

# Redrawing the Line

Peter Andreas

## Borders and Security in the Twenty-first Century

**B**order control—the effort to restrict territorial access—has long been a core state activity.<sup>1</sup> As territorially demarcated institutions, states have always imposed entry barriers, whether to deter armies, tax trade and protect domestic producers, or keep out perceived “undesirables.” All states monopolize the right to determine who and what is granted legitimate territorial access.<sup>2</sup> But there is significant historical variation in border control priorities. Although military defense and economic regulation have traditionally been central border concerns, in many places states are retooling and reconfiguring their border regulatory apparatus to prioritize policing. Thus, rather than simply eroding, as is often assumed, the importance of territoriality is persisting—but with a shift in emphasis.<sup>3</sup> In many cases, more intensive border law enforcement is accompanying the demilitarization and economic liberalization of borders.

The policing objective is to deny territorial access to what I term “clandestine transnational actors” (CTAs), defined as nonstate actors who operate across national borders in violation of state laws and who attempt to evade law enforcement efforts. CTAs are as dramatically varied as their motives. They may be driven by high profits and market demand (e.g., drug traffickers and migrant smugglers), the desire to carry out politically or religiously inspired acts of violence (terrorists), or the search for employment or refuge (the vast majority of unauthorized migrants). They may be highly organized or disorga-

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1. Malcolm Anderson, *Frontiers: Territory and State Formation in the Modern World* (Cambridge: Polity, 1996).

2. Stephen D. Krasner, “Power Politics, Institutions, and Transnational Relations,” in Thomas Risse-Kappen, ed., *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures, and International Institutions* (New York: Cambridge University Press, 1995), p. 268; and Samuel P. Huntington, “Transnational Organizations in World Politics,” *World Politics*, Vol. 25, No. 3 (April 1973), pp. 333–368.

3. Territoriality is “the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships by delimiting and asserting control over a geographic area.” Robert David Sack, *Human Territoriality: Its Theory and History* (New York: Cambridge University Press, 1986), p. 19.

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nized and operate regionally or globally. Nevertheless, these otherwise radically different types of CTAs have some core common characteristics: They are the targets of border controls, and their border-crossing strategies are designed to avoid detection and minimize the risk of apprehension. CTAs have existed in one form or another as long as states have imposed border controls. What has changed over time are the organization of CTAs and their methods and speed of cross-border movement; state laws and the form, intensity, and focus of their enforcement; and the level of public anxiety and policy attention.

Although the methods of policing CTAs vary considerably both at and beyond physical borderlines, they can be collectively categorized as “border controls” given that the goal is to selectively deny territorial access. The intensification of border controls in recent years is evident in sharply rising law enforcement budgets; new and more invasive laws; the development of more sophisticated surveillance and information technologies; stricter visa regimes and more technologically advanced and forgery-resistant travel documents; enhanced cooperation with source and transit countries and a greater extension of tracking and control mechanisms beyond the point of entry (i.e., a “thickening” of borders and the creation of buffer zones); and in some places, growing use of military and intelligence hardware, personnel, and expertise for policing tasks. The importance of policing territorial access is also evident in the rising prominence of law enforcement in international diplomacy and in the policy discourse about borders, with many states formally promoting policing from the traditional status of “low politics” to the “high politics” of security. These border changes are most apparent in the advanced industrialized regions of the world, especially the United States and the European Union (EU), and have been substantially reinforced and accelerated by the policy response to the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001. Although popularly called a “war,” much of the day-to-day activities of counterterrorism resemble crime fighting more than war fighting.

Despite the increasing salience of policing CTAs in world politics, this has not been a central area of study in international relations.<sup>4</sup> Even the expansive literatures on transnational relations and globalization have had little to say about the clandestine side of the transnational world and state efforts to police

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4. A notable exception is Ethan Nadelmann, “Global Prohibition Regimes: The Evolution of Norms in International Society,” *International Organization*, Vol. 44, No. 4 (Fall 1990), pp. 479–526. See also H. Richard Friman and Peter Andreas, *The Illicit Global Economy and State Power* (Lanham, Md.: Rowman and Littlefield, 1999).

it.<sup>5</sup> Police matters have typically been bracketed by international relations scholars, left to criminologists and criminal justice specialists who have mostly focused on domestic issues such as local crime control.<sup>6</sup> While the dynamics of border law enforcement and law evasion have been a growing concern of policymakers, international relations debates over borders and territorial controls have tended to concentrate on conventionally defined military and economic issues. On the one hand, many international relations scholars have concluded that the decline of militarized interstate border disputes and the growing economic permeability of borders have made borders and territorial controls increasingly irrelevant. On the other hand, many traditional security scholars continue to insist on the enduring primacy of military border concerns. Challenging both of these common views, I argue that borders are not eroding or remaining unchanged, but are being recrafted through ambitious and innovative state efforts to territorially exclude CTAs while assuring territorial access for “desirable” entries.

In the next section, I briefly examine leading accounts of borders and territorial controls in the international relations literature. I then trace the recent expansion of border policing in the United States and the EU, where growing anxiety over CTAs not only has transformed state border regulatory practices and cross-border relations, but has blurred traditional distinctions between external and internal security. Territorial politics in both places, I suggest, is increasingly defined by territorial policing, creating a new geopolitics based on law enforcement concerns. I conclude by emphasizing that regardless of its effectiveness as an instrument of territorial exclusion, border policing has high symbolic and perceptual appeal and will likely continue to be an increasingly important state activity.

### *Contending Views of Borders and Territorial Controls*

Borders have traditionally been viewed first and foremost in military terms. The vast majority of interstate wars, after all, have historically been about terri-

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5. Transnational relations are “regular interactions across national boundaries when at least one actor is a non-state agent or does not operate on behalf of a national government or an intergovernmental organization.” Thomas Risse-Kappen, “Bringing Transnational Relations Back In: Introduction,” in Risse-Kappen, *Bringing Transnational Relations Back In*, p. 3.

6. One indicator of the neglect of policing in international relations is the virtual absence of articles on the subject in leading journals in the field, such as *International Organization*, *International Security*, *International Studies Quarterly*, and *World Politics*. On the need for criminologists to focus more on cross-border activities, see William F. McDonald, “The Globalization of Criminology: The Next Frontier Is the Frontier,” *Transnational Organized Crime*, Vol. 1, No. 1 (Spring 1995), pp. 1–22.

torial defense and conquest.<sup>7</sup> Early geopolitical thinking stressed the centrality of territorial competition and acquisition.<sup>8</sup> Classic geopolitical analysis fits comfortably within a realist theoretical framework, with its emphasis on interstate conflict over territory.<sup>9</sup> In the view of Robert Gilpin, states have always had “the conquest of territory in order to advance economic, security, and other interests” as a principal goal.<sup>10</sup> Not surprisingly, the influence of realism is most evident in security studies, which has overwhelmingly focused on strategies of war making and war preparation. As Stephen Walt puts it, “The main focus of security studies is easy to identify . . . it is the phenomenon of war.”<sup>11</sup> In the realist conception of security, threats are external and military based, and the actors are rational unitary states. Borders are strategic lines to be militarily defended or breached. State survival is based on the deterrent function of borders against military incursions by other states. The realist view of borders and territorial security thus is fundamentally about interstate rather than transnational relations.<sup>12</sup>

There are obvious historical reasons for this military-focused worldview. As Charles Tilly and others have documented, the modern state was created as a war machine: States made war and war made states.<sup>13</sup> Yet state making is a continuous process. Major interstate military conflicts have greatly diminished, and borders are rarely contested militarily. There has been a sharp downturn in the use of force to alter interstate boundaries. This astonishing border trend is partly the result of growing international respect for what Mark Zacher calls the “territorial integrity norm.”<sup>14</sup> Consequently, the traditional military function of borders has become much less important than in the past.

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7. John Keegan, *A History of Warfare* (New York: Alfred A. Knopf, 1993).

8. For a review of conceptions of territory in the study and practice of international relations, see Thomas J. Biersteker, “State, Sovereignty, and Territory,” in Walter Carlsnaes, Thomas Risse, and Beth A. Simms, eds., *Handbook of International Relations* (Thousand Oaks, Calif.: Sage, 2002), pp. 157–175.

9. See, for example, John J. Mearsheimer, *The Tragedy of Great Power Politics* (New York: W.W. Norton, 2001).

10. Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), p. 23.

11. Stephen M. Walt, “The Renaissance of Security Studies,” *International Studies Quarterly*, Vol. 35, No. 2 (June 1991), pp. 212–213.

12. This is especially true of neorealism. See Kenneth N. Waltz, *Theory of International Politics* (Reading, Mass.: Addison-Wesley, 1979). For a rare realist analysis of transnational relations, see Stephen D. Krasner, “Power Politics, Institutions, and Transnational Relations,” in Risse-Kappen, *Bringing Transnational Relations Back In*, pp. 257–279.

13. Charles Tilly, *Coercion, Capital, and European States: A.D. 990–1992* (Cambridge, Mass.: Blackwell, 1992).

14. Mark W. Zacher, “The Territorial Integrity Norm: International Boundaries and the Use of Force,” *International Organization*, Vol. 55, No. 2 (Spring 2002), pp. 215–250.

There is no equivalent norm to inhibit nonstate actors from crossing borders in violation of state laws. And states have increasingly defined many CTAs as “new” security threats, merging internal and external security concerns and providing a rationale for more expansive border controls and policing powers. This shift away from traditional military border concerns and toward law enforcement concerns tends to be overlooked by those realists who insist that there will soon be a return to military rivalry and conflict among major powers.<sup>15</sup> As a result, there is a widening gap between the traditional realist conception of security and borders and what many states are actually doing in the realm of security and border defenses. The gap between theory and practice has become even more pronounced in the post–September 11 security environment.<sup>16</sup> Transnational law evaders rather than interstate military invaders increasingly drive state border security priorities. Geopolitics is alive and well, but is increasingly based on policing matters.

