed. It answers questions about the interactions between governments and communities, but to do so then it must also have an understanding of what forms have been taken by prior patterns of interactions and what these forms have entailed. It seeks to appraise the chances of a 'progressive' reform, but before that the obvious question needs to be answered, "What is a 'progressive' reform?" The setting of the story is delineated, as is the significance of what is at stake in its telling. What is missing though, is how to read it, the prisms and lenses that need to be harnessed to obtain a clear, comprehensible understanding of what is going on. These lenses then are what we can find here, the insights into what to look for and the guide to what we look at.

The following chapter is composed of five thematic subsections. The first deals with issues of how society constructs place and specifically applies those ideas to how the

border has been and could be constructed. The second examines how scalar issues have played out in looking at border and immigration enforcement, adapting the concept of ‘glocalization’ to the border, and then looking at the impacts of the devolution of enforcement. The third subsection looks at how government and community groups interact, paying particular attention to power relations where one element of society guides the actions of another, and to how activism can counter such effects. From there, the fourth subsection presents an idea of border and immigration enforcement and reform through the application of a ‘progressive’ ideal focusing on human and civil rights issues. Finally, the fifth subsection synthesizes important points from the prior four subsections and builds a vision of what a geography of progressive border and immigration reform looks like. This subsection combines the lenses provided in the prior four subsections to guide the reader going through the analysis by providing both a vision and questions to address the opening thesis question of the thesis about the chances for a progressive reform. While these subsections are broken up thematically, they gain power from being in conversation with each other, something that should be kept in mind both in the final subsection.

(RE)BORDERING

Boundaries or Gateways?

Borders exist, in one sense, as lines on a map, delineations of authority and control, they mark spaces. Yet borders also exist as much more, or much less, as they do more than just mark spaces, they influence the creation of places, places both near and far. To understand borders then is to try and understand broader ideas of how places are formed in peoples' minds. While borders may use natural features as their limits, they themselves are not natural, and the processes by which they are assembled are key. These processes often reflect conflict and compromise, dominance and subordination, access and barriers, among others, competing dualities, whose balances reflect different imaginations of different communities. Yet we must understand that the processes are not uni-directional, rather bordering and re-bordering processes reflect Edward Soja's socio-spatial dialectic where places and society work simultaneously to influence and reproduce each other (Soja 1980, 208). In doing so, we must not only be focused on the border itself, but rather we must seek to include the communities that it shapes, and that in return shape it, coming then to a broader concept of a 'borderlands'. By understanding the processes of bordering and re-bordering, we can look at how it can be possible not only to propose new policy for border and immigration enforcement, but imagine an entirely new, fundamentally more progressive, U.S.-Mexican border that represents a break from the oppressively envisioned border of the present.

Spaces, Places, and Borders

"Place...is a processual, polyvocal, always-becoming entity...The same physical site may be dreamed, ignored, appropriated, or simply lived differently by different

individuals or groups simultaneously” (Price 2004, 1). There is nothing natural, or even simple, about the construction of place. Each person, each segment of society experiences place differently, and while a single vision of a place may end up being dominant, it is not alone. The interactions around the formation of place are crucial, as through them places are imagined, landscapes constructed, results that in turn mold the interactions that help define the place, and the cycle repeats itself dynamically. As Price says:

Rather narratives about people’s places in places continuously materialize the entity we call place. In its materializations, however, there are conflicts, silences, exclusions. Tales are retold and their meanings wobble and shift over time. Multiple claims are made. Some stories are deemed heretical. The resulting dislocations, discontinuities, and disjunctures work to continually destabilize that which appears to be stable: a unitary, univocal place. (Price 2004, 4)

This dynamic force at play in defining place is an interesting and important one, as it allows a fundamental idea of hope at play. If place is continuously dynamic, then with enough contestation, even oppressed groups can challenge fundamental aspects of their communities by contesting the dominant vision of a place, fostering their own instead.

Space is a more abstract concept, linking places that may not feel immediate connections to each other. Price, citing the work of Edward Casey, concludes “Place is prior to space, and indeed space is derived from place” (Price 2004, 11). Yet, with the emergence of larger, more complex patterns of human organization, particularly with the rise of the nation state, we see these broad spaces emerge as key ways of seeing the

world, or parts of it. This idea of space as a “pure, formal essence” is important to this as it creates the idea of homogeneity that is key to the legitimate identity of the nation state (Price 2004, 11). Spaces wipe away those characteristics that define places as unique, leaving what remains as an indistinguishable, unitary mass. This is where borders come in, the lines that demarcate these broad homogenous spaces of the state, that are needed to tell the space of one state from that of its neighbors, and that allow the state to turn these spaces that it has imposed into places of its creation. Quoting Price again, “Geopolitical boundaries are central to the modern project of nation building precisely because they function to purify and stabilize a collective sense of self through both the erasure of internal difference and the demarcation of a constitutive outside through the expulsion of Other nations” (Price 2004, 9). Certainly, as Price argues, geopolitical borders are not the only way of interpreting borders, but this is the form that has become dominant in the area around the U.S.-Mexican border, with most of the internal social divisions rooted in, or at least drawing on, this geopolitical divide.

Indeed, the presence of this space derived boundary has a distinct role in how the places it impacts are shaped, particularly those near its physical presence. As Price argues, borders are important as spaces for development of identity (Price 2004, 9). To this end, their ability to assist in constructing identity is not limited to those identities that are in line with that of the space the border serves, they can also provide a bulwark for the development of identities that either seek to define alternative spaces or to overcome those spatial definitions altogether (Price 2004, 9-10). These identities in turn are crucial to how people imagine and interact with the border, both processes combined providing a clear example of the socio-spatial dialectic in action, as borders-in-place, and people-in-

place impact each other in reproducing each other (Soja 1980, 208). This dynamic interaction between borders, place, and identity is key to the matter at hand in El Paso, as this interaction fundamentally shapes the intergovernmental interactions, and interactions with the community that offer a potential for progressive reform.

The potential for progressivity in these dynamic interactions comes from the fact that spaces are fundamentally comprised of an aggregation of places, even if the space tries to impose a degree of uniformity over those constituent places. Indeed, through the lens of the socio-spatial dialectic, we see further linkages between social structure, through identity, and the places and borders that comprise these spaces. Since it is possible to re-imagine places, the basic spatial unit of this structure, it is possible to re-imagine the entire construct, place, space, and borders alike. As Price says, “boundaries and meaningful physical features of the land in question depend to a great extent on whose vision is prioritized...such [precise] boundaries do not exist *because a stable sort of place itself* does not exist [emphasis in original]” (Price 2004, 7). This is powerful in its implications for reform, especially reform driven by border communities. Inherent in this is an idea that reform is not limited to altering current practices; it is not limited to merely making enforcement better. Rather, it provides the potential for the border to be re-imagined, and re-created in a way that moves it away from those practices, as a conduit rather than a barrier. The implications of such a re-creation of the border as a place suggests a much better long term ability to shape a progressive borderlands.

Certainly, we can see examples of this contestation of place succeeding, at least partially, both on the border and elsewhere. The art of Marcos Ramírez ERRE is a prominent example of how the places of the border are becoming contested. His work

examining the U.S.-Mexico border forces the viewer to at the very least call into question the common perceptions of place that have been created to separate the two countries. Perhaps his best known work in this regard, the 1997 installation *Toy-an Horse y Trojan Horse*, a double headed Trojan horse placed on the border at the crossing between Tijuana and San Ysidro, forced the viewer to consider the relationship between the two countries and how the other country is perceived by its neighbor (Ramírez 1997). Although Ramírez's art is only an opening shot in the contestation of a place, it is certainly a demonstration of the potential to create something different and of the fact that a desire to do so exists in the borderlands. For an example of where the contestation of a place has gone far enough to result in changes to the definition of a place, we can look at Lexington, Kentucky, which has seen successful efforts to acknowledge the history of the Black community in the city (McCann 1999). In Lexington, the shooting death of an eighteen-year-old Black man, led a series of protests and riots in "White" spaces of the city, such as Downtown, that eventually led to the greater acknowledgement and inclusion of Black Lexingtonians in this space (McCann 1999).

Trends in Bordering and Re-Bordering

As scholars have noted, there appears to be a fundamental paradox in the current trends shaping the U.S.-Mexican border. Three major trends are apparent, each bringing their own pressures on how the border operates, pressures that tend to contradict each other, contradictions that cause confusion and waste. These trends, as Price identifies and summarizes them, reflecting the general typologies of other border scholars, are "globalization", the idea of a "borderlands", and that of the "nativist reprise" (Price 2004, 88). "Globalization" as a trend related to borders de-emphasizes the nation state in favor

of specific places of production and consumption and seeks to reduce barriers between those places (Price 2004, 88-89, Heyman 1999, 288-289). The idea of a “borderlands”, different but related to how it is used above, is a place where the border is not a divide, but a source of a culture in-between those of the U.S. and Mexico existing as a link between the two, a gradient between two spaces on either side (Price 2004, 89-90, Vila (2000) offers an interesting and important complication on this perspective). Lastly, the “nativist reprise” is a trend that seeks, even through use of force, the maintenance of the border as a boundary between two non-intersecting homogeneous spaces, and is the trend which has dominated the national conversation within the U.S. in recent years (Price 2004, 91; Heyman 1999, 89; Nevins 2002, 111-122; Andreas 2000, 7-9).

An emphasis on a borderlands culture, as Price defines it, is essentially an extension of the possibility for border communities to question the existing definition of the border, and propose their own definition that was discussed earlier. This thrives off the movement between the two countries that brings cultural blending between the two respective interiors (Price 2004, 98). It essentially is a celebration of the role of the border area as a gradient between the two countries. It also comes as a rejection of a U.S. society that has broadly oppressed the border, and its residents, politically and economically. Instead, it is an attempt to create an area that connects the U.S. and Mexico, while simultaneously existing outside the mainstream of both (Price 2004, 97-99). As such, it has been a largely cultural movement, fostering a significant artistic community (Price 2004, 98). It is an attempt to re-imagine the spaces of the two countries not as discrete, separate entities, but rather as part of a continuum, one joined, not separated at the border. While this movement has successfully shaped the identities

of many places along the border, although this is also not as deep as many promoters of a borderlands ideal would like to think. Vila, in particular, sees many practices in borderland culture that serve to reinforce the separation between the U.S. and Mexico, often outcompeting the drive for a more open, transnational border culture. Given this internal conflict, it has not been able to, as of yet, affect significant changes to enforcement practices along the border itself (Vila 2000, 1-20).

In sharp contrast to the potential transnationality of the borderlands culture is a resurgent nativism, that shows its presence not only on the border, but across the United States. That this feeling is not limited to, or even focused on the border, does not do much to limit its effects there, as over the past 15 years it has led in shaping national discourse and policy about borders and immigration (Price 2004, 91, 113-117; Heyman 1999, 289, 292-295; Nevins 2002, 111-122; Andreas 2000, 7-9, 85-89, 93-100). In many respects this is a reaction to a combination of two factors, the systemic failure of past and current enforcement approaches to successfully deter undocumented migration or border crossing, and a reaction to economic upheaval caused by globalization (Heyman 1999, 289, 292-295; Andreas 2000, 7-9, 85-89). Notably, although Nevins sees similar outcomes, he sees a slightly different cause, not that globalization is provoking short or medium term bursts of nativism, but rather that it is a core essence of the nation-state to pursue and naturalize such endeavors at control (Nevins 2002, 10-14).

Either way, this trend has sought to alter the border in that it wishes to make it even more of an impermeable barrier than it ever has been, and likely could be. This is the envisioning of a border with little to no room for any movement across it, even legal movement, but rather a barrier between two idealized discrete nation state units. This

intense belief in the desire to maintain a discrete, controlled nation state has fueled the intensification of border enforcement, desiring more patrolmen, more equipment, more militarization until the border is impenetrable, the nation state a fortress (Price 2004, 91, 113-117; Heyman 1999, 289, 292-295; Nevins 2002, 111-122; Andreas 2000, 7-9, 85-89, 93-100). This sentiment has fueled public anger over past immigration policy, such as IRCA, leading political figures on all scales to see stricter enforcement as good political strategy, even if ineffective tactically, and has contributed to the devolution of immigration and border enforcement (Heyman 1999, 289, 292-295; Nevins 2002, 111-122; Andreas 2000, 7-9, 85-89, 93-100).

In many ways the trends of globalization and the emergence of a borderlands culture go hand in hand, if unintentionally. These trends, with a shared de-emphasis on the border as an active barrier, seek rather to make it more permeable, to emphasize linkages across, the opposite of what is desired by the nativists. This is not meant, however, to conflate the two, especially as the end result each movement seeks is vastly different both in goal and scale. For globalization there is visible progress towards the de-emphasis of the border with the 1994 ratification of the North American Free Trade Agreement (NAFTA), an accord that made the transport of goods across the continent, and with that the flow of capital, a much easier task. The overarching concern with a free flow of trade has led to a trend of light inspection regimes, and has sought to provide resources to ports of entry to facilitate increased flows, not to provide increased interdiction (Andreas 2000, 100-106). Indeed, these increased goods flows with globalization have helped open the spaces inside the borders up to smugglers, both of people and drugs, as well as to the legal cargos being carried (Andreas 2000, 96-98).

Globalization, while it has not dominated U.S. domestic conversations over the border, has certainly been a main driver of policy, visible in the fact that ports of entry, and workplaces of undocumented migrants, have been able to escape the enforcement regimes put into place along other parts of the border (Andreas 2000, 100-106).

Government officials, while eager to show voters that they are tough on border issues, know better than to actually enact policy that would interfere with big capital's push to get rid of the border.

Obviously, there are conflicts between these trends, they do not exist in a vacuum, but rather interact with each other in ways that are often unexpected. To begin with, there is an interesting feedback between the nativist and globalization trends, where the impacts of the globalization trend serve to reinforce the nativist trend (Heyman 1999, 289, 292-295; Andreas 2000, 85-100). As a result, even as we see globalist tendencies grow stronger at the border, with easier movement of goods and people across, we see those actions provoke intensified efforts to make the border impermeable, at least between ports of entry, even though those efforts are at the same time undercut by globalization. We see a borderland culture develop, and emphasis on transborder identities and interactions grow, even as in many border cities and towns, the enforcement apparatus and supporting industries provide a major source of employment and economic growth for these communities. Nor are border places uniquely constituted of one trend or another, but rather, as elaborated by Price, are polyvocal, representing to some extent the presence of all of these forces interacting and competing for the ability to reproduce the spaces, places, and the border itself, in their own image (Price 2004, 1). The efforts to create a more progressive borderlands, and with it more progressive border

and immigration policy, must start in border communities themselves, a contest between these three forces, and even as Vila notes, within those forces.

Place—Looking Forward

As Price and Soja each elaborated, places are dynamic, given to change, and constantly reproducing both themselves and the social structures they support (Price 2004, 1; Soja 1980, 208). As such, it is possible to contest the way a place is constructed, and to actively seek to create a better place. Through activism and imagination it is possible to promote and create progressive places that seek to improve people's lives. Borders can also be shaped through this process, as they are part of a spatial structure fundamentally rooted in constructions of individual places. As a result, we can imagine a way in which the entire place-border unit can be contested, a much more powerful chance for a progressive future than one where it is only possible to change enforcement policy, and not the underlying structures. Indeed, we see three current trends in this re-bordering process, globalization, cultural borderlands, and neo-nativism. While these are not the only possible futures for the border, they hold the dominant paths for its near-term future, creating a border place increasingly marked by a paradox of ties economically and culturally to the places across the border, a state of transborderism, and a state of seeking increasing impermeability and intense enforcement, looking to create a fortress nation state. What needs to be looked at is how local communities and different levels of government interact with these trends, and negotiate them in the possibility of shaping a more progressive future for the border.

SCALE AND DEVOLUTION

The U.S.-Mexico Border—Intersecting Nations, Intersecting Scales

One of the defining areas this project explores is the impact of scale on the political interactions that define border and immigration enforcement in El Paso, Texas. The role of scale as demonstrated below complicates our understanding of immigration politics in the United States. International migration is obviously a global process, and while most of the movement through El Paso is dominated by just two nations, the U.S. and Mexico, these are not the only countries involved, something even more the case elsewhere. Yet even with migration comprising this global process of movement it is important to keep in mind that it still occurs in specific places, and has impacts in specific places. Whether it is through the flow of remittances to communities in El Salvador, an increased Border Patrol presence in El Paso, or an influx of Mexican immigrants in Liberal, Kansas, the impacts of migration are felt by people in discrete places across the world. On the surface, such interactions between localities and global processes would seem to fit nicely into the language of globalization.

However, in the context of the politics of immigration and border enforcement in El Paso we can complicate it further. Foremost, as mentioned earlier, U.S. immigration and border policy has been set by the Federal Government for over a century. This Federal role means that policy making largely happens at a national scale, involving national level discourses and setting practices for the entire border. This picture of Federal control is complicated in itself by the turn of the U.S. government from the 1980s to the present to increased devolution of federal authority. This trend towards devolution, discussed earlier, has introduced state and local governments into the border and

immigration policy making picture. Indeed, devolution has created the new great battlefield over immigration policy, with the legitimacy of state and local roles in the process hotly contested. Nor, as mentioned earlier, has devolution removed the Federal role in all of this, rather what emerges is a very messy picture of a plethora of federal, state, and local actors all taking their own policy approaches to border and immigration issues. It is an even messier picture when considering that these scales can, in practice, be mixed. For instance, you may have a pro-reform organization working at the local scale in one case acting on local enforcement, and in another on federal enforcement. Actors looking to shape policy need to be able to engage at all of these levels, and it is certainly the case that gains at one scale can be undercut by losses at another.

With all this going on, it is essential to have a fundamental grasp of concepts of scale in order both to understand the actions governments and activists are taking, and to be able to judge the chances of progressive immigration reform. For the purposes of this thesis we will largely be ignoring the global context of migration, instead focusing on the national, state, and local processes at play in El Paso. With this in mind, this section will focus on two scalar concepts that can help shape our understanding of border and immigration issues: glocalization, a concept that allows us to connect a broad scalar context to a narrower one, and devolution, a policy process by which policy set at a broad scale comes to demand a local level of enforcement.

What Geographers Mean When They Talk About Scale

Scale is not a given. There is nothing about the world that naturally sorts it into the national, state, and local levels that this thesis will discuss, something particularly evident when thinking about the local. For how should local be defined in this case? At

the county, or at the city? Maybe something smaller, such as a neighborhood, or larger, and include all of southern New Mexico and Ciudad Juarez? What one must recognize in looking at scale is that, much like the concept of place, it is a socially constructed entity, varying from context to context (Marston 2000). Furthermore, the way that scale is constructed has material impacts on the spaces and places it both includes and excludes (Marston 2000, 221). Much recent work in geography has focused on how scale is shaped by global capitalism, a line of thought that serves to inform this thesis, particularly the role of globalization on the border as discussed in the prior section (Marston 2000, 221). However, the derivation of the scales used in this thesis is relatively straightforward, as they are the scales of political operations that encompass El Paso, Texas: local—the city and county, state/region—the State of Texas, and nation—the United States. There is one other that will also be discussed, the region, in this case consisting of the ‘borderlands’, a constructed scale that will be useful to deconstruct here.

While the other three scales discussed all derive from the practices of local government, the emergence of the ‘borderlands’ gives a good idea both how scale is constructed and the implications of how scale matters in the possibility of ‘progressive’ reform. To quote Marston:

...the particular ways in which scale is constructed – are tangible and have material consequence. In other words, scale-making is not only a rhetorical practice; its consequences are inscribed in, and are the outcome of, both everyday life and macro-level social structures. Finally, the framings of scale – framings that can have both rhetorical and material

consequences – are often contradictory and contested and are not necessarily enduring. (Marston 2000, 221)

The borderlands is a scale that encompasses the dual existence both of a border, but also accounts for the areas of settlement that are both near and tied to that border. As a scalar entity it links these places based on their relation to the border, but the implications are, as Marston points out, not only in the rhetoric of how a place is categorized. Rather, the implications of the borderlands is that by pointing to the close relationship between these communities and the border one can see how border and immigration enforcement practices spur political activism in the borderlands communities. Part of being in the borderlands means being exposed to border enforcement, however, by creating the scalar entity of the borderlands, the scalar frame that is created gives the community the chance to contest the practices of that place. We can see this in the way that the borderlands exists outside of the established political scales. In this way, we can see that the social creation of place and the social creation of scale are linked, as place informs scale and vice versa, so that contesting one can mean contesting the meanings of both.

Adapting Glocalization to the U.S.-Mexico Border and Immigration Context

Glocalization may seem an odd concept to try and adapt to this issue, especially given that its conceptual intent is to minimize the role of the national in the emerging framework. As originally presented, the concept states, “political economic forces driving globalization that are simultaneously making both the global scale and also subnational metropolitan regions more important...whereas the national scale is becoming less important” (Sheppard and McMaster 2004, 16). This would seem to be the opposite of what we are looking for, since with immigration and border issues, rather

than the national being diminished, the national is dominant. In the application of glocalization though, we see corporations whose actions are shaped by this process described as “intensely local and intensely global” (Cox 2002, 86). Here is where we can find the similarity to immigration and border policy. Traditionally, policy in this area has been restricted to the national scale, while enforcement and its impacts have been highly localized, whether in a crossing like El Paso, or even along the entire southern borderland. It is the intensity of the process conveyed by the term glocalization that we are after, as it links the two scales, broad and narrow, by the intense focus of the process in those two particular scales. So rather than glocalization proper along the border, we have a sort of ‘nlocalization’, if you will, where the national and local scales are linked by being the intense foci of border and immigration policy and enforcement decisions. In the end, the concept of glocalization is not useful because of its application to immigration and border issues, but rather because it so well encapsulates the symptoms of the traditional linkages between the national scale and the local scales at which enforcement operates.

Furthermore, we see patterns of behavior in border and immigration enforcement much as we see the behavior of corporations described under glocalization. In this pattern, we see corporations described as “must be global in reach but must tailor their products to local tastes” (Herod and Wright 2002, 9). We can see similar behavior in immigration and border enforcement, with examples such as the development of Operation Hold the Line in El Paso which was specially adapted to the conditions in that area, and specifically was, in part, an outgrowth of earlier community concerns. Mirroring this adaptability and focus on the local, we see a focus on the national. Most

immigration reform, and many restrictionist, efforts have been centered on policy development and lobbying in Washington D.C., the center of the national level apparatus. Until very recently, the effort has been to revamp national policy, whether through IRCA, HR4437, or proposals like the Strive Act, and efforts in this area are still intense. Additionally, under this framework we see an isolation and exclusion of states, the middle scalar unit, from developing immigration and border policy, much as we see an isolation of the national scale, the middle scalar unit in the original usage of the concept. We can clearly see, in these examples, the holding of that basic pattern of glocalization, where there is intense action at the broad and narrow ends of the scalar spectrum, with an un-engaged middle. So even while it is a stretch to apply a strict concept of glocalization, the similarity in the interactions between the local and the national in immigration and the local and global that the term describes would seem to present a useful term to describe the scalar link that we see on the U.S.-Mexican border. By replacing the global in glocalization with the national and creating 'nlocalization', we can adopt its framework to describe interactions around border and immigration policy.

Complications from Devolution

This adaptation of the glocalization concept, while it does a decent job describing historic patterns of scalar interaction between the national and local scales in shaping immigration and border policy and enforcement, does not hold up quite as well when looking at the past 15 years. The breakdown in this earlier model comes with the appearance of devolutionary trends in immigration and border enforcement, just as in other areas of what had historically been federal responsibility, such as welfare provision, or prison provision. As discussed earlier, devolution is the process of shifting

responsibility for service provision from the federal government to state and/or local governments. This is significant in that it complicates the ‘nlocalized’ model created above by doing two things: 1) it shifts focus away from, at least, the federal end of the national-local relationship postulated above, and 2) part of that focus in turn gets put on state level authorities, which previously had been disengaged. Both of these complications represent breaks with the description of ‘nlocalization’ that had been adapted to border and immigration policy and enforcement. The above model is not entirely broken though, since, as noted earlier, the devolution that we are seeing with border and immigration issues has not seen a falloff in federal involvement. Rather, the devolutionary process is interjecting three additional relationships to the previous federal-local relationship, a relationship that still holds as the most significant, but not the only one. These others are federal-state relationships, important both for the administrative and legislative actions that can be taken and because of the electoral college as a political arena, state-local relationships, and local-local relationships, the latter two placing a greater emphasis on the legislative and administrative actions.

Nor is the emergence of these new relationships entirely discordant with the federal-local relationship that defined ‘nlocalization’. To some extent, if we follow the earlier proposal that devolution has followed from local discontent with the results of federal policy, then we can see the devolution as a result of local action in the ‘nlocalized’ context. We can draw a similar conclusion about the role of federal action to promote acceptance of devolution around border and immigration enforcement, seeing this as a result of federal action under that model. The same actors as were in the prior framework are here driving the devolutionary processes we are seeing, but rather than

acting in concert with each other, they are acting in concert with actors newly introduced to border and immigration issues. The new relationships created through this devolutionary process muddle the picture, they both open up new avenues for groups, governmental and non-governmental, active around border and immigration issues to pursue their interests, but also give them new areas to react in order to protect those interests. It is worth noting that the ‘nlocalized’ framework developed above does not disappear in the presence of devolution, the federal-local relationship is still the most important in making border and immigration policy and enforcement, since the federal government is still the largest actor, and the impacts of these efforts are still localized. What it does though is subsume it into a broader set of inter-related multi-scalar relations, where that federal-local relationship, while still the largest, is not the only one.

