BORDERS AND SECURITY:
THE THICKENING OF THE NORTH AMERICAN BORDERS

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I: INTRODUCTION

With the terrorist attacks of 9/11, the US borders were immediately hardened. As former US Ambassador to Canada Paul Cellucci concisely remarked at the time, in the new geopolitical landscape, “security trumps trade.” The realignment of priorities and increasing securitization has led to the deepening and thickening of the borders within North America. While the US-Mexico border was already significantly securitized (eg Nevins, 2002), the security measures implemented at the Canada-US in the last decade are unprecedented. Peter Andreas’s observations regarding the new “Mexicanization of the US-Canada border” alludes both to this new dynamic, but also to the greater convergence of US border security at its northern and southern boundaries (Andreas, 2005). Yet, while this convergence is certainly under way in some respects, there continue to be asymmetries at the US’s northern and southern borders. Moreover, while there has been an evident securitization of borders within North America, there has also been momentum towards hardening the region’s external borders and creating a regional security perimeter that will draw pressure away from internal borders by harmonizing economic, migration and security policies. Finally, even in the face of increasing securitization, some groups of people, particularly the professional class, are being granted expedited mobility across internal North American borders; for them, the border is thinning in exceptional ways.

This chapter will consider these changing dynamics and the complex landscape of North American border security since 9/11. As I will argue, while there are some overarching trends, there is no single narrative of securitization or regionalization that is underway, but a complex and often paradoxical mix of policies and practices. As contemporary border theory affirms, borders are always porous, to a certain degree, and closed, to a certain degree. What is therefore interesting in the study of borders is precisely the degree of openness: for whom or for what passage is enabled or constrained. As Etienne Balibar has remarked, “borders are being both multiplied and reduced in their localization and their function, they are being thinned out and doubled, becoming border zones, regions, or countries where one can reside or live” (Balibar 1998: 220). They are thus being reinforced, but also equally contested and the site of protest. As Balibar continues, borders thus do not demarcate the limit of politics—in the sense that they denote the boundary of the political community—but are constitutive of politics itself. To attend
to this complexity, this chapter will consider the ongoing reconfiguration of North American borders with respect to three frames: the economic-security nexus; security policies and practices at the border; and with respect to questions of mobility and citizenship.

II: SECURITY TRUMPS TRADE

In the immediate wake of 9/11, the US closed its borders. At the Canadian border, trucks were backed up for over 35 km, as impediments were thrown up in the smooth unfolding of the trans-border just-in-time economy. At the Mexican border, local economies have suffered enormously in the clampdown. Ackleson notes that “retail sales in El Paso, Texas, for instance, have been off in some cases up to 50%, prompting local officials to appeal for emergency economic relief from Congress” (Ackleson 2005: 176). As Stephen Clarkson remarked at the time, the potential economic outcome portended “a monumental disaster with an impact no less significant than the destruction of New York’s twin trade towers” (Clarkson 2001: 8). Canada-US trade is at $742 billion US a year; or $2 billion a day that crosses the border. Canada relies more heavily on this trade. At the end of 2007, US FDI in Canada is $289 billion (about 58%, up by half since beginning of the decade), and about 75% of Cdn exports to US—a trade deficit, in Canada’s favour ($2.2 billion in July). The trucking industry has a particular interest in open land border crossings: more than 7,000 trucks crossing daily, which accounts for about 70% of Canada’s trade with the US (Hale, 2009).

For Canada and Mexico, the closing of the US border, either permanently, or in response to another threat, would have significant economic impact. For these two countries then, there was much to fear with the new US mantra that “security trumps trade.” Thus fears around security and economy are inseparable, and have each contributed to the reconfiguration of the border (see Olmedo and Soden, 2005; MacPherson et al; Goldfarb, 2007). A common perception was that pushing towards deeper economic integration was the only way to ensure economic cross-border flows remained open. But that to do so would require more than just economic integration: Canada and Mexico would need to appease US security concerns, especially at the border. In this vein, multiple proposals for deeper economic integration quickly surfaced, and many included security and other measures in an attempt to capture US interest, with a new ‘big idea’. Canadian stakeholders foresaw an ‘inevitable’ integration across North America as only such a scenario would ensure future unhindered trade (Gilbert, 2005). Already before 9/11 proposals for broadening and deepening NAFTA were in the works. In Mexico, President Vicente Fox had floated the idea of a NAFTA-plus model that might even include a monetary union. Yet it was only with 9/11 that these issues started to get traction, and only when they were linked up with matters pertaining to border security.

The Security and Prosperity Partnership (SPP), signed March, 2005, embodied much of the impetus around deeper economic and security integration (Gilbert, 2007). The SPP was very much a market-based ‘partnership’ model, premised on incremental policy harmonization across a wide, variety of sectors, from electronic commerce, to collaboration in higher education. The

1 Compare to trade with Mexico: in 2009, US goods trade with Mexico: $128,997.7 million USD in exports; $76,537.0 million USD in imports; with a trade imbalance of $-47,539.4 million USD. http://www.census.gov/foreign-trade/balance/c2010.html#2009 . What is total figure?
harmonization of border security, including information sharing and interoperability of security forces, was also a significant component of this agreement, and very firmly wedded to any economic initiatives. The SPP denoted a shift to a trilateral concern with security matters, especially at the border. It also identified new possibilities of governing a regional partnership (see Walters and Haar 2002) that brought the concept of Fortress North America more clearly into view.

The expansiveness of the SPP and its mandate thus moved North America much more in the direction of a regional association, even if in a de facto, ad hoc way. Clearly the new security scenario in North America had a huge impact on this agreement. Yet international economic competitiveness, framed in terms of the rising power (and threat) of India and China, were also driving factors in this agreement. The model of the European Union loomed large, albeit with no indication that North America would adopt any comparable political infrastructure. This democratic deficit was one point of protest. Equally, numerous concerns were raised, by groups reflecting both right and left politics, about the erosion of national sovereignty (Macdonald and Ayres, 2009), and the impact on the attrition of human rights and citizenship (Gilbert, 2007).