Challenging realism, globalists point not only to the declining military relevance of borders but also to the border-blurring effects of “globalization,” generally characterized as an intensification of interdependence and cross-border interactions.<sup>17</sup> Indeed, some scholars consider the supposed declining importance of borders as part of the very definition of globalization.<sup>18</sup> Major transformations—the internationalization of production, the liberalization of trade, the mobility of finance, and advances in transportation and communication technology—are viewed by globalists as key indicators of border erosion. Since the 1970s, many scholars have argued that these technological and economic changes facilitate and encourage growing cross-border linkages between societal actors and diminish the primacy of traditional security concerns.<sup>19</sup>

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15. See John J. Mearsheimer, “Back to the Future: Instability in Europe after the Cold War,” *International Security*, Vol. 15, No. 1 (Summer 1990), pp. 5–56.

16. Peter J. Katzenstein notes that terrorism is an issue that has long been at the margins of security studies. Katzenstein, “September 11 in Comparative Perspective: The Counter-Terrorism Campaigns of Germany and Japan,” paper presented at the annual meeting of the American Political Science Association, Boston, Massachusetts, August 29–September 1, 2002, p. 6.

17. The term “globalists” is similarly used by Virginie Guiraudon and Gallya Lahav to refer to scholars who view borders as declining in relevance in an increasingly interdependent and integrated world. See Guiraudon and Lahav, “A Reappraisal of the State Sovereignty Debate: The Case of Migration Control,” *Comparative Political Studies*, Vol. 33, No. 2 (March 2000), pp. 163–195.

18. Edward S. Cohen, for example, defines globalization as “a set of economic, cultural, and technological processes that are reducing the significance of territorial boundaries in shaping the conditions of life of persons and societies.” See Cohen, “Globalization and the Boundaries of the State: A Framework for Analyzing the Changing Practice of Sovereignty,” *Governance*, Vol. 14, No. 1 (January 2001), p. 81.

19. See Robert O. Keohane and Joseph S. Nye, eds., *Transnational Relations and World Politics* (Cambridge, Mass.: Harvard University Press, 1971).

Whether celebrated or bemoaned, a popular view is that the state is bowing to global market forces and pressures from nonstate actors. In the liberal variant of this globalist perspective, more pacific “trading states” are replacing traditional “warfare states,” with economic exchange prioritized over territorial conquest.<sup>20</sup>

Globalists therefore see borders as increasingly blurred and open, becoming bridges for commercial transactions rather than economic barriers and fortified military lines. Global economic transformations seem to confirm this. For example, encouraged by economic liberalization, the volume of world trade in goods and services increased by more than 39 percent between 1995 and 2001.<sup>21</sup> Tariff barriers have declined dramatically. As the *Economist* has put it, “Every continent bar Antarctica now has its own frontier-lowering trade pact.”<sup>22</sup> Trade tariffs for industrialized countries fell from nearly 10 percent in 1980 to 4 percent in 1999, while tariffs for less industrialized countries fell from 27.6 percent in 1980 to 11.3 percent in 1999.<sup>23</sup> Encouraged by deregulation, financial flows have become particularly mobile, with some \$1.5 trillion moving through the world’s foreign exchange markets every day.

The eroding economic importance of borders is part of what one scholar calls the “unbundling” of territoriality.<sup>24</sup> Another observer suggests that globalization is about “debordering the world of states.”<sup>25</sup> James Rosenau sums up the globalist conventional wisdom: “The close links between territory and the state are breaking down. . . . In the political realm . . . authority is simultaneously being relocated upward toward supranational entities, sideward toward transnational organizations and social movements, and downward toward subnational groups and communities. . . . These shifting tendencies are diminishing the competence and effectiveness of states and rendering their borders more porous and less meaningful.”<sup>26</sup> One upbeat market liberal even

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20. Richard N. Rosecrance, *The Rise of the Trading State: Commerce and Conquest in the Modern World* (New York: Basic Books, 1986).

21. International Monetary Fund, *World Economic Outlook* (Washington, D.C.: IMF, April 2002), p. 195.

22. “Good Fences,” *Economist*, December 19, 1998, p. 19.

23. For data on global trade trends, see <http://www.worldbank.org/research/trade>.

24. John Gerard Ruggie, “Territoriality and Beyond: Problematizing Modernity in International Relations,” *International Organization*, Vol. 47, No. 1 (Winter 1993), pp. 139–174.

25. Joachim K. Blatter, “Debordering the World of States: Towards a Multilevel System in Europe and a Multi-Polity System in North America? Insights from Border Regions,” *European Journal of International Relations*, Vol. 7, No. 2 (June 2001), pp. 175–209.

26. Quoted in T.V. Paul, “States, Security Function, and the New Global Forces,” Working Paper No. 10 (Montreal: Research Group in International Security conference, University of Montreal/McGill University, November 3–4, 2000), p. 8.

argues that a “borderless world” is on the horizon, and that dynamic cross-border regions are becoming more important than states.<sup>27</sup> This perspective stresses the benign, pacifying effects of interdependence and globalization. It also assumes that this necessarily leads to the rollback of the regulatory state and an erosion of borders and territorial controls.

There are important elements of truth in these globalist claims of change. Yet they too often miss or understate the more complex dynamics of state territorial retreat and reassertion, of border erosion and reinforcement at the same time. A more nuanced perspective recognizes that territorial controls have multiple forms and functions that can vary dramatically across place and time. Table 1 illustrates these border shifts.

Although the traditional military and economic functions of borders have indeed declined, the use of border controls to police the clandestine side of globalization has expanded. Globalization may be about tearing down economic borders, as globalists emphasize, but it has also created more border policing work for the state. At the same time as globalization is about mobility and territorial access, states are attempting to selectively reinforce border controls to territorially exclude CTAs. The reconfiguration of border controls is particularly evident in the United States and the European Union. Although U.S. and EU policing initiatives are in many ways distinct—the U.S. policing mode is more unilateral and bilateral, while the EU mode is more multilateral and embedded in a regional institutional framework involving a pooling of sovereignty—in both places state border strategies reflect an attempt to reconcile the economic imperatives of globalization and regional integration with mounting political pressures to erect more exclusionary barriers.

### *U.S. Border Policing*

Articulating what has become a common view in Washington policy circles, U.S. Deputy Attorney Jamie Gorelick told the Senate Intelligence Committee in 1995: “The end of the Cold War has changed the nature of the threats to our national security. No longer are national security risks exclusively or predominantly military in nature. Transnational phenomena such as terrorism, narcotics trafficking, alien smuggling, and the smuggling of nuclear material all have been recognized to have profound security implications for American policy.”

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27. Kenichi Ohmae, *The Borderless World: Power and Strategy in the Interlinked Economy* (New York: HarperBusiness, 1990).

**Table 1. Military, Economic, and Police Borders.**

<b>Types of Borders</b>	<b>Role/Function</b>	<b>Form/Characteristics</b>	<b>Historical Trajectory</b>
Military borders	Deter interstate military threats	Physical barriers, buffer zones, military alliances, arms races	Decline: demilitarization
Economic borders	Collect revenue/tax commerce, protect domestic producers	Tariffs, quotas, customs houses, foreign exchange controls	Decline: economic liberalization
Police borders	Territorially exclude nonstate clandestine transnational actors	Physical barriers, buffer zones, tracking/inspection of people/goods, "smart borders," pooling sovereignty	Expansion: criminalization

Gorelick concluded that "both conceptually and on the ground," there has been "a real shift in the paradigm of national security."<sup>28</sup> An important component of this shift has been more intensive and extensive border controls to keep out CTAs, first evident in high-profile campaigns against drug trafficking and illegal immigration and substantially sped up and broadened by the policy initiatives following the September 11 terrorist attacks.

#### THE EVOLUTION OF U.S. BORDER CONTROLS

Border controls and concerns about CTAs were virtually nonexistent during the early stages of American state formation. Geographic isolation and the absence of major external threats during the nineteenth century meant that the nation's vast borders were largely unguarded. The federal government, however, did devote significant military resources to counter Southern secessionist efforts during the Civil War and to pacify Native American and Mexican resistance to westward territorial expansion. After the Mexican-American War of 1846–48 and the redrawing of the borderline, the southwest border remained thinly populated and minimally regulated. The border was "nothing more than a barren corridor of boundary markers, border gates, and customs houses."<sup>29</sup> Similarly, the U.S. government's presence along the Canadian bor-

28. Jamie Gorelick, U.S. deputy attorney general, testimony before the Senate Select Committee on Intelligence, 104th Cong., 2d sess., October 25, 1995, p. 61. On the shift in security paradigms, see Peter Andreas and Richard Price, "From War-fighting to Crime-fighting: Transforming the American National Security State," *International Studies Review*, Vol. 3, No. 3 (Fall 2001), pp. 31–52.

29. Lawrence A. Herzog, *Where North Meets South: Cities, Space, and Politics at the U.S.-Mexico Border* (Austin: Center for Mexican-American Studies, University of Texas Press, 1990), p. xii.



der was largely restricted to collecting customs duties. Early U.S. history also included some overlapping policing and military tasks. For example, the U.S. Navy helped to combat piracy on the high seas, and the U.S. Marines formed constabulary forces to target bandits, smugglers, and pirates. But for the most part, policing was internally focused and driven by local concerns. Federal policing capacity and authority remained anemic.<sup>30</sup> Border controls focused almost exclusively on collecting revenue: Duty collected by the U.S. Customs Service was by far the single most important source of revenue for the federal government up until the eve of World War I. Two of the leading CTAs that currently preoccupy U.S. border enforcers—drug traffickers and migrant smugglers—were not even law enforcement concerns because drugs such as opium and marijuana were legal and immigration remained minimally regulated until the twentieth century.