The Current Devolutionized Framework

Mathew Coleman has been at the forefront of laying out the implications of this scalar devolution of immigration enforcement authority. Coleman particularly notes the acceptance by federal authorities of local law enforcement as a tool for use in immigration enforcement as leading to a “new localized or rescaled geopolitics of immigration policing” (Coleman 2007, 56). This is exactly the emergence of new inter-scalar relationships discussed above, yet even here it is important to note the federal role in sanctioning these developments. As Coleman goes on to say, “my goal is, first, to refuse the state writ large as the only meaningful scale at which governance regarding immigration is operative, and second, to explore the local as something more than a site nested neatly and subordinately within the national” (Coleman 2007, 56). While in the ‘nlocalized’ framework, the hierarchy of influence between the national scale and local

scale had not been drawn as distinctly, what Coleman discusses doing is complicating the basic duality of scales it focused on. Admittedly, there are some problems with Coleman's analysis. His argument emphasizes the ongoing process of localization of immigration enforcement, something that certainly is happening with devolution, however, by presenting this as an entirely new phenomenon he fails to adequately recognize the prior localization of immigration and border enforcement in the borderlands itself. The process Coleman discusses is only new in the context of the interior. By only emphasizing the role of the federal scale in immigration and border issues, ignoring its connection to the local, if admittedly a smaller local, Coleman glosses over the experiences of border communities in addressing interactions with immigration and border enforcement.

The more interesting, and important point that Coleman is making is that this change of scales may well provide many more communities with an experience of these practices. As he says, "In other words, these new spaces of immigration geopolitics suggest that the border—and border enforcement—is increasingly everywhere" (Coleman 2007, 64). This exposure of the interior to border and immigration enforcement practices has the potential to drastically change their relationship to the border, and it certainly seems to make the experiences of communities and activists in the borderlands much more relevant to the rest of the country. Coleman also notes the emergence of "an uneven urban geography of immigration law enforcement which is more strict in some areas than others" (Coleman 2007, 66). This fact that the nature of federal devolution is uneven, makes the political geography of immigration even more complicated and harder to read. It is the case though that such an uneven geography offers examples of

resistance, and seems to increase the ability of communities to contribute to policy making conversations, in a way not as prominent when the relationships of border and immigration enforcement were more limited to interactions between the federal government and the U.S.-Mexican borderlands. While Coleman does acknowledge that the borderlands continue to be the center of enforcement, even if he otherwise does not deal with them, he correctly points out that the growth of interior enforcement is a critical issue facing how we look at geographies of enforcement. Given that this is the case, it seems of particular import that we look at the experiences of border communities and activists so that they can help inform other communities in the interior, especially since devolution does carry an opportunity for resistance.

Webs of Scales

Obviously scale has a significant role in looking at immigration and border issues. The importance of scalar considerations are made only more evident by the complications caused by the devolution of immigration enforcement. While prior to this, immigration and border enforcement had been closely tied occurring along a connection between a federal/national scale of policy making and localized enforcement/adaptation, devolution introduces a much broader web of scalar interactions. Further complicating this web is the fact that the transnational scale also has a significant role here, although one that this thesis will not explore in depth. This scale serves to inform much of the rhetoric about human rights, a key concept in the push for ‘progressive’ reform, and one which exists outside the concept of the nation-state and the scales that go with it. Furthermore, this thesis does not discuss the current and potential roles of Mexico in shaping border and immigration policy, although there certainly is one. While there are scalar interactions

both up and down that need to be noted, this thesis will only engage those from the nation-state down.

In that web, one must now pay attention to policy making and interactions between the national, state, and local levels, a much more dynamic and unclear picture than in the past. As noted, this has significant implications in where immigration enforcement occurs, as devolution has delinked it from the border(lands). What we see then is a picture where the border is no longer as dominant as it once was, a picture where we must start to pay attention to enforcement policy and practices in states and localities in the interior. However, this web of interactions is not without opportunity for resistance, perhaps even stronger, more vocal resistance than has been voiced in the past. In this context, the experiences of border communities, and border activists, having dealt with localized enforcement and its impacts, have a great deal to contribute to the places where immigration enforcement is an emerging trend. Indeed, border experiences become even more important when the possibility of border-like conditions expands inward from the margins and looms over everywhere.

COMMUNITY-GOVERNMENT RELATIONSHIPS

Many Actors, One Stage

Even in the limited scope of El Paso, there are a plethora of people, officials, and organizations interested in shaping the future of the border. While they may not all be in agreement about the policy they want instituted for border and immigration enforcement, they do agree on one thing, the people setting that policy should listen to them as they do so. Key to understanding this situation then is comprehending the forms that these interactions between non-governmental actors and government take. Worth noting are how non-governmental bodies engage both with the communities that they represent, and with the governmental bodies they are trying to influence. Differences in these approaches can in turn shape the potentials for change that exist as a result of those efforts. Indeed, as this thesis tries to seek the potential for progressive reforms, having an understanding of these differences is vital to answering that question. This section then aims to explore the two main models of interactions between community interests (not to be confused with Community Organizing, which will be discussed later) and the policymakers they seek to influence, and the three forms of power that are wielded as these sides attempt to shape policy.

Two Models of Organizing Community-Government Interactions

There are two broad ways to look at interactions between governments and community groups, an Interest Group (also called pressure groups) model, and a Community Organizing model. While most definitions of interest groups would include the activities covered by the Community Organizing model, there is a literature around each with notable differences in the group practices they discuss. Unsurprisingly given

this, the two models are not entirely discrete, and organizations in practice often hold elements of each. There are important differences between the pure models of the two, though, both in how they engage the public and engage government officials. These differences have important implications in shaping both the political activity of these organizations and their fundamental ability to shape their environments in their preferred manner. Each model also has its own connotations in the minds of the public, understandings that in turn shape how effective the groups can be. Interest Groups, particularly those representing business interests, have drawn significant criticism from both the public and political figures, while scholars are more mixed (Wilson 1990, 1-6). Community Organizing can also be seen as achieving more for the community it represents, but at the same time has a tendency to be seen as needlessly confrontational, and sometimes, depending on the nature of the organization, even disconnected from the specific needs of the community it serves (Staudt and Stone in Orr 2007, 105). Among immigration and border reform groups in El Paso, both styles, and their hybrids are plentiful, a fact that makes having a basic understanding of each, and the normal forms of interaction each pursues, critical to understanding the practices and efficacy of those groups.

Interest Groups

Interest Groups can be defined broadly as “organizations, separate from government though often in close partnership with government, which attempt to influence public policy” (Wilson 1990, 1). Obviously this is a very broad definition capturing a much broader range of behavior than would come to mind for most people when thinking of Interest Groups. Indeed, even in academic discussions, this broad

definition does not adequately reflect what most scholars looking at Interest Groups. As Wilson notes, there is dispute on two ends of the spectrum, with questions of, “how much political activity is required before an organization [such as a corporation] which exists for some other purpose may be regarded as an interest group” (Wilson 1990, 6-7) or alternately,

...not all interest groups are organizations. Writers focusing on social movements, for example, have argued that both those active in any way in support of the movement and even those in the population sharing the relevant characteristics of the movement should be understood as members of the interest group. (Wilson 1990, 7).

In the end, Wilson resolves these issues by choosing a somewhat more restrictive definition of Interest Groups than he had started with, stating “...*organizations* [emphasis in original] which have some autonomy from government or political parties and that they try to influence public policy” (Wilson 1990, 8). This is still a broad definition, and one which that will be further refined going forward.

To make these further refinements, it is important to look at the behaviors that the literature on Interest Groups associates with that specific term. As with Community Organizing, the definitions of these forms of political behavior tend to be so broad that distinguishing them requires one to look at the patterns of behavior and terminology that the academic literature describes for each. One of the crucial characteristics that we can notice then about Interest Group literature is the degree to which it focuses on the use of lobbyists. Coordinated, professional lobbying is not the only behavior we can use to characterize Interest Groups, but it is a typical behavior of such political organizations.

Quoting Wilson on the prevalence of lobbying as undertaken by Interest Groups we can see its significance as a form of political activity, “It has been said that [professional] interest group representation is now the third largest industry of the District of Columbia” (Wilson 1990, 55). One of the important things to note about lobbying behavior is that it usually is an unaggressive tactic that explicitly does not seek to challenge the system, or even threaten the policymaker the lobbyist is trying to influence. As Wilson says,

It might be supposed that lobbyists should remind politicians of what the politician stands to lose if he or she fails to accede to the interest group’s demands...this has generally been seen as an unwise tactic...It has generally been argued therefore that lobbyists should rely on softer forms of persuasion. Lobbying itself takes the form of polite presentations of relevant fact and opinion, not of attempts to intimidate. (Wilson 1990, 55)

Indeed, this desire not to offend the policymakers they seek to influence, this unwillingness to ‘rock the boat’ is one of the main things that distinguishes Interest Groups from their counterparts in Community Organizations.

Community Organizing

Given the broad way in which Interest Groups are defined above, groups using Community Organizing methods could be described as a subset of that category. However, it is helpful to distinguish them as the behaviors they employ in interacting with both governments and the public differ greatly from the predominantly professional lobbying oriented means discussed above, means that do not require widespread community bases of support. Community Organizing models of policy activism rely on the presence of large groups of people to provide a resource base for political change

(Swarts 2008, xviii-xix). The idea is to activate and mobilize members of a community, the ‘grassroots’, around issues in a way that makes up for a lack of the resources needed for more traditional formal lobbying efforts (Swarts 2008, xviii-xix). As a result, while Interest Group activity may be reliant on its ability to provide technical information to policymakers as a means of influencing policy outcomes, Community Organizing seeks to use the collection of people it is able to mobilize as its main tool to effect such change (Swarts 2008, xviii-xix).

This is most visible in the means by which groups using a Community Organizing model pursue policy change in a manner that most effectively takes advantage of that fundamental resource, people. While the Interest Groups discussed above were notable for the extent to which their activity was based around making themselves helpful to policymakers as a means of gaining access and providing input into the policy process, Community Organizing is much more willing to embrace confrontational means of entering policymaking (Swarts 2008, xxvi). One of the foremost examples of an organization that embraces a Community Organizing approach is the Industrial Areas Foundation (IAF), a national organization developed by one of the leading thinkers about Community Organizing in the United States, Saul Alinsky. Using the IAF as an example of the Community Organizing approach we see it described as relying,

on trained organizers to build a faith-based power foundation:
congregations affiliate with the organization, and their members, often lacking political experience, undergo training to speak publicly, engage with government, and challenging politicians to be accountable for their

issues, in public accountability sessions that attract extensive media attention. (Staudt and Stone 2007, 91)

This is a vastly different approach than we saw described with Interest Groups. Indeed, while the above describes Community Organizing as challenging existing political systems to meet the demands of the organization, Community Organizing can even go so far as to challenge the political system if they see that as a needed step to effect their desired change (Swarts 2008, xxvi). This is not to say that Community Organizing always results in actions that come into direct conflict with government officials. However, we can see why there would be a prevalence of such tactics since this is a powerful approach possible in a situation where the organization has limited monetary and technical resources, but large population bases to draw from.

Three Forms of Political Power

We can look to a model of power introduced by Steven Lukes to make a significant contribution to how we can apply and evaluate these organizational models in looking at their policy effectiveness in El Paso. In Lukes' model of power, we see power relationships exercised in three areas, the ability of one group to get another to act in a manner against their own interest, the ability of one group to actively avoid action on an issue pushed by another, and the ability of one group to limit the boundaries of political discourse so as to suppress some potential issues (Lukes 2005, 25-29, 36).¹ This model represents a powerful tool for analyzing political activity, and, implicitly, non-activity as well. Indeed, this is its advantage over other potential models of power relationships,

¹ To more easily refer to this typology of forms of power later in the thesis I will borrow the language Trudeau uses when referring to Lukes' work, describing the first form of power as 'direct' power, the second as 'indirect' power, and the last as 'hegemonic' power (Trudeau 2008, 673).

such as those put forward by Dahl or by Bachrach and Baratz, the first of which fails to consider any instances of policy inaction, and the latter which ignores how politics can be framed to prevent some issues from even coming up (Lukes 2005, 14-25). Furthermore, while we may associate the forms of power described here only with government, such ideas of power potentially have as much power in describing the activity of other organizations seeking to shape government activity.

What should be done then is attempt to think out how these forms of power can be applied to the policymaking interactions that surround immigration and border reform.

As Trudeau argues about service-providing non-profit organizations,

Drawing on Lukes' (2005) conceptualization, the point of extensive state influence describes how government agencies constrain nonprofits' abilities to take action directly through procedural rules and responsibilities that are embedded in service provision contracts and indirectly through organizations' financial dependency on government funding. Organizations that experience direct and indirect influence of government agencies on their activities are likely to see the state as determining the opportunity structures that define the rules of the game by which organizations play. (Trudeau 2008, 674)

Such limitations are as applicable in the case of organizations looking to affect immigration and border reform as they are with the non-profits Trudeau discusses, especially in the case of the many organizations that both provide services to immigrants as well as wanting to push for these reforms. However, organizations with a role more purely centered on advocacy, are not as restricted by government power. Indeed, one of

the goals of these organizations is to flex their own power, on behalf of border and immigration reform, against a government that may be resistant. The question in such a situation then is whether such pro-reform organizations can harness enough power to overcome resistance, active or otherwise, on the part of opposition groups and government.

The applicability of this concept to such organizations doing so is somewhat questionable, since Lukes' specifically defines his conception of power as something that causes the affected group to act in opposition to interests (Lukes 2005, 9-10, 30). However, this is a useful concept to keep for two reasons. The first is that given the lack of clear public support for border and immigration reform, interactions between pro-reform groups and those segments of the population not in support, whether undecided or opposed, may take on many of these characteristics. Second, interactions between pro-reform groups and the government, given its deadlock on the issue in recent years, may well take on characteristics that fall along the lines of what Lukes describes. While Lukes' argument, that there are segments of the public kept from knowing what is in their best interests through hegemonic power, is the case, it would also seem to be the case that challenging such power would require the use of similar means by the opposition, similarly working to shape discourses and perceived interests. As a result we are left with a situation, where even if this application does not fit his intent to the letter, it still is useful in describing what we see in practice.

And we can see these forms of power applied, sometimes successfully, sometimes not, in the immigration debates that have occurred since the passage of IRCA in 1986. Perhaps most notable is the nativist construction of the border, which attempts, albeit

unsuccessfully, to produce hegemonic power in the discussion of the border that would exclude thinking about immigrant rights or progressive reform. We can also look at the federal maintenance of the status quo by constantly increasing resources devoted to enforcement as an example of Lukes' concept of indirect power through the active resistance of dealing with issues. Finally, we can think of federal efforts to promote the devolution of immigration enforcement as an example of direct power, with the monetary incentives provided by the federal government overcoming the best public safety interests of those communities. These forms of power are not limited to the anti-immigration forces of the debate over reform, although to this point, they have been more effective at using such power. Keeping this typology of power in mind will prove to be a useful analytical tool in looking at activity around border and immigration reform.

Synthesis—An Organizational/Power Matrix

This section has so far presented two different ways of looking at interactions between government and activists regarding border and immigration reform. There is no good reason why these ideas should be left separate though. Rather, they can more powerfully be imagined as interrelated processes, with specific behaviors emerging from the intersection of organizational types with the form of power being demonstrated. To do so, we can envision this as a matrix, with the two organizational types, Interest Groups and Community Organizing on one axis, and the three forms of power, direct, indirect, and hegemonic, on the other. Given the differences between the forms of organizing we can use such a matrix to see the resultant differences in behavior when trying to apply, or react to, those forms of power. Defining and categorizing these behaviors in an attempt to determine the efficacy of such actions is one of the goals of this thesis. While it is too

early to get into the specifics of those cells, we can hypothesize some possible general patterns of behavior that would fit each cell. This table, found on the next page, will be returned to in the course of the analysis, allowing us a framework to organize the patterns of behavior found, and to compare it to what we might expect. Of course, we should keep in mind that organizations use both Community Organizing and Interest Group approaches, and it should not be a surprise if the analysis finds overlap within this matrix.

With this in mind, we can generate such a diagram:

Pro-Reform	Direct Power	Indirect Power	Hegemonic Power
Interest Groups	<ul style="list-style-type: none"> -Lobbying to promote pro-reform legislation -Promoting research favoring reform 	<ul style="list-style-type: none"> -Working to divert/prevent political action behind the scenes 	<ul style="list-style-type: none"> -Lobbying aimed at changing government language around immigration and borders
Community Organizing	<ul style="list-style-type: none"> -Mass action/protest -Community outreach -Media outreach -Meeting with public officials 		<ul style="list-style-type: none"> -Action to educate public about immigration and border issues -Attempt to engage media -Attempt to train community leaders around issue -Lawsuits

One hypothesis we can generate as we synthesize the forms of activism and of power into this matrix, is that the different forms of activism may have different levels of efficacy when acting or reacting to the different types of power. Given the characteristics of the forms of activism described above, the focus of Interest Groups on lobbying governing bodies, may well make those approaches more effective than their Community Organizing counterparts in dealing with situations involving direct or indirect power. One might expect this, since those forms of power occur in situations where battles over

specific pieces of policy have already been engaged, a time when the close ties to government that lobbying develops would be of particular importance. On the other hand, Community Organizing, with its relative unconcern about confrontation and challenges to existing governmental patterns, may be more effective in hegemonic power situations, where groups would be willing to attack the power structures preventing their issues from having legitimacy in public discourse. This is not to say that either method of activism is bad. As discussed earlier, the use of these methods depends as much on the presence of available resources as anything. Therefore, we may well expect to see pro-reform groups changing tactics between the two methods as the situations warrant.

Furthermore, we need to account for the interplay between this diagram and scale, which certainly impacts the situations one sees these different groups facing. Primarily, one needs to note that while an organization may pursue one set of tactics at a given scale, a different political situation may cause it to pursue a different approach when trying to influence a different government body. Additionally, we need to note that an action or coordinated set of actions can likewise have implications in several of the forms of power laid out in the diagram. This means that one should not be surprised to see an organization or coalition of organizations operating with different forms of power at different political scales. Furthermore, an action taken with specific power implications at one scale may have different power implications at another scale. With this in mind, it may well serve the interests of border and immigration reform for those pursuing it to be able to operate not only with different forms of power, but with these different forms at multiple scales. Ways to maximize flexibility both in tactics and scalar activity would seem to be key to the successful pursuit of reform.

Bureaucracies and Community Groups

While the synthesis above, brings the literature discussed into a form that can be applied to the rest of the thesis, there are two more connections that should be drawn. The first brings us back to how the definition of Interest Groups excludes pieces of the government. This idea, while it generally allows the thesis keep its focus on activists around these issues, should be complicated somewhat by considering the idea that government bureaucracies often come to act as Interest Group-like entities, even if they are technically excluded under the definition. One needs to consider that government bureaucracies tasked with border enforcement, are in a position where they are likely to be concerned over maintaining or enlarging the size, funding, and thereby status, of their organization, a point of view put forward by William Niskanen (Niskanen 1971, 38-41). Patrick Dunleavy put forward an alternate ‘bureau-shaping’ theory wherein key administrators, again acting like Interest Groups within government, would manipulate their roles in order to generate “small high-powered strategic agencies divorced from all the messy problems of implementing policy on the ground” (Dunleavy 1994, 12). Dunleavy, in particular, proposed that defense and police oriented agencies would be particularly given to this form of behavior, which would seem to also provide some explanation for devolutionary practices (Dunleavy 1994, 12). As a result, we may expect them to act like Interest Groups within the government, exhibiting similar behavior, namely, lobbying for increased resources and authority for their specific bureaucracies.

The second point is to link the idea of hegemonic power, and the potential ability of Community Organizing as a means to challenge that power, to some of Price’s ideas about the formation of place. We can view Price’s descriptions of place as a material

form of the hegemonic power Lukes describes, given that each tries to squash other possible points of view or interpretations, rendering them illegitimate and silent. However, as Price does note, place is constantly contested, and the possibility does exist in that contestation, for a more egalitarian envisioning of place to be brought forward. If we think of place and hegemonic power as two sides of Soja's socio-spatial dialectic, then it is possible that by contesting one, you can effectively contest both. This linkage means that there is great potential in offering alternatives to the existing ways of thinking about the place that is the borderlands. This is what makes the willingness of Community Organizing to challenge fundamental structures of society, such a powerful possibility for social change. With Interest Groups limited by their close ties to government, and so to existing organizing structures of place and society, the potential for them to bring such change is severely limited. Community Organizing, without need for such closeness, and freer to contest existing structures as a result, offers a much deeper potential for bringing about a fundamental change in the socio-spatial order. This potential for hegemonic change can replace the practices that so far have shaped life on the border and have embedded it with a specific vision of disorder and control in the minds of Americans.

DEFINING ‘PROGRESSIVE’—A RIGHTS FRAMEWORK

Defining ‘Progressive’ in Border and Immigration Issues

While the other three topics discussed here provide an overview of how to look at the processes that are actively shaping the border now, they do not provide a clear manner of how to go about judging the results. Earlier in the thesis, the aim of this project was established as seeking a more ‘progressive’ future for border and immigration enforcement along the U.S.-Mexican border. Left open in this is exactly what ‘progressive’ refers to. This definition is critical, as it sets the guidelines for how the processes visible on the ground in El Paso are to be interpreted and judged. Thus, this thesis defines a ‘progressive’ border and immigration policy as broadly accomplishing two things: 1) providing for active input from and consultation with border communities that bear the brunt of these enforcement regimes, and 2) taking into account the human and civil rights of both migrants and border residents. While specific policy details will vary from proposal to proposal, this definition seeks to be a means of analyzing and characterizing more broadly. The goal is not to get bogged down in detail, but rather to assess the chances for that broader category of ‘progressive’ action. The need for ‘progressive’ considerations comes in response to major failings of prior immigration regulation. In the past, immigration reform has been traded in exchange for increased border enforcement, often without input from the border communities that enforcement affects. The presence, or lack, of such input can be measured by comparing current activity to the models of policy making discussed earlier. This, however, is only part of what we must look at.

An Emphasis on Human and Civil Rights

The more pressing consideration, and the one to be discussed in more depth here, is the application of a human and civil rights lens to looking at the interactions around, and future of, border and immigration enforcement. Consideration of these factors is pressing because of the human and civil rights problems that result from current measures. A border and immigration policy that contributes to the deaths of several hundred people each year, and that has not been changed, even with knowledge of these impacts, among other problems, is a gross affront to human and civil rights concerns. Furthermore, on top of this there are myriad other physical and legal abuses of migrants and borderland residents alike: illegal immigration checkpoints manned by local law enforcement, coercive deportation tactics, excessive use of force by immigration authorities, and more (BNHR 2006). That these violations are wanton, unnecessary, and that victims currently have little recourse after the abuses simply exacerbates the rights violations committed.

It is a driving concern of this thesis that we move forward with our border and immigration enforcement, precisely by including guarantees of human and civil rights as a cornerstone of any forthcoming policy. In making this a key consideration, this thesis is heavily influenced both by long standing work on guaranteeing such rights, and by an emerging concern about human and civil rights in academic work looking at the U.S.-Mexican border. Such concerns are shaped by the work of scholars such as Tim Dunn, who has looked at these issues specifically in the context of past enforcement in El Paso, Joseph Nevins, who has focused on issues around San Diego, Wayne Cornelius, who has done some of the most detailed work on fatalities crossing the border, Douglas Massey,

who has been the most high-profile scholar pushing for immigration reform that considers these rights issues, and Josiah Heyman, who aims to imagine a morally guided set of border and immigration policies (Dunn 1996; Dunn 2009; Nevins 2002; Cornelius 2001; Massey 2007; Heyman 1998). While these influences stand out, especially as they are border related, they are certainly not the sum of influences on this thesis, which draws from a number of scholars calling for greater consideration of rights issues.

To being with, we can look to Don Mitchell for a strong defense of the needs to consider and discuss rights issues in geographic work dealing with current topics. It is true that other scholars have argued that discussions of rights can obscure, and gum up action towards addressing core moral issues facing society, or that the political considerations of rights make them more given to cooptation and misinterpretation that would not occur under more direct calls for societal action (Rorty and Tushnet cited in Mitchell 1997, 119-123). However, Mitchell makes a strong point addressing these concerns, noting that “the state has proved itself—precisely through the institutionalization of rights—to be [the] key protector of the weak...these fragile victories, incomplete as they are, counterproductive as they may sometimes be, are themselves protected only through their institutionalization in the state” (Mitchell 1997, 123). As Mitchell goes on to note, making a point vital when applied to the consideration of rights in the context of the borderlands:

...words can instruct and perhaps restrain that police power; they can help define other institutions of power that may provide a check on the police power of the state. In this sense, words can provide an invaluable tool for restraining power, for arraying it in this way and not that. That is

precisely what ‘rights’ do: They provide a set of instructions about the use of power. (Mitchell 1997, 124)

This is exactly what would seem to be needed at the border, a ‘set of instructions’ regulating the ‘police power’ of organizations such as the Border Patrol, or local law enforcement, to guarantee that we do not have such a situation where people are dying. It is well within our control as a nation to develop these restrictions, and given the moral imperative to protect migrants from suffering and death, it would seem to make the exercise of institutionalizing those protections, as rights, worthwhile. The institutionalization and the protections and legitimacy that these efforts would gain from codification as rights, is what we need to address the limitations Mitchell begins by acknowledging. Mitchell presents a strong reason for us to consider a framework that seeks the establishment of rights, as we look at addressing problems in society.

