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Politics on Edge: Managing the US-Mexico Border

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It is perhaps only a slight exaggeration to say that relations between the United States and Mexico begin and end at their shared 1,933-mile-long border. Indeed, the degree of harmony or conflict in the relationship increasingly depends on how the border and border-control matters are politically managed. The territorial line between Mexico and the United States is both one of the busiest and one of the most heavily policed borders in the world, where many of the most critical and sensitive issues in the bilateral relationship—such as trade, migration, and drug trafficking—come together.

Much of US policy toward Mexico has been driven by the twin objectives of facilitating authorized border crossings and deterring unauthorized crossings. Balancing these tasks has always been politically and bureaucratically frustrating and cumbersome, but both the challenge and the stakes have grown substantially as counterterrorism has been added to and redefined the border-control agenda since September 11, 2001.

While the post-9-11 security context has created new frictions about border control, it has also presented a new opportunity to reconceptualize the border and border controls. The political challenge for policy makers on both sides of the border is to creatively harness and channel the heightened border-security attention and anxiety in a manner that promotes greater cross-border cooperation and a more rational approach to border control. The alternative—a unilateral hardening of the border-

line—would probably do more to deter legitimate trade and travel than to prevent terrorism.

The most promising approach to border management is to “de-border” traditional border-control tasks—that is, to move more inspection and control functions beyond the physical border itself. A number of policy measures can help to cushion if not entirely avert a collision between economic and security imperatives at the border. Successful implementation of these measures, however, ultimately will require not only more resources and cooperation but also a fundamental shift in the way policy makers and the Mexican and American publics think about border control.

THE NAFTA EFFECT

During the 1990s, border control was transformed from a low-priority and politically marginalized activity into a high-intensity campaign commanding significant resources and media attention. Driven primarily by concerns over the large influx of unauthorized migrants across the border, the size of the US Border Patrol more than doubled between 1993 and 2000. New personnel were matched by new border fencing, equipment, and surveillance technologies. Highly concentrated and high-profile border enforcement operations were launched at major border crossings, such as “Operation Gatekeeper” south of San Diego and “Operation Hold the Line” in El Paso. Both sides of the border also became partly militarized in an effort to reduce Mexico’s role as the transit point for roughly 60 percent of the cocaine destined for the US market and as a major supplier of heroin, marijuana, and methamphetamines.

Remarkably, this unprecedented border-enforcement buildup took place at the same time as—and did not significantly interfere with—the rapidly accelerating process of US-Mexico eco-

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conomic integration. Even as new police barriers were going up, old economic barriers were coming down, formalized through the North American Free Trade Agreement (NAFTA). Cross-border trade more than tripled between 1993 and 2000, from \$81 billion to \$247 billion, making Mexico the second-largest trading partner of the United States. By the end of the decade, nearly 300 million people, 90 million cars, and 4 million trucks and railcars were entering the United States from Mexico every year.

Equally remarkable, policy discussions of economic integration and border control largely remained compartmentalized and divorced from each other—even while the boom in cross-border economic exchange made the border-control task of “weeding out” illegal border flows from legal flows increasingly difficult. (As the haystack grew, finding the needle became harder.) Also, even though migrant labor was a leading Mexican export, it was treated as a border-control matter rather than an economic issue of labor market regulation.

Meanwhile, more intensive border control did not significantly deter illegal crossings but rather prompted shifts in the location and methods of entry. In the case of cocaine trafficking, for example, smugglers increasingly turned to camouflaging their illicit shipments within the growing volume of commercial cargo conveyances crossing the border. In the case of unauthorized migration, tighter border control fueled more sophisticated and well-organized migrant smuggling operations. While hiring the services of a smuggler had traditionally been optional for unauthorized crossers, this was now more of a necessity, and often required attempting entry in more remote and dangerous terrain away from urban areas.

Thus, while entry was less visible and involved more physical risks (with hundreds of migrants dying annually), hundreds of thousands of migrants entered the United States illegally every year during the 1990s. The unauthorized resident Mexican population had reached nearly 5 million by 2000—double the number of a decade earlier. Although not officially recognized or discussed as such, this essentially represented an informal, clandestine form of economic integration.