The country's failed experiment with alcohol prohibition as well as the first major attempt to restrict immigration early in the twentieth century propelled the development of a border enforcement apparatus for the first time, including the creation of the U.S. Border Patrol in 1924. But after the end of Prohibition in 1933, border policing remained a relatively low-maintenance and marginalized activity commanding little national attention. Not surprisingly, most border worries during the Cold War were military focused, prompting the construction of an expansive national security apparatus. The development of long-range bombers and intercontinental ballistic missiles dramatically increased the nation's sense of territorial vulnerability. Fears of a Soviet nuclear strike in the 1950s sparked a bomb shelter construction boom, and in 1962 the Cuban missile crisis brought the nation to the brink of nuclear war. The doctrine of mutually assured destruction seemed to confirm what the geographer Jean Gottman called the decline of the "shelter function" of borders.<sup>31</sup> John Herz similarly argued that nuclear weapons had undermined the "hard shell" of the state.<sup>32</sup>

The thawing of the Cold War reduced the nation's sense of territorial military vulnerability, but new concerns over nonstate "transnational threats" were already being loudly voiced. President Ronald Reagan's "war on drugs" included a 1986 security directive that formally elevated drug trafficking to the

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30. Lawrence M. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993).

31. Jean Gottman, *Significance of Territory* (Charlottesville: University Press of Virginia, 1973).

32. John H. Herz, *International Politics in the Atomic Age* (New York: Columbia University Press, 1959).

status of a national security threat. In September 1989, President George H.W. Bush (who as Reagan's vice president spearheaded the South Florida Task Force drug interdiction effort) devoted his first nationally televised speech to declaring a new antidrug offensive. This included a greatly expanded border drug control role for the armed forces. Fueled by concerns about drug traffickers and other CTAs, the United States rapidly extended its police presence overseas, with some 1,649 U.S. law enforcement personnel operating abroad by 1995. U.S. relations with many of its southern neighbors became "narcotized," as the antidrug campaign replaced anticommunism as the driving force of U.S. security policy in the region. Drug enforcement provided the rationale for the December 1989 military invasion of Panama and arrest of its leader, Gen. Manuel Noriega, which was the first U.S. military intervention after the fall of the Berlin Wall only a month earlier.<sup>33</sup> The U.S. Southern Command in Panama was turned into a forward base in the drug interdiction campaign. With substantial pressure and support from Washington, many Latin American drug-exporting and transit countries deployed their militaries to the front lines of the escalating "drug war." For neighboring Mexico, demonstrating greater antidrug resolve included a substantial militarization of its drug enforcement efforts, which in turn helped to create the political conditions for closer economic ties to the United States and the economic opening of the U.S.-Mexico border through the North American Free Trade Agreement (NAFTA) in 1994.<sup>34</sup> Further south, the 2000 \$1.3 billion U.S. counternarcotics aid package to Colombia has primarily involved military assistance, making the country one of the world's top recipients of U.S. military aid.

Since the 1980s the federal government has also devoted considerable resources to hardening the southern U.S. land and sea borders, mostly targeting drug trafficking and unauthorized immigration. A favorite maritime immigration control tactic has been placing U.S. Coast Guard vessels in international waters near Caribbean nations to interdict vessels carrying migrants. Sea patrols have been backed up by "migration diplomacy" to secure source country cooperation in inhibiting the launching of migrant smuggling vessels.<sup>35</sup> Im-

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33. Jorge I. Domínguez, "The Powers, the Pirates, and International Norms and Institutions in the American Mediterranean," in Michael C. Desch, Jorge I. Domínguez, and Andres Serbin, eds., *From Pirates to Drug Lords: The Post-Cold War Caribbean Security Environment* (Albany: State University of New York Press, 1998).

34. Peter Andreas, *Border Games: Policing the U.S.-Mexico Divide* (Ithaca, N.Y.: Cornell University Press, 2000).

35. See Christopher Mitchell, "The Political Costs of State Power: U.S. Border Control in South Florida," in Peter Andreas and Timothy Snyder, eds., *The Wall around the West: State Borders and Im-*

migration control concerns even prompted the deployment of U.S. military forces to Haiti in 1994. At the U.S.-Mexico border—the most important entry point for the smuggling of drugs and migrants into the country—the main policing strategy has been to concentrate enforcement resources and personnel at major urban areas in high-profile displays of force, pushing unauthorized border crossers to attempt entry in more remote and harsher terrain that is less visible and farther from the public and media eye. Making the border more difficult to cross has also made it a more lethal border for unauthorized entrants, with hundreds of people dying every year.<sup>36</sup>

The spectacular growth of federal law enforcement agencies in recent years reflects the heightened policy attention to border control and CTAs. Law enforcement has been the fastest area of federal government expansion since the end of the Cold War, and its biggest components have been immigration control, drug enforcement, and counterterrorism. In constant 2001 dollars, the budget of the Department of Justice (DoJ) more than doubled between 1991 and 2002, from about \$15 billion in 1991 to about \$34 billion in fiscal year 2002. Within DoJ, the budget of the Immigration and Naturalization Service (INS) for border enforcement almost tripled between 1995 and 2001, reaching more than \$2.5 billion by 2002.<sup>37</sup> By the end of the decade, the INS had more employees authorized to carry guns than any other federal law enforcement force.<sup>38</sup> A growing number of INS investigative personnel have also been stationed in some forty offices overseas to combat document fraud and migrant smuggling.

The U.S. military has also assumed a variety of border policing duties to help deter CTAs. Making this possible is the partial loosening of the 1878 Posse Comitatus Act, the Civil War-era law prohibiting military involvement in domestic law enforcement. Although the Pentagon had long resisted taking on nontraditional tasks such as policing CTAs, the end of the Cold War created both increased political pressure on, and greater willingness within, the military to embrace new missions. The 1989 Defense Authorization Act designated

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*migration Controls in North America and Europe* (Lanham, Md.: Rowman and Littlefield, 2000), pp. 81–91.

36. Wayne Cornelius, “Death at the Border: Efficacy and Unintended Consequences of U.S. Immigration Control Policy,” *Population and Development Review*, Vol. 27, No. 4 (December 2001), pp. 661–685.

37. Belinda I. Reyes, Hans P. Johnson, and Richard Van Swearingen, *Holding the Line? The Effects of the Recent Border Build-up on Unauthorized Immigration* (San Francisco: Public Policy Institute of California, 2002), p. v.

38. “INS: Is Gatekeeper Working?” *Migration News*, Vol. 7, No. 9 (September 2000), [http://migration.ucdavis.edu/mn/archive\\_mn/sep\\_2000-03mn.html](http://migration.ucdavis.edu/mn/archive_mn/sep_2000-03mn.html).

the Department of Defense as the lead agency for the detection and monitoring of air and sea transport of illegal drugs into the country. Joint Task Force Six was established in the fall of 1989 at Fort Bliss, Texas, becoming the main military antidrug unit providing support for civilian law enforcement agencies along the southern border. Although not authorized to make arrests, military personnel have been deployed for a variety of border enforcement support activities, such as surveillance, intelligence gathering, cargo inspection, road and fence maintenance, and training.<sup>39</sup> Soldiers from the U.S. Army, Marine Corps, and National Guard conducted more than 3,000 drug and immigration control-related missions along the U.S.-Mexico border in the 1990s, including aerial observation and reconnaissance support for law enforcement.<sup>40</sup> The INS border strategy of “prevention through deterrence,” which has been the centerpiece of U.S. immigration control efforts in the southwest since 1994, was formulated with the assistance of the Pentagon’s Center for the Study of Low-Intensity Conflict.<sup>41</sup> Some observers within the U.S. military foresee a further expansion of militarized policing to keep out CTAs. Writing in *Parameters* (the official quarterly of the U.S. Army War College), Ralph Peters has argued that the “domestic employment of the military appears an inevitable part of our own future, at least on our borders and in some urban environments.” We are living in a “terribly changed and rapidly changing world,” where illegal immigrants, terrorists, drug lords, and organized crime are among the most serious security threats. “The U.S. armed forces,” he urges, “must change with that world, and must change in ways that are fundamental.”<sup>42</sup>

The U.S. intelligence community has also become more involved in law enforcement-related tasks. During the Cold War, there was a much clearer dividing line between law enforcement and intelligence: Law enforcement was mostly a domestic issue, and intelligence was concentrated on geopolitical national security concerns. This line has blurred in the post-Cold War era.<sup>43</sup> In a July 1995 directive, President Bill Clinton ordered the intelligence community

39. Dale E. Brown, “Drugs on the Border: The Role of the Military,” *Parameters*, Vol. 21, No. 4 (Winter 1991–1992), p. 56.

40. John Flock, “Notes and Comments: The Legality of United States Military Operations along the United States–Mexico Border,” *Southwestern Journal of Law and Trade in the Americas*, Fall 1998, pp. 453–476.

41. U.S. Border Patrol, *Border Patrol Strategic Plan: 1994 and Beyond, National Strategy*, (Washington, D.C.: Immigration and Naturalization Service, July 1994).

42. Ralph Peters, “After the Revolution,” *Parameters*, Vol. 25, No. 2 (Summer 1995), p. 11.

43. Richard A. Best, “Intelligence and Law Enforcement: Countering Transnational Threats to the U.S.,” *CRS Report to Congress* (Washington, D.C.: Congressional Research Service, updated December 3, 2001).

to give priority to such transnational issues as organized crime, in addition to its traditional duties. As part of its post-Cold War reinvention, the Central Intelligence Agency (CIA) has taken on new crime-fighting roles, reflected, for example, in the creation of the Director of Central Intelligence Crime and Counternarcotics Center. This is a reversal from past practice: When created in 1947, the CIA was forbidden from engaging in police-related missions. But as the agency has begun to focus on CTAs such as drug trafficking organizations and terrorist groups, this restriction has been more difficult to sustain.

An important element of the U.S. border control architecture has been the use of military and intelligence equipment and technologies to deter or apprehend CTAs. For example, Vietnam-era magnetic footfall detectors and infrared body sensors are scattered along the southwest border. At the westernmost point of the southern California border, U.S. Army reservists have built a ten-foot-high steel wall made from 180,000 metal sheets that were first used for temporary landing fields during military operations. Night-vision equipment used in the 1991 Persian Gulf War has been recycled for border policing. Military X-ray technology developed to detect Soviet missile warheads in trucks has been adapted to detect smuggled goods hidden in cargo.<sup>44</sup> IDENT, an automated biometric identification system first developed by the U.S. Navy to process Haitian refugees in 1992, has been adopted by the INS to create a database of digitized fingerprints of unauthorized entrants caught on the U.S.-Mexico border. The first operational facial recognition system ("face trace") was created by the CIA in the late 1980s and later given to the INS to identify individuals by scanning their facial structures.<sup>45</sup> Encouraged by the military success of Predators and other unmanned aerial drones employed in Afghanistan in 2001 and in Iraq in 2003, U.S. officials are promoting the use of such drones for border control duties at home.<sup>46</sup> To help encourage and facilitate the process of converting military and intelligence hardware and technologies for border enforcement, in 1995 the Border Research and Technology Center was opened in San Diego, operated by Sandia National Laboratory and funded by the National Institute of Justice's Office of Science and Technology.