From this base we can look more specifically at how ideas of human rights can be applied to the context of the border. Dunn gives a good overview of human rights as they should be considered when looking at border issues: “The human rights perspective, in contrast, maintains that rights are unconditional ... In this view one has rights because he or she is a human being, and though duties [to the state] are important, rights are not conditional upon them” (Dunn 2009, 9). Particularly relevant to a context where people are dying as a result, directly or indirectly, of state actions, as they are in the U.S.-Mexico borderlands, is an idea about human rights that Dunn borrows from Turner, “He [Turner] stresses the concept of universal ‘human frailty’ or vulnerability as underpinning the human rights framework” (Dunn 2009, 9). Indeed, it is hard to think of a situation where a frame oriented at addressing human vulnerability is more pertinent than one where

people are dying, the ultimate expression of that vulnerability. To this end, Dunn cites Sjoberg et al.'s proposition that human rights can provide "a crucial means for evaluating organizations and at least potentially holding them accountable, because they provide widely accepted standards that transcend a specific nation or organization" (Dunn 2009, 9). By using a framework for analysis that has standards that 'transcend' as human rights do, outside observers can gain leverage in doing analysis of border policy, not simply limited to governmental press releases touting the newest enforcement innovation against the threat du jour. Not only does such a lens allow for critical analysis of how government is meeting its policy goals, but it provides a strong academic footing for critical analysis of the goals themselves.

Human rights literature also provides insights into some of the political maneuvering that occurs around immigration issues. Dunn, again citing Sjoburg, raises a concept of 'social triage' that sees the most powerful pieces of a power structure leverage their advantage so that societal problems can be addressed, but at the sacrifice of the well-being of the most marginal groups in that structure (Dunn 2009, 9). Given a place as marginal as the borderlands, for any number of historic, cultural, geographic, and economic reasons, this particular element of analysis is well suited to look at how more powerful actors, such as those based in Washington D.C., interact with the interests of a place like El Paso. Indeed, in a confirmation of the applicability of this sub-framework to issues of the border and immigration, Dunn cites Bustamante, who points out, that the lack of human rights protections for migrants is not the result of a lack of international attention to their vulnerability, but rather a lack of domestic political will in the countries that must enforce those rights (Dunn 2009, 10). This would seem to constitute a clear

3example of a situation where social triage is in effect, the elite simply not finding it enough in their interests to guarantee such protections.

The point of Mitchell in justifying an emphasis on rights as a goal, and the implications of a human rights perspective in allowing us a framework to judge state actions along the border, lead this work to urge that strong emphases on human and civil rights considerations must be at the core of any border and immigration policy going forward. While this is not a uniform position across academia, alternative frameworks lack the power to affect the desired changes in border and immigration policy. This also presents a sharp break with a view of borders held by the state, that emphasizes its own sovereignty. However, it is the failures of such a system, as demonstrated by the number of deaths incurred by migrants, which justifies this desire for change. If we are to address the death and suffering that occurs on the border, then the choice to adopt a rights based context, more specifically emphasizing human rights, seems a clear one. We can see the utility of such a framework drawn clear in one last remark by Mitchell, “social action—including oppositional work by social movements—always operates simultaneously to influence the production of law [including rights] and the production of space” (Mitchell 1997, 127).

SYNTHESIS/CONCLUSION

It is important to realize that these relevant pieces of literature do not just inform what we know of this topic going in, but inform how we view the topic. Essentially, the four subsections prior, have provided lenses through which the overlapping scales and political maneuverings around immigration that happen in El Paso will be analyzed. Furthermore, these are not separate ways of looking at the issue, they are lenses that are intended to work together, each overlapping and shaping the view of the others. They gain power from working in this manner, operating together to provide a clearer, more nuanced view of what is happening. While there has been some synthesis of ideas within each of the prior sections, there are key points that should be drawn out and reiterated now that all four frames are clearly established. Indeed, the points of synthesis between these frames are the points that this thesis will try hardest to analyze, as they overlap with the intersections of processes, organizations, and events that shape immigration enforcement in El Paso. The foremost point of synthesis, and the one that drives the thesis, is that a geography of progressive political resistance is possible, even under the status quo. Again, while some of these connections have been drawn in earlier sections, this section will aim to put all of these connections together into one organized vision.

To reach this vision we need to synthesize points from each of the four prior subsections. Certainly these four points do not convey the totality of what each subsection says, but they also allow us to go beyond each subsection's own realm and link them together in a powerful manner, a manner that makes the analysis this thesis seeks truly possible. We take from looking at scale, the idea that devolution presents an opening for local activism, particularly resistance, in response to immigration and border

enforcement activities. From looking at how the border is created and managed, we take Price's point that place is a constantly contested idea and as such is open to reinterpretation or even a complete reimagination, a transformation in practices and material realities. From looking at interactions between communities and governments, we take a notion that we can see different forms of community interaction with government policy, including, more significantly, the hint that community organizing approaches have the potential to embrace such a reimagination and transformation of the places of the border and immigration enforcement as Price suggests. Finally, the last subsection gives a sense of what must drive such a geography, a basic concern for human rights and community wellbeing.

What we have when these four points are put together is an idea that a geography of a progressive political resistance to current border and immigration practices is possible. Price's work on place allows us to understand that the way we imagine the border, as an increasingly militarized barrier, open only to capital and not to people, need not be the case. We can imagine a different borderlands, and given that place is not fixed, we have the potential to actually turn that vision into a reality. Indeed, we can note that such a process is ongoing as it is, there is significant resistance to an increasingly militarized vision of the border, and of border and immigration policies. Even as border and immigration enforcement seeks to permeate into the interior, we see localized acts of resistance that offer a different understanding of what those places could/should be. Indeed, the devolution of immigration authority to state and local control, while it can create an oppressive situation that terrorizes communities of immigrants, also offers communities opportunities to reject such actions in very public rebukes of those

operations. These rebukes are the challenges to the existing imagination of place that Price mentions. Furthermore, we can see that community organizing can be well formulated to promote such rebukes, and by extension, challenge these definitions of place, made possible by the fact that they do not have ties to existing governmental structures or societal structures that have acted to build the status quo. Since they do not have such strong ties to formal institutions, they are freer to voice a reimagination of a place by the community that fundamentally changes those institutions, able to better harness their connections to the community and to local political traditions to work toward a progressive reform.

What we have then is a vision that the current militarized place of the border can be challenged and a new place created; that, ironically, the devolution of border and immigration authority has created a situation where communities can more actively partake in such challenges by rebuking such activities in their communities; and, finally, that community organizations may be particularly well suited for organizing and leading such challenges. What this vision has not yet included, is an alternative vision for the border, and this is the point where the concept of ‘progressive’ border and immigration reform comes into play. Given what has happened as a result of current U.S. border and immigration enforcement, it is necessary to demand reform. However, generic reform does not necessarily go far enough. While there are certainly reforms possible under the current system that would alleviate many of the human and civil rights abuses that have been perpetrated, these are systemic problems and, fundamentally, their resolution would require the presence of an entirely different immigration and border enforcement paradigm. A framework centered upon human and civil rights presents this alternative.

It gives the activism described in the prior paragraph something to envision, something to build, not only something to tear down. Moreover, this is an important point, for it is not the case that the militarized place of the border could be removed without a new conceptualization of the place emerging. Changing the present is only half the battle; you need to build a brighter future as well.

This synthesis provides something to look for going forward. The aim of this research is to see the chances of progressive border and immigration reform emerging as a result of the interactions of different scales of government and community groups in El Paso, and now we have a basis on which to judge that. We can now ask if El Paso is interested in challenging the militarized definition of the border, if they are active in such challenges, if they have the community based infrastructure for such challenges to be successful, and if they have an alternative vision of the place that would create a progressive reform. Indeed, being able to ask each of these questions is a significant refinement over where this thesis started, but a refinement necessary in order to truly and accurately judge the situation. This then is a vision, and questions stemming from that vision, that one needs to keep in mind from here out. This is a vision the thesis will return to in drawing conclusions about the experience of El Paso, and these are questions that it will return to time and again in the analysis and conclusions of this thesis. Border reform sounds like a nice goal, but it is a vague one. Now that we have an idea of what the geography of a progressive border reform might look like, we can actually evaluate where we are with regards to that goal, and where we have to go. With that in mind, let us proceed now to that evaluation.

CHAPTER FOUR

METHODOLOGY

Methodological Overview

This project was conducted as an exploratory case study, aimed at answering questions about how interactions between different scales of government and non-governmental bodies create space for a re-thinking of U.S. border and immigration policy. Preliminary work began on the project in March 2009, with oversight from Professor Dan Trudeau, of Macalester College's Geography Department. Work at this point was largely procedural, consisting of getting IRB approval for the interview-based research that would undergird the heart of the project. Summer of 2009 saw field work in El Paso, Texas, mainly focused on semi-structured interviews with government officials and local organizations/activists who work on immigration and border issues. Fourteen interviews were conducted. Field work conducted over the summer also included textual analysis, focused on political statements which emerged out of these interactions, as well as research of local news archives, and participant observation with local immigrant and border reform groups. These multiple methods of data collection were used in an attempt to both provide greater depth to the case study, and as a means of ensuring validity. Writing was done, and some follow-up interviews were conducted, in fall, winter, and early spring of 2009-2010.

Why a Case Study?

Case studies as a form of academic methodology allow significant focused qualitative exploration of a topic. They allow research conducted in multiple methods

and from multiple sources to be coherently, and tightly focused around a central theme. Furthermore, they provide a means of studying answers to questions that are not simple quantitative matters, questions such as how or why something occurs. While in the natural sciences an experiment might provide such answers, in the social sciences, particularly, where experiments are often difficult, if even possible, to perform, case studies give researchers an ability to investigate and analyze a phenomenon, and more importantly, a means of answering those questions of how and why. The flexibility of case studies is essential to doing so, as they are organized not around a particular methodology, but rather around a topic of study. Case studies allow the study of current phenomena by allowing researchers to combine a variety of methodologies that otherwise might not be combined (Yin, 2003, 1-17). Their strength comes from being able to combine, as needed, survey methodology, interviews, participant observation, document research, and more; in the end painting a full, rich picture. Importantly, especially for research in a field such as geography, case studies place particular emphasis on considering the interconnectedness between a phenomena and the context in which it occurs. For all of these reasons, it made sense to embark upon a case study.

Conducting a case study, allowed the research to be focused on the series of interconnections around immigration and border issues, and on how these interconnections have changed and can change. Given the emphasis in looking at those connections at how exactly they were formed and are reshaped in the constantly changing national and local political environments, the ability of a case study to tackle that question of how proved to be particularly useful. Indeed, referring back to the question asked in the title of this thesis, the matter of who draws the line is inexorably tied to the

process of how the line is drawn. Thus, a research framework was needed that would look at the underlying processes, and doing a case study fit that bill. Furthermore, the ability of a case study to actively consider the context in which it occurs, rather than trying to isolate phenomena, is helpful in doing this research (Yin, 2003, 13). The goal of this study was to be able to look at the impacts of being in a region that has a long history of border control and border activism. This is especially important, given the past failures of border areas to exert significant influence over border and immigration policy decisions, even while they are heavily impacted by those decisions. The kinds of activity ongoing, and the kinds of activism that have emerged in El Paso, need to be considered in the context in which they occur, something a case study allows.

Case Study Specifics

Defining the Project

El Paso is a good case to study for immigration issues as it well combines aspects of being a typical and unique case. It represents an unusual confluence of community activists and law enforcement institutions, while having to deal with policies and issues that are the norm for the U.S.-Mexico border. El Paso brings together a wide variety of governmental institutions, much more than other parts of the border. It is a regional headquarters for Customs and the Border Patrol, as well as being home to offices for other related law enforcement institutions such as the Federal Bureau of Investigations, and the Drug Enforcement Administration, among others. Additionally, El Paso is home to resources specific to the U.S.-Mexico border, most prominently Joint Task Force North out of Fort Bliss, a U.S. Army unit assigned to a drug interdiction mission. On top of the presence of all of these federal law and border enforcement institutions there are

state and local law enforcement, this project particularly looking at actions of the El Paso County Sheriffs' Department and the El Paso (City) Police Department. The overlap between all of these law enforcement institutions makes interactions between them particularly common, and so makes for a robust view of the competition between devolutionary and 'nlocalized' scalar frameworks.

In addition to the presence of this breadth of law enforcement, there are a wide variety of other governmental and non-governmental organizations active around border and immigration issues in El Paso, a breadth and depth that further makes the city a good place to study. Local government, both the city and county, have been active around immigration issues in the past, and remain active today. El Paso is home to organizations looking both to push for policy reform around border and immigration issues as well as a significant number of organizations active in providing services such as legal aid to the local immigrant community, free and detained. As such, with this plethora of organizations, El Paso is a good place to observe the interactions between these different institutions, both with organizations of the same type, and across a broader spectrum. Research based out of El Paso allows one to look not only at what individual organizations are able to do, but what entire communities of activists, government officials, and law enforcement have to say, and how they interact in setting border and immigration practices.

Yet as mentioned before, while the extent of these communities is unusual, the presence of these communities and the border and immigration issues that El Paso has to deal with are typical of the U.S.-Mexico border. Indeed, the history of these issues in El Paso and the extent of prior research done offers a good base of scholarship for this work

to connect with. It is a scholarship, however, that sets El Paso's experiences clearly in line with those of peer communities along the border. What El Paso is then, is a uniquely large and clear case of the typical. The breadth and depth of the organizations that can be studied in El Paso make it an excellent case study for looking at patterns of interaction and tactics around the pursuit of border and immigration reform that can be then looked for in other locations in the borderlands.

This is not to say that there are not limitations to the case study. Certainly, a broader study area would have worked, such as including southern New Mexico. There would have been a number of reasons for doing so: the El Paso Border Patrol sector includes all of New Mexico under its domain, many communities in southern New Mexico function as "poor peoples' suburbs" (colonias) of El Paso and depend on El Paso for relevant services, and interactions with Santa Fe would offer an interesting comparison to interactions with Austin (Nunez 2009, 74). These are all good reasons, however, given the practical considerations involved in doing this research, it was decided to limit the scope of the study by excluding New Mexico and instead focus on doing a more thorough job of looking at El Paso, Texas. Obviously, however, given the reasons listed above, it would certainly be interesting, and valuable follow-up work to this research to add the picture of what is happening in those nearby portions of southern New Mexico.

Data Collection Methods

As mentioned in the overview, a number of data collection methods were used in this case study. This has two advantages, first allowing a fuller, clearer picture to be developed of both processes and actions around border and immigration policy and

enforcement, and second allowing different sources to corroborate each other, lending a sense of greater validity to conclusions reached in the thesis. In the end, the project used three data collection methods specialized to gather qualitative data about the interactions in El Paso: semi-structured interviews with key actors in government and non-governmental institutions; some textual analysis of local news reports and other documents produced about border and immigration issues; and a limited amount of participant observation. While these sources often repeated the same material, they gave a clear sense of how the interactions around border and immigration issues have evolved from 2006 to the present.

With the interviews, particular efforts were made to include as many relevant people and institutions as possible. Early in the summer, a list of relevant people and institutions was developed to be contacted for interviews. Obviously, it is unlikely that all persons contacted would desire to participate, as proved to be the case, but the list developed attempted to account for this by including some degree of redundancy in the list of contacts. Doing this, made it less likely that any relevant institution or sector would be excluded. While an interview schedule was developed to keep the interviews as uniform as possible, they were left semi-structured to be as responsive to information that emerged in the interview as possible. Interviews tended to be brief, ranging from 45 minutes to 75 minutes, a result of the tight schedules of those interviewed. Interviews were held at the place of work of the interviewee. In all, sixteen people were interviewed, two academics, six figures from local politics, two federal officials, and six local activists. Anonymity was guaranteed in exchange for participation, and material from the interviews is cited accordingly.

One of the strengths of these interviews is that they represent, with one shortcoming, a reasonable cross-section of key actors around immigration and border enforcement, with a diversity of roles, opinions, and experiences. The biggest shortcoming was in interviewing local law enforcement, as both the sheriff's department and police department failed to respond to contacts. Obviously this limits the paper, particularly in looking at important interactions between local law enforcement and federal immigration enforcement around institutions such as local jails. However, other officials from county and city government were interviewed, making up some of that gap. Particular effort was made to ask these officials about issues around local law enforcement as a way of trying to make up for this lack of participation from the Sheriff and Police departments. Obviously, however, reaching out to local law enforcement would be a valuable piece of follow-up research to accompany this thesis. The project also benefited from soliciting further interview recommendations from the people interviewed, something that helped fill in gaps in the original list. In all, the robust nature of the interview sample allows two things for the analysis: first that consistent patterns across interviews can be noted and examined, and second that points of difference can be examined that allow an understanding of broad social and political interactions.

The other data collection methods, while important, were designed to supplement the interviews, which make up the backbone of the data collection for the project. Documents amassed for analysis include policy statements or resolutions, the content of which differ little from the interviews, but provide important public formalizations of positions. Newspaper and other media sources were observed both as a means of evaluating the role of media in these interactions, and also to corroborate basic facts and

timelines. Although no formal technique of textual analysis, such as software, was used, reading and including these sources presented a useful opportunity to check basic facts, and look at how these groups actively communicate with the public. Finally, the project included participant observation of several pro-immigration and border reform events that occurred over the summer. These events offered an opportunity to observe many of the strategies discussed by groups pushing for a greater role in the policy making process. The opportunity arose to attend a meeting between Alan Bersin, President Obama's Border Czar, and a broad coalition of pro-reform persons and organizations, the annual awards fundraising dinner for one of the most prominent local reform organizations, the Border Network for Human Rights, and a march and rally held in downtown El Paso by the Border Network as part of a statewide effort coordinated by a group called the Reform Immigration for Texas Alliance.

Criteria for Evaluation

The final portion of this section on methodology is an attempt to lay out some standards by which this project may be judged. As it was conceived, this was not to be a purely academic project, it was meant to be a document that can elaborate the interactions going on in El Paso around immigration and border issues, and which can be of use to concerned groups in that community and similar communities along the border. Certainly, the end product needs to be a fair and accurate assessment of what interactions are occurring, what impacts they have, and how effective they are. However, given the situation, that alone is not enough. This project is quite explicit that it is very intentionally looking at how pro-reform groups can make themselves heard most effectively in the course of these interactions. This research holds that it would be

useless, if not wrong, not to engage the moral implications of what it is looking at, and that such work has a responsibility to try and create a better world.

This should not be considered bias, for a number of reasons. First, it makes no sense to inaccurately report the findings of the interviews or other research, especially since an inaccurate view is potentially harmful to the community this project seeks to help. The second is, that this is not born out of hostility to border security or to the people who work for the government to provide that security. Given the fact that several hundred people die crossing the U.S.-Mexico border, that alone creates a moral imperative to reform our border and immigration strategies to make them safer and more humane. This project developed in response to that imperative, and is an attempt to judge the potential for voices of reform in El Paso to engage in this debate on all scales. With this in mind, it is important that this project be judged along those criteria, as to judge it solely on stricter notions dismisses much of its fundamental purpose. Consequently, there are two things this project should be judged for doing or not doing: reporting an accurate picture of multi-scalar interactions between governmental and non-governmental entities in El Paso, Texas around border and immigration reform; and then analyzing those interactions in terms of the potential they offer for progressive border and immigration reform initiatives to emerge. While the thesis does adopt a specific framework for looking at these interactions, it avoids bias in how it interprets them.

CHAPTER FIVE

RESULTS AND ANALYSIS

Overview

Having established a clear theoretical framework it is time to tell the story of the cause of immigration reform in El Paso and the borderlands. It is a story told through interactions, and the lack thereof. It has a wide cast of characters, government bodies both in El Paso and elsewhere, both on the border, in Austin, and in D.C. It includes broad and growing networks of non-governmental organizations coming together to look for a way to push border and immigration reform, and finding increasing strength in their numbers and organization. It is a story of conflict, but also of cooperation. It is a story of obstacles, but also of surprising opportunities. This story touches on the key themes already established, emphasizing scale, the construction of place, the development, management, and use of power, and a press for progressive reform. One sees the conflict between ‘nlocalization’ and devolution. One sees the need not only to change policy, but to change place. One sees a reform community that has innovatively and effectively positioned themselves going forward. And yet, this is also a story that lacks a firm conclusion. The following section allows one to look at what has happened so far, and to get a glimpse of how things are positioned to turn out, but it is a glimpse that is far from certain.

This section is broken into four subsections. The first subsection deals with interactions amongst community groups and pro-reform activists, focusing particularly on coalition-building and a division of labor, scaling up, and on how these organizations

effectively harness and use different forms of power. The second subsection looks at government institutions in El Paso. This section focuses mostly on how government has responded to devolution, and touches on changes in how local federal agencies operate, and also on how government fits that organizational/power matrix. The third looks at interactions between government and pro-reform activists, at how government has been harnessed by these coalitions, and at the contest between devolutionary and ‘nlocalized’ frameworks. It closes by taking another look at impacts of a reduced role for local federal agencies and at how pro reform coalitions use scaling up as a tactic. The final subsection looks at the disadvantages and advantages of pushing for reform in El Paso, noting the marginality of the border and looking at factors feeding that, while at the same time acknowledging the importance of the border as a site where enforcement is a daily, lived experience for communities.

COMMUNITY GROUPS AND ACTIVISTS

A Plethora of Actors, a Plethora of Missions and a Shortage of Resources

El Paso is well situated to emerge as a center for activity around border and immigration related issues in a number of ways. Its presence on the U.S.-Mexican Border means that the community at-large, and activists are exposed to daily, on the ground realities of the various policies and practices at play on the border. This in turn creates a populace more closely keyed into these issues than a city not so situated, creating a greater base of interest in, and support for, activism around border and immigration proposals, which may well have material effects on local residents' lives. Furthermore, it is a regional center for many authorities concerned with enforcing border or immigration policy. This means that people interested in having a dialogue with such organizations concentrate their activities in El Paso, and reduce many logistical barriers to lines of communication with those governmental entities. Indeed, El Paso is home not only to governmental operations focused primarily on the border or ports of entry, but also includes any number of support facilities for border and immigration enforcement, such as detention facilities and immigration courts, that need not be at the border. Finally, El Paso's location across from Ciudad Juarez, the sixth largest city in Mexico and one of the largest manufacturing centers in North America, makes it well suited, not only to discussions taking place within the American side of the border, but also to taking advantage of cross border opportunities for dialogue.

As a result of these favorable conditions, and of the broad range of border and immigration related issues that are present in the El Paso area, the region supports a large and diverse population of community and activist groups interested in border and

immigration matters. At least twelve groups are actively engaged around border and immigration issues in the El Paso area, including southern New Mexico. They are a broad set, addressing specifics or not-so-specifics ranging from topics such as the size, number, and staffing of ports of entry, to the treatment of detained immigrants, to the border fence, to legal aid, to pushing for comprehensive border and immigration reform. These groups span a gamut of scales, some associated with large institutions such as the Catholic Church or the American Civil Liberties Union, and others local, rooted in the populace of the El Paso borderlands. They range in size from a handful of staff, often overwhelmed in their work, to hundreds of households that can turn out in unison to make their voices heard. And simply looking at the organizations present does not do the picture justice; the landscape of non-governmental activity around border and immigration issues is also filled with individuals with varying degrees of attachment to such organizations, yet all wanting to be engaged in this process.

There are some similarities between the non-governmental groups and activists engaged in discussions about border and immigration issues in El Paso. There are no organized groups active in El Paso pushing for increased border enforcement or for greater restrictions on immigration, unlike other parts of the border (fieldnotes). Rather the groups that are active all support making the border more permeable, be it through increasing existing mechanisms for crossing, all the way to envisioning a wide scoped reform of border and immigration policy (fieldnotes). The same is broadly true of the entire activist community in El Paso, including those operating outside of a larger organization. Painting with this broad a brush is, of course, not entirely accurate, there are some individuals who go against this pattern, but their impact locally is negligible.

Generally speaking, though, when describing those organizations and activists in El Paso looking at border and immigration issues it is the case that as a group they are highly receptive to a comprehensive reform, indeed, to a progressive reform. The presence of such groups would seem to bode well for change, although, they are not without other limitations, and have not always been present in El Paso.