AFTER 9-11

On September 11, 2001, the US-Mexico border was virtually shut down, squeezing the arteries that provided the lifeblood to the border economies and to the larger US-Mexico economic integration process. US border inspectors were put on a Level 1 alert, defined as a “sustained, intensive, antiterrorism operation.” The resulting traffic jams and other border delays sent shockwaves through the local economies on both sides of the border. Mexican trade to the United States contracted by 15 percent in the weeks that followed. Most severely affected were electronics, textiles, chemicals, and Mexican factories supplying just-in-time parts to American automobile plants. Even though border delays today are not as long as they were in the immediate wake of the attacks, the new security context has introduced added border anxieties and uncertainties that have had a chilling effect on cross-border exchange.

The virtual shutdown of the border signaled that security can trump trade. Before 9-11, it was

the other way around: despite more intensive and more high-profile border control in the decade preceding the attacks, trade clearly trumped security. The worry is that border controls may become

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a new kind of trade barrier—a security tariff that replaces the economic tariffs of old. The heightened post-9-11 importance of border security has been reflected not only in the allocation of more border-control resources but also in the reorganization of multiple agencies (including the US Immigration and Naturalization Service and the Customs Service) under a newly formed Department of Homeland Security—the largest restructuring of the federal government in half a century. In terms of border control, this reorganization has essentially consisted of taking the old drug and immigration control infrastructure and adapting it to previously low-priority counterterrorism efforts.

The border-control crackdown sparked by the terrorist events on 9-11 also starkly illustrated the high price of asymmetric interdependence for Mexico. Mexico is far more dependent on an open economic border and is therefore far more vulnerable to security-related border closings than the United States is. Almost 90 percent of Mexican trade goes to the United States, but only 15 percent of US trade goes to Mexico. Some Mexicans may understand-

ably consider this asymmetric vulnerability to be a security concern. The border policy agenda is, more than ever, driven by US worries and anxieties irrespective of Mexican priorities and concerns. This has had a number of troubling implications for Mexico, including a hardening of the US immigration policy debate as immigration matters are now inescapably viewed through the prism of national security.

The upside of the new security context has been far greater US and Mexican recognition of the need to more closely coordinate and creatively integrate enforcement and facilitation strategies in managing cross-border flows. Because of the high stakes involved, there has been growing policy awareness that the economic integration process cannot be maintained simply by the spontaneous logic of the market. Integration requires active government intervention and management to avoid being slowed down or even derailed in the new security environment.

THE "SMART BORDER"

As the task of border controls has become more difficult, looking for answers beyond physical borderlines has been an increasingly attractive way to enhance security while encouraging economic integration. This is most clearly articulated in the US-Mexico Border Partnership Agreement (better known as the Smart Border Accord), signed on March 22, 2002. The 22-point agreement calls for the creation of a "smart border" for the twenty-first century, focusing on the safe and secure flow of people and goods and major improvements in border infrastructure.

This pact should be viewed not only as a bilateral agreement but also as a distinct approach to border control that, if fully pursued, would constitute a major departure from the inefficiencies and impracticality of traditional borderline inspections. The Smart Border Accord promotes various forms of pre-inspection and pre-sorting to reduce congestion and separate out low-risk from higher-risk border flows. This risk management strategy, heavily based on the use of new tracking and surveillance technologies, is designed to allow inspectors to focus more of their attention on higher-risk cases. Some of these innovations were in place before 9-11, but have received renewed attention and are being expanded.

Border-control strategists have developed a number of innovative cargo-tracking systems, inspection technologies, and traffic-management strategies to extend policing beyond ports of entry. These measures are designed to ease border congestion and

enhance security at the same time. For example, regular business travelers can be prescreened and provided with an identification card with biometric information (such as handprint or retina data), and their vehicles can be equipped with electronic transponders. To facilitate border inspections and ease congestion, passenger information can be transmitted to border agents in advance. Manufacturers and transport companies can beef up internal security measures to seal their cargo and use new information and tracking systems to assure the accountability of drivers and shipments. The entire inspection process could potentially even be pushed away from the physical border into a joint NAFTA inspection facility.

Granted, the Smart Border Accord is very much a general "wish list" that is still at an early stage of implementation. Nevertheless, it represents an important departure from the past because it explicitly recognizes that more effective border controls require pushing such controls beyond the border (essentially a "de-bordering" of border controls) through a multilayered monitoring and inspection strategy that by its very nature requires much greater US-Mexico cooperation. In the case of travel, for instance, it calls for consultation on visa policies and greater screening of third-country nationals, the development of pre-clearance procedures and provision of advanced passenger information, and the creation of compatible databases that foster information sharing between US and Mexican authorities.