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44. "DOD Studies X-Ray Techniques for Examining Cargo Containers," *Drug Enforcement Report*, May 23, 1994; William Matthews, "'Toys' Dusted Off for War on Drugs," *Federal Times*, April 16, 1990, p. 17; and "High-Tech Gadgets to Aid Law Enforcement Agencies: New Center to Help Develop Products," *Drug Policy Report*, Vol. 1, No. 6 (July 1994).

45. Susan Gragg, "Facial Recognition at the CIA," *SPIE Proceedings*, Vol. 2933 (1997), pp. 43-47.

46. Jesse J. Holland, "Ridge Says Unmanned Drones Could Be Patrolling Borders by End of the Year," *Associated Press*, May 22, 2003.

The border fence of the future may include invisible fencing (“virtual fencing”) using nonlethal microwave technology developed by the Pentagon that creates burning sensations without actually burning the skin, and some border patrol duties may be carried out by video-equipped (and potentially armed) unmanned dirigibles and robot dune buggies. And at ports of entry, new biometric technologies, such as retinal scanning, will be increasingly utilized to identify unwanted entrants.<sup>47</sup> Although some of the initiatives to build a more technologically advanced border control system were already in place before the September 11 terrorist bombings, both the pace and the ambition of the construction project have dramatically increased since those attacks.

#### U.S. BORDER CONTROLS AFTER SEPTEMBER 11

The September 11 terrorist attacks brought unprecedented attention to “homeland security”—a once obscure term that has quickly become part of everyday security discourse—and has further inflated domestic anxieties about border security. The immediate response to the attacks included a sharp tightening of border inspections and a rush by politicians from across the political spectrum to emphasize the need for more secure borders.<sup>48</sup> Immigration laws also became a favorite (and controversial) new antiterrorism tool for law enforcement authorities, leading to a surge in detentions and deportations of unauthorized immigrants from Arab and Muslim countries. Terrorism has heightened the public’s awareness of and fears about porous borders: According to a Zogby public opinion survey a few weeks after the terrorist attacks, 72 percent of those polled said better border controls and stricter enforcement of immigration laws would help to prevent terrorism.<sup>49</sup> Border strategists have mobilized to adapt the old drug and immigration enforcement infrastructure to the new war on terrorism. It has been a cumbersome retooling process. The INS enforcement system was built to manage large numbers of migrant workers

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47. James Dao, “Refining an Idea as Old as Civilization Itself,” *New York Times*, April 21, 2002, p. 14.

48. For example, Rep. Tom Tancredo (R-Colo.), chairman of the House Immigration Reform Caucus, emphasized that the defense of the nation “begins with the defense of its borders.” Quoted in Jonathan Peterson and Patrick J. McDonnell, “Tightening Immigration Raises Civil Liberties Flag,” *Los Angeles Times*, September 23, 2001, <http://www.latimes.com/news/printedition/front/la-092301immig.story>. Similarly, Sen. Byron Dorgan (D-N.D.) argued that “America can’t effectively combat terrorism if it doesn’t control its borders.” Quoted in Bart Jansen, “Bill Aims to Shore Up Northern Border,” *Portland Press Herald* (Maine), October 4, 2001, p. A1.

49. Zogby International, “Sound Bites,” <http://www.zogby.com/soundbites/ReadClips.dbm?ID=3954>.

crossing the border looking for employment rather than to detect and deter a small number of determined individuals who enter with the intention to commit terrorist acts. Similarly, the U.S. Customs Service had traditionally focused mainly on drug control, and along the shorelines the U.S. Coast Guard had concentrated most of its energies on interdicting drugs and unauthorized migrants. These agencies are being quickly revamped for antiterrorism duties. While facing enormous political pressure, they are also the recipients of substantial new resources. The fiscal year 2003 budget provided more than a \$2 billion increase in border security funding. This includes a 29 percent increase in the budget of the INS, a 36 percent increase in the inspections budget of the Customs Service, and the largest budget increase in the Coast Guard's history.

The September 11 attacks have prompted not only the allocation of more resources for border control but also the consolidation and reorganization of multiple agencies under a new cabinet-level Department of Homeland Security (DHS). The creation of the new department, representing the most significant reorganization of the federal government since the early years of the Cold War, brings together portions of a number of existing border enforcement-related departments and agencies, including the Coast Guard, Customs Service, and the INS. DHS began operating in 2003 with an annual budget of \$37 billion and more than 170,000 employees, and is expected to grow at a rapid pace. The massive reorganization highlights the unprecedented prominence of law enforcement, including border control (by far the single largest DHS budget item), on the post-September 11 security agenda.

In contrast to the earlier U.S. law enforcement buildups against drug trafficking and unauthorized immigration on the southern border, much of the post-September 11 focus is also on the entry of CTAs across the northern border with Canada. Prior to September 2001, there were only 334 U.S. agents assigned to police the northern border, compared with more than 9,000 agents on the U.S.-Mexico border. Thus, the vast openness of the northern border has been an easy political target. Even though none of the nineteen hijackers who masterminded the September 11 attacks entered from Canada, and all had been issued visas by the United States (meaning that the "border control" failure was in the U.S. consulate offices overseas), Canada has often been depicted in the U.S. media as a haven for terrorists who exploit the country's liberal refugee and immigration system. Thus, one of the measures Congress included in the expansive USA Patriot Act of 2001, which substantially increased the enforcement, surveillance, and detention powers of the federal government in re-

lation to noncitizens, is a 300 percent increase in the number of agents assigned to the northern border.<sup>50</sup> National Guard troops have also been deployed to help with patrols and inspections. The Coast Guard now escorts gas and oil tankers and stops all vessels crossing the Great Lakes. Along with new enforcement personnel has arrived new surveillance equipment. For example, in April 2002, the Border Patrol installed sixty-four cameras with night-vision lenses along a remote forty-four-mile portion of the western U.S.-Canada border. A satellite tracking system, the geographic information system, is also being used on the northern U.S. border to detect unauthorized entries.<sup>51</sup>

As a result of the post-September 11 border enforcement crackdown, security has become a new kind of trade barrier. The North American economic integration process suddenly experienced a law enforcement squeeze on the transportation arteries that provide its lifeblood. After the terrorist hijackings, U.S. border inspectors were put on a level-one alert, officially defined as a "sustained, intensive, anti-terrorism operation." The result was a dramatic slowdown of cross-border traffic at enormous economic cost. The United States and Canada conduct \$1.3 billion worth of two-way trade a day, most of which is moved by trucks across the border.<sup>52</sup> Forty thousand commercial shipments and 300,000 people cross the U.S.-Canada border every day. In the days following the September 11 attacks, border waits for trucks hauling cargo increased from about one or two minutes to ten to fifteen hours, delaying shipments of parts and perishable goods. There was a thirty-six-kilometer-long line of trucks backed up at the Ambassador Bridge linking Windsor, Ontario, and Detroit, Michigan. Before September 11, trucks with preclearance could often cross the border in a few minutes.<sup>53</sup> The automobile industry was hit especially hard by the tightening of border security. Ford closed an engine plant in Windsor and a vehicle plant in Michigan due to parts shortages.<sup>54</sup> The repercussions

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50. Charles Doyle, "The USA Patriot Act: A Sketch," *CRS Report to Congress*, April 18, 2002, pp. 1–5.

51. Tom Godfrey, "U.S. Nabs 8,000 Aliens Sneaking over Border," *Toronto Sun*, September 17, 2002, p. 26.

52. A truck crosses the border every two and one-half seconds—adding up to 45,000 trucks a day. See *Rethinking Our Borders: Statement of Principles—Coalition for Secure and Trade-Efficient Borders*, <http://www.cme-mec.ca/national/documents/bordercoalition.pdf>.

53. Nikki Tait and Ken Warn, "Assault on America: Corporate Impact," *Financial Times*, September 17, 2001, p. 30; and Drew Fagan, "It's the Year 2025 . . . There Is No U.S. Border, Has Canada Become the 51st State?" *Globe and Mail*, March 16, 2002, <http://www.globeandmail.com/series/borders/>.

54. According to Mark Nantis of the Canadian Vehicle Manufacturers Association, "The unplanned production loss resulting from parts shortages costs manufacturing facilities approximately \$1 million to \$1.5 million [Canadian dollars] per hour." Quoted in Susan Whelan, "Getting



of tighter border checks were equally visible on the U.S.-Mexico border. For example, in Laredo, Texas, during peak crossing times prior to the terrorist attacks, it took about five minutes for a pedestrian to cross a bridge checkpoint and half an hour for a motorist. After the attacks, the wait jumped to as much as five hours. Wait times elsewhere along the border, such as at the bridges connecting El Paso and Juarez, also increased substantially. Most negatively affected by the delays were electronics, textiles, chemicals, and Mexican factories supplying just-in-time parts to U.S. automobile companies.

The post-September 11 security environment has reshaped not only the practice of border controls but also the politics of cross-border relations.<sup>55</sup> Border control issues and concerns about CTAs substantially define the U.S.-Mexico and U.S.-Canada relationships, with Mexico and Canada discovering the perils and vulnerabilities related to asymmetric interdependence. Although all three NAFTA partners benefit from an interdependent regional economy, Mexico and Canada are much more dependent on trade with the United States than the other way around, and are therefore far more vulnerable to security-related border disruptions.<sup>56</sup> This structural asymmetry powerfully conditions cross-border relations, giving Washington added policy leverage.