Still, even though comprehensive reform may be a goal that the activist community holds as worthy, it is not one they all pursue equally, and not without cause. The range of missions held by organizations active around border and immigration reform vary widely, as mentioned earlier. All sorts of border related causes are present in El Paso, causes that look at a wide range of issues, and take a wide range of actions in response. Some organizations, such as those of El Paso's business community are primarily concerned about improving and increasing the area's ports of entry, which are critical to the economic health of the region (fieldnotes). As a result, even though such organizations may be open to, even supportive of, broader reforms, their main goal in working with government officials is to promote greater investment in infrastructure and resources for ports of entry. Likewise, a legal services provider may well desire comprehensive immigration reform as it would reduce the underlying need for the type of services they provide (fieldnotes).

However, such organizations tend to be so overwhelmed by the demand for their services, especially compared to the amount of resources they have to work with, that they simply do not have the personnel or energy to divert away from the task of providing legal aid. To quote one legal service provider,

...definitely, my ideal would [be] to have the resources to hire someone whose job it was to engage more in policy work, coalition building/organizing, and that would be on the local, state, and national level. And, I would like to be able to have that person go to all the meetings I'm invited to, and have all the discussions, and, you know, do all that kind of other stuff that I can't really do. Because, I think that is an important piece and we're just not able to do it. So, for sure on the national, and even the statewide level, no we are not enough, we are not able to engage [policy] enough... (Interview in field)

Indeed, it is simply the case that organizations active around border and immigration issues in the El Paso area do not have the resources to address all aspects of those issues and to provide all of the services doing so would entail.

Coalition Building

Nevertheless, even with these limitations, most groups want to both stay engaged with each other as a community, and stay abreast of the work done by other organizations, particularly work that may impact them or that they would otherwise support. While no one group, much less the entire community of border and immigration organizations, is active in all areas, most groups do recognize that each organization tends to bring its own piece of the puzzle (fieldnotes). Interacting with other organizations then, is a way to allow a group to put together the bigger picture of activity around these issues, without that group having to be engaged in all of it (fieldnotes). By having such interactions and coordination, organizations can gain some of the advantages of breadth of focus without having to muster all those resources (fieldnotes). Such

interactions are not necessarily an easy task in and of themselves, especially for those organizations that are particularly resource scarce or overburdened (fieldnotes). It is not the case that groups in such a situation do not want to engage with the broader activist community, no group interviewed expressed such a desire, but rather are limited in doing so by the scarcity of their resources (fieldnotes). In the end, even though some organizations face such hurdles, there has been a distinct move toward inter-organizational coalition building among border and immigration activist groups (fieldnotes).

Many of these coalitions fall within an area of activism. For example, many of the local immigration legal aid providers have contact both with each other and with service providers in other portions of the country (fieldnotes). Such relationships allow these organizations to share information and resources, providing a mutual support network in times of high activity or crisis (fieldnotes). An instance of such support would include a period following a series of immigration raids in New Bedford, Massachusetts (fieldnotes). In this instance, the legal aid provider in Massachusetts that had taken the case of these detainees contacted local legal aid offices because these people were being held by ICE in the El Paso area. The El Paso organizations were able to interview and work with the people in detention, gathering necessary material for the legal work being done in Massachusetts. As a result of this contact, organizations in the two places were able to work together, each filling gaps that otherwise would have made the process much more difficult, if not untenable. Quoting one legal aid provider involved:

So we were very involved with those raids, we worked with a lot of the non-profit organizations up on the east coast where we would actually go to the detention facilities, interview the detainees, try to help figure out who had kids, parents who were at home who needed caring for, trying to get all of that information up to the non-profits on the east coast who were then working with Senator Kennedy's office. It was a coordinated response to that raid, by a lot of organizations. (Interview in field)

One of the important outcomes of such inter-organizational coalitions and cooperation is that sharing resources and information allows organizations to be more effective in their mission than they otherwise would be. However, coalitions are not limited to interactions within a specific realm of activism, they also allow organizations to effectively expand their realms of activism to include other activities without need for many additional resources.

The Border and Immigration Task Force (BITF) is one such coalition, bringing together individuals and groups to work together around border and immigration issues in the El Paso area. BITF has been the lead coalition in coordinating policy work around immigration and border reform in El Paso over the past couple of years, organizing trips, meetings, documents, and more (fieldnotes). While this group came together to pursue policy changes at the state and federal levels, it has sought, and been able, to include and involve a much broader set of groups than only those whose focus is around policy issues (fieldnotes). As a result, a broad set of issues in need of reform and perspectives on how to pursue reform are brought to the table. The benefits are mutual with groups interested in exploring policy reform developing a more comprehensive idea of what should be

reformed and how, and with groups oriented at service provision able to work toward systemic changes in issues they encounter, rather than just addressing the symptoms. The system effectively allows policy reform oriented groups a level of detailed expertise they would otherwise lack, and it allows service provision oriented groups a level of policy engagement that they desire without stretching strained resources. By doing this, such coalition building makes the entire push for reform more robust. It makes for policy proposals that are able to be rooted in very specific policy concerns, and able to address the specifics of problems, rather than simply being limited to vague, if well intended, calls for more humane border and immigration policy. Indeed, by linking the basic moral imperatives of border and immigration reform to such detailed policy changes, such coalitions have potential to greatly improve the chances for a progressive border and immigration reform.

Even though El Paso has seen the emergence of inter-organizational coalitions, with these distinct advantages for the participating groups, such coalition building in itself is an intensive process that requires a level of dedication and resources (fieldnotes). Coalition building as a process is intense for clear reasons, it has to overcome barriers to participation, intentional or otherwise, on the part of all the organizations that would be included (fieldnotes). Initially, there must be an individual or organization willing to dedicate the time, personnel, and resources needed to set up these collaborations (fieldnotes). Following that, in reaching out to others, several barriers exist: organizations may need to be convinced of the importance of looking at, and thinking about, issues outside their immediate areas of expertise, and they likewise need to be convinced of the value of dedicating their own limited time, personnel, and resources to

working with other groups (fieldnotes). Finally, once a coalition is established, it needs to be able to keep members participating, and therefore convinced of the benefits of participation, particularly important since the greatest advantages of coalition building come when the coalition can embrace as wide a view of an issue as possible (fieldnotes). Indeed, the breadth and success of El Paso's inter-organizational coalitions are as much a testament to the hard work and dedication of those individuals and organizations involved in them as anything else. It is this success at coalition building that makes the community of organizations active in El Paso around border and immigration issues so interesting, and gives them such potential, it allows a unity of voice in the polyvocal effort to recast the places and practices of the border.

The Emergence of a Division of Labor

Coalition building in El Paso has had some other interesting impacts on the activist community, impacts that have importantly shaped how it pursues border and immigration reforms. Perhaps the most important of these impacts has been how, above all, coalition building has reinforced the division of labor between the different organizations. This seems to fly in the face of the coalition building that was described earlier, one, on first glance, would not expect that bringing all of these different groups and their perspectives together would lead to more specialization in what the participant groups do, however, this appears to be the case. There is, however, a logic to it, as groups that specialize in service provision can engage in the policy process through these coalitions and so are able to convey their concerns and recommendations to groups focused on policy work. Thus, service providers do not feel a need, as they might have otherwise, to engage in such policy action themselves. Without such a perceived need to

engage in the policy making process, these groups are able to focus their limited resources on service provision. Likewise, groups focused on policy work are able to rely on the input of service providers and so do not have to reinvent the wheel in looking at potential issues to address. They, in turn, are free to focus their resources more on engaging officials and community members around the policy making process.

Even with this reinforced division of labor, the advantages of the original coalition remain. Organizations still benefit from the increased flow of information and expertise provided by the coalition, indeed, the reinforced division of labor, as described above, is a result of that. One sees that within the coalition, the participant groups can become more efficient, and are able to work with other organizations to address more sides of the issue, without any given organization having to sacrifice their own goals. This is not to say that a group seeking to venture outside of their area of expertise would not be able to, but rather that they do not need to, and that the activist community as a whole may be better served by consistency of focus. While the main distinction made above was between the two rather broad sets of service providers and policy-oriented groups, the same advantages of coalitions and the resulting division of labor hold within those subgroups as well. If one group, say a legal aid provider, is in contact and has access to the work of another organization that does detention monitoring, they may not see a need to dedicate their resources to detention monitoring themselves, being able instead, to call on the work of the second group. To the extent that the activist community benefits from not having to reinvent the wheel, the ability to form coalitions and to devise a formal, or informal, division of labor is of critical importance.

The division of labor also promotes interactions between organizations outside of the formal connection of a coalition. When there is a clearly known division of labor, groups are able to take advantage of the expertise of others, while in working on their own, or on shared, projects. For example, the Border Network for Human Rights (BNHR), a large community-based organization in El Paso and southern New Mexico, when confronted with a series of abusive immigration roundups in one of the communities they serve in southern New Mexico decided that a lawsuit was the best possible course of action (fieldnotes). The group, which had mainly been active through protests, community meetings, and policy work, had no experience with lawsuits. However, because of their participation in BITF they had connections to Paso Del Norte Civil Rights Project (PDN), a legal aid organization that was able to provide the legal assistance BNHR needed to pursue a lawsuit (fieldnotes). Similarly, BNHR was able to use their connections to the community to gather information that PDN needed for the lawsuit (fieldnotes). In this case neither organization did anything that was particularly far outside their realm of expertise, yet by combining their two different sets of expertise and resources they were able to work together to pursue a lawsuit that would have been much more difficult, if not impossible, for either to pursue individually. Indeed, these efforts proved successful, resulting in a consent agreement signed by the Otero County (New Mexico) Sheriff (fieldnotes). It is the power of these sorts of connections that so greatly expands both the potential and effectiveness of the activist community in El Paso, and in turn contributes so much to improving the chances for progressive border and immigration reform, the progressive remaking of the place of the border.

Scaling Up and Branching Out

Coalitions within El Paso have been an important resource for the local community of border and immigration activists, but, as alluded to earlier, such coalitions do not need to be limited to one city or segment of the border. Indeed, with the success of efforts to develop coalitions of border and immigration organizations in El Paso has come a desire to expand those connections to include other organizations, both along other parts of the border and in the interior. This is a process with many potential benefits for participating organizations, particularly those in the borderlands. It is often said in the circles of political decision-makers in Washington D.C. that immigration reform will only happen when the interior ‘is ready’ (fieldnotes). Reform oriented coalitions that aim to connect the border to the interior, and especially to activity in Washington D.C. thereby offer much potential both for engaging the interior in the cause of border and immigration reform, and in reminding those decision-makers that the border is not a non-entity whose fate is entirely outside its control. Furthermore, such regional or national level coalitions offer many of the same advantages to local organizations as do local coalitions. They offer the same advantages of sharing experiences, of allowing access to different areas of expertise, of helping organizations develop relationships and coordinate their activities to do things they may not be able to do on their own. Still, the barriers to such expansion out of the local are numerous, on top of the other barriers to coalition building between these groups. Nevertheless, these barriers are starting to fall in important ways, and border and immigration organizations in El Paso, and across the borderlands as a whole, are starting to inject themselves into the national conversation about reform as never before.

As with the formation of coalitions in El Paso, much of the desire to reach out to organizations in other locations is centered in activism focused on policy work. As groups in El Paso have become increasingly concerned with developing a progressive comprehensive border and immigration reform package, part of the comprehensiveness that implies is illustrated in efforts to engage other parts of the border in this process. While the early membership of BITF was rooted in the El Paso area, the vision of this coalition quickly broadened to include organizations from other areas along the border (fieldnotes). BITF now includes participants from portions of the border in southern Arizona, and other areas of Texas (Big Bend country and south Texas) and is working on continued outreach to groups in south Texas, southern Arizona, and the San Diego area (fieldnotes). This pan-border organizing offers distinct advantages in working to develop reform. Like the interactions within the coalition described above, this pan-border approach allows for groups to take advantage of each others' expertise and more importantly allows a policy making process to more accurately reflect the diversity of places, and of issues, found along the border. BITF, by including all voices in looking at reforms, can address concerns about ports of entry in cities like El Paso or San Diego, while also addressing the crisis of migrants dying in the deserts of southern California and Arizona or in the Rio Grande in south Texas, in all cases keeping a concern for human rights in mind.

Indeed, BITF's inclusive method of generating and pursuing both legislative and administrative reforms to border and immigration enforcement has created a coalition successful in engaging immigration reform groups that had become alienated from the political process. This ability to draw in such groups simply increases the effectiveness

of the coalition, an effectiveness that is drawn in large part from its ability to allow the border to speak with a common voice. Rather than having each part of the border pressing for reforms that target the specific issues they see in that location, BITF is a vehicle for the border to pool their concerns and to try and see all of them addressed through common effort. This cooperation promises to be a more efficient route as it keeps organizations from effectively competing with other portions of the border for the attention of the federal government. And this aim to present a pan-border approach to reform seems to have taken root as recent DHS stakeholder meetings in Brownsville and San Diego have been successful in drawing organizations from across the borderlands, presenting a common message, rather than these meetings being more limited in scope to the issues of the places where they occur (fieldnotes). A generalization of issues is allowed that makes each region no longer isolated, allowing organizations to pursue better practices across the borderlands and push Customs and Border Protection (CBP) for overall rather than piecemeal, sector by sector, reforms.

Likewise, such efforts have begun to garner national attention, and have allowed El Paso organizations to develop greater national connections. El Paso groups have drawn such attention for two aspects of their behavior: their pursuit of local and regional inter-organizational coalitions that have been seen as a model to emulate elsewhere, and their ability to maintain connections between the organization and the community. This recognition has led to collaboration by El Paso organizations and activists with two national organizations, the Rights Working Group, a new national coalition of local immigration and border organizations, and the National Immigration Forum (NIF), a pro-immigration reform group largely centered on policy activism in Washington D.C.

(fieldnotes). In many ways, the Rights Working Group is similar to a larger version of BITF, although without the focus quite as much on legislative reform. Indeed, it offers similar advantages to participant organizations that are able to share information and resources even more broadly, while similarly allowing for more comprehensive solutions by embracing the experiences of more places. NIF came into contact with groups in El Paso, particularly with BNHR, as an attempt to reconnect with border and immigrant communities in the aftermath of the spring 2006 immigration protests as a means of trying to harness that energy (fieldnotes). BNHR as a particular example of a community organization attempting to pursue policy change was exactly the kind of organization that National Immigration Forum was seeking. This contact has been of particular benefit, as it has also brought BITF into contact with NIF, allowing a means for reform legislation to now reflect the thinking not only of organizations in D.C., but also of the border and immigrant communities most affected.

Scaling up to the national level is of particular concern to groups working out of El Paso, and the borderlands more broadly, as these are areas that, while disproportionately bearing the impacts of border and immigration enforcement, have had very little say in sculpting those policies. Indeed, much of the politics of immigration reform has been interior oriented, focused on legal immigration reforms around legalization, asylum, and visas, but largely ignoring issues around enforcement and community impacts. The natural solution to such a situation then, is for the local pro-reform groups and activists to try and bring their issues to the attention of national groups and officials, if not achieving reform, then at the very least to try and get their voices heard. Indeed, this link between the national and local scales that has defined

immigration enforcement can clearly be seen in the desire of these groups to scale up as they are trying to do. In this framework, it makes particular sense that these organizations are pursuing such national level coalitions, as these coalitions represent a means for the border to try and reach out to the rest of the country to present its perspective on what should constitute border and immigration reform. Furthermore, in response to rhetoric saying that reform cannot happen unless the interior is on board, these coalitions create the possibility for border groups that they will be able to mobilize support from the interior for reforms that they propose. Indeed, it is easy to understand why the borderlands would be eager to pursue such coalitions. The question remains whether they have been able to gain such benefits from these national coalitions.

El Paso organizations, and the border as a whole, have indeed benefited from these increased connections, able, as mentioned above, to get more language into immigration reform legislation that reflects reform not only of the immigration system, but of the border enforcement system, as well as a broader focus on human rights. However, as with the local level, there is a division of labor in these regional and national level coalitions as well, one visible in contrasting the two different forms of reform being sought. The first type of reform, administrative reforms, are changes in the practices of those agencies charged with border and immigration enforcement and do not require congressional action (fieldnotes). This type of reform would have significant impacts on interactions between many service providers and the government agencies they are focused on, and as a result, the development of proposed administrative reforms has been a broad process, attempting to remain open to the concerns of as many groups as possible (fieldnotes). The development of legislative reforms, on the other hand has been a more

tightly tailored process, reflecting the degree of an inside game needed to try and get these reforms through Congress (fieldnotes). As a result, where the administrative proposals are kept as a more open process, the legislative reform proposals, while based on broad input, have later stages more limited to people and organizations with particular experience developing and promoting legislation (fieldnotes). This is not to say that one type of reform is more important than the other, or that other organizations do not have a role to play in the legislative process, but rather is a reflection of the advantages of coalitions and the division of labor they bring. Rather than having organizations with little experience crafting legislative language take the lead on this process, cooperation between organizations affords them the ability to have organizations specialized in writing and promoting legislation lead that part of the reform process.

Another aspect of the division of labor, which is reflected in the coalescing national coalitions that El Paso organizations find themselves in, is the appreciation of their ability to mobilize community members in protests or direct actions in support of reform. While there have been D.C. based organizations like NIF pushing for reform for some time, they have mainly been focused on interactions with Congress and the Executive Branch, rather than public demonstrations. Likewise, groups in El Paso have been able to mobilize the public, but have faced limitations in getting their calls for reform to people in D.C. Through the formation, however, of these national level coalitions, we see that organizations in El Paso are able to mobilize people as D.C. desires and in turn their opinions and calls for specific reforms are heard and relayed by those organizations in D. C. This example of the benefits that groups in each place can provide the other is a near perfect demonstration of why organizations pursue these cross-

scalar collaborations, and why they so increase the potential for a progressive border and immigration reform.

Community Groups and Activists in the Organizational/Power Matrix

Given the role that community groups and activists play in challenging and reforming border and immigration enforcement, it is important to try and place their activities in the organizational/power matrix introduced earlier, as a means of judging how effective we may expect their activities to be. Notably, the organizations active in El Paso embrace the entire spectrum of actions presented in the matrix. There are distinctions between where policy centered organizations tend to fall on the matrix and where service providing organizations fall, the former tending to act more often like interest groups and the latter more often under a community organizing style. While tempting to make such distinctions based on the assumed amount of interaction with government, where one would think that policy oriented groups' work with government around policy reform would make them more interest group-like, compared to service providers, who would have less contact with government and more with communities, this does not hold. Indeed, many of the policy oriented groups are also deeply involved with the community, drawing from them their agenda for reform (fieldnotes). Likewise, service providers have frequent, if often antagonistic, contact with the government, be it in court or meetings with officials to request changes in behavior (fieldnotes). Rather than trying to characterize between those two sets based on their amount of contact with government, a better means may well be by the degree of antagonism present in such contact. One often sees service providers often having more antagonistic relations with government than their policy oriented counterparts. Still, even with this clarification,

these distinctions are not hard and fast, and, furthermore, seem to be diminished by the presence of inter-organizational coalitions that tend to allow groups to use methods of action that they had not previously pursued.

What exists then truly is a situation where the organizations and activists present in El Paso have the chance, through the coalitions they have formed, to act in any portion of this matrix. Through the coalition, service providers that normally would not have much to do with proposing or lobbying for legislation can become tied to such activities, opening up much more of the matrix to them than had previously been possible. Likewise, the ability of a group like BNHR to pursue new, more antagonistic tactics, such as lawsuits, similarly expands the portions of the matrix available to them. What we see is that, with coalitions in place, no portion of the matrix is out of reach to any of these groups, they are able to work together to lobby government just as they are able to hold protests. They are able to work simultaneously with governments and with communities, a powerful combination. Furthermore, beyond the ability to just respond to government actions, coalitions allow these organizations to much more effectively develop and pursue their own vision of border and immigration policy. By bringing the experiences and opinions of all these organizations together, it is possible to challenge the hegemonic power of the status quo and develop a comprehensive progressive alternative that can be promoted to take its place. Because of this ability to both open new opportunities and to present an entirely new progressive vision of the borderlands, it is hard to overstate the benefits that coalitions bring to the activities of organizations pursuing border and immigration reform.

What then does this mean for the chances of a progressive border and immigration reform emerging from El Paso? The mix of organizations present in El Paso, alone would seem to bode well for the ability of border activists to make a progressive impact on immigration and border policy, able effectively to promote some good legislation and practices and to discourage the bad. The fact that we see these organizations working together improves the potential quite a bit. As mentioned earlier, it is the coalition building between these organizations, both within El Paso and with other parts of the country that allows these groups to develop and promote a comprehensive reimagining of the U.S.-Mexico borderlands. And this comprehensive reimagining of the borderlands is what is needed to effectively allow these organizations to challenge the systems of hegemonic power that currently pose such obstacles to immigrants and border residents alike. While the organizations alone would be able to make positive steps, by acting together, they hold the possibility of a drastically better future. Indeed, with these coalitions active, a major step would already seem to have been taken towards a progressive border and immigration reform.

Government—Friend or Foe?

The question above asks the organizations and activists in El Paso to make a false choice, there is nothing innate about government that would make it either friend or foe. And indeed, in looking at the interactions between pro-reform organizations and governments, we see that these organizations view governments both as friend and foe, and recognize that they are neither friend nor foe. In many ways there is much potential for government, particularly at the state or local level, to participate in these coalitions much as any other organization, and indeed, this participation is the case. However,

adversarial situations are also possible between organizations and governments, sometimes even between organizations and governments that are otherwise cooperating. It is the case though that pro-reform organizations have developed and enhanced, through things such as coalitions, their ability to interact with government, whether cooperative or adversarial. These relationships will be explored in more depth in the section looking at community-government interactions. In the meantime, governments are legitimately actors in this process in their own right and the next section will explore them.

INTERGOVERNMENTAL ACTIVITIES

A Melting Pot of Governments

Immigration and border enforcement are political issues and reform entails significant changes in government policy and practices across a wide swath of governmental institutions. One of the most straightforward places to begin looking at the potential for reform then, is to look at how different governmental bodies are interacting with each other around the issue. Indeed, this is a good starting point as it immediately engages the issues of scale and devolution of enforcement that have shaped border and immigration issues to this point. Furthermore, even as the synthesis at the end of the prior section concluded the importance of a community-led effort to redefine the places of the borderlands, examining the openness of different political institutions to such a progressive reimagining is still a helpful exercise in looking at the viability and effort of any such action. We start with government as it is home of the current policy and will need to be home of the future policy. In many ways, looking at the interactions of government sets the table for looking at the actions of the community. Looking at these interactions tells us how border and immigration enforcement works in the status quo, and reveals dissonance between different governmental bodies, particularly between different scales, pointing to opportunities for community activism in shaping policy reform.

Local Federal Activity—All Roads Lead to D.C.

Although obvious, it is worth noting that Washington D.C. is not on the U.S.-Mexican border, nor is it anywhere particularly close to the border. This is notable, not to point out the obvious but rather, in light of the fact that the past decade appears to have

seen a centralization of federal immigration and border authority in Washington D.C. Given past patterns, this is a significant development, and one that certainly has the potential to greatly shape how governments interact with border and immigration issues (fieldnotes). As was mentioned in the background section, Operation Hold the Line (originally Blockade) was developed not by Border Patrol headquarters in D.C., but rather by officers in the field reacting to the specific situation facing them. Implementation of such an operation required a significant degree of discretion placed in the hands of those in the field. Still, a situation where authority becomes concentrated in Washington D.C. is not an unlikely outcome given the highly negative and hostile reaction of the Immigration and Naturalization Service (INS) at the time. While the Clinton Administration eventually embraced the operation for political reasons, it met with significant resistance on the part of agency administrators, fearful of the change it brought. This discretion, however, seems to be waning in favor of greater control of operations by administrators in D.C.

Interviews with a variety of people in El Paso highlight this shift and changes it produces, not only in Border Patrol operations, but also in how the agency interacts with other people and institutions. Border Patrol sources described the process of how new border and immigration enforcement legislation or policy is implemented into practice as being largely determined by the time it reaches the field (fieldnotes). These sources described this as so:

The greatest opportunity that the Border Patrol has, before it becomes a [law], is at markup. That's the greatest influence, because, when it's a [law] now, its no longer what do you think of this bill, its execution time.

And here, out in the field, there may be influence as to how we dictate that policy, but it is very little. When that policy comes out my job is to ensure that the policy is enforced, same thing with the law. (Interview in field)

In this situation, there is very little room for interpretation or discretion in the field, with agency lawyers having already put training programs into place that are intended to set the path going forward (fieldnotes). It seems doubtful that all of the discretion has been taken out of the system, certainly the past several years have seen significant changes in immigration enforcement techniques, but it does appear to have been taken away from the field (fieldnotes). Rather, there is reason to believe that the discretion in the system has moved to Washington D.C. Indeed, with the creation of the Department of Homeland Security (DHS) and the reorganization of the INS and Border Patrol into Immigration and Customs Enforcement (ICE), the umbrella agency in the DHS that is home to Customs and Border Protection (CBP), itself, in turn, home to the Border Patrol, it appears that this reorganization has been used as a means to concentrate agency authority in D.C (fieldnotes).