A growing fear that has preoccupied both US and Mexican authorities is that the same groups, methods, and routes employed to smuggle migrants and drugs across the border can now be used to smuggle terrorists and weapons of mass destruction. Similarly, the same fraudulent document industry that has long provided identification cards for unauthorized migrants can also potentially provide these services to terrorists. Thus, even while continuing to disagree sharply on aspects of border control related to unauthorized Mexican migration, the United States and Mexico share a strong pragmatic interest in close counterterrorism cooperation.

Moreover, US-Mexico counterterrorism cooperation does not face the same level of domestic resistance and political sensitivity within Mexico that has traditionally plagued cooperation on counternarcotics efforts and migration control. Cooperation in this area has been promising, reflected, for example, in the heightened level of coordination between the US Department of Homeland Security and the Mexican Secretariat of Government in overseeing the implementation of the Smart Border Plan.

THE POLITICAL CHALLENGE

The new security context presents an obstacle and an opportunity. Nothing illustrated the former more starkly and bitterly for Mexicans than the quick demotion of Mexico on the Bush administration's policy agenda following 9-11 and the derailing of momentum that had developed for a new dialogue on migration. However, the heightened prioritization of border security also presents a window of opportunity to reevaluate the border and border control. Whether the new security context can be more of an enabling rather than a constraining factor in US-Mexico relations will depend on political leadership and commitment on both sides of the border. The politically tricky challenge is to tap heightened attention and concern over border security in a manner that promotes rather than poisons cross-border cooperation.

The trajectory of border-control efforts no doubt will be significantly shaped by the location, method, timing, intensity, and frequency of any future terrorist incidents. As noted earlier, the dramatic events of 9-11 were not directly border-related but had profound border ripple effects. A more directly border-related incident, such as the smuggling of a weapon of mass destruction, would likely provoke a powerful political backlash and fuel calls for a dramatic hardening of the border. US and Mexican counterterrorism-related border initiatives to date should therefore be viewed as confidence-building measures designed to avoid precisely this kind of impulsive finger-pointing response.

In this regard, there is an urgent need to establish clear rapid-response protocols and procedures in the event of a terrorist attack in order to avoid another virtual shutdown of the border similar to what happened on 9-11. Strategic planning in the area of border control should include measures to minimize and contain border collateral damage from any future terrorist-related incidents.

As outlined in the policy recommendations of a recent report on border security by the US-Mexico Binational Council, new policy measures should build on the US-Mexico Smart Border Accord. Reducing cross-border friction and enhancing communication and cooperation will help to produce an increasingly dense web of cross-border linkages and can help facilitate the "de-bordering" of border control functions where there is the greatest convergence of interest.

The full potential of these steps, however, is unlikely to be realized without a more fundamental rethinking of the border and the paradigm of border control. Although politically awkward, this should start with a new domestic and bilateral conversation about the border that overcomes the politics of denial that has long afflicted US-Mexico border-control issues. This starts by acknowledging rather than continuing to conveniently deny the inherent limitations of borderline policing as a meaningful deterrent.

THE BORDER REALITY

Regardless of the popular rhetoric in the United States about having "lost control" of the border, the border in fact has never been "under control" and is unlikely to ever be fully controlled in the future. The fact that the US-Mexico border is the single busiest land border in the world makes the limitations of relying on the border as the centerpiece of policing even more apparent.

In the case of drug control, for example, the amount of cocaine necessary to satisfy US consumers for one year can be transported in just nine of the thousands of large tractor-trailers that cross the border every day. Given this sobering reality, relying on random inspections at the border is more likely to impede legal rather than illegal trade. In the case of immigration control, adding thousands of new Border Patrol agents has had the perverse effect of enriching smugglers more than deterring migrants, creating a more serious organized crime problem on the border. Operational success against particular smuggling organizations has not translated into a successful reduction of smuggling.

Even if the border is often the focus of political attention, it is rarely the underlying source of the problem or the site of the most effective policy solutions. All nations have the right and obligation to protect their borders, but a narrow and intense focus on policing the physical borderline creates unrealistic expectations and can distract attention from pursuing more effective solutions.

