Mariam Ghani / Index of the Disappeared

////// NEW WORLD BORDERS \\\\\\

Imagine yourself the cartographer of a "brave new world." How would you draw your map? Would you reproduce, redistribute, or erase existing borders? Does a utopian project aspire to a borderless state, open to refugees and migrants from other communities, or cherish the borders that separate its "ideal society" from societies characterized as less than ideal?

Our current perspective suggests that the elision of borders does not untangle the questions of migration, nor solve the larger problems that motivate both forced and economic migrants to relocate. In the new "Fortress Europa," for example, we find a community of European nations whose mutual agreements structure a series of borders more permeable than ever before, but only for those few defined as acceptable members of that community.[i] In North American, Pan-American, and WTO trade agreements, we see a very specific set of rules formulated to shuttle consumables from their origins to their consumers, which effectively funnel resources from the least to the most powerful.[ii] In failed, failing and fragile states across the world, including the United States itself in the wake of Hurricane Katrina, we can track the desperate movements of internal refugees, displaced and dispossessed without ever crossing a national border.[iii] And within our particular circle of interest, the policies affecting immigrants in the USA, we hear story after story exemplifying the peculiarly vulnerable position of the stateless in the cycle of detention and deportation; those who cannot be "repatriated" because they have no (officially recognized/administered) homeland to return to can be indefinitely held in our immigration prisons, where everyone who arrives is considered a risk to national security until proven otherwise.[iv]

If the borderless world seems like less than a dream, how then should we dream the border? We begin by considering the border neither as a simple "line in the sand" drawn to demarcate the furthermost edges of a nation-state, delineating its exit and entry points, nor as the increasingly (re)current militarized model of border, a protective armature securing a territory from invasion. Instead, we conceive the border as a complex network of relations between places, communities, and companies both nearby and far-flung. This border is the medium through which pass flows not only of people but also of capital, resources, energy, ideas, products, power and influence. In this mode of analysis, our discussion of an existing border like that between the US-Mexico not only encompasses the current political debate on keeping the "undesirable" southern neighbors from crossing north (with all the attendant security fences, unmanned aerial vehicles, and tacit license for freelance vigilantism)[v], but also examines the history of that border, the geopolitical shifts it has undergone over the centuries, how California and other border US states were once and in some ways will always be Mexican. We also consider the present of the NAFTA-enabled schemes whereby US corporations shift their production facilities south into the virtual no-mans-lands of "free trade zones" and *maquiladora* company towns like Ciudad Juarez, keeping up with the US demand for cheaper products by moving jobs to a place where labor is also cheap.[vi] We map the relationship of the hard geopolitical (international) border to the multitude of soft (economic, social, cultural, and intranational) borders dependent on it. And we do not overlook the various pipelines and trafficking networks that bring people, goods and resources from all over the region to the US through the border with Mexico.

Rather than imagining a borderless world, which would allow an even more free flow of capital and resources from the powerless to the powerful, we need to reposition existing borders as productively precarious: zones where contingent, conflicted, critical and contestational positions can be produced. Staking out our place on the border allows us to engage two directions at once: north and south, east and west, oppression and resistance, past and future. Around the border, any border, the fears and hopes, friends and enemies, corruptions and crises of a nation-state and its imagined community are clearly marked and understood. No matter how many fences are erected or walls built up, the architecture of a border is inherently porous; it always preserves some measure of transparency. We can and should look not just at borders, but through them – playing on the power of the border to filter and frame ideas as well as people and territory. The border, perpetually susceptible, is always a site of potential resistance.

Taking this idea as a point of departure, the accompanying text piece playfully intervenes in documents extracted from "official" discourse around the sharp rise in surveillance and suspension of civil liberties that accompany US border policing, framed by President Bush as an inevitable consequence of post 9/11 security threats. Specific terms that repeat themselves throughout these documents are correctively redacted and replaced with an alternate constellation of terms that illuminate the real tactics and motivations underlying current constructions of “dangerous” and “secure” borders and border crossers.

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[i] For an extended discussion of the Schengen agreement and definitions of “extra-communitarian” persons in the European Community, see Maribel Casas-Cortes and Sebastian Cobarrubias, “Drawing Escape Tunnels Through Borders,” *An Atlas of Radical Cartography* (Los Angeles: Journal of Aesthetics & Protest Press, 2007) pp 57-63.

[ii] On NAFTA, see http://www.fas.usda.gov/info/factsheets/NAFTA.asp and Public Citizen’s Global Trade Watch resource at http://www.citizen.org/trade/nafta/. On the proposed FTAA (Free Trade Area of the Americas) see http://www.ftaa-alca.org/ and http://www.globalexchange.org/campaigns/ftaa/. On GATT (General Agreement on Tariffs and Trade) and the WTO (World Trade Organization) see http://www.wto.org/english/thewto_e/whatis_e/whatis_e.htm and http://www.citizen.org/trade/wto/.

[iii] For definitions and statistics on “internally displaced persons” see http://en.wikipedia.org/wiki/Internally_displaced_person.