This concentration of decision making and authority in Washington D.C. is significant due to the relative isolation of D.C. from the border. Indeed, while the isolation of a place like El Paso from the main decision makers around immigration and border enforcement is a major limitation, which will be discussed in more depth later, it is an important factor to note here. This isolation has several implications in shaping practices around border and immigration enforcement. It puts greater emphasis on the training developed in response to new policy (fieldnotes). This means that training and practices developed well away from the border guide enforcement along the border itself,

with feedback from experiences in the field being relatively marginalized (fieldnotes). What we find then, is a situation where Border Patrol practices are caught in a place between what agents find in the field and their instructions from D.C. This appears to be an untenable position as there are notable gaps between official policies held by DHS in Washington D.C. and actions taken by agents in the field, particularly around complaint mechanisms that are often very hard for injured parties to access (BNHR 2006). Furthermore, such centralized control has potential to make local arms of the Border Patrol less responsive to community concerns as they see themselves in a position where they are limited by the policy issued by D.C. and their own lack of discretion. This would appear to be the case, as several local officials described that they did not have frequent contact with local federal officials about their concerns, and furthermore did not see such interactions as being particularly useful (fieldnotes). Indeed, we will further explore all the implications of this centralized authority when looking more closely at interactions between communities and governmental institutions.

Devolution in Practice—Immigration and the State of Texas

Devolution of responsibility for border and immigration enforcement has been one of the major changes shaping the border since the mid-1990s. As discussed earlier, federal policy passed in 1996 has allowed for greater cooperation between immigration enforcement agencies and local law enforcement under a provision known as 287(g). Under this provision, local law enforcement can become certified by the federal government to enforce immigration law without the presence of federal agents, something that otherwise would be of questionable legality. This has been a mode of operation very much promoted by the federal government, particularly since the 2006

failure of comprehensive immigration reform. Indeed, it is a program quickly expanding beyond 287(g), particularly emphasizing interactions between immigration enforcement and local jails. Yet such top down devolution of activity around immigration and border enforcement has not been alone, state and local governments have pursued their own ways of becoming involved. Such methods have ranged from local ordinances against undocumented persons, to state funding for law enforcement operations ‘in support’ of federal operations. However, these devolutionary practices are not uniformly embraced; as discussed earlier, instances of resistance are possible. Indeed, looking at El Paso entails looking at the intersection both of devolution in practice and resistance to such shifts.

Leading the charge in favor of devolution in Texas has been Governor Rick Perry, the longest serving Governor in Texas history. Governor Perry has been active in using discretionary funding provided to his office through the State Department of Homeland Security, as well as soliciting federal funding, to fund state and local law enforcement initiatives aimed at border and immigration issues, clear examples of the devolution discussed above in practice (Texas Tribune 2009). Some of the projects have been fiascos, such as a two-million dollar federally funded program to install cameras along the border that could be watched by volunteering citizens over the internet (Grissom 2009a). This project installed only 17 of the projected 200 cameras and led to only 11 immigration arrests, out of 1200 projected at the start (Grissom 2009b). A larger initiative out of Perry’s office have been a series of grants to sheriffs’ departments in counties across the border starting with Operation Linebacker in 2005 and continuing in a series of iterations, the current being Operation Border Star (Texas Tribune 2009). These

operations were intended to pay for equipment and overtime for departments to patrol rural areas of the border, particularly to crack down on cross border drug trade and other criminal activity.

They have taken serious criticism, however, for funding roadblocks, temporary police inspection points, particularly in El Paso County, where residents were harassed about their immigration status and held extralegally by the Sheriff's Department until the Border Patrol arrived. Indeed, El Paso County eventually ordered the Sheriff's Department to stop such roadblock activity after they were used to make over seven times as many arrests of undocumented persons as of criminals (Grissom 2006). What we see in the programs out of the Governor's office are interactions between two scales of government, state and local, that occur on unequal footing. Local law enforcement, eager to gain new resources such as vehicles or other equipment, or to pay officers overtime, are essentially bribed into adopting the strings that are attached. Indeed, such a relationship is visible to the extent that studies of how money has been spent under this program show that much of it does not go towards the intended purpose of border interdiction (Texas Tribune 2009). Furthermore, through a situation where funds are granted for one cause and not necessarily used for that purpose, it essentially allows state and local authorities to avoid the jurisdictional issues surrounding immigration enforcement, at least until someone complains. And, notably, these efforts have met with resistance from local communities and governments, if not always from law enforcement agencies. As mentioned above, the El Paso County Commissioners' Court, the administrative body for El Paso County, after repeated community complaint, acted to restrain the use of these funds by the Sheriff (fieldnotes). Likewise, the City of El Paso,

both through the City Council and Police Department, used this, among other events, as an opportunity to reiterate their policy of not using local law enforcement for border and immigration enforcement purposes (fieldnotes).

While the initiatives undertaken by Governor Perry are symbolically significant, the State of Texas has notably resisted more substantial action, such as those taken by Arizona and Oklahoma, to move toward criminalizing undocumented persons on the state level. Indeed, organized, bipartisan resistance in the State Legislature has been successful in defeating such legislation, as well as legislation that would have mandated local law enforcement participation in immigration enforcement activities, in each of the last two sessions, each time without allowing it to be voted on (fieldnotes). Such actions have been the result of statewide efforts, organized through conference calls at the start of each session, that have been successful in guiding legislative leaders to divert and kill such bills by funneling them to particular committees in the State House and State Senate that have been charged with halting their forward progress (fieldnotes). To this end, the 2007 Legislative session used the House State Affairs committee to kill 93 pieces of immigration and border centered legislation, and the following 2009 session used similar tactics in the Senate Homeland Security committee (fieldnotes). Indeed, supporters of a ‘progressive’ immigration and border reform recognize that in instances such as these, killing ‘bad’ bills can be as important as passing legislation that enacts some of those desired reforms (fieldnotes). In the long run, the role of the State Legislature may be limited to being a site of such resistance to devolution, as proponents of reform stress a desire to emphasize the federal nature of this issue (fieldnotes).

The general failure of the attempted involvement of Texas in immigration enforcement is a clear example of resistance to the forms of devolution discussed earlier. This example seems to be of particular importance because of how Texas straddles the broader internal gradient between the interior and the U.S.-Mexican borderlands. Certainly, El Paso, given its situation has been highly involved in these activities, both as a site of implementation and a site of resistance, and has had highly vocal local discussions around immigration. What is particularly notable is the participation of political forces out of El Paso in an organized statewide resistance to such devolutionary activity, an organized resistance that links borderland communities such as Brownsville and El Paso with interior political forces from areas like Dallas or Houston. It has been frequently said that immigration reform is not possible unless ‘the interior’ is onboard, even as the border clamors for such reform. It would not be an understatement to say that much of this talk is an effort to dismiss and quash the concerns of the borderlands in favor of only paying attention to the interior.

What we see in Texas, however, is that when political activism out of places such as El Paso is engaged with the interior, coalitions for reform and resistance against devolution is possible, even on a scale the size of the Lone Star State. El Paso and other border regions of the state alone would not have had the votes to stop this legislation, and so had to shift scales, forming a state level coalition to stop devolution. Although this resistance is, as Coleman says, ‘uneven’ there are two points that need to be taken from this experience (Coleman 2007). The first is that even if resistance is not achievable everywhere, or reform achievable at the national level, it is still possible, a not insignificant fact. The second is that the experience of Texas shows the importance of

promoting interactions between the borderlands and the interior, rather than isolating their experiences from each other. Indeed, the actions of the Texas Legislature in the 2007 and 2009 sessions would seem to be an excellent example to attempt replicating in other states and in Congress. It is indeed a demonstration that a coalition between the borderlands and interior is both possible and an effective course of action to be further pursued.

Immigration Enforcement and Local Jails

Recent federal approaches to immigration enforcement have brought an increased emphasis on local jails and prison facilities, a semi-devolution of federal immigration enforcement practices (fieldnotes). This has come in two directions. The first manifestation is through federal practices of sifting through rolls of inmates in local jails and pulling out those with immigration violations (fieldnotes). Indeed, such programs have met generally with favorable responses from communities ICE asks to participate, including in El Paso (fieldnotes). A county official described the situation as such,

...there had been basically an unwritten policy between our Sheriff's department through Leo Samaniego, our former Sheriff, and that has been carried over to this day by the new Sheriff, Richard Wiles, to allow, INS back in those days, and now ICE, to check the status of some of our inmates back in the jail. So they have a process for doing that...

(Interview in field)

It is not without potential problems, however, particularly as people being held in a county jail, but having not yet gone to trial, face the possibility of being deported by ICE before their criminal proceeding has even gone to court or has concluded in court

(fieldnotes). This would also seem to be in conflict with the spirit of El Paso County Sheriff's Department's policy, adopted both internally and set by the county government, of not engaging in immigration enforcement activities (fieldnotes). Indeed, this contradiction is noteworthy as it is a policy it has otherwise seemed to adhere to closely, following gubernatorially funded immigration enforcement campaigns of 2005 and 2006 undertaken by the prior sheriff (fieldnotes). The actual presence of such a conflict is denied as a result of the fact that no county personnel are directly involved in going through the roster of people in the jails or in taking selected persons into federal custody, although one can certainly be skeptical of how much detachment such a scheme actually represents (fieldnotes). This set of interactions around the jail may expand, as well. As of the summer of 2009, officials from El Paso County and the Sheriff's Department were exploring the possibility of participating in the Federal Secure Communities Initiative, which would expand the existing practices (fieldnotes).

The other major avenue of intersection between federal immigration enforcement and county or other local jails is in the detention of immigrants. The sheer number of immigrants detained by ICE has led to a pattern for years where federal facilities alone are unable to handle the number of detainees. As a result, there has been a devolution of the responsibility of holding persons detained for immigration violations, a role often filled by county or local jails looking to make money off the situation. While this is not a practice undertaken in El Paso, it is one with notable manifestations in the area. There are notable local and county facilities contracted to detain immigrants in neighboring Otero County, New Mexico (fieldnotes). Furthermore, there are billboards around the city advertising guard positions with the Reeves County (Texas) Detention Facility, a

facility whose growth is driven by its holding immigrant detainees (fieldnotes). Even though El Paso County itself does not participate in such an arrangement, the presence of these other nearby facilities illustrate the presence of this increasingly important relationship between the federal government and various local governments.

Local Government's Response to Devolution

Attempts to devolve responsibility for implementation of immigration enforcement to local government have not constituted a realm of action only on the part of the Federal Government. Indeed, it does need to be noted that cooperation with devolutionary processes, so far, have been at least technically voluntary on the part of states or local governments. One should keep in mind, however, that the large amounts of money and resources that go to departments that opt to participate can certainly cause one to question exactly how voluntary such a process actually is. Nevertheless, we need to note both the activities undertaken in line with a devolutionary federal policy and those that either ignore it, or are in outright opposition to it. Indeed, it is interesting to note that while linked, the devolution of immigration enforcement, and the devolution of activism around immigration issues, have begun to bifurcate as localities such as El Paso have begun actively harnessing the local scale as a tool for reform.

To some extent, actions taken against the devolution of enforcement have already been touched on in discussing those devolutionary activities that were undertaken in El Paso. While the earlier sections discussed the actions of the county to halt ongoing immigration enforcement activities undertaken in 2005 and 2006, there is one other event to discuss, the election of Sheriff Richard Wiles in 2006 (fieldnotes). This is an interesting event in two respects: 1) it showed the desire of the community to reinforce

the actions already taken by the county in rejecting such devolutionary activity, and 2) it narrowed some of the differences between the city and county in how they responded to devolutionary practices (fieldnotes). While devolutionary practices had already come under fire in El Paso, the institution of resistance to them, through the election of Sheriff Wiles marks a watershed moment.

Much of the significance of Sheriff Wiles is symbolic, the Democratic party runoff, effectively a general election for a county-wide position, was between two candidates who both opposed the involvement of the Sheriff's Department in immigration matters (fieldnotes). Wiles, however, who at the time was Chief of Police for the City of El Paso, had been entering both the local, and national, spotlights for his frequent public criticism of local law enforcement being used to enforce immigration (fieldnotes). While he had certainly had other accomplishments with the El Paso Police Department, he was able to use this activism as a means of presenting himself as a clear break with the actions of the prior Sheriff, Leo Samaniego (fieldnotes). This position met with strong public support, and resultantly Wiles won in a landslide, as the voters of El Paso County sought to make sure that such resistance to devolutionary practices was institutionalized in the form of elected officials (fieldnotes). And, indeed, this approach to the devolution of immigration enforcement has been put largely into effect in the county, adopted both at the level of the Sheriff's Department, and in the County Commissioner's Court (fieldnotes). Certainly, as the discussion of the role of county jails got at, there have been gaps between some of the rhetoric and reality, however, the change in Sheriff did bring significant changes in how the Department related to immigration violations (fieldnotes). Also importantly, the shift has allowed Wiles an

enhanced platform as a critic of local enforcement of immigration law, his activism boosted by the fact that his election was so tied to that outspokenness.

Finally, Wiles' election has continued a process by which the governments of the City of El Paso and El Paso County have begun to enter into greater conversation with each other about how to approach immigration issues. In many ways, this has meant the County catching up to the City in terms of making policy of its resistance to the devolution of immigration enforcement. For example, the El Paso Police Department has had a departmental policy of not enforcing immigration law active since the late 1990s, something that the Sheriff's Department has only adopted since the election of Sheriff Wiles, who notably had been Police Chief before being elected (fieldnotes). It is interesting to note this difference in policy approaches, particularly surprising given how concurrent the City and County are. A notable cause of this is the fact that there is relatively little official communication between the City and County around this, among other, issues (fieldnotes). With the two governmental entities not given to official discussions, the main routes of communicating action around immigration falls to informal, often interpersonal connections between local elected officials (fieldnotes). As a result, when there is a situation where such informal connections exist, organized resistance to the devolution of immigration enforcement is possible from both governments. Such has been the case over the past several years where connections between the two governments have led to similar resolutions denouncing local immigration enforcement and calling for comprehensive immigration reform being adopted by both governments (fieldnotes).

Nevertheless, the differences between the policies of the El Paso Police Department and the Sheriff's Department show the weaknesses of having such policies tied only to interpersonal connections between the City and County. As a result, situations can emerge where the policies of the two bodies differ greatly, a clear example of how the unevenness of the devolution that Coleman describes can emerge. Indeed, it is notable that such informal connections seemed weak between Sheriff Samaniego and other local officials around the time of the checkpoints described earlier. Such a lack of connections may well have facilitated the adoption of such actions in the face of the standing policy of the El Paso Police Department. This reliance on interpersonal connections can be countered in two ways, the first by creating official policies, as both the City and County have now done, and the second by formalizing discussions between the two bodies around such issues. Certainly, the latter method does not guarantee that the two governments would adopt the same policy, however, it makes it more likely for them to be able to easily share ideas about potential policy approaches. Furthermore, given the overlap between the City and County, it seems reasonable to think that actions taken by one would make sense as actions to be taken by the other. To the extent that the uneven nature of the devolution of immigration enforcement is a problem, particularly in the direction of allowing such local enforcement, such a solution as promoting greater formal interaction between the two governments seems a reasonable solution.

Countering Devolution—Local Governments ‘Acting Up’

The prior paragraphs have largely described how governments in El Paso have dealt with devolutionary pressures, effectively, if imperfectly, organizing and codifying resistance to policies that aim to promote local enforcement of immigration law.

However, in the case of what was described above, these have always been local governments acting in response to pressures from above, be it from the federal government or from the state. While certainly important, this is not the entirety of the picture of interactions between these levels of government. Indeed, El Paso, along with many other border communities, particularly those of South Texas, has been highly active in challenging the policies of those other governments around border and immigration issues (fieldnotes). And much as these challenges have come from the communities, they have also come from the governments of these areas. One can look at challenges occurring in three main forms, lobbying and testimony undertaken by local governments, lawsuits initiated or joined by local governments, and resolutions or other symbolic actions enacted by local governments (fieldnotes). Further notable about such activity is that it has come both from local governments, and often from collaboration between local governments and community groups. Such activity is of particular importance as it provides a particularly effective means for communities such as El Paso to express an alternative imagining of border and immigration policy and resultantly of the borderlands. While the activities described above are mostly important as creating sites of resistance, and that is also possible with these methods, the power of ‘acting up’ comes from its ability to present a different vision. Indeed, while devolution still largely stresses the power of outside authorities, and still particularly of the federal government, it is through ‘acting up’ that the power of the local in the ‘nlocalization’ described previously becomes stressed.

The primary means employed by local governments to interact with state and federal officials to try and shape their actions in more positive directions, rather than just

resist unwanted action, are through attempts to lobby legislative and administrative bodies (fieldnotes). Such lobbying can take two forms, either through formal lobbying or through the provision of testimony to various governmental panels and committees (fieldnotes). Both methods are employed by both the City and County governments to address both state and federal officials, a testament to the perceived effectiveness of these methods at providing a positive vision for policy (fieldnotes). Of course, it should be noted that these methods are by no means unique to these governments, and so these activities aim not only to promote a specific viewpoint to guide actions around border and immigration issues, but to try and raise border and immigration issues to the forefront of what even gets addressed. Nevertheless, as mentioned earlier, these efforts to lobby other levels of government have made significant inroads, and the impacts have been felt locally as well as Austin or Washington D.C.

It is easier to discuss the testimony undertaken by local officials, as that often gets a higher profile both locally and in the target areas, whereas the lobbying is often based out of Austin or D.C. and is a more behind-the-scene process. Nevertheless, such lobbying is a process local governments have actively engaged in, the past few years actively seeking border and immigration issues around which to lobby (fieldnotes). Lobbying activities are undertaken separately by the City and County governments, again reflecting the importance of any communication, or lack thereof, between the two bodies in establishing a coherent vision of what the area desires done around these issues (fieldnotes). Indeed, one would think that possible incongruities between the lobbying done by the two bodies has the potential to have a significant impact in reducing the effectiveness of such lobbying around such an issue should there be significant

differences in the visions pushed forth by the two different scales of government. In each case, the topics to be lobbied are determined by the governmental body in the time leading into each session, and must be formally added to an official legislative agenda by approval of the City Council or County Commissioner's Court respectively (fieldnotes). There is an interesting difference in how lobbying is prepared between that done in favor of reform, often which is seeking the same thing every session, until such reform is enacted, where as opposing anti-immigrant legislation is more variable, based off a combination of bills from the prior session and chatter about the coming session (fieldnotes). This is an interesting contrast, one which illustrates the need for a comprehensive immigration reform occurring in bulk, compared to anti-immigrant legislation which can be destructive even if piecemeal.

Having local officials meet with and testify before other governmental bodies is also a frequently used tactic, with any number of officials participating (fieldnotes). Indeed, the presence of El Paso along the border is often helpful in pursuing such a tactic, as the testimony of local officials is seen as the kind of expert advice those other governmental bodies are looking for (fieldnotes). This idea of expertise, paired with the existing consensus among local officials about the need for comprehensive immigration and border reform, situates them well to try and push the discussion in that direction. Indeed, recent years have seen pro-reform local officials actively pursue such opportunities, both people from the City and County (fieldnotes). Furthermore, such activity is not without its impacts locally, as well as with the target audience. Certainly, as mentioned above, his willingness to actively testify against local immigration enforcement before the House Judiciary Committee helped increase the profile of then

Chief Wiles, which in turn aided his election as Sheriff (fieldnotes). Furthermore, the willingness of some local officials to embrace this form of activism has also helped facilitate connections to community groups active around immigration and border issues.

Nevertheless, there are two limitations to this approach that should further be noted. The first is that while activity such as providing testimony has helped make El Paso a more active player in discussions of border and immigration reform, it has not been sufficient to achieve any such reform, at least to this point. Secondly, it is also a tactic available, and frequented by other parties, with goals different from, sometimes opposed to comprehensive reform. Local federal officials, for one, described the benefits of bringing committee and congressional staff to El Paso to brief them on their view of the situation at hand, briefings that recalling Niskanen's view of bureaucracies, were likely aimed at reinforcing/enlarging the border enforcement apparatus (Niskanen 1971; fieldnotes). Likewise, the previous Sheriff had been a frequent witness before a number of state and federal committees calling for local immigration enforcement (fieldnotes). The point of mentioning this is not to say that testifying before Congress is not an effective tool for pro-reform local officials, indeed, its frequent use seems to speak to at least a perception of effectiveness. Rather, the point is that pushing for reform is not an easy process. Neither of the tactics described here, nor of those to come is available solely to the pro-reform community, so one must feel that that leads necessarily to an approach that intentionally embraces such a wide array of attempts to promote this position. If the effectiveness of any given means of affecting debate and action around immigration and border policy is potentially, and usually, blunted by cross traffic from

the opposition, then it makes sense to invest in a variety of alternatives to provide as many ways as possible of getting one's message through.

Lawsuits are a much less common means of challenging the positions of other scales of government, however, they are one with particular power to them. Lawsuits, even when they fail in the courts, do offer a strong and direct rebuke of the actions, or inactions, of the governmental body being sued. Indeed, because of this one can usually see lawsuits being used as a form of resistance against government action, more than the lobbying and testifying mentioned earlier. Such use of lawsuits is well illustrated by El Paso County's suit against the federal government in an attempt to cease construction of the border wall (fieldnotes). Indeed, even though that particular lawsuit failed to achieve its desired goal, ceasing construction of the wall, it was a visible sign of displeasure with the actions of the federal government, displeasure enough to force such a confrontation (fieldnotes). Furthermore, lawsuits as a tactic are not limited to use in opposition to action. Lawsuits, or threat of legal action, can be used in attempts to prod the government into a desired action. An example of this, although notably in opposition to immigration reform, is Former California Governor Pete Wilson's threat to sue the federal government in an attempt to force them to bear a larger share of the burden for service provision.

Another means of 'acting up' in attempting to communicate with other governmental units is through the adoption of resolutions or other symbolic actions undertaken by local governments. Indeed, with most of the actions that local government can take in opposition to devolutionary practices already in place, and local officials attempting to promote positive reforms through lobbying or providing testimony, such

actions represent a major means for local governments to continue to pursue these issues. Such actions, as a result have become a significant means for communities to explore and develop alternative approaches to immigration and border issues, developing both policy approaches to pursue, and exploring interconnections between different aspects of these issues. Local governments in El Paso have been particularly active in using this approach, particularly the City of El Paso, which has held a ‘Mayor’s Congreso’ exploring and leading the city council to pass a resolution endorsing comprehensive immigration reform (fieldnotes). Prompted by the ongoing drug violence in Ciudad Juarez, the city council has also explored alternative approaches to the ‘war on drugs’, passing a resolution calling for the legalization of some recreational drugs, although that was vetoed by the mayor after it became apparent that such a resolution could anger the federal government (fieldnotes). Furthermore, given the existing close ties between people in the city and county governments, resolutions adopted by one body are often then adopted by the other, a demonstration of a unified vision of how to approach these issues (fieldnotes).

Placing Local Governmental Actions in the Organizational/Power Matrix

With the means that local governments have to ‘act up’ described above, the next step in looking at them seems to be placing them in the organizational/power matrix introduced earlier. Indeed, with this matrix in mind we can see significant differences between the methods of trying to influence action, particularly between testifying/lobbying, bill diversion, and lawsuits/resolutions. The testifying/lobbying activity undertaken by local governments constitute an Interest Group style applications both preventing against devolution and harsh border and immigration policy, and

promoting a progressive series of reforms and is a clear example of the use of direct power. Bill diversion, on the other hand, a tactic organized between local governments and legislators around the state, is an obvious use of indirect power as it blocks 'bad bills' from reaching the business of the state legislature. Indeed, these clearly reflect what types of actions were projected in the original matrix. What is notable, however, about either of those methods is that it leaves the responsibility for defining the issue fundamentally in the hands of those governmental bodies that they seek to influence. While the information local governments are able to provide through lobbying or testifying may be able to have some effect in changing the frames of the debate, it is more likely that it is directed at targeting specific proposed action. What exists then is a situation where these methods do not significantly improve the chances for progressive reform, unless progressive reform is the frame for the current debate, as these methods do not provide the possibility of moving the entire debate towards progressive reform as such a situation would call for. As is happening in the current frame, they are more used to prevent regressive action than to allow progressive reform.

Instead, the more interesting methods local governments can use to try and influence consideration of border and immigration issues is through either lawsuits or resolutions. The significant difference these offer is that they are not limited to being reactions to existing proposals, although they may be, and so embrace actions using hegemonic power, actions that seek to fundamentally redefine the terms of the debate. Certainly, not every action in these categories is aimed at such redefinition, however, it is the case that where lobbying or testifying were actions in response to the proposed actions, and existing frames, of other governmental entities, these are actions that emerge

entirely from local governments. While a lawsuit may be instigated by the action of another governmental body, it is undertaken, and the frame it uses defined, by the local government, and represents their chosen perspective. As a result, even a case such as a lawsuit aiming to block a fence, which would seem to solely fit the definition of direct power, may also convey an entirely different perspective around the issue and so challenge hegemonic power as well. Indeed, this raises an important point, that we need to note that actions can have implications at several different levels of power. Resolutions are an even more explicit demonstration of this use of hegemonic power as they convey the message of a community and a local government, entirely with disregard to the frames employed by other governments.