Eager to assure that the U.S. border remains economically open, Mexico and Canada have adopted new steps to signal that they are taking border security more seriously. Following the terrorist attacks, the Mexican government detained hundreds of people of Middle Eastern origin, curbed the entry of citizens from a number of Central Asian and Middle Eastern countries, provided U.S. authorities with intelligence information on possible suspects based in Mexico, and targeted bank accounts of suspected terrorists. Mexico also announced the creation of a national immigration database and the setting up of new false document detectors at southern border checkpoints.<sup>57</sup> In the spring of 2003, Mexico deployed thousands of additional troops to tighten security on

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Back to Business: Sixth Report of the Standing Committee on Industry, Science, and Technology," presented at the House of Commons, Ottawa, Canada, November 2001, p. 14.

55. See Peter Andreas and Thomas J. Biersteker, eds., *The Rebordering of North America: Integration and Exclusion in a New Security Context* (New York: Routledge, 2003).

56. For example, while about 25 percent of U.S. trade goes to Canada, 87 percent of Canada's foreign trade is U.S.-bound. Also, 40 percent of Canada's gross domestic product depends on exports to the United States, whereas only 2.5 percent of U.S. GDP is tied to exports to Canada. Public Policy Forum, "Canada's Policy Choices: Managing Our Border with the United States forum," Toronto, Ontario, November 28-29, 2001, p. 23.

57. S. Lynne Walker, "Mexico Seeks Tight Security, but without Hurting Trade," *San Diego Union Tribune*, October 7, 2001, p. A3.

its side of the U.S.-Mexico border, and it announced plans to set up new X-ray machines at southern and northern border crossings. Enhanced Mexican security measures can be viewed as a “thickening” of U.S. border defenses, with Mexico increasingly providing a de facto law enforcement buffer zone. Mexico in turn hopes that its security efforts will help assure smooth flowing cross-border commerce, and eventually translate into a migration agreement with Washington that provides greater legal access to the U.S. labor market for Mexican migrant workers.

Ottawa has also moved to signal its commitment to greater border security following the September 11 attacks. The Canadian government immediately put into place a high state of alert at border ports of entry, increased security at the country’s airports, and added \$176 million (280 million Canadian dollars) in funding for detection technologies and personnel to bolster the security framework.<sup>58</sup> It also pushed new legislation to fight the financing of terrorism, and froze the assets of known terrorist groups. Two thousand officers of the Royal Canadian Mounted Police were also deployed to border patrol and counterterrorism tasks. Tougher immigration control measures have included the introduction of a permanent fraud-resistant resident card for new immigrants, increased detention capacity and deportation activity, and more security screening for refugee claimants.<sup>59</sup> Canada has also tightened its visa regime, including imposing visa requirements on Saudi Arabian and Malaysian visitors. Canadian officials are understandably wary of giving the impression that they are caving in to pressures from Washington, but the political incentives are transparent: Tighten security or face the consequences of a unilateral U.S. hardening of the border. A post-September 11 warning by Secretary of State Colin Powell was interpreted by many Canadians as a threat: “Some nations need to be more vigilant against terrorism at their borders if they want their relationship with the U.S. to remain the same.”<sup>60</sup>

#### CREATING “SMART BORDERS”

The inescapable predicament facing border control strategists is that the massive volume of cross-border trade and travel requires that borders function not

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58. The 2001 budget included C\$7.7 billion (U.S.\$4.8 billion) during the next five years for enhancing security. See chapter 5 of the budget, <http://www.can-am.gc.ca/pdf/bksece.pdf>.

59. See “Canada’s Actions against Terrorism since September 11: Backgrounder,” Canadian Department of Foreign Affairs and International Trade, updated May 2002, <http://www.dfait-maeci.gc.ca/anti-terrorism/canadaactions-en.asp>.

60. Quoted in Greg Weston, “Fix Leaky Borders: U.S.,” *Toronto Sun*, September 20, 2001, p. 7.

simply as barriers against CTAs, but as filters that do not impede legitimate border crossings. Some 1.3 million people, 340,000 vehicles, and 58,000 shipments enter the United States every day. Cargo trade alone has doubled in the last ten years (6 million cargo containers are unloaded every year at U.S. ports) and is expected to double again in the coming decade.<sup>61</sup> Overall, some \$1.35 trillion in imports was processed in 2001. More than 500 million people legally enter the United States every year, of which 330 million are noncitizens. More than 85 percent of these arrive via the nation's land borders with Canada and Mexico. Thus, finding a balance between facilitating the growing volume of legal border crossings and enforcing laws against CTAs is an ever-growing challenge. Rather than giving up any pretence of controlling borders, or simply shutting down borders in the name of security and accepting the astronomical costs, Washington is ambitiously trying to have it both ways: Create borders that perform as better security barriers and as efficient economic bridges at the same time. This goal is articulated in the "smart borders" agreement between Canada and the United States, signed in December 2001 and partly extended to Mexico in the spring of 2002. Director of Homeland Security Tom Ridge and Canadian Deputy Prime Minister John Manley signed a thirty-point action plan designed to "enhance security of our shared border while facilitating the legitimate flow of people and goods."<sup>62</sup> Meeting with Canadian Prime Minister Jean Chrétien at the Detroit-Windsor border crossing, President George W. Bush similarly declared, "This great and peaceful border must be open to business, must be open to people—and it's got to be closed to terrorists and criminals."<sup>63</sup>

A state-of-the-art electronic border filter is being developed in pursuit of this border goal. Some of the technological innovations being touted as part of the new "smart borders" initiative actually predate September 11, but have been expanded and given greater funding and political support as a result of the new prominence of homeland security concerns. Laser visas and an assortment of high-technology equipment are being introduced to more carefully scrutinize border crossers. For example, as part of a new entry-exit system that

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61. Al Baker and John Sullivan, "Port of Entry Now Means Point of Anxiety," *New York Times*, December 23, 2001, p. B1.

62. White House, "Summary of Smart Border Action Plan Status" (Washington, D.C.: White House, September 9, 2002), <http://www.whitehouse.gov/news/releases/2002/09/print/20020909.html>.

63. Quoted in Kathleen Millar, "FAST Processing at the Border," *U.S. Customs Today*, October 2002, <http://www.customs.ustras.gov/xp/CustomsToday/2002/October/fast.xml>.

will be phased in starting in 2004, foreigners arriving in the United States with visas will have their documents scanned, and their fingerprints and photos taken. The system may later be expanded to include iris scans or facial recognition technology.<sup>64</sup> The Enhanced Border Security and Visa Entry Reform Act, which Congress approved in May 2002, calls for substantial security upgrades and sets an October 2004 deadline for foreign nationals' travel documents to include machine-readable data, such as fingerprints, to identify visitors.<sup>65</sup> A wide variety of new surveillance and detection devices are being promoted by industry and evaluated by the federal government.<sup>66</sup> Among the experimental tools being tested is the Human Identification at a Distance system that identifies an individual's unique walking style and gestures, and an electronic body scanner that sees through clothing. Automatic face-recognition systems have already been put in place at many airports.<sup>67</sup> Some of these new technologies raise obvious concerns about potential invasions of privacy.

While new surveillance and information technologies are being developed to try to screen out CTAs, making borders smarter also involves identifying and facilitating "low risk" frequent travelers. Thus, at some border crossings, special lanes are available for business commuters who have undergone a security background check and paid a special border-crossing fee. For example, 18,000 frequent travelers are enrolled in the Secure Electronic Network for Travelers' Rapid Inspection system, which guarantees a wait time of no more than fifteen minutes to enter the United States south of San Diego.<sup>68</sup> Similarly, the Nexus program along the U.S.-Canada border allows low-risk frequent travelers who have undergone background checks to quickly cross through designated border ports of entry.<sup>69</sup> Those enrolled in the Nexus program re-

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64. Tyche Hendricks, "U.S. Border Posts to Use New Entry-Exit System: Visitors Will Be Fingerprinted, Photographed," *San Francisco Chronicle*, May 30, 2003, p. A6; and Suzanne Gamboa, "U.S. to Fingerprint Most Foreign Visitors," Associated Press, May 19, 2003.

65. "Homeland Security, Legalization, Visas," *Migration News*, Vol. 9, No. 8 (August 2002), [http://migration.ucdavis.edu/mn/Archive\\_MN/aug\\_2002-01mn.html](http://migration.ucdavis.edu/mn/Archive_MN/aug_2002-01mn.html).

66. Reflecting the changing security environment, a Washington-based lobbying group, the Homeland Security Industries Association, was created in the fall of 2002. Transportation Secretary Norman Mineta half jokingly told the Senate Appropriations Committee in May 2002, "We've got every salesman—20,000 of them, I think—approaching us about how they've got some machine that will take care of everything we do, including not only detecting explosives but athlete's foot as well." Quoted in Robert S. Boyd, "Tech Firms Vie for Billions in Homeland Security Deals," *San Jose Mercury News*, May 27, 2002, <http://www.siliconvalley.com/mld/siliconvalley/3349627.htm>.

67. *Ibid.*

68. "Homeland Security, INS," *Migration News*, Vol. 9, No. 7 (July 2002), [http://migration.ucdavis.edu/mn/Archive\\_MN/july\\_2002-01mn.html](http://migration.ucdavis.edu/mn/Archive_MN/july_2002-01mn.html).