Unless these uncomfortable facts and their equally uncomfortable implications are fully incorporated into the policy debate, there will always be a powerful urge to harden the border as a visible and symbolic show of force in moments of crisis when the pressure to "do something" is greatest. While perhaps politically irresistible, such a response is highly inefficient, and it can be enormously damaging.

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The most difficult part of this new conversation about the border is to redefine Mexican migration as an issue of labor market regulation rather than border control. Identifying Mexican nationals in search of employment as “low risk” (the vast majority of unauthorized border crossers) would allow border inspectors to concentrate on the much smaller number of “high risk” crossers.

This would essentially push the risk-management approach to creating a “smart border” to its logical conclusion. Emphasizing labor market regulation with a focus on the workplace and more tamper-proof documents rather than on border control with a narrow focus on the borderline would put most migrant smuggling organizations out of business. That in turn would contribute to the goal of enhancing border security. The post-9-11 security environment has made this an even harder sell politically than before, but it is precisely because of this new security context that it is even more urgently needed.

WALLS, MINUTEMEN, AND TABOOS

Ultimately, the greatest obstacle to a meaningful policy shift in this direction is an old and familiar one: US domestic politics, driven by opportunistic politicians and easily manipulated societal anxieties and nativist fears. Nowhere is this more apparent than in recent calls by some conservative congressional leaders in Washington to build a vast border fence from the Pacific Ocean to the Gulf of Mexico and to hire thousands of additional Border Patrol agents to patrol it. The border fence proposal is actually a revival of an old idea: more than a decade ago the conservative commentator Pat Buchanan gained momentary fame and notoriety by proposing a 2,000-mile-long border wall. Such a project is certainly technologically feasible.

But the fallout from building a barrier along the entire US-Mexico borderline would be a diplomatic and humanitarian disaster. It would cost many billions of dollars to build and maintain (even if one assumes that labor costs would be kept down, ironically, by hiring migrant workers). Currently, more than 400 migrants already die each year attempting to cross the border, and the number of deaths would likely escalate. Although the border crossing would become more lethal, determined migrants would more likely be redirected rather than deterred—tunneling under or going around or over the new border barrier. And the boom in professional smuggling services would further skyrocket. Predictably, Mexico and other southern neighbors would consider the new fence a symbolic slap in the face, further stoking the already intense fires of

anti-Americanism throughout the region. Much needed cooperation on issues ranging from trade to counterterrorism would surely suffer.

The continued domestic popularity of a narrowly border-focused immigration control strategy is also powerfully illustrated by the high-profile “Minuteman Project,” a militia-style border-monitoring effort launched in early 2005 involving armed civilians taking up patrol positions along the Arizona-Mexico border. This initiative—essentially a border publicity stunt designed to embarrass the federal government—is actually a variation on an old strategy. It is not so different from the “light up the border” campaign of the early 1990s, when local anti-immigration activists drove south of San Diego and collectively shined their headlights on the borderline to draw attention to illegal crossings and prompt a reaction from the federal government. The subsequent infusion of border-control resources in the area prompted migrants and smugglers to simply shift their entry efforts eastward—to the Arizona-Mexico border, which in turn would become the focus of the Minuteman Project. This time, however, the initiative would draw recruits from across the country, aided by the use of the Internet and national media coverage.

Ultimately, unless there is the political will to try to “seal” the US workplace with tighter regulations and tougher employer penalties (an unlikely outcome that employers find difficult even to contemplate), popular calls to “seal the border” are little more than distracting political theatre. They also distract attention from the reality that there are some 11 million unauthorized migrants already residing in the country. The closest the US government has come to dealing with this awkward fact have been much-debated proposals to create a new guest worker program.

President George W. Bush has stressed that this is not an amnesty program—indeed, any talk of “amnesty” is taboo in Washington policy circles. Nevertheless, without the prospect of eventual legalization and assurance against deportation, it is difficult to imagine that millions of unauthorized migrants in the country will come out of the shadows and sign up. Guest worker programs have never functioned as an effective immigration-control tool; the lesson of past guest worker programs in the United States and elsewhere is that there is nothing more permanent than a temporary worker. Perhaps not surprisingly, the current immigration policy debate remains conveniently afflicted by historical amnesia. At least for the time being, it seems that policy escalation is politically more palatable than any fundamental reevaluation. ■