It is also the case that in addition to including hegemonic power under their potential influences, lawsuits and resolutions are the tools local governments have, that come closest to those of the community organizing model. Looking at the matrix, it is easy to see resolutions and lawsuits in the role of mass actions and protests, these approaches seem to be closer to that definition than to the largely behind-the-scenes processes described as being the stuff of Interest Group approaches. It is the public nature and potential for public engagement provided through the community organizing like aspects of these methods, that makes their intersection with hegemonic power so significant. Both lawsuits and resolutions are means of changing the terms of the debate, of shifting into a frame open to progressive reform and a reimagination of the borderlands. However, even if their attempts to urge other levels of government to adopt such frames do not succeed, it is the case that they expose such alternative frames to the public. In each case, it seems that in addition to whatever impacts lawsuits and

resolutions have on other governments, they have the described impacts of educating the public and engaging the media around an alternative vision of border and immigration issues. Indeed, it is this engagement that has the potential to make such action so powerful.

There is one last point to consider here, which again is the impacts of interactions, or lack of interactions, between the city and county governments. While it is true that an action taken by one of these governmental entities is not insignificant, there would seem to be increased power in such action being taken by both. This would particularly seem to be true of those actions with potential to impact hegemonic power as the ability to present a cohesive vision of what the area, and both governmental units, see as a new path forward for border and immigration issues seems particularly important to making it a strong vision. As a result, the recent trend towards relatively strong ties between the two governments seems significant as it makes it more likely for a unified, and thereby more powerful, vision of progressive border and immigration reform to emerge. However, the fact that such connections are not institutionalized, but rather interpersonal, and thereby more given to potential change and disruption, is of concern, as was discussed earlier. While it is nice that there are means of entering into conversations with other governments that cover all of the described forms of power, the strength of those actions is also crucial, and so highly dependent on these relationships.

Room for Government-Community Collaboration

Governments, particularly local governments, do not exist in a vacuum. Around any given, issue there is a community interested in it. As a result, what we see, with both governments in El Paso interested in pursuing border and immigration issues, and with

willingness to embrace a variety of means of doing so, and with a well-defined set of community organizations acting around the issue, is a great opportunity for collaboration between the two sets. Governmental efforts to lobby for more progressive border and immigration legislation can benefit from connections to information collected by outside groups. Likewise, lobbying undertaken by those groups can benefit from being able to harness officials from local government as ‘experts’ in their efforts. Such relationships have begun to emerge over the past several years with government officials beginning to enter into the division of labor among community groups described earlier. As a result of these relationships, El Paso has seen the emergence of an organized alternative vision of border and immigration issues representing a broad coalition of interests and ready to use any available means of pursuing such a vision. Indeed, as a result of this cooperation we see the determination for reform reinforced, and the chances of a progressive reform emerging greatly strengthened. How exactly such relationships operate, however, is the topic that will be explored in the next section of the analysis.

Government and Activist Interactions

E Pluribus Unum

While the prior two sections attempted to isolate some of the actions of different non-governmental and governmental actors within those groups, such distinctions are artificial. Most actions taken around immigration and border issues, particularly actions pushing for progressive reform, involve interactions including both governmental and community actors. Reasons for this are straightforward. Governments control both the policies and stated practices that define border and immigration policy, and so all efforts aimed at reform must be at least indirectly targeted at affecting governmental bodies. Lobbying for change, then, is an example of an interaction between activist groups and governments. Furthermore, activist groups, or governments, pushing for reform derive the same benefits from inter-organizational cooperation as was discussed in earlier sections. Just because the membership of a coalition changes, does not make the fundamental organizing structure of the coalition any less effective. Of course, not all interactions with governments are so cooperative as in a coalition, rather interactions between groups and government provide a site for monitoring and challenging actions being taken. Meetings, regular or in response to specific events, give organizations a chance to observe, question, and call for changes in the practices of border and immigration enforcement. Government held public hearings directly give border communities a chance to react to what they see and experience. Lawsuits provide a means of challenging the policies and practices of one governmental body in the presence of another piece of government.

The impact of scalar relationships in these interactions needs also to be noted as well as the interactions themselves. Scalar relationships, especially the push for a ‘nlocalized’ relationship around immigration reform is both a medium through which activists and governments interact and the desired outcome of these interactions. Still, it is important to note that while there is a push for a ‘nlocalized’ scalar relationship around immigration this scalar relationship is affected by conditions of devolution that have become increasingly prevalent. What we can see in looking at the scalar relationships of the interaction between activist groups and government bodies is an attempt to maneuver between different scalar patterns, in this case devolution and ‘nlocalization’ in an attempt to find the best course to a progressive immigration and border reform. Of particular note then are the different scales at which government is engaged and the further scales that these engagements open up.

What we see then in looking at El Paso are a proliferation of interactions between government and non-governmental organizations (fieldnotes). These interactions are the openings for reform, while progressive reform will very much be shaped by the ability of border communities to reimagine the spaces and places of the borderlands, the reform will only happen when these communities get government behind this vision. How government does so, in turn, is shaped by the interactions between governments and community groups. From a pro-reform perspective in looking at these interactions then are questions of efficacy and balance (fieldnotes). What are effective ways of interacting with government, of bringing it on board with the reforms being proposed? Furthermore, how are the needs for interactions with government balanced with the maintenance of truly progressive border and immigration reform? These are critical questions, as one of

the main reasons that border and immigration reform is currently such an important issue in the borderlands, is because the price that has been paid for previous immigration reforms, have been increased enforcement regimes that disproportionately affected and burdened border residents (fieldnotes). And that is a particularly extreme example, such trade-offs exist in much more mundane ways such as whether threatening a government agency with a lawsuit is worth the resulting antagonism (fieldnotes). Keeping in mind the importance of scale, one also sees that interactions between activists and government have bred strange spatial patterns both in the coalitions formed, and in the ways that reform would change enforcement practices. For example, these patterns can be seen in local resistance to the devolution of immigration and border enforcement.

Embracing Government Officials in Pro-Reform Coalitions

Organizations in El Paso pushing for border and immigration reform have been quick to embrace the participation of a number of governmental officials, mostly local, in their push for reform (fieldnotes). These groups recognize several advantages of such engagement, officials bring a certain legitimacy to many of the proposals, especially those related to border security, they can bring connections to other officials or agencies, and they also provide some degree of expertise both in shaping reforms and pressuring other governmental bodies (fieldnotes). Likewise, working with these groups presents significant advantages to these officials, be it through their ability to mobilize the public in a way otherwise unavailable, by expanding the means by which reform can be promoted, means that may be limited either institutionally or by practice, or a consideration that working with these groups may benefit a politician politically. Notably, this potential political benefit was not a consideration mentioned by any of the

officials interviewed, although they may simply have been reluctant to mention it, were it the case. Nevertheless, it seems that the politicians going so far as to work with activist groups were genuinely dedicated to the goal of reform, not simply seeking political benefit. With these mutual benefits, local political figures have become key players in much of the pro-reform activism in El Paso, notably in BITF, which is co-chaired by a pair of government figures, one from El Paso and one from Arizona (fieldnotes).

Local political figures are a crucial source of legitimacy in the push for border and immigration reform, not so much because they provide local legitimacy, but rather in interacting with state or federal governments. While it is not the case that non-governmental actors are ignored, it is the case that in increasingly ‘security’ oriented discussions of border and immigration policy, the ability to have a sheriff or police chief testify on the behalf of progressive reform, makes a particular impact (fieldnotes). What we see then is that an organization such as BITF has attempted to include as broad a range of participants as possible, governmental and non-governmental (fieldnotes). Indeed, this is a clear extension of the division of labor discussed when these coalitions were first described, as by including government officials BITF can take advantage of this particular quality of perceived expertise. This is not to say that government’s only role in the coalition is as a tool to achieve the desired ends of these other groups. Government participation in BITF contributes topics to be addressed, and general knowledge about those topics, as well as means of addressing them. Nevertheless, the division of labor in this coalition does clearly favor the involvement of government officials in policy making and lobbying activities, as is visible when examining BITF’s actions.

Of course, BITF is not the only means for interactions between local governmental officials and border activists. A significant amount of policy work and planning has been engaged in, both locally and statewide, about combating the devolution of immigration enforcement. While BITF was certainly a part of this, it was not the central coalition, plugging into a series of statewide conference calls, coordinated through the offices of state legislators, that were already taking place (fieldnotes). Indeed, this was an interesting circumstance, as state legislators already planning the opposition sought to harness and mobilize the activists and community groups, a reversal of the normal pattern (fieldnotes). As it turned out, much of this organizing has proven not yet needed, as a coalition within the state legislature has been able to kill them rather easily (fieldnotes). Nevertheless, this example should be kept in mind in the midst of the numerous examples of interactions through BITF and that were largely originated by the activist community.

Indeed, Texas has proven lucky to have had a coalition formed out of the state legislature that has killed the bills, as the highly D.C. focused nature of pursuing reform does seem to have left many activists unprepared to respond to devolution with coalitions at the state or local level. To quote a state official on the matter,

We kept this group of 60 people talking about immigration going for about 4 years. And in the last two sessions we have killed the awful bills filed in the House and Senate with a very dynamic and effective strategy. Last session we tried to slow them down and stop as many as we could in the House State Affairs Committee with an unholy coalition between the Texas Association of Businesses and MALDEF [Mexican American Legal

Defense and Education Fund]. You never see that coalition get formed on almost any issue. And whatever was remaining of that came to the Senate and we killed it in the Transportation and Homeland Security Committee...and killed every single piece of legislation... This session, we started in the Senate and killed it all there. (Interview in field)

Indeed, in the cases of Arizona and Oklahoma where the state governments have taken significant devolutionary action, and where coalitions have largely formed around these issues after the passage, these coalitions have faced significant difficulty in blocking such devolutionary action.

One thing to note about BITF's activities generally is that at this point, they are focused on 'scaling up', and inserting the organization, and border viewpoints more generally, into discussions of border and immigration policy (fieldnotes). This makes sense in two ways, the first being that the biggest work to be done locally is complete, the coalition is established, local governments have generally been brought onboard, and outreach into the community is good (fieldnotes). This is not to say that there is not work to be done locally, certainly the experiences of Sheriff Samaniego, or in Chapparral, NM, or with continued state and federal devolutionary pressure, all on top of the mundane abuses that fuel the need for border and immigration reform, illustrate a need for vigilance locally. However, enough of a local consensus has been reached about the need for a progressive reform including both border and immigration issues, and the most flagrantly abusive local practices have been stemmed to the point that reform locally does not demand all available resources, particularly from policy oriented organizations. The second, is that thank to the consolidation, in the federal agencies, of power in D.C., and

with continued pressure to devolve enforcement, the only way to both push for reform and combat devolution is to try and scale up. Many of the activities of BITF, whether it is trips to D.C., policy work aimed at external centers of power such as D.C. or Austin, or the expansion of the coalition to include organizations and officials elsewhere, should be viewed in this context.

BITF in Action

In a context of trying to scale up the progress made locally towards progressive reform, BITF has undertaken a variety of outreach efforts to state and federal scales of government. This outreach is probably best illustrated by a number of trips BITF has taken to D.C. bringing in tow a large delegation of local activists and government officials alike (fieldnotes). These delegations meet with a number of relevant federal officials, to discuss both combating negative proposals and to push for any number of legislative and administrative changes (fieldnotes). While these trips have not produced a critical policy breakthrough that BITF has sought, they are considered a vital step in trying to inject the perspective of the border into the conversations being held in D.C. Indeed, they allow BITF not only to inject its perspective, but also to make efforts, at least to try, to extend the reach of the coalition to officials and activists in Washington (fieldnotes). These trips have allowed BITF to create connections with officials in DHS and the White House, connections that have allowed BITF to become intricately involved in a number of meetings with DHS in areas along the border, helping bridge the historic gap between D.C. and the border (fieldnotes). Furthermore, these trips have created relationships between BITF and friendly members of congress, allowing BITF to become engaged in helping craft many of the recent reform bills that have gone before Congress,

particularly allowing it to inject border enforcement reforms into bills otherwise dominated by immigration policy (fieldnotes).

Prompted in part by these outreach efforts to D.C., DHS, under the Obama administration, has begun to make more of an effort to likewise bridge the gap between officials in Washington and communities on the border (fieldnotes). This is a welcome change from DHS under the Bush administration, which had largely disengaged from discussions with border communities after the legislative failure of comprehensive immigration reform in 2006, and outright ignored border concerns in the construction of the border wall (fieldnotes). Indeed, the past year has seen meetings with community groups, activists, and local officials, by Border Czar Alan Bersin (fieldnotes). It has seen two ‘stakeholder’ meetings held by DHS officials in Brownsville and San Diego where high ranking officials in DHS were brought to the border to hear the concerns of ‘stakeholder’ groups from across the region (fieldnotes). Additional meetings have been scheduled for later dates in the spring as well. Admittedly, it is unclear at this point what impact these meetings will have in improving some of the practices of border and immigration enforcement. However, these meetings have generally been regarded as productive by the activist community and are welcomed as a sign of interest in the effects of enforcement on border communities that has not existed in the past (fieldnotes). It is hoped that these meetings, undertaken by DHS, are a sign of a desire on the part of D.C. to bridge the divide between Washington and the borderlands that will finally meet the like desire of border groups.

While, the section on community groups discussed some of BITF’s involvement in crafting legislation, it is important to acknowledge that while that described the process

internal to BITF, it neglects the important role of external actors, particularly legislators in Washington. Border and immigration reform has had the advantage of having a number of dedicated and powerful champions on Capitol Hill in recent years, led in the House by Chicago congressman Luis Gutierrez and in the Senate by the late Massachusetts Senator Kennedy (fieldnotes). BITF, through its coalition-building with NIF has been active in meeting with the staffs of all both, and worked particularly closely with the staffs of Rep. Gutierrez and Sen. Kennedy on crafting specific legislative language related to border policy (fieldnotes). These Congresspeople and their staffs have notably built close relationships with border groups and activists, which are well outside of their constituencies, relationships which are emblematic of the success of BITF in this process of ‘scaling up’ their activism (fieldnotes). Indeed, by creating connections like this, BITF is able to join the federal government and a handful of other organizations, such as the ACLU, as being actors in border and immigration issues active at both ends of the ‘nlocalized’ framework, and are likely unique among that group as emerging from the local up.

Bipolar Disorder

One of the key areas in which government officials are heavily involved with non-governmental activists is in pushing for reform in, and resistance to, the devolution of border and immigration enforcement. Pro-immigrant activists are heavily opposed to devolution for a number of reasons, some of which are outlined below, and have sought to draw sympathetic local government officials into these discussions, if they are not already engaged. One reason why government officials oppose devolution is that many of these officials are tied to the governments that would be burdened with such

enforcement, and so any policy change would naturally draw their attention and make them more willing to participate in such debates (fieldnotes). Beyond this, however, is the second reason, that much of the resistance to devolution is heavily centered around the ability of a community to make an argument that their expertise should guide whatever policies and practices are implemented (fieldnotes). This is where it gets complicated, as it is not the case that such expertise is being used to make the argument that local governments should be involved. Rather, because of their expertise, they know that government at the local scale should not be participating, that immigration should be in the hands of the federal government alone. Essentially, they are being asked to argue in defense of a 'nlocalized' framework of immigration enforcement, and within the context of that framework in favor of the dominance of the federal pole in enforcement. This would seem to be in conflict with other arguments the border seeks to make, where it wishes to leverage its expertise into policy reform. However, given that both arguments assume this bipolar relationship, arguing to preserve it seems necessary in order to have a situation where it can be leveraged.

Indeed, in many ways such reinforcement of the bi-polarity of immigration and border issues is critical to the chances for progressive border and immigration reform. This is because, by reinforcing this framework, it presents an alternative to the framework of devolution that can block measures seen as reducing the position of immigrants, such as local enforcement, or the participation of non-traditional actors such as interior localities or state governments. Rather, the more traditional bipolar framework seems to have promise to emphasize the relationship of border communities and the federal government as the sole actors. What much of immigration and border reform

seeks to do, is not change the bipolar nature of this relationship, but rather, is to remove sole policy-making power from the federal pole and redistribute it to emphasize the input of local immigrant and border communities. In some ways, it could be said that progressive reform is not opposed to the devolution of immigration, but rather to the devolution of immigration enforcement. Indeed, such reform is open to devolution if it means the devolution of policy making to include greater consideration of those communities' views. This is the desired outcome of the scaling up discussed earlier, not to change the overall framework of relationships around border and immigration affairs, but rather to change the nature of specific relationships in a manner that better allows for the input of border communities.

Government officials are well suited to aid this process in two ways. They are able to leverage their expertise as a means of resisting this slide of enforcement authority to the local level, such as through the provision of testimony against such action. Furthermore, they are increasingly using local government as a stage for setting policy, whether practical or symbolic, around border and immigration issues, actively seizing part of the policy-making domain of the federal government. This second method is of particular importance because it provides a significant means for an alternative imagining of border and immigration policy to emerge in contestation of the existing system. Resistance to the devolution of enforcement also feeds into this process as it serves to help assert the ability of localities to participate in the policy making process. In the end, the final policies may still need to be made at the federal level to avoid the sort of patchwork that concerns Coleman. However, we should keep in mind that such a patchwork indicates the ability of localities to inject themselves into policy-making

discussions around border and immigration issues alongside the federal government. Certainly one may view a blanket resistance to devolution of immigration enforcement as favorable, but in a context where the federal government, which so dominates policy making around border and immigration issues is pushing devolution, even a patchwork of resistance bears promise for reform.

Limited Time Only—Interactions with Local Federal Officials

While the above paragraphs have told the story of interactions between community groups and people in government, working together, meeting, discussing, and even proposing reform, there are surprising limitations to these encounters, particularly with the local levels of federal agencies. Many activists and local government officials alike commented that they did not have much contact with local federal officials and that what contact there was, usually was sporadic, event driven, rather than regularized (fieldnotes). Part of this stems from contact with local federal officials largely being driven by service providers who have more contact with these officials, than their policy activist or local government counterparts (fieldnotes). Indeed, legal aid service providers in particular had significant contact with the local federal apparatus, not surprising given that interacting with their clients often must be done through interactions with federal agencies (fieldnotes). However, another part of this lack of a relationship between local activists and local federal officials seems to stem from the increased consolidation of authority in D.C. that happened as part of the transition to DHS in the early part of the decade. The focus of sole decision making in D.C. has acted to effectively sever significant relationships that have existed and could exist between local federal officials and both governmental and non-governmental actors in the communities where they

operate (fieldnotes). This has also had further complications for activist groups and organizations as the decreased access to federal officials means that potentially antagonistic actions need to be weighed for the potential loss of even these reduced contacts (fieldnotes).

The lack of contact between local federal officials and activist groups has not always been the case. A prior generation of legal service providers described having quarterly meetings with local immigration officials to discuss current and potential issues with detention, service provision, and other aspects of immigration enforcement (fieldnotes). This source described,

...what I thought was great, you figured out very quickly is what they were going to budge on and what they were not going to budge on...a lot of times, not a lot, but surprisingly often, they didn't know what they were doing, and once they knew, they jumped on it. So I would say yes. I thought they were successful in the sense that you could at least weed out where they would be willing to make changes, and sort of keep their feet to the fire on that...The fundamental problem is that we have no mechanism for input, meaningful input. And this is just sort of the best, the next best deal is to try to get them to the table, keep talking, and then advocate with everything you got. (Interview in field)

Yet, even with such regularized, multi-organizational meetings with federal officials occurring in the past, no organization described such meetings occurring today, even among the groups that still are more engaged with federal officials (fieldnotes).

Certainly, such meetings take a large amount of effort both on the part of activist groups

and on the part of federal officials, they are complicated to schedule, and require effort to prepare for and address the issues discussed (fieldnotes). However, given the effort that local organizations and activists have put into coalition building, the difficulty of such an endeavor would not seem to make sense as a reason. Furthermore, there are groups that do meet frequently, including BNHR and some of the service providing organizations such as Diocesan Migrant and Refugee Services (DMRS), if not regularly with federal officials, so it is a possible task (fieldnotes). Rather, there seems to be a specific avoidance of meetings with local federal officials in favor of meetings with higher level officials either during trips to D.C. or in intermittent meetings on the border.

This is not to say that one side is at fault for this relationship, rather it reflects the fundamental change in the role of local federal agencies that occurred with the reorganization of border and immigration enforcement into DHS. The removal of operational discretion from the local levels of border and immigration enforcement agencies has meant that local activist organizations see much less reason to interact with federal agencies locally, as the only people able to make the desired changes are in Washington. Whereas then Border Patrol Sector Chief Reyes was able to change enforcement techniques in response to community activism in 1993, albeit in ways that similarly raised the concern of activists, it is not the case now that local federal officials would have the discretion needed to make similar changes. Rather, with the concentration of power in D.C., efforts to effect change in the practices of border and immigration enforcement have shifted from the field to the new center of discretion in Washington, and interactions between activists and field officials have fallen resultantly.

Likewise, one of the main purposes for the meetings mentioned above was to convince federal agencies to change their practices by threatening, but with aim to avoid, a lawsuit, a costly, laborious, antagonistic outcome for both sides (fieldnotes). The current lack of discretion in the field means that these matters, which could have been handled locally, now either need to be handled with officials out of D.C. or go to a lawsuit (fieldnotes). Indeed, it is a distinct possibility that the removal of discretion from local federal officials, and the subsequent decrease in contact between activists and those officials, has increased lawsuits against the federal government, and fed antagonism between activists and federal officials. For example, when the local border patrol, again under Chief Reyes, attempted to build a fence along the border near Sunland Park, NM in the mid 1990s, they were forced to back away from the idea, at least temporarily, because of organized community activism (Dunn 2008, 97-124). However, after the concentration of discretionary power in D.C., when the current border wall was being proposed, and then under construction, and similarly came up against overwhelming organized local opposition in El Paso, among other places along the border, the local Border Patrol was limited to a role promoting the project (fieldnotes). While they would have been well situated to listen to, and respond to, local concerns, their role in the project was extremely limited. This, paired with the intractability of Secretary Chertoff in D.C., led El Paso County to sue the federal government (fieldnotes). Instead of local federal officials being able to work to address some of the community's concerns, the concentration of power in Washington simply increased antagonism between the border and the federal government.

This inability of local federal agencies to respond to locally raised issues has caused a significant balancing act on the part of some local organizations. Reduced discretion, as illustrated above, has meant that lawsuits are a more effective means of trying to effect change in border and immigration practices, than they had been (fieldnotes). However, the use of lawsuits is not without its own considerations. Lawsuits often cause a high level of antagonism between an organization and the particular piece of the government that they engage in the suit. Antagonism, while it may be an outcome that an organization chooses to bear in certain circumstances can affect the nature, quality, and frequency of interactions with federal agencies. With these interactions notably at the discretion of the government, whereby they choose to engage in these meetings, antagonistic relations can bring them to an end (fieldnotes). Organizations, particularly those whose work depends on interactions with the federal government, must balance then the potential benefits of a lawsuit with the antagonism it generates (fieldnotes). This is not an easy balance to reach, and was one reason that local activists tried to avoid lawsuits when possible (fieldnotes). With interaction reduced as a result of the decreased discretion of federal officials, however this has some contradictory effects. For organizations that now have next to no contact with federal officials, it reduces a disadvantage of lawsuits, as there no longer is a relationship to maintain. For those organizations still dependent on interactions with federal agencies, the reduction of such contacts may make each interaction more valuable, and so reduce the likelihood of a lawsuit, restricting, for those groups, the set of actions that can be taken in pushing reform.

Furthermore, community outreach on the part of local federal agencies has been hampered as a result of the concentration of authority in D.C. Former federal officials described that before the move to DHS, federal agencies were relatively unrestricted in working both with other governmental bodies, and in their community outreach (fieldnotes). After the creation of Homeland Security in 2003, the situation became much more centralized, requiring authorization from D.C. to so much as talk to local media, described in interview as such,

So I continued my media outreach, talking to the media locally, as to what the plans were, what we were going to do, we now have a security based organization, we're going to be doing more inspections, blah, blah, blah. Didn't take long for headquarters to bring it to my attention that I no longer had that discretion to openly talk to the media. There was instructions, written instructions, policy and procedures, how you would ask for permission to talk to the media. And what you were going to say, it was all scripted... You'll see very limited media contacts from CBP, even now very limited. It's basically only if asked, but not proactive. And it is a very controlled, centralized process. (Interview in field)

While certainly this has not stopped outreach by local federal agencies, and they have had public forums in recent years at the behest of local government and community groups, it has, as described, significantly decreased the level of engagement these agencies undertook (fieldnotes). With regard to media contact as mentioned above, the situation is one where rather than agencies reaching out to the media, such contact was now driven almost entirely by media coming to the agency requesting information (fieldnotes).

Although, local agencies can conceivably work around it, the consolidation of federal authority under DHS has placed a considerable wedge between local federal agencies and border communities. Indeed, if you need the permission of officials in D.C. to speak to local federal officials, and if D.C. is the place with all the authority anyway, the movement of activism, even born out of a specific locality such as El Paso, to be centered on D.C., seems a natural course of action.