69. "Canada: Immigration Up, Border," *Migration News*, Vol. 9, No. 6 (June 2002), [http://migration.ucdavis.edu/mn/archive\\_mn/jun\\_2002-04mn.html](http://migration.ucdavis.edu/mn/archive_mn/jun_2002-04mn.html).

ceive a computerized photo identification card that can be electronically scanned at border crossings on dedicated lanes. A similar program, the Free and Secure Trade program, is being put in place to ease truck congestion at border ports of entry. Canada and the United States are also launching a joint Nexus program for air travelers that includes an evaluation of iris recognition biometric technology at the Ottawa and Montreal international airports.<sup>70</sup> An innovative air travel system is in place at six major U.S. airports, including Los Angeles International, called the Passenger Accelerated Service. Using this system, frequent travelers can insert an identity card and their hand into a scanning machine (which uses a hand geometry recognition system) to avoid long lines.<sup>71</sup> The USA Patriot Act authorizes setting up a computer database of “trusted travelers” who are allowed to use electronic identification cards to bypass regular security lines at airports.<sup>72</sup>

“Smart borders” also means developing a layered inspection approach to reduce congestion at land, sea, and air ports of entry. Thus, for example, Canada and the United States are working on approaches to move customs and immigration inspection activities away from the border. This may include posting U.S. Customs agents on the Canadian side to inspect incoming traffic before it reaches the United States. Joint inspection facilities are planned at major ports of entry into the United States to enhance coordination and reduce traffic congestion. More generally, U.S. border strategists have been promoting the idea of pushing borders outward—essentially debordering border controls—by doing more cargo inspections closer to the point of origin. This includes, for example, clearance systems to facilitate the movement of cargo containers with documents submitted electronically prior to shipment.<sup>73</sup> Following the September 11 attacks, the U.S. Customs Service launched the Container Security Initiative, which deploys U.S. inspectors to foreign ports to identify and inspect high-risk cargo bound for the United States. The first phase of the initiative targeted twenty large ports in Europe and Asia, and was extended in June 2003 to a number of smaller strategically located ports in an effort to deter terrorists from using cargo containers to smuggle weapons of mass destruction

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70. White House, “Summary of Smart Border Action Plan Status.”

71. Verne G. Kopytoff, “A Silicon Wall Rises on the Border,” *New York Times*, January 14, 1999, p. G1.

72. Boyd, “Tech Firms Vie for Billions in Homeland Security Deals.”

73. See Robert C. Bonner, U.S. commissioner of customs, “Pushing Borders Outwards: Rethinking Customs Enforcement,” speech presented at the Center for Strategic and International Studies, Washington, D.C., January 17, 2002.

into the United States. Foreign governments have an incentive to cooperate with the inspections because it means that cargo shipped from their ports will not face extra delays upon arrival at U.S. ports.<sup>74</sup>

The trajectory of U.S. border control efforts will no doubt be significantly shaped by the location, method, timing, intensity, and frequency of any future terrorist attacks. The September 11 strikes were not explicitly border connected, but nonetheless generated substantial collateral damage at border entry points. A more directly border-related incident, such as terrorists crossing into the United States from Canada or Mexico, or the covert shipment of a nuclear, chemical, or biological weapon through a port of entry, would provoke much louder calls for hardening U.S. borders. There would likely be greater domestic pressure to build a “fortress America,” involving a unilateral fortification of border defenses. Although there would probably be a strong impulse initially to embrace this bunker-approach, it would also create mass border chaos and meet entrenched resistance, including from powerful business interests. An alternative would be a greater push to build a “fortress North America,” involving more multilateral policy harmonization and a greater pooling of sovereignty to create a formal North American security perimeter. This would mean a Europeanization of border controls and therefore a radical redefinition of the continental integration project. Although favored by many, including key sectors of the business communities in the NAFTA countries, this would require such a high level of institutionalization and regional policy harmonization that it does not seem realistic at the present time. Sustained and intense shocks, such as multiple large-scale terrorist attacks, would probably be a prerequisite for moving in this direction. The most likely border control trajectory is somewhere in the muddled middle, neither a fortress America nor a fortress North America but rather a set of incremental, piecemeal initiatives, including greater cross-border security coordination, selective and uneven policy convergence, and creative new inspection and detection techniques and technologies that increasingly reach beyond border entry points.<sup>75</sup> This could eventually lead to the emergence of an informal, quasi-continental security perimeter.

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74. Philip Shenon, “U.S. Widens Checks at Foreign Ports,” *New York Times*, June 12, 2003, p. 1A.

75. For a discussion of such innovations, see Stephen E. Flynn, “The False Conundrum: Continental Integration versus Homeland Security,” in Andreas and Biersteker, *The Rebordering of North America*, pp. 110–127. See also Rey Koslowski, “International Migration and Border Control in the Information Age,” Rutgers University–Newark, April 12, 2002.

### EU Border Policing

Borders in Europe have historically been viewed primarily in military terms: as strategic fortified lines to be defended or destroyed. As Malcolm Anderson reminds us, the original meaning of the word “frontier” was military—the zone where one met the enemy.<sup>76</sup> Much of the history of the region is about making and remaking borders through warfare. Out of such war making emerged the modern territorially bounded state.<sup>77</sup> The militarization of European borders reached its height in the twentieth century through two devastating wars and the long Cold War that followed. During the Cold War, the borderlines dividing Western and Eastern Europe were intensively patrolled and marked by barbed wire fencing, watchtowers, land mines, and automatic weapons.<sup>78</sup> The old militarized border fortifications are gone, symbolized by the dismantling of the Berlin Wall and the transformation of some of Europe’s most famous fortifications and military outposts, such as the Maginot Line and the Rock of Gibraltar, into mere tourist attractions. The German-French border, once a place of high military tension and confrontation, is today virtually invisible—it can be crossed by car without slowing down. What little is left of the Maginot Line has been converted into a small museum, and Gibraltar is a popular side-trip for vacationers to Spain’s southern beaches.

But even while the collapse of the Soviet Union and the lifting of the Iron Curtain have undermined the old purpose for militarized border barriers, there have been growing calls to build new police barriers to keep out CTAs. As Didier Bigo has observed, an “internal security field” has emerged in Western Europe that presupposes a single security continuum in which organized crime, terrorism, and illegal immigration are placed together.<sup>79</sup> Fears about CTAs have been heightened further by the dismantling of internal border controls as part of the process of European economic integration. The creation of a border-free European Union has brought with it greater worries over border-free territorial access for CTAs. Dire warnings from law enforcement agencies have also added to public anxieties, which in turn has bolstered support for

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76. Anderson, *Frontiers*, p. 9.

77. Tilly, *Coercion, Capital, and European State Formation*.

78. Malcolm Anderson, “The Transformation of Border Controls: A European Precedent?” in Andreas and Snyder, *The Wall around the West*, p. 17.

79. Didier Bigo, “The European Internal Security Field: Stakes and Rivalries in a Newly Developing Area of Police Intervention,” in Malcolm Anderson and Monica den Boer, ed., *Policing across National Boundaries* (London: Pinter, 1994), p. 165.

bigger agency budgets and more policing powers. The assumed security deficit created by the abolition of internal border controls has been the primary rationale for European Union police collaboration and tighter external border checks. EU members have taken major steps to harmonize their criminal justice systems, and cross-border law enforcement cooperation has become highly institutionalized. Europol, an EU-wide police office, has seen nearly a doubling of its budget since it started in 1998, and its 242-person staff is expected to increase to 350 in 2003.<sup>80</sup> EU law enforcement coordination has been further reinforced in the wake of the September 11 terrorist attacks, with new antiterrorism measures including the creation of an EU-wide search-and-arrest warrant.

EU policing has involved a substantial pooling of sovereignty and convergence toward more restrictive border policies. The most important institutional mechanism for border control cooperation has been the Schengen agreement, implemented in 1996 and subsequently incorporated into the EU framework. All EU countries except Ireland and Britain are now Schengen members. Schengen countries have eliminated internal border inspections and at the same time have harmonized and tightened external border checks in an effort to deny territorial access to CTAs. Schengen includes the movement toward a common visa regime and an agreed asylum processing procedure; measures to enhance and facilitate criminal justice cooperation (particularly in frontier zones); and the creation of a shared computer information exchange system (which now has more than 8 million entries) that links the databases of all Schengen countries with the names of criminal aliens, rejected asylum applicants, and others deemed "undesirable." Thus, a core European space of free movement has become insulated by a hardened outer perimeter managed by a common set of rules and procedures (specified in the confidential Schengen external frontier manual). Indeed, border control and the policing of CTAs are areas of activity in which the EU is arguably starting to resemble and behave like a traditional, territorial state. All new EU members must adopt the Schengen system as a condition for entry.

Brussels is even planning to set up a joint corps of EU border guards. On May 7, 2002, the European Commission produced a communication entitled "Towards Integrated Management of the External Borders of the Member States of the EU." The core proposals include the creation of an "external bor-

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80. Jonathan Stevenson, "How Europe and America Defend Themselves," *Foreign Affairs*, Vol. 82, No. 2 (March/April 2003), p. 86.



ders practitioners common unit" and the eventual creation of a European Corps of Border Guards.<sup>81</sup> "We would like to reassure our citizens that we will protect our borders against terrorism, organized crime and uncontrolled immigration," said Commission President Romano Prodi in announcing the plan.<sup>82</sup> In May 2002, EU countries carried out a fifteen-day trial operation in which guards from various member states took part in joint patrols in France, Italy, and Spain. At the June 2002 European summit in Seville, Spain, European leaders agreed to a plan that provides more resources for border controls in countries such as Italy and Spain and lays the groundwork for a joint border police agency and EU task forces to combat smuggling.<sup>83</sup> As part of this plan, in early 2003 the EU launched Operation Ulysses, Europe's first collaborative maritime effort to interdict migrant smuggling vessels. The pilot project brought together patrol boats from Britain, France, Italy, Portugal, and Spain and was viewed as a precursor to a common EU border guard.<sup>84</sup>

#### THE EU'S EASTERN BORDER CONTROLS

The dramatic West European shift from military to policing priorities is most strikingly evident along Germany's eastern border. Although the Berlin Wall and the militarized border between East and West Germany have disintegrated, the eastern border of a unified Germany has become the target of concentrated policing. Illegal entries across the eastern border increased sharply after the lifting of the Iron Curtain and the unification of Germany. Thus, a side effect of the removal of a militarized barricade between East and West has been the creation of more border police work. The tightening of Germany's asylum law in the early 1990s also generated a bigger law enforcement border challenge, because many would-be asylum seekers have turned to professional smugglers to gain clandestine entry into the EU. Similar to their U.S. counterparts, German border officials face the growing challenge of trying to restrict illegal border crossings while facilitating and encouraging the rising volume of legal crossings. To help filter out "undesirable" from "desirable" crossings, border police are using new inspection technologies, including carbon dioxide

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81. "Fortress Europe—Stage 2: EU Border Police Proposed," <http://www.statewatch.org/news/2002/may/06border.htm>.

82. Quoted in Raf Casert, "EU Proposes Border Plan to Combat Terrorism, Illegal Immigration, Soothe Citizens' Fears," Associated Press, May 7, 2002.