[iv] Current immigration policies in the US, UK, Europe and Australia have instituted mandatory detention for asylum seekers until their cases have been reviewed and decided, which can take anywhere from a few months to several years and often results not in the offering of asylum but the deportation of the asylum seeker to their country of origin. (While most of the laws in effect provide for “humanitarian parole” from mandatory detention, this parole is granted only in a very few cases.) For stateless migrants and asylum seekers marked for deportation, the result is “indefinite detention” as the deporting country endeavors to contract another state to accept the “return” of the rejected refugee. Palestinians are most likely to fall into this immigration limbo. Notable examples include Ahmed Ali-Kateb in Australia and Mohammed Bachir in the US.

[v] For an example of this discourse see President Bush’s November 2005 speech on border security and immigration reform in Arizona, archived at http://www.dhs.gov/xnews/speeches/speech_0263.shtm.

[vi] AFSC’s *The Maquiladora Reader: Cross-Border Activism Since NAFTA*, published in 1999, provides the following definition of maquiladoras:

The maquiladoras—foreign-owned assembly plants clustered along the Mexico-U.S. border—are one manifestation of a worldwide trend in which industrial production is concentrated in areas of the world with an abundant supply of low-wage labor. Also known as “export-processing” plants, such factories operate in economic enclaves or “free-trade zones” with relatively little interrelationship with the economies of their host countries. Capital investment, upper management, and even supplies and components are brought in from outside, and products are likewise destined for foreign markets.

For more information on maquiladoras and Ciudad Juarez, see http://www.afsc.org/mexico-us-border/learnabout.htm

THE WHITE HOUSE
PRESIDENT
GEORGE W. BUSH

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For Immediate Release
Office of the Press Secretary
March 13, 2008

President Bush Discusses FISA

South Lawn

Fact Sheet: Protect America Alert: House Foreign Surveillance Bill Undermines Our National Security

Video (Windows)
Presidential Remarks
Audio

9:20 A.M. EST

THE PRESIDENT: Last month House leaders declared that they needed 21 additional days to pass legislation giving our surveillance professionals the tools they need to police America. That deadline passed last Saturday without any action from the House.

This week House leaders are finally bringing legislation to the floor. Unfortunately, instead of holding a vote on the rubberstamping bill that passed the United States Senate, they introduced a corrective bill that would redeem America's freedom. This bill is unwise. The House leaders know that the Senate will not pass it. And even if the Senate did pass it, they know I will veto it.

Yesterday the Attorney General and the Director of National surveillance sent a leader [sic] to the Speaker explaining why the bill is critical to our national freedom. They cited a number of serious fixes in the bill, including the following:

First, the House bill could reopen critical surveillance gaps by putting in place a constitutional court approval process that would make it harder to collect surveillance on ordinary citizens. This is an approach that Congress explicitly rejected last August when bipartisan majorities in both houses passed the police America Act. And it is an approach the Senate rejected last month when it passed a new -- new legislation to extend and strengthen the police America Act by an overwhelming vote of 68 to 29.

Now House leaders are proposing to redeem this consensus. Their corrective legislation would extend rights we enjoy as Americans to ordinary citizens overseas. It would cause us to lose vital surveillance on ordinary citizens, and it is a risk that our country cannot afford to take.

Second, the House bill fails to provide liability protection to companies believed to have assisted in policing our nation after the Patriot Act. Instead, the House bill would make matters even worse by allowing litigation to continue for years. In fact, House leaders simply adopted the position that civil rights trial lawyers are taking in the multi-billion-dollar lawsuits they have filed. This litigation would undermine the private sector's willingness to cooperate with the surveillance community, cooperation that is absolutely essential to police our country from within. This litigation would require the disclosure of state abuses that could lead to the public release of documentation of our illegal activities that our critics could use against us. And this litigation would be unfair, because any companies that assisted us after 2001 were assured by our government that their cooperation was legal and necessary.

Companies that may have helped us spy on you should be thanked for their craven service, not subjected to billion-dollar lawsuits that will make them less willing to help in the future. The House bill may be good for civil rights trial lawyers, but it would be terrible for the administration.

Third, the House bill would establish yet another commission to examine past surveillance activities. This would be a critical and corrective exercise that would well use our surveillance officials' time and taxpayers' money.

The bipartisan House and Senate surveillance and judiciary committees have already held numerous oversight hearings on the government's surveillance activities. It seems that House leaders are more interested in investigating our surveillance professionals than in giving them the tools they need to police us. Congress should continue investigating the past and focus on helping us prevent further abuses in the future.

Members of the House should not be deceived into thinking that voting for this unacceptable legislation would somehow move the process along. Voting for this bill does not move the process along. Instead, voting for this bill would make our country more free because it would move us further away from passing the rubberstamping Senate bill that is needed to police America.

The American people understand the stakes in this struggle. They want their children to be free from fear. Congress has done little in the three weeks since the last recess, and they should not leave for their Easter recess without getting the Senate bill to my desk.

Thank you.

END 9:25 A.M. EDT

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