It is not the case that all interactions between activist organizations and local federal agencies have been so limited. One immigrant legal aid organization, DMRS, has interacted with the local federal immigration apparatus and has established such confidence, that in strange or difficult detention cases the government will consult DMRS as to how to best approach the issue (fieldnotes). Essentially, the federal government is trying to call on the resources and expertise to help with some difficult issues, where these groups are likely to become involved anyway, leaning on the activist community to bolster their own limited resources, particularly in the resource scarce areas of migrant detention and processing. Essentially, this is akin to the consultations groups had with local federal officials in the past, looking to address potential issues quickly and with relatively little use of resources or antagonism by either side. Relationships like this are all too limited however, left unpursued in a situation where centralized control out of D.C. has limited the ability of local federal agencies to pursue these sorts of alliances, and where the limits of local discretion make local agencies undesirable as partners for the local activist community.

Does Scaling Up Leave a Hole at the Bottom?

It seems then, that the concentration of federal authority in Washington, away from the localized units that actually carry out border and immigration enforcement, has limited the kinds of relationships that can exist in local settings. It has handcuffed the ability of these local agencies to engage their communities, much less the activist groups present there. Likewise, it has limited the ability, and more importantly the desire, of the activist community to engage local federal officials. As a result of the sole concentration of federal decision making authority in D.C., the relationships of reform have become similarly focused on D.C. Scaling up, while it likely would have occurred anyway, is a symptom of the nature of how decisions about border and immigration issues are made, as much as a way of injecting local communities into the discussion. A question then emerges of whether this scaling up, whether the concentration of authority in D.C. or the increasing focus of reform organizations in targeting D.C., is leaving a metaphorical hole at the bottom, and is distracting from efforts that could be undertaken locally. The examples above seem to indicate that there is an extent to which this is the case, certainly interactions have existed in the past between local federal officials and activist communities that have been highly curtailed today.

This is not to say, however, that scaling up is not the right course of action for activists to be taking. For their part, it is a response to a genuine change in the operations of the federal government. Furthermore, there are things that scaling up can do that locally oriented work could not accomplish. Comprehensive reform will need to occur through the federal government in Washington, providing a level of uniformity across the border and across the nation that working at the level of localized federal agencies could

not provide. Furthermore, changes that would need to occur through legislative action would also have to occur in D.C. for obvious reasons. What is missing, however, with the removal of many of these contacts between activist organizations and local federal officials then, is not something that affects the big picture, which as an innate part of its nature will need to include D.C., but rather is the ability to handle local issues locally. Thus, we see these issues becoming matters that need to be handled through more time and effort intensive means, for federal officials as well as local activists. Likewise, by isolating local federal agencies from the communities they exist in, they may well be isolated from community concerns that could be otherwise addressed.

What can be done about this hole at the bottom? The obvious solution would be to restore at least some degree of discretion to local federal officials. This is not necessarily a perfect solution for achieving reform, however, as this discretion in the past has been used as much to take actions that have drawn the ire of activists, as to engage with their concerns. Still, a degree of discretion that would allow local federal agencies to be more engaged with their home communities, and with activists in those communities, could be a helpful step, even if otherwise the battles for reform have moved to D.C. Likewise, it would seem to be in the interest of pro-reform activists not to forget that they are not solely dealing with agencies in D.C., but that these are agencies with a presence that is possible to engage locally. This engagement may not be a priority of activists and reform organizations, but seems unwise to forget either. Immigration is a big enough issue that the struggle for reform should at least be aware of every possible path that can be pursued.

Metaphorical Moats and Bridges

These prior sections have looked at what activists have done working around reform, tactics they have used, contacts they have made, and the chances this effort has created for enactment of progressive border and immigration policy. We have seen a focus on coalitions, a growing focus on Washington D.C., and generally an emphasis on linking the national and the local. Many of these efforts have been aimed at overcoming the limitations that individual organizations face in pursuing reform. What exactly these barriers are, though, has not been a topic discussed in much depth, although the prior sections began to probe this. Next then comes an exploration of the structural barriers to working for reform in El Paso, a physically isolated city that lacks large amounts of resources to pour into any non-profit sector, much less specialized areas such as organizations oriented around border and immigration issues. However, no look at the barriers the activist community faces in pursuing such reform would be worthwhile without also looking at the advantages that operating out of El Paso provides. By looking at these barriers and advantages, and tying them to some of the behaviors of these organizations, the picture of immigration and border reform in El Paso is complete. And, perhaps most importantly, it becomes possible to truly judge whether the border and immigration reform movement out of El Paso, and the border more generally, will be able to achieve the progressive reforms they seek.

Limitations and Advantages

Limitations, Advantages, and Shaping the Possibility for Reform

The prior sections have described some limitations, such as isolation and marginality, poverty, and racism, to the reform efforts being undertaken in El Paso. Some of these limitations, such as decreased contact with local federal officials, have been made clear. Others though, such as the presence of a disconnection between the borderlands and decision-makers in Washington D.C. have only been implied in the perceived need for, and resultant pursuit of, ‘scaling up’ by the activist community on the border. Given the importance of these limitations in shaping the activities undertaken by those seeking reform, it is useful to systematically list and analyze these factors, specifically tying barriers, tactics, and the impacts on reform together. Likewise, the thesis has mentioned some of the advantages of pursuing reform out of El Paso, or the borderlands more broadly. These advantages can be just as important in shaping the behavior of activists and community groups as limitations, and so will be similarly explored here. Indeed, there are key advantages that organizations looking to promote border and immigration reform can exploit. What will emerge then, in this section and in concert with prior portions of the thesis, is a look at the advantages and limitations of groups and their activities undertaken in pursuit of reform. Where prior sections were most concerned with cataloguing the activities these groups undertake, this section will seek to analyze these actions with regard to the important question of how they shape the possibility of a progressive border and immigration reform. To continue the metaphor from the end of the prior section, what will be done here is see how many moats the

bridges cross on the path to a comprehensive, progressive immigration and border reform, and how many there are left to go.

The Border as a Definition of Marginality—El Paso and Elsewhere

The U.S.-Mexico border, as it has been constructed in the nation-state frame of the United States, in conjunction with a number of other ongoing social processes such as racism and poverty. Borders themselves can be tasked with providing exclusion and often are viewed as important in the core for that purpose. El Paso and other parts of the border are key nodes in a globalizing economic structure, yet they are marginalized in the greater whole. The places of the border tend to be excluded, even from decisions that directly affect those communities. Farmers in South Texas were ignored as they protested the deportations of the 1950s. Southern Arizona has been ignored as activists there have spoken out against, and acted to prevent the immigrant fatalities that have marked the desert for nearly two decades now (fieldnotes). El Paso, and the rest of the U.S.-Mexican borderlands were ignored in protesting the construction of the border wall in recent years (fieldnotes). These examples do not even begin to describe the extent to which Mexican communities impacted by U.S. border policy have been ignored as policies and decisions have been enacted. The norm is for the border to not have a voice in policy and practices that affect residents' lives, and it has been this way for decades, a result of the marginality that has been made unavoidable for the border.

This marginality has been constructed in a number of ways far beyond the sheer location of the U.S.-Mexican borderlands in relation to the centers of power in the U.S. Many culprits are responsible for the border being ignored and unconsulted. Poverty certainly plays a role. Many of the border counties, particularly in South Texas, are

among the poorest places anywhere in the United States, and although richer in comparison, other portions of the border are certainly not wealthy. Racism also has played a role in isolating the border. South Texas's history is marred by a series of violent campaigns undertaken by whites against the area's Mexican population (Carrigan and Webb 2003, 415). Similarly, as Joseph Nevins elaborates, largely white San Diego, fifteen miles from the border, has historically acted to distance itself from Mexico, culturally, and in the mind of the general public, as a means of not being stigmatized by association with Mexico (Nevins 2002, 39-59). If, historically, the residents of cities so close to the border cannot be brought to show an interest in either the border or Mexico, why would people anywhere else in the U.S. pay attention to those interests? And, as one would expect, they have not. Furthermore, racism and poverty interact as factors feeding the marginalization of the border as a site of interest, much as they combine to feed the marginalization of other populations across the country.

These factors have also been at play at marginalizing the voices of the El Paso community in the formation of border and immigration policy. To begin with, El Paso is marginal within its own state, located not only at the U.S.-Mexican border, but at the western extreme of Texas' border with New Mexico. El Paso is highly isolated from the rest of Texas, several hundred miles from Midland or Lubbock, the next cities of significance, and about six hundred miles from the state capital in Austin. It is isolated enough to be in a different time zone from any other major city in Texas. In Texas it is further marginalized by cultural differences, bearing much more history and tradition in common with New Mexico than with the Lone Star State. Poverty has also helped isolate El Paso, as the city has not had the historic wealth to demand the attention of either the

state or federal governments. Similarly, racism has isolated El Paso, a city that has been Mexican majority for almost all its history, a history including periods of violence undertaken by the State of Texas against local Mexican populations, although not to the extremes of South Texas. The isolation of El Paso has led to significant underinvestment in the institutions of the community, a fact that has led to its further isolation and to a further lack of its ability to have input into policies and practices that impact daily life. And, much as these factors have worked to marginalize El Paso within Texas, they have worked to marginalize El Paso within the broader United States as well.

Much as El Paso simply typifies the marginalization of the U.S.-Mexico border in American society, it is also the case that even within that border region there have been barriers to a pan-border approach. Much of the development on the border can be typified by placing it into the context of a number of corridors running from key points in the interior of the United States into the interior of Mexico. As a result the border can be broken into five broad corridors², which have some linkages up and down the routes, but with relatively little connection between them. As a result, community-based pan-border activity has been largely blocked by this historical pattern of development (fieldnotes). This has worked to make it harder for the border to present a unified front pushing for border and immigration reform. In the meantime, it leaves the Federal Government as the only organization able to operate along the entirety of the U.S.-Mexico border, as it imposes a unified framework on these places rather than bringing them together. In the

² The five corridors, as observable from interstate highway corridors, from west to east are 1) between the two Californias via Tijuana, 2) between Sonora and Arizona via Nogales, 3) between Chihuahua and New Mexico via El Paso, 4) between Nuevo Leon and San Antonio via Laredo, 5) along the Gulf of Mexico via Brownsville.

end, the border is left at a distinct disadvantage in organizing an alternative vision of the border, having to organize within itself before it can even challenge the existing vision.

Isolation

What these factors combine to do then, is create a situation where almost every individual and group active around border and immigration issues in El Paso, feel that isolation is a barrier to their activities. When the interview subjects were asked about what they felt the disadvantages to operating out of El Paso were, the marginal relationship of El Paso to the centers of power, be they Austin or Washington D.C., was a nearly uniform answer, one that cut across organization and ideological lines (fieldnotes). Isolation was mentioned by federal officials, and it was mentioned by local government (fieldnotes). Isolation was mentioned by both government and activists alike (fieldnotes). Isolation, the inability of El Paso, and other places on the border, to bring their concerns to state or federal attention, is the single greatest barrier to a progressive border and immigration reform (fieldnotes). Isolation is fed by other barriers, but this is the barrier that looms largest over the push for reform, the border must make its voice both heard and responded to in order for positive change to be achieved. Only by getting the rest of the country to recognize and partake in the alternative vision of the borderlands that these communities desire can that vision become a practical reality.

Of course, just because all of these groups mention isolation as a factor limiting their ability does not mean that all of the organizations reporting it are affected equally. In part, this is a reflection of the intersection of isolation as a barrier and other barriers present in El Paso. When a federal agency reports that it is negatively affected by being isolated from officials in D.C. and so has a harder time competing for resources within an

agency, they are still relatively less hampered than an activist organization seeking resources. Since the broad national framework for addressing immigration and border issues is still very much focused on increasing border enforcement, even if El Paso specifically has trouble being heard, Border Patrol requests for resources fit that framework and get through. Reform groups, on the other hand need to get both the overall message heard and then work on getting needed resources to individual communities, a harder task when inhibited by such marginality. Still, given the recent federal trend to concentrate discretion in D.C., it would seem that local federal agencies are in a situation where they are effectively more isolated than they had been before, as the centralization of authority makes it harder to pass new ideas up the hierarchy. There is a possibility then, that pro-reform activists may be able to gain allies in local federal agencies by fighting for increased local resources that could be used in a manner supporting the practices instituted by various reforms. Indeed, to some extent the plausibility of such a tactic could be tested in pushing for increased resources for ports of entry, or similar federal resources that would fit into the goals of reform.

The isolation of the border is as present a barrier today, as ever. One source described the relationship between her organization and national groups as, “But as far as like the national network for immigration rights or...you know, any of those bigger national groups, um, pretty sure they don’t know we’re down here. [chuckles] Except for that I sign on to their letters, or, you know, go to their conferences, or whatever” (Interview in field). Recent difficulties for border communities and activists, such as the decision of former Secretary Chertoff to ignore border opposition to the wall, or the gap between national level immigration reform organizations and the community-based

reform groups of the border, speak to the size and importance of isolation as a barrier to reform. The ability of these actors to pursue activity around border and immigration issues without even giving a second thought to input from the communities of the border, shows the weakness of these communities in their efforts. Indeed, one sees the power of isolation keeping the border from addressing these issues, from being able to shape its own daily experiences and future when, to paraphrase the words of President Obama's Border Czar Alan Bersin, in hearing that if people on the border do not understand the politics of the interior, they will have difficulty in achieving comprehensive immigration reform (fieldnotes). That statement was not made in passing in Washington, but rather was a message Bersin intentionally brought when visiting El Paso. That statement is one of isolation reinserting itself in the conversation, claiming its dominance over the borderlands, working to marginalize a vision of border and immigration reform, a vision of communities' ability to impact the issues facing them.

It should be unsurprising then to see that most of the activity undertaken by the governments, organizations, and activists of the border has been oriented at overcoming this isolation. Coalition building has been a key step in overcoming the limitations of marginality through the advantages it gives the activist community. The emergence of pan-border coalition building is a clear example of how these groups have worked to overcome the historic gaps between border communities and build a truly collective vision of what the U.S-Mexico borderlands can be. Similarly, the effort that has been put into 'scaling up' has been an effort to get the vision of reform coming out of the borderlands to the attention of both the national scale immigration reform organizations and the federal government. And these efforts are succeeding; the communities of the

borderlands are on the cusp of truly engaging in the cause of border and immigration reform. The creation of national level coalitions engaging both organizations historically active only around D.C. and community based organizations from the border is a significant sign of progress. Similarly, the work of these coalitions to engage federal officials in D.C., pursuing changes both through legislation and administrative law, is a clear demonstration of the success that these efforts have achieved. Indeed, the interjection of border reform into this conversation alongside immigration reform illustrates these successes, and only has happened as a result of the border's efforts to overcome its marginality.

Still, even with the significant progress that has been made, isolation should be an issue of concern to pro-reform groups from the borderlands going forward. In many ways the way the nation views immigration and border issues reflects a lack of knowledge, and thereby allows the domination of a wide variety of misconceptions about both immigrants and border communities, misconceptions that need to be countered to create the space for reform. Current events are not helping. People correctly see the enormity of the drug violence in Ciudad Juarez, but they further assume that this violence will spread into the United States, and that the vector will be immigrant communities. Neither of the last two is the case, but both are far too commonly believed by the public and so will take considerable effort to overcome. Part of this space can be created by doing as border communities are, and proposing an alternative vision of what border and immigration policy could be like, one that move away from the heavy enforcement regimes of the present. Still, it seems apparent that this is where the most work remains for the pro-reform movement. They have built a pan-border organization, they have

cultivated inter-organizational links across the country, they are working with officials in D.C. on a number of legislative and administrative changes, and in many ways the organizational isolation of the border has been overcome. Yet, the dominant attitudes of hostility and distrust of the border remain as seen in this statement attributed to Senator Cornyn of Texas, “the farther I go from the border the more I see it as a threat, but the closer I get the more I see it as a place of opportunity” (fieldnotes).

Local media, particularly El Paso’s English language newspaper, the *El Paso Times*, play a significant role in maintaining this barrier, not because they take action to oppose reform, but because the local media is surprisingly disconnected from the border. In the spring of 2006, after highly controversial H.R. 4437 had entered the scene in the House of Representatives and immigration had begun to emerge as an issue going into the midterm elections, there was surprisingly little coverage of immigration or immigration related issues in the paper (fieldnotes). More importantly, what coverage there was tended to be reprints of wire stories or stories in other papers (fieldnotes). In a sign of how disconnected the border had become from decisions that bore immediate relevance to local conditions, the local English language newspaper did not choose to cover a story with such obvious local implications, instead imposing the perspectives of other part of the country. It speaks volumes about the degree of effort that must go into changing nationwide perspectives of the border, if those perspectives have come to dominated even significant portions of the local media.

Overcoming this attitudinal barrier is a daunting task, but it is needed to fully allow the pro-reform movement to reach their goal. It is a task that activists on the border realize needs to be accomplished, but are the least clear of how to pursue. Still, border

activists have some significant allies in the religious community, which seems to offer the best way forward, at least for the time being. The Catholic Church has both the resources and means to reach a large number of people and try engaging them in a more thoughtful understanding of border and immigration issues. Indeed, the Catholic Church has been a significant participant in pro-reform efforts in a number of ways, both through service organizations and activists. What is needed to overcome the attitudinal barriers the American public has against reform is the willingness for an institution like this to engage in a long, sustained effort to change attitudes. Other churches offer similar opportunities, although not on the same scale. Furthermore, there needs to be greater effort to engage the media and to challenge voices such as Lou Dobbs and Tom Tancredo that have successfully gone unchallenged in purveying an intentionally hostile, misleading view of immigration and border issues. While statements, such as Bersin's from earlier, work to marginalize the vision and desires of border communities, it is also true that these communities cannot expect to achieve the success they desire without accomplishing at least some change in American's attitudes towards immigrant and border communities.

Pro-reform activists from the border see this need to overcome these misperceptions as a serious issue given their effort to pursue both border and immigration reform. It is interesting, but notable, that border reform has not always been part of the reform agenda, but rather was put there only as a result of the hard work of border activists. Indeed, border and immigration issues are related, but notably not synonymous, and the fact that border reform has become part of the current push for reform has only happened because of the success of border activists in overcoming the marginal position that they started from in this debate. There is fear, however, in the border activist

community that reform could come to immigration, in exchange for increased border enforcement, as has happened in the past (fieldnotes). If this were the case, while such a situation could offer significant improvements to the immigration system, it would come at the cost both of border communities and immigrants in the borderlands. Such a tradeoff would essentially negate the progress that border communities have been able to achieve in overcoming their isolation and being able to address issues of which they bear the consequences. Furthermore, such a tradeoff would undermine the effect of any reform in addressing several serious human rights issues, particularly the annual deaths of several hundred migrants crossing the U.S.-Mexico border. It is critical then, that border communities and activists continue their work at overcoming their marginality, to ensure that a progressive border and immigration reform is possible.

Poverty

El Paso is rich in many, if corny, ways. It has a vibrant history, interesting people, cultural traditions, and a hearty culinary tradition. More relevant to the topic at hand, it has plentiful and well developed cross border connections, and given its position has developed a richness of activists and organizations interested in border and immigration reform. The one thing that El Paso does not have, however, is money, and while it has these many organizations, they are usually under-resourced. Not only is El Paso resource poor, but the resources that exist to support immigration and border reform are detached from the places they are needed most, centered around wealthier cities such as Dallas, Los Angeles, or New York, while the need for these resources is on the border. This lack of local resources forces organizations and activists to develop connections to other places in order to carry out their work. This inability to rely on the local

community for the basic operating resources needed to do this work has two other implications: it cuts off a potential avenue for connection between communities and organizations; and further demonstrates the isolation of the borderlands, limited the region's ability to impact policies that in turn strongly impact the borderlands. Luckily, the organizations operating out of El Paso have seen their resource situation improve, as well as very intentionally pursuing strategies that allow for greater pooling and more efficient use of these scarce resources, and their activities have prospered as a result. While the lack of local resources is a serious and lasting limitation to pro-reform activities out of El Paso, it does seem to be one that has been effectively dealt with of late.

Pro-reform organizations complained broadly about a lack of resources, and almost all noted a dependence on external funding sources. Service providers, particularly legal aid providers, particularly noted a lack of resources, especially compared to the demands they see in the community. Legal practitioners are particularly in short supply, and as a result, their time and ability is at a premium within these organizations (fieldnotes). This tends to have a couple of key impacts on their work, the first being that such organizations often heavily screen potential clients and tend to focus on specific service areas to try and make certain that their resources are effectively managed and put to use. However, this places obvious limitations on the impact that these organizations are able to make in the community. Furthermore, the lack of spare resources in these service providing organizations puts serious restrictions on their ability to work with other groups, as mentioned earlier, even in manners that would allow them to broaden their area of impact. Indeed, one of the interviewed service providers

expressed a desire to be more active in policy work, and would like to dedicate additional resources in that direction to compliment the legal work done, but simply lacked the personnel to do so (fieldnotes). Personnel are not the only area where many of these organizations must be frugal, as monetary limits also restrict the ability of organizations to pursue activities such as ‘scaling up’, which are dependent on the ability of these organizations to send people to meetings with officials in D.C. and elsewhere.

Overcoming these limitations, especially when faced with a lack of local resources, leaves these organizations looking elsewhere for the support they require. Some organizations, such as those tied to the Catholic Church are in good shape in this regard as they are connected to large institutions, well capable of supporting their activities (fieldnotes). Other organizations must engage in the process of ‘scaling up’ not only a means of trying to bring reform, but first as a means of gathering the resources they need for that task (fieldnotes). Of course, such a reliance on outside support leaves an organization’s operational fate in their ability to hold the interest of those donors, usually one or a few large foundations. Certainly, such a situation entails more instability than if that organization were able to derive most of their support from the community they serve. However, it should also be considered that such activity is not without its own benefits, even as it entails these risks. Much as scaling up and coalition building between organizations creates useful connections outside the local scale in terms of accomplishing policy work, similarly we can see such benefits here. Scaling up the search for funding allows border and immigration reform organizations operating out of El Paso to take their message and methods beyond the scale of the borderlands. In itself, it signals an interest from the interior in pursuing such activity, and indicates that reform

is not likely to fall only on deaf ears. And at least in the short term, this ‘scaling up’ has allowed new opportunities for the reform community in El Paso. Using the example of BNHR, they have been able to significantly increase their paid staff in recent years, as well as move to larger offices, as a result of significant funding from the Ford Foundation (fieldnotes).

Certainly, a lack of resources, paired with the isolation of the borderlands makes much activism more difficult, or at least more resource intense, plane tickets and hotels in D.C. do not come cheaply. Furthermore, it is notable to see that the lack of resources seems to be more acutely felt in the service providing organizations, a reflection as much of the overwhelming demand for such services, as in a lack of access to resources. What we see, however, in the broad picture of organizational activity is that this poverty, while a significant barrier to many communities in the borderlands, particularly El Paso and south Texas, can be overcome. Furthermore, we see that the ways a lack of resources can be overcome are means that have significant potential, intentionally or as an added benefit, to allow these organizations more effective means of pushing for reform. The much discussed division of labor that coalition building has allowed the pro-reform community fits well as an example of this. Similarly, we can see the ‘scaling up’ undertaken in the search for external funding as an illustration of this. In the end, although there is certainly more that can be done to provide needed resources to these organizations, we can see the lack of local resources entailed by poverty as a metaphorical moat that pro-reform organizations have been successful in bridging.

Politics and Racism

Although not as frequently mentioned as specific barriers to the actions of pro-reform organizations as the isolation or resource issues mentioned above, it would be remiss not to mention the presence of both political and racial factors as barriers to such activity. As Joseph Nevins well documents in looking at San Diego, the Anglo community there has been heavily motivated to ignore their proximity to Mexico and their place in the borderlands because of racism towards Mexican and Mexican-American populations (Nevins 2002, 39-59). Rather, San Diego has consistently tried to orient itself northward, toward the interior as a means of maintaining a dominant sense of whiteness in the community. Similar patterns of racism are visible in Texas, with brutally violent oppression of Mexican-American populations in south Texas common in the late 1800s. As a result, dominant Anglo populations both in the borderlands and the interior have intentionally marginalized Mexican and Mexican-American populations and issues. This pattern has begun to break down as demographics and civil rights extensions have allowed greater incorporation of these populations into the political sphere, particularly within the localities of the borderlands. Similarly, the economic opportunities offered by interaction with Mexico have begun to change the orientation of places such as San Diego, from away, toward the border, as the border now promises to be a source of great wealth. Nevertheless, there is significant residual resistance to reform, and to Hispanic immigrants more broadly, on racial grounds. Many of the concerns over the failure of Hispanics to integrate into American society are simply an expression of this, as is the skewed concern over border security on the southern border compared to the northern border.

This racial bias is compounded by the political behaviors they have come to involve. Mexican-Americans as a population are disproportionately Democratic voters, albeit with low turnout rates. Anglo populations in the United States, although certainly not uniform, are disproportionately Republican. In the case of the borderlands, which is largely dominated by Mexican-American voting blocs, we see that places like El Paso are Democratic strongholds. However, the larger polities of many border states, notably Arizona and Texas, are dominated by Anglo Republicans. What we see then, is that the dominant Anglo Republican blocs in these states frequently will ignore the issues and policies of the borderlands for a combination of political and racial reasons. This simply tends to increase the isolation of the borderlands, remove it more from the mind of policymakers and the public, and leave it instead in the realm of stereotype and myth. Indeed, in many ways, El Paso is more isolated at this point from political activity in Austin, than it is from D.C (fieldnotes). By fueling the isolation of the border, as well as creating an atmosphere where interests promoted by Mexican-American populations are more likely to meet with knee jerk rejection, we can see politics and racism, individually and together, presenting significant barriers to reform.