83. Sebastian Rotella, "EU Adopts Strategy to Stem Flow: Illegal Immigrants," *DAWN*, June 24, 2002, <http://www.dawn.com/2002/06/24/int16.htm>.

84. Paulo Prada, "Spain Moves on Immigrant Beachhead," *Boston Globe*, February 23, 2003, p. A13.

sensors to determine whether cargo trucks are also hiding smuggled human cargo.<sup>85</sup> While European economic integration has reduced the inspection workload for the German Customs Service, many Customs agents have simply been reassigned to new duties on the eastern border.

The German (and broader EU) border control strategy has also involved turning immediate eastern neighbors into law enforcement buffer zones. Countries such as Poland are defined as “safe,” meaning that asylum seekers who cross through these countries en route to Germany or elsewhere in the EU can be immediately deported. The reward of formal admission into the EU has guaranteed Polish, Hungarian, and Czech cooperation in curbing the use of their territory as a migrant smuggling transit point. Thus, the EU has been able to essentially thicken its borders by utilizing neighbors as buffers. EU funding is available under the Community Phare Program, with nearly two-thirds of Phare allocated for the training of border control personnel and upgrading equipment as well as the quality of passports and visas. In preparation for EU membership, candidate states are expected to make heavy investments in police training, surveillance tools, and sophisticated data-gathering equipment.

Poland, Hungary, and the Czech Republic have pragmatically accepted their new policing role as gatekeeper states to filter out CTAs, rushing to adopt Schengen standards as a prerequisite to acceptance into the EU. This in turn has threatened to create border frictions with their neighbors to the east. The Czech government has imposed new visa requirements for many former Soviet republics, as well as Romania and Bulgaria. Creating a new policing task for its military, the Czech government has sent troops to fortify its border defenses against unauthorized immigration.<sup>86</sup> Poland has similarly imposed tighter entry restrictions, and new watchtowers have been built and helicopters deployed to patrol the country’s eastern borders. Maciej Kuckynski, the deputy director of the Polish Department of Migration and Refugee Affairs, candidly explained the situation in 1997: “If we want to integrate into the European Union, we have to show our goodwill in fighting illegal immigration.” He points out that “if there is any risk that Poland will be a hole in the European border, we will not get in.”<sup>87</sup> In preparation for its scheduled entry into

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85. Liz Fekete and Frances Webber, “The Human Trade (Smuggling Illegal Immigrants),” *Race and Class*, Vol. 39, No. 1 (July–September 1997), pp. 67–74.

86. “Immigration in Eastern Europe,” *Migration News*, Vol. 6, No. 2 (February 1999), [http://migration.ucdavis.edu/mn/archive\\_mn/feb\\_1999-16mn.html](http://migration.ucdavis.edu/mn/archive_mn/feb_1999-16mn.html).

87. Quoted in Dean E. Murphy, “Poland Becomes Journey’s End for Migrants,” *Los Angeles Times*, December 27, 1997, p. 11.

the EU in 2004, Poland agreed in July 2002 to further tighten controls along its 800-mile eastern border. This includes hiring 5,300 additional border guards by 2006 (a 50 percent increase), constructing ten more border stations, purchasing new equipment (such as helicopters and infrared detection devices), and implementing new laws against drugs and unauthorized immigration. As part of the agreement, Poland had to pledge not to cut funding on borders and internal security despite its tight budget constraints. Even after Poland's EU accession, police checks will remain in place on the German-Polish border until EU members are convinced of Poland's capacity to uphold Schengen standards.<sup>88</sup> Thus, the politics of enlargement is intimately tied to the politics of border controls and keeping out CTAs. Meanwhile, the emergence of a European border control regime has not only had a ripple effect on the border policies of these aspiring EU members, but has threatened to alienate and marginalize states farther to the east such as Ukraine and Russia.

#### THE EU'S SOUTHERN BORDER CONTROLS

The progressive hardening of external borders against CTAs is also evident along the EU's southern perimeter. For example, Italy, long perceived and treated by other EU members as a sieve, adopted a tough new immigration law in July 2002 that tightens border controls, significantly increases penalties for illegal entry, and accelerates deportations. The law also calls for the deployment of naval vessels to patrol Italian coastlines and intercept smuggling vessels crossing the Adriatic from the Balkans.<sup>89</sup> To avoid capture, boat-runners sometimes simply toss their human cargo overboard. Some 170 unauthorized immigrants drowned in 1999.<sup>90</sup> Under pressure from Italy and the EU, Albania carries out joint patrols with Italy and has seized smuggling boats before they left Albanian ports.<sup>91</sup> Further south, Greece announced plans in June 2002 to set up large physical barriers along its border with Turkey to deter illegal immigrants on their way to the EU. Greece strongly endorsed immigration con-

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88. Ian Black, "Poland to Reinforce New EU Border," *Guardian*, July 31, 2002, p. 12; "EU and Poland Clinch Deal on Border Controls," *Agence France-Presse*, July 30, 2002; and Marcin Grajewski, "EU Agrees to Polish Plan to Strengthen Eastern Border," *Reuters*, July 24, 2002.

89. "Spain, Italy, Portugal," *Migration News*, Vol. 9, No. 8 (August 2002), [http://migration.ucdavis.edu/mn/entireissues/aug\\_2002mn\\_eu.html](http://migration.ucdavis.edu/mn/entireissues/aug_2002mn_eu.html).

90. Zoran Kusovac, "People Trafficking: Europe's New Problem," *Jane's Intelligence Review*, September 1, 2000, pp. 53–55.

91. "Southern Europe, Smuggling," *Migration News*, Vol. 7, No. 12 (December 2000), [http://migration.ucdavis.edu/mn/archive\\_mn/dec\\_2000-12mn.html](http://migration.ucdavis.edu/mn/archive_mn/dec_2000-12mn.html); and "Southern Europe," *Migration News* Vol. 9, No. 7 (July 2002), [http://migration.ucdavis.edu/mn/Archive\\_MN/july\\_2002-12mn.html](http://migration.ucdavis.edu/mn/Archive_MN/july_2002-12mn.html).

trol measures announced in June 2002 at the summit of EU leaders in Seville, Spain.<sup>92</sup> Turkey, for its part, is eager to prove its “EU worthiness” by carrying out periodic crackdowns on migrants in transit to the west, including police raids leading to mass arrests.<sup>93</sup>

Meanwhile, an increasingly important dimension of the EU’s substantial interest and involvement in the Balkans has been to try to plug some of the migrant smuggling routes into Western Europe. For example, pressured by the United Nations and the EU, Bosnia in December 2000 imposed visa restrictions on Iranians, who had been arriving in Sarajevo on regular chartered flights from Tehran that were returning virtually empty. These travelers would then be smuggled into the EU by sea across the Adriatic or by land across the Croatian and Austrian borders. With training, funding, and technical assistance from the west, the Bosnian government has set up a State Border Service to better regulate entries and to better control its borders. Bosnia is reportedly a transit point for about 10 percent of the smuggled migrants entering Western Europe.<sup>94</sup> Croatia, which has hopes of eventually becoming an EU member, has also intensified patrols on its border with Bosnia, and neighboring Slovenia is preparing to adopt Schengen standards.

The most heavily policed southern point of the EU’s external border is the Strait of Gibraltar—labeled the “Moat of Fortress Europe.”<sup>95</sup> The strait separates wealthy Europe from impoverished Africa and is only fourteen kilometers across at its narrowest point. The main policing targets are the smuggling of migrants and drugs (primarily cannabis) from Morocco. Immigrant advocacy groups in Spain estimate that 4,000 people drowned trying to cross the strait between 1997 and 2002.<sup>96</sup> Spain’s southern border was minimally patrolled and largely overlooked during the Cold War, but has more recently become a law enforcement battle zone. Spain has been one of the staunchest proponents for tougher border controls, and it has even pushed for imposing economic sanctions on countries that do not clamp down on migrant smug-

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92. “Greece to Build Barriers to Stop Illegal Immigrants,” Associated Press, June 23, 2002; and “Protopapas: Greece Is Not a Country of Open Borders,” Macedonian Press Agency, June 25, 2002, <http://www.hri.org/news/greek/mpab/2002/02-06-25.mpab.html>.

93. “EU War on Illegal Migrants in the Mediterranean Causes Human Tragedies,” *Fortress Europe Circular Letter*, No. 59 (December 1999).

94. *Borderline: UNMIBH Bulletin on State Border Service Activities* (Sarajevo, Bosnia-Herzegovina), Vol. 2, No. 2 (March–April 2001), p. 1.

95. Henk Driessen, “At the Edge of Europe: Crossing and Marking the Mediterranean Divide,” in Liam O’Dowd and Thomas M. Wilson, eds., *Borders, Nations, and States: Frontiers of Sovereignty in the New Europe* (Brookfield, Vt.: Avebury, 1996), pp. 179–198.