Like with isolation and poverty there are things that the pro-reform community has been able to do to try and overcome these barriers. Foremost have been efforts to include the business community in the push for border and immigration reform, and using the influence of those groups to try and build support for reform across both parties (fieldnotes). Furthermore, there have been efforts to make the cause of reform transcend racial boundaries as well. Portraying reform as a business or security issue accomplishes some of this by placing it on generic territory and trying to limit the extent to which it is

only identified as an issue in the Hispanic community. Likewise, figures in the activist community that transcend this racial boundary have similarly been used prominently to try and blunt opposition. A contributing factor to the frequent use of the current El Paso County Sheriff, an Anglo, to argue against devolutionary practices and in favor of reform has been to try and show that this is an issue beyond race. In the end, however, demographics perhaps offer the most hope in the long term as the growing presence of Hispanics in the U.S. will allow such racist opposition to be overcome.

Advantages of El Paso—Centrality, Experience, and Progressive Reform

Much as being in El Paso poses significant limitations to the ability of the activist community to effect a progressive border and immigration reform, it does provide certain advantages as well. Foremost among these advantages are the centrality of El Paso in the borderlands, and the importance of its place on the frontline of the largely inseparable practices of border and immigration enforcement. Some of these have been touched on earlier, particularly the ability of pro-reform groups to harness a level of expertise in making their arguments. Still, it is important to reiterate these advantages, particularly after having explored the disadvantages in depth. These advantages have been significant not only in allowing the pro-reform community in El Paso an ability to overcome these disadvantages, but also in promoting the development of this community in the first place. In interviews, the pro-reform organizations and activists felt that even if they were not personally there, personally involved, there would still be this community, still be this push for change (fieldnotes). The fact that this is truly a grassroots movement, born from an experience of place and bearing this alternate vision is the reform community's greatest strength. With this, even in the face of the limitations above, even with

resistance from policy makers and the interior, the fundamental push for reform coming from the borderlands will not fade.

Similar to how geographic isolation is a limiting factor in El Paso's ability to shape policy decisions in Austin and Washington D.C., its location at the near center of the U.S.-Mexico border has had a positive impact on helping shape its role in pan-border coalitions that have emerged. Approximately equidistant from Brownsville and San Diego, El Paso stands out as a natural meeting place for activists along the border, maximizing the ease with which people from all portions of the borderlands can gather. Indeed, El Paso has notably begun to take on this role as a central hub for pan-border activity, hosting much of the activity of an expanding BITF and a meeting of the national scale Rights Working Group (fieldnotes). Similarly, El Paso is an important meeting site for the various pieces of the federal border apparatus, a reflection of this central location and the complex of federal agencies that have their regional headquarters in the city (fieldnotes). This centrality for government officials further contributes to El Paso being a center of border and immigration activism, since as explored earlier, it makes for easier interactions with all these pieces of the federal apparatus. The presence of all these federal agencies in El Paso also feeds into another advantage of activism based out of the city, the daily exposure to practices of border and immigration enforcement, and the expertise this conveys in looking to reform policy and practices.

It was repeatedly mentioned, by interviewees, as a limitation of El Paso, and the borderlands more broadly, that the isolation of the borderlands, and resultant distance of most of the country from these issues, blinds most people to the full experience of border and immigration enforcement (fieldnotes). Myths about the borderlands cannot stand,

however, in the face of lived experience day in and day out. Being right on the border opens people to how the practices of border and immigration enforcement shape their lives, and residents see those practices' strengths and weaknesses. It forces people to see the entire picture, border and immigration reform together, distinct, yet in so many ways inseparable. It allows people to explore alternatives, to both imagine and try and bring into being an alternative place of the borderlands. Being on the border does not allow people to escape such thinking, it is constantly around you, in the views of Mexico from around the city, in the helicopters constantly buzzing, in the license plates of the cars you see, in the flags flying along the skyline, flags not of one country, but two. Being on the border means realizing that you never can be isolated, never alone, and this causes you to see the shortcomings of such thinking. When you exist in a landscape that simultaneously juxtaposes the need for permeability and the desire for exclusion that typifies U.S. border and immigration policy, the realization of the need for some reform comes naturally, such inconsistency is self-defeating, unproductive, and in the long term cannot stand.

Being in the borderlands means striking this balance between two worlds, but it is the constant exposure to the realities of daily life on the border, the exposure to the impacts of border and immigration enforcement that makes the reform movement so strong. While other attempts at immigration reform have largely been based out of D.C, and have been removed from the experiences of immigration and border enforcement, the reform efforts from El Paso and the borderlands are rooted in an experience of place that cannot be similarly detached. It gives these activists expertise in what they are dealing with, what needs to be addressed and reformed, what alternatives can look like. This

expertise is an important strength in looking to shape policy, allowing specific, targeted reforms that cut to the heart of the issue. It allows the push for reform to put pieces together in a way that other places could not, realizing that immigration reform should not be traded for border enforcement, but that border enforcement is a crucial part of the needed reforms. Where other reforms have lacked the vision of what a border not oriented around enforcement could look like, the activism emerging from the borderlands knows better. The borderlands have learned the lessons of prior reforms, prior enforcement regimes, prior myths of the border, because it has had to, because these practices originating elsewhere have shaped the lives of this place and of its residents.

It is from this that we see the chance for a progressive border and immigration reform. It is from these experiences, experiences of people dying in the desert, people chased through the streets, waiting in long lines in the summer heat to enter the U.S., communities where any and all might be questioned about their immigration status, that this chance emerges. It is true that immigration enforcement is starting to penetrate the interior as never before, but this simply makes it more important to pay attention to the experiences of border communities that have had to deal with such enforcement for decades. It is true that there are serious security concerns at our borders, from terrorism, from drug violence, from human smuggling, but this makes it all the more important to see past the myths and fears society holds and to look at the experiences and vision of the communities that are on the front lines. There is a progressive vision of border and immigration reform emerging from the borderlands, from decades of encounters with enforcement and permeability, the border has synthesized the lessons of decades of practices. These lessons learned are the greatest strengths of those working towards

reform out of the borderlands. Just and humane practices are what is being worked towards. With all this in mind, the limitations above do show a long path to go; a path where it is unclear if the end can be reached. Still, having a progressive vision of border and immigration reform is the greatest advantage these groups have, and the most meaningful advantage they could have.

CHAPTER SIX

CONCLUSION

Building a Better Border

There is much reason to conclude from the findings in this research that the push for progressive border and immigration reform is in some of the best shape it has ever been in, not only in El Paso, but across both the borderlands and the country. There are still great challenges facing any push for reform, some old, such as the persistence of poverty, racism, and the marginalization of the border, and some new, namely the constant pressure to devolve federal immigration authority. However, one of the great ironies revealed by this research is that devolution, this new phenomenon, has effectively been a mechanism by which not only have pro-reform forces gotten themselves more organized, but they have also emerged with a more progressive version of border and immigration reform. Devolution, while it opens up a new front in the battle over immigration enforcement, also has forced the pro-reform groups to engage on the local level, something that has proven to be a great strength to the cause of reform. Even while, this has meant having to engage at three distinct scalar levels, it allows tactics and forces practices in the pro-reform groups that are highly useful in the broader push for reform.

Notably, in this regard the movement of activity down to the local level has allowed the push for reform to expand beyond the agenda set by groups that have traditionally been focused almost solely on D.C. This has had the crucial implication of allowing border reform to enter the conversation along with immigration and

enforcement reform, a crucial step toward progressive reform the importance of which would be difficult to overstate. The disconnection of border and immigration reform over the past two and a half decades has led to a series of policies that even when they bring an immigration reform, and they do not always do so, simply make the enforcement situation worse, particularly at the border. We have had immigration reforms, which have made the border a more militarized, violent place, and have notably facilitated the deaths of thousands of migrants, a human rights catastrophe. The willingness to make such tradeoffs in the name of reform is starting to change, in no small part, because of pan-border, and national coalitions that have started to form, prompted in particular by devolution. Only by demanding reform of border and immigration practices alike, can the U.S. achieve the progressive set of reforms it needs, and, thankfully, this is happening, although the possibility of a tradeoff between immigration reform and border enforcement is a real possibility in the proposed Senate reform.

With this general sentiment in mind, the following section will wrap up some of the major themes running through the thesis, and assess their effects on the chances for progressive border and immigration reform. It will start by looking at how pro-reform organizations are able to respond to the types of power used in debates over border and immigration policy. Particular attention will be paid to how pro-reform groups are able to act across the matrix in ways that not only let them resist specific policies, but also challenge existing frameworks of how these issues are perceived. From there it will move to look at the contest between ‘nlocalized’ and devolutionary frameworks of border and immigration enforcement and draw out the impact of devolution in the face of increasingly organized local opposition, especially along the border. After this, it will

attempt to put the two together, and look at El Paso as an example of ‘progressive nlocalization’, an attempt, in Price’s framework, to remake the place by changing its relation to these issues and to the border. Finally, some conclusions will be reached on the chances for progressive border and immigration policy going forward, although the above certainly hints that it is better positioned than at any point in recent years.

Before getting there, however, it would be wrong not to go through some of the limitations of this work, and potential avenues for future research. In terms of what was done, while the sixteen interviews provided a good cross-section of the population of key actors in El Paso, there is significant room to expand. Getting interviews with people in local law enforcement would be an important addition to this work. Additionally, further interviews with federal officials, particularly those based out of DC would add insights that the original interviews lacked. Similarly, the thesis broadly ignored actors both in Mexico and New Mexico, and adding these additional places would expand the scalar analysis the thesis provides. Additionally, expanding beyond interviews would allow a much more detailed depiction of the strategies described here. Participant observation, while much too time and resource intensive to be practical in this case, would offer a good method for expanding on the findings presented here. Finally, the story around immigration and border reform is not over, and repeating this investigation in the future would add helpful perspective as to how these methods of pursuing reform have developed.

A Final Reprise of the Organizational/Power Matrix

A straightforward fight for border and immigration reform would be a step in the right direction, but reality requires the organizations pressing for reform to be adaptive,

and to be able to actively engage a number of different forms of power at any given time in order to be successful. In order to achieve their desired change, reformers must be able to overcome frames of the borderlands that create fear and alienation from the rest of the country, keep their agenda on the table, and propel it to victory over its opponents. Further complicating matters, at the same time, these reformers must work to check practices and policies that would make the situation worse, particularly through devolution. This would be a lot for any one organization or activist to be able to do, and no person, organization, or government body observed in El Paso would be able to navigate all of these activities and forms of power alone. They are not asked to do this alone, however, and the networks and coalitions that have developed among the entities pushing for reform allow them more maneuverability across this matrix. Indeed, this maneuverability is facilitated not only by coalitions at the local level, but also those networks that have developed across the borderlands, across Texas, and across the nation. The final story of the organizational/power matrix is one of the victory of coalitions and the inter-organizational division of labor, a true boon for the cause of reform.

The profiles of government and organizational activities discussed earlier showed that individual governments or organizations were able to engage the forms of power and organization presented in the matrix in numerous ways. Individually, these means were often limited. El Paso County is limited to lobbying and to lawsuits, allowing it to engage only two of the different forms of power by itself. And this is an example of a particularly capable entity, while many of the pro-reform organizations active in El Paso lack a means to affect any of these forms of power, yet they have integral knowledge of what reform must entail. What allows these organizations efficacy in pushing for reform

is their ability to form coalitions and harness the talents and knowledge of each component in a cohesive and organized manner. Through coalitions with officials and activists around the State of Texas, pro-reform advocates are able to harness indirect power and keep legislation promoting the devolution of immigration enforcement from reaching the floor of the state legislature. Through connections to organizations around the country, pro-reform leaders are able to make effective use of direct power by focusing everyone's activism behind a cohesive set of reforms. By organizing across the borderlands, reformers have been able to use hegemonic power and effectively change the conversation about reform to include border, as well as immigration, reform.

This is an interesting point, because it introduces a scalar factor into the nature of these power relationships. As these organizations scale up, and as they generate connections between them that allow that scaling up, they are more effective at negotiating these various forms of power. Indeed, we should take the fact that such transformations of the national discussion of border and immigration reform have only started to happen after the emergence of scaled up, pan-border coalitions, as a key piece of evidence that this is the case. Scaling up then is a critical piece of this matrix, not only does it allow individual actions such as lobbying, a form of direct power, to be more effective, but it gives these organizations access to other forms of power that they would not have had. Indeed, even if nothing happens policy-wise with reform in the short term, it makes sense to expect the ability of pro-reform coalitions to continue to improve as organizations further coalesce, and as the division of labor becomes more refined as a result. In the long term then, we should expect those pushing for border and immigration

reform to have a better grasp of the forms of power at play in these debates, and consequently, improved long term chances for reform.

Not all aspects of the organizational/power matrix are equally positioned, however, and while the combination of scaling up and coalition building, has improved the position of the pro-reform movement, it is not perfect. Looking back on the barriers mentioned in the prior section, we see that isolation and marginality are still the largest forces holding back the ability of the borderlands to push for reform, the strength of which limits the ability of pro-reform groups to effectively wield hegemonic power. This is a problem, as overcoming marginality as a barrier to reform, requires the use of hegemonic power, above all other tactics. To this end, devolution may have been a blessing in disguise as it allows communities in the borderlands, and across the country to demonstrate their dissatisfaction with the way that the federal government is approaching border and immigration policy. Openly and publicly challenging the federal government around border and immigration policy is a good way to try and move the conversation in the direction of a progressive border and immigration reform. Progress is being made in this front, as the discussion of scaling up mentioned and as the mention of devolution alludes to, but there is still a long way to go. The fight to change the discussion, to fight the misconceptions held about the borderlands, to change the place of the borderlands with respect to the rest of the country, is the most important fight remaining. It is the fight that pro-reform activists must win in order to consolidate any policy victories they achieve.

‘Nlocalization’ versus Devolution

The point made in the prior section about the possibility of devolution being a ‘blessing in disguise’ is a good transition to a discussion that this thesis has engaged in about a shift of immigration enforcement, and to a lesser extent border enforcement, to a devolutionary framework. Certainly, it is the case that in important ways devolution is happening, and is changing the ways that border and immigration reform must be pursued. It has led to a need for actions oriented as much at defending the status quo, as in pushing for reform, a strange position for the pro-reform community to find themselves in. We certainly see that the pro-reform community views devolution as a step in the wrong direction, that they greatly prefer the traditional ‘nlocalized’ framework. Nevertheless, it seems that the adaptations devolution forced, have brought with them some significant benefits for the pro-reform community. Indeed, if anything, the chances for reform have likely improved as a result of devolutionary pressures, and while returning to a ‘nlocalized’ framework is a necessary goal for achieving progressive border and immigration reform, pro-reform organizations should be careful to preserve many of the structures they built in order to adapt to the threat of devolution.

Given Coleman’s correct condemnation of devolution, it may seem absurd to discuss positive aspects of devolution. To that end, it should be made clear that the positives associated with devolution have nothing to do with devolutionary policy, but rather with the strategic choices taken, and means of resistance devolution has led pro-reform organizations to develop. Having immigration enforcement become a debate at the local level, created a greater role for local activists and made community pressure more likely to find expression. It has also, as Coleman points out, made immigration an

issue across a broader spectrum of communities, opening it to influence from a broader spectrum of activists. What we see is that while past organizing around immigration issues in D.C has been described as being top-down, the need for resistance of immigration devolution at a local scale has led to an increase in the number and power of locally based community driven organizations like BNHR. Furthermore, the rejection of these devolutionary practices, especially in relatively high profile places such as San Francisco, New York City, or even El Paso, is a public show of displeasure with immigration policy from the pro-immigration side, something that has been largely lacking in public discussion of immigration.

Looking at El Paso, BNHR stands out as a good example of an organization that has gained prominence by leading such a successful grassroots pushback against devolution. They may not have had such a rise in prominence, and thereby ability to interject their constituent's voices into the national discussion if not, ironically, for the organizing opportunity presented by devolution. Furthermore, being able to make a public show of widespread resistance to devolution is helpful, especially because it pushes things back towards the federal level. Devolution has allowed a much more grassroots set of organizations, more representative of communities on the ground, and that have particularly improved representation for border communities, to lead the push for reform. Obviously, it would be better to not have to fight these battles at all, and simply keep things at the federal level. However, given that devolution has happened, making that wish moot, what we see is a sort of lemons-to-lemonade process. Having to fight devolution at the state and local level has forced pro-immigrant organizations to be better organized, and more reflective of, and more responsive to, impacted communities

like El Paso or the border more broadly. This not saying that devolution should be accepted, or that devolution is desirable, but rather that it has forced responses in the pro-immigrant community that seem to improve the chances of progressive reform in the long-run.

It seems unlikely that reform would come directly from the fight over devolution, as this fight is really aimed at reestablishing the dominance of a ‘nlocalized’ framework rather than directly pushing for reform. However, the indirectness of this does not mean that the fight to block devolution stands in the way of pushing for greater border and immigration reforms. Rather, working for reform may well benefit from the strategies learned in dealing with devolution. Indeed, it seems unlikely that the organization or effort that has been observed would have occurred without the threat of devolution looming over the situation. What is important to remember then, is that even though these practices emerged in one specific situation, they are still applicable and useful in the broader effort for reform.

El Paso as an Example of Progressive ‘Nlocalization’

The push for reform in El Paso has benefited from its successful resistance to devolution, but it has also moved beyond that; it has been able to harness these strategies to shape the more traditional, ‘nlocalized’ framework for immigration and border issues in a more progressive direction. In doing so, we see that the groups pushing for reform in El Paso have not been limited in how they apply the lessons they have learned from devolution. Coalitions, a highly specialized division of labor, and efforts to ‘scale up’ the push for reform have become cornerstones of strategies demonstrated by the organizations and activists working out of El Paso. Furthermore, the organizations

operating out of El Paso seem committed to using these lessons not only in their own efforts, but in promoting and organizing around them with activists in other places. Doing so makes these strategies more valuable and more effective, for many reasons discussed earlier. It also serves to broaden the strategies available in the cause of reform, something that further improves the chances for a reform succeeding.

Of course, the reform that emerges, if any, may not necessarily be sufficient to address the plethora of human and civil rights concerns that demand attention. However, applying more broadly the lessons of combating devolution has made for a more progressive push for border and immigration reform. Coalition building, both locally and, more importantly, across the country, has allowed discussions of reform to expand in a manner that addresses the need for both border and immigration reform. It has allowed service organizations that have generally been disconnected from the activities of organizations seeking policy reform to help participate in shaping what should be done and how. Equally important, it has allowed policy reform, so long focused on D.C., to reconnect with the grassroots support for reform, both adding to the legitimacy of the push for reform and better addressing the issues that face border and immigrant communities. At the forefront of this, and hard to overstate in importance, is the fact that border reform has entered the conversation. This is critical in addressing human rights issues, especially the deaths that have resulted from U.S. border enforcement tactics. It has only entered the conversation as a result of the ability of the borderlands, through places such as El Paso, to inject itself into the national discussions of reform.

This has come through a return to the ‘nlocalized’ framework, but taking advantage of the tactics and lessons of devolution successfully to alter this framework so

as bring the local scale into greater contact with the national. No longer are the localities of border and immigration enforcement only sites of the imposition of federal power, but now they are adapting this relationship linking federal and local to allow the local to enter into discussion about policy. The return to the ‘nlocalized’ framework puts them into the position to do this, but it is the tactics taken from fighting devolution that offers the chance to make the push successful. This combination, by allowing the inversion of the relationships that have defined ‘nlocalization’, allows for progressive reform. El Paso, by leading the efforts both in resisting devolution, and in adopting the tactics from that effort, has accomplished this and so puts itself in a great position to lead a progressive border and immigration reform. El Paso has made itself into a center for a progressive ‘nlocalization’, and by doing so, and by working to spread this, has helped open the chance for a truly comprehensive, truly progressive border and immigration reform.

Essentially this gets back to the point Price made in discussing the nature of place as a constructed entity. What the pro-reform movement in El Paso has been able to do is to reconstruct the place of the borderlands in a fashion that aims to fundamentally alter its relationship to other places. By altering the nature of the ‘nlocalized’ relationship El Paso has to the federal immigration and border policy, this effectively is changing how it is constituted as a place, no longer to be a site of exclusion and interdiction, and how it relates to other places, becoming part of the broader conversation around border and immigration issues. Not only does this work to promote a progressive set of border and immigration reforms, but because it is premised on this change in how El Paso relates to other places, it constitutes the development of El Paso as a progressive place. The implications of this are significant as it signals a willingness in the community to

challenge how El Paso as a place is constituted and relates to other places, which creates this progressive ideal, not only around that one issue, but rather as an essential part of how the place is defined. Furthermore, the attempts out of El Paso to involve the entire borderlands in this altered relationship between the federal and the local, can be seen as an attempt to recast the entire region as a progressive place.

Chances for a Progressive Border and Immigration Reform

There is an opening, then, for a progressive reform to occur. This is significant progress, and there is much to be optimistic about in the fact that such an opening has emerged. There has been a lot of effort that has gone into creating this opportunity, into reworking this relationship between the communities of the borderlands and the federal government, and it seems to be paying off. People have been brought together from communities, service organizations, policy-making bodies, and academic circles to get to here. They have come together across cities, across states, across the borderlands, and across the country to get here. The coalitions have expanded the abilities of those pushing for reform, the division of labor has made these efforts more efficient, and scaling up has created conversations that are crucial to reform occurring. The quick conclusion then is that the chances for a progressive reform are better now than they have been in some time. Furthermore, significant positive changes have occurred in how immigration and border issues are viewed, especially on the border and in places near the border, in ways that would be hard to undo. The significance of this opportunity, and the potential for permanence in how this issue is dealt with, both bode well going forward.

However, even with this in mind, the path to reform is not entirely clear. As good as the chances for reform are now, especially compared to what they have been in the

past, there are significant and difficult obstacles still to be overcome. Foremost among these, as has been mentioned at length, is the intentional social isolation and marginalization of the borderlands that works to deny their participation in political processes, even those involving things that affect those places. The opening that has been generated so far is a start, and has brought down some of the weakest of those barriers, such as those keeping border reform out of the discussion, but as the quotes mentioned in the section on limitations indicated, there is quite a ways to go. Furthermore, this isolation and marginalization has meant that the borderlands have always been defined in the eye of the interior on someone else's terms, a fact that puts a progressive border and immigration reform at a disadvantage in public debates. Changing these perceptions will be a long process, and the ability of reformers to implement some of the most needed, but farthest reaching changes through legislation will be limited until that change occurs. Work with administrative changes may be easier to make, as they are not necessarily up to the same level of public scrutiny as legislation. With this in mind, it seems to make sense to pursue changes within DHS, at least in the near-term.

What we see then is that the chances for progressive reform in the status quo are relatively good and improving. Still the remaining barriers to such reform will likely block the significant changes that need to be made from happening in the short term. Certainly, it is hard to ask for patience around an issue where several hundred people die every year, among other things needing to be addressed, but that seems to be exactly what needs to be done now. The pro-reform movement out of El Paso and the borderlands seems to have synthesized their experiences into an effective way to bring about reform, but they need more time to do so. There are legitimate concerns about

backsliding, about the separation of border and immigration reforms, about what the political situation will be like in the Congress going forward, all of which press for action now. And, action should be pushed for now, for maintaining pressure helps keep those concerns minimized. However, it is unrealistic to expect such pressure to succeed in the short term. This is not a hopeless situation though, as this paragraph's opening sentence suggests. Considering the successes that these strategies have had, there seems little that would be able to prevent long term reforms from happening. Given the infeasibility, impracticality, and inhumanity of current U.S. border and immigration policy, efforts for reform must be maintained. That these efforts can succeed is a testament to the skill, effort, and vision of those involved to create a better tomorrow for both the people and places of the borderlands.

There are important lessons that can be drawn and generalized from the El Paso case. Foremost, devolution has allowed this sort of immigration and border reform activity anywhere, and as devolution pursues greater enforcement everywhere, then resistance to devolution and the pursuit of progressive reform must happen everywhere, and can succeed anywhere. While resistance to devolution has sought to restore a 'nlocalized' relationship around immigration, it is the case that the results of devolution mean that this 'nlocalization' must include a much broader swath of localities. It also calls our attention to the need to reform border policy as well as immigration policy, informing not only how the pursuit of progressive reforms occur, but also what must go into a progressive reform. Additionally, the tactics emerging out of El Paso, emphasizing community driven coalitions, are certainly generalizable, something that can be observed as these coalitions have spread across the borderlands and even across the country. The

spread of these will only allow those pursuing border and immigration reform a broader range of action and a greater chance of success. Finally, the need to address the misperceptions of the border that drive the current flawed approaches is something that goes well beyond El Paso. This is a massive undertaking that must look to undo decades of marginalization, racism, economic discrimination, and more, but that must be accomplished for reform to be successful.

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