96. Giles Tremlett, “Spain in Hi-Tech War on Immigrants,” *Guardian*, August 16, 2002, p. 13.

gling. Spanish Prime Minister Maria Aznar has said that reducing unauthorized immigration is “the most important question in European politics at the moment.”<sup>97</sup> In August 2002, as part of an ambitious effort to build up its border enforcement capacity, the Spanish government announced the establishment of a network of radar, sensors, and cameras along its southern border to interdict illegal immigrants. Three large towers to contain the high-technology equipment have been built near Algeciras, Tarifa, and Zahara de los Atunes. The Israeli-made radar was first created to deter Palestinian commandos landing on beaches. A dozen more towers are being constructed on the southern Spanish coast. The control center in Algeciras includes an enormous screen that tracks all vessels in the Strait of Gibraltar. The ambitious surveillance and enforcement project will cost 142 million euros (\$141 million). Spain is setting up fixed and mobile sensors with radar and day- and night-vision cameras.<sup>98</sup>

The EU perimeter is most visibly demarcated at the outskirts of the Spanish enclave cities of Ceuta and Melilla on Morocco’s northern coast (the only land borders between Europe and Africa). These two settlements were created as city fortresses after the expulsion of the Moors from Spain some five centuries ago. Built as military outposts to provide an early warning of an Islamic military attack, they have been converted to policing outposts. In Melilla, the EU has financed the construction of a double-layered fencing project along the city’s borderline with Morocco. The ten-foot-high fence is patrolled by the Spanish civil guard and includes barbed wire, watchtowers, cameras, and optic sensors. In nearby Ceuta, the EU has provided funding for a similar road and fence construction project. The eight-and-a-half-kilometer double security fence includes infrared cameras and heat sensors and is topped with barbed wire.<sup>99</sup> As explained by Roberto Franks, spokesperson for the Spanish government in Ceuta: “Without doubt this is the southern frontier of the Europe of Schengen. We have a whole continent to the south of us. It is increasingly evident that this wall is necessary.”<sup>100</sup>

While the EU continues to collaboratively build a more expansive border control apparatus to deny territorial access to CTAs, the unevenness of the construction project has been a source of political tension within the union. France and Germany, for example, often criticize the Netherlands as too lax on illegal

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97. Quoted in “EU: Seville, Enlargement,” *Migration News*, Vol. 9, No. 7 (July 2002), [http://migration.ucdavis.edu/mn/Archive\\_MN/july\\_2002-07mn.html](http://migration.ucdavis.edu/mn/Archive_MN/july_2002-07mn.html).

98. Tremlett, “Spain in Hi-Tech War on Immigrants.”

99. Lucy Ash, “Europe’s Front Line,” *BBC News*, October 21, 1999.

100. Quoted in *Staterwatch*, Vol. 5, No. 6 (November–December 1995), p. 1.

drugs, and France has occasionally threatened to reintroduce border checks in protest. At the same time, the British complain that France has done too little to crack down on immigrants, mostly Afghans and Kurds, who attempt unauthorized entry into Britain via the Channel Tunnel. Thousands of train runs through the tunnel have been suspended because of the disruption caused by migrants illegally boarding freight trains. Britain has consequently been adding extra fencing, video surveillance cameras, and police to monitor the tunnel.<sup>101</sup> Ultimately, the degree of harmony or conflict in the deepening and expanding process of European integration and the speed of EU enlargement will significantly depend on how effectively border control concerns are politically managed.

### *Conclusion*

Shifts in state border control practices offer a glimpse of the nature of territorial politics at the dawn of the twenty-first century. States have always been in the business of territorial exclusion, but the focus and form of their exclusionary practices have varied over time. Particularly for advanced industrialized states, border controls are increasingly less about military defense or the imposition of quotas and tariffs on commerce and more about the policing of CTAs, with terrorists, drug traffickers, unauthorized migrants, and migrant smugglers leading the list of state targets. This has involved creating new and more restrictive laws; constructing a more expansive policing and surveillance apparatus that increasingly reaches beyond physical borderlines; promoting greater cross-border police cooperation and use of neighbors as buffer zones; deploying more sophisticated detection technologies and information systems; redefining law enforcement concerns as security concerns; and converting war-fighting agencies, technologies, and strategies to carry out crime-fighting missions.

Importantly, the tightening of border controls against CTAs has taken place in an era of globalization and regional economic integration defined by a loosening of controls over legitimate cross-border exchange. Border control strategists have therefore been creating new and technologically innovative filters at and beyond points of entry to try to separate out “undesirable” from “desirable” border crossings. Balancing the twin border goals of facilitation and en-

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101. Jenny MacKenzie, “Britain Toughens Immigration Stance,” *Christian Science Monitor*, August 16, 2002, p. 7.

forcement will continue to be one of the most bureaucratically, technologically, and politically challenging tasks facing governments in the twenty-first century. Indeed, in places such as the United States and the European Union, the effort to reconcile exclusionary border security practices with the economic imperatives of globalization and regional integration will substantially drive border politics and cross-border relations. At the same time, increasingly invasive state measures to detect and apprehend CTAs will likely provoke growing civil liberties concerns, particularly in regards to the treatment of immigrants. Enhanced state surveillance capacities, made possible by new technologies and information systems, also have potentially profound implications for the future of privacy protection.

The growing importance of territorial policing challenges conventional accounts of borders by international relations scholars, particularly the narrow realist view that the military significance of borders remains primary and permanent, and the equally erroneous globalist view that borders are becoming increasingly antiquated. Both realists and globalists are partially right: Realists correctly emphasize the persistence of border security concerns, yet mistakenly expect that interstate military rivalry and conflict necessarily determine border priorities. Globalists correctly point to the eroding economic importance of borders and the sharp decline of territorial conquest, yet mistakenly assume that this necessarily translates into a less interventionist state and less attention to border security. Like their realist counterparts, globalists tend to overlook the clandestine dimensions of globalization and the expanding state efforts to police it. In short, while realists stress continuity and globalists stress decline, both accounts of borders fail to capture how territorial controls are being reconfigured, becoming less relevant in some policy spheres (e.g., deterring military incursions by other states and taxing commerce), but more relevant in others (policing CTAs). Consequently, geopolitics is transformed, not transcended. As is evident in the United States and the European Union, the economic opening of borders and the decline of interstate military rivalry have been accompanied by a reassertion and expansion of the state's border regulatory presence. This trend has been further accelerated and expanded in the post-September 11 policy environment, in which border security has taken on new political urgency. Thus, far from being viewed as *passé*, borders should be brought back as a centerpiece in the analysis of world politics.

The unprecedented emphasis on border policing does not mean that traditional military and economic border control tasks have disappeared or that policing concerns are entirely new. One should be wary of exaggerating claims of

newness and change. The persistence of military borders is most strikingly evident in the military sphere, for example, in the continued U.S. push to build a missile defense shield. And in terms of economic borders, economic liberalization is much more selective than the official rhetoric of free trade suggests. The argument here is not that border policing is new or that traditional military and economic border control functions have been eliminated, but rather that military and economic borders are much less prominent than in the past, while police borders have become increasingly important. The trend is most apparent in the United States and the European Union. Beyond these advanced industrialized areas, a number of states obviously still maintain highly militarized borders, most notably in the case of North and South Korea, and in India and Pakistan. But even outside the industrialized West, it is remarkable how much day-to-day state border regulatory practices have shifted from military and economic issues to law enforcement matters. For example, the Chinese-Russian border, which was heavily militarized during the Cold War, is now a place where law evasion concerns rather than military invasion concerns increasingly dominate.<sup>102</sup> Similarly, South Africa's northern border was until fairly recently a highly militarized zone, but it is now fortified and patrolled primarily to deter CTAs. In Latin America and the Caribbean, borders are rarely contested militarily and are increasingly open economically, yet the region's governments are still expected to do more to control the cross-border movement of CTAs.

One might be tempted to conclude that these expanding efforts to territorially exclude CTAs matter little in practice because of their poor results on the ground. There is certainly an enormous gap between the stated policy goals and actual outcomes. In the cases of U.S. drug and immigration controls, for example, tighter border security does little to reduce the enormous domestic consumer demand for psychoactive substances and cheap labor. Moreover, more intensive law enforcement can sometimes simply prompt more sophisticated law evasion techniques by CTAs—which in turn makes law enforcement more difficult and offers a rationale for even tougher laws and more enforcement resources. There are clearly built-in limits to how much states can seal their borders if they wish to maintain legitimate cross-border exchange. But to

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102. See Viktor Larin and Anna Rubtsova, "At the Crossroads: Russian-Chinese Border Interactions," in Demetrios G. Papademetriou and Deborah Waller Meyers, eds., *Caught in the Middle: Border Communities in an Era of Globalization* (Washington, D.C.: Carnegie Endowment for International Peace, 2001), pp. 228–259.



conclude that states have “lost control” over their borders is highly misleading because it wrongly implies that states effectively controlled their borders in the past. There never was a “golden age” of state control.<sup>103</sup> Indeed, the emergence of a comprehensive border control system for regulating the cross-border movement of people, including the universal adoption of the passport, came relatively late in the development of the modern state.<sup>104</sup> And it is the very existence and enforcement of such controls that has made it necessary in the first place for many border crossers to try to circumvent them. In other words, rather than simply being an extreme reflection of sovereignty at bay, CTAs also reflect the enduring authority of the state to determine who and what has legitimate territorial access. Borders may be barely noticed by globe-trotting corporate executives, but for the vast majority of the world’s inhabitants, border checks remain a practical obstacle to transnational mobility. If this were not the case, unauthorized migrants would not have to pay such enormous prices to hire professional smugglers and place their lives at their mercy to evade state controls. Clandestine transnational activities such as migrant smuggling and drug trafficking are so profitable precisely because states impose prohibitions and restrict territorial access. Defying border controls is not only financially costly for many but can involve great personal risk: If border controls were merely a nuisance and easily bypassed, there would not be so many migrant deaths in the southwest borderlands of the United States and so many migrants drowning in the Adriatic and the Strait of Gibraltar. These mounting deaths offer a particularly grim reminder that borders continue to matter.

Finally, regardless of their deterrent effect, border controls have politically important perceptual and symbolic effects that are too often ignored or taken for granted. To judge border policing strictly in terms of whether or not the instrumental goal of deterrence is attained partly misses the point. Policing CTAs is not only about deterrence; it is also about projecting an image of moral resolve and propping up the state’s territorial legitimacy. Everyday border control activities—checking travel documents, inspecting cargo and luggage, patrolling coastlines and airports, apprehending unauthorized entrants—are part of what gives the state an image of authority and power. Statecraft is about power politics and deploying material resources, but it is also about per-

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103. Janice Thomson and Stephen Krasner, “Global Transactions and the Consolidation of Sovereignty,” in Ernst-Otto Czempiel and James N. Rosenau, eds., *Global Changes and Theoretical Challenges: Approaches to World Politics for the 1990s* (Lexington, Mass.: Lexington Books, 1989), p. 198.

104. John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000).

ceptual politics and deploying symbolic resources. Border control agencies grow and expand partly because of the symbolic power they gain from their role as border maintainers in times of high societal insecurity. Thus, the policing face of the state is becoming more prominently displayed. Even as there is a pronounced erosion of the state's traditional economic and military border control roles, its law enforcement role not only persists, but continues to expand.