As of 2009, however, the SPP is no longer an ‘active initiative.’ The impetus towards regional integration has also waned, although it has not completely disappeared. With the election of President Barack Obama there has been a decisive shift in North America away from an ethos of trilateralism, and even, especially in light of the financial crisis, a resurgent US protectionism that has reinforced the concept of national borders. Obama’s pre-election suggestion that NAFTA was in need of renegotiation raised concerns in Canada and Mexico. Moreover, the “Trade Reform, Accountability, Development, and Employment Act” (TRADE Act) introduced in the summer of 2009 in US Congress echoes this agenda. With more than 100 co-sponsors from both chambers, the TRADE Act calls for a review of existing trade pacts, including NAFTA, and proposes templates for future trade agreements. Canada and Mexico may well agree with the need to renegotiate NAFTA, but the unilateralism with which it has been presented is unfortunate. Mexican trucks, for example, have been disallowed from entering the US beyond a border-zone, despite NAFTA provisions otherwise. Obama has cancelled a pilot program for cross-border truck crossing that was introduced to address this problem by President Bush in 2007. In retaliation, Mexico has imposed $2.4 billion US in tariffs on some US products. In turn, the war on drugs is used as a rationale for hardening the Mexico-US border.

The American Recovery and Reinvestment Act signals the strong protectionist instinct of the new US government, even if only at times of crisis. Canada has looked on the Buy American act, which is bundled into the $800 billion US program for reinvestment, with apprehension as it states that all goods purchased for public use through the stimulus funds must be produced in the use, and manufactured items must be manufactured in the US. Senate’s softening of the protectionist impulses of the House, with the added “assurance” that these policies will be “applied in a manner consistent with U.S. obligations under international agreements” such as NAFTA and WTO, has not satisfied Canada. Rather than protest, in February 2010 Harper’s government announced that the provinces would now be included in the WTO procurement agreement, which means that they will now have access to US federal procurement initiatives,
but also, in turn, that the US will also be able to compete for Canadian provincial and municipal contracts.  

Moreover, Canada has gone out of its way to assure the US that it takes security seriously—a point that Prime Minister Harper was quick to re-emphasize in his meetings with President Obama in Canada in February, 2009 when he asserted that “threats to the US are threats to Canada”. Obama, in turn, exclaimed “I love this country and I think we could not have a better friend and ally.” With respect to the border he suggested that while security concerns persisted “I think that it is possible for us to balance our security concerns with an open border that continues to encourage this extraordinary trade relationship in which we have $1.5 billion worth of trade going back and forth every single day.” Despite these assurances, US economic protectionism has resurrected the idea of a regional security perimeter that would ensure economic cross-border flows, while creating a hardened security and migration periphery to the world (Potter, 2009; US Gov 2009: 104). What is significant in these renewed proposals is that the spirit of trilateralism is much weakened, and the idea of a regional security perimeter that would include Canada, the US and Mexico, much less likely in the near future.

III: SECURITY AT THE BORDERS

After the attacks of 9/11, the US immediately channeled monies into border security. Likewise, Canada immediately announced $280 for security, and in its first post-9/11 budget in December 2001 allocated $7.7 billion for the following 5 years. More recently, the US has announced that it is putting $100 million (2008) into port infrastructure on the Canadian border to supplement its increased securitization. Canada has also committed significant investment at the border: $600 million to the Border Infrastructure Fund (BIF), with $2.1 billion for the Gateways and Border Crossing Fund, of which $400 million to a new access road for new bridge at Windsor-Detroit crossing. These investments denoted a new emphasis on security, but a security that was increasingly reliant on technology and surveillance (Muller 2008: 11). An initial $10 billion US was allocated to the US Visitor and Immigrant Status Indicator Technology (VISIT) program, which has since expanded. This program mandates that biometric data be captured for all non-citizens entering the US (although Canadians also exempt), but the expansiveness of the program means that border controls operate well beyond the border itself (Amoore 2006). The Secure Border Initiative (SBI) of 2005 sought to further secure the borders by investing resources in technology and infrastructure, drawing together enforcement agencies, creating a more efficient detention process, and clamping down on undocumented workers. Initiatives such as these work to harden the borders, particularly against the movement of people. But there have also been efforts to work towards greater interoperability in cross-border security as well.

The earliest iterations of interoperability post 9/11 were instilled in the Canada-US Smart Border Accord (SBA) signed by then Canadian deputy Prime Minister John Manley and then US Director of Homeland Security, Tom Ridge, in the weeks after 9/11. The accord identifies multiple points of collaboration (eg managing refugees), common standards (eg cargo

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2 http://www.canadians.org/media/trade/2010/05-Feb-10.html
3 And figures for Mexico?
screening), and reciprocity (eg investment in infrastructure) to create a smart border that facilitates the movement of goods and people deemed low risk, while making the border more impermeable to others. One contentious aspect of the accord has been the creation of Integrated Border Enforcement Teams (IBETs) which draw together core agencies across the US and Canada—the Royal Canadian Mounted Police, the Canada Border Services Agency, the US Coast Guard, the US Customs and Border Protection/Office of the Border Patrol and the US Joint Task Force–North, as well as other levels of government—to monitor areas between borders. As noted at the announcement of the SBA, the concept of security perimeter was moving into view: “By working together to develop a zone of confidence against terrorist activity, we create a unique opportunity to build a smart border for the 21st century; a border that securely facilitates the free flow of people and commerce; a border that reflects the largest trading relationship in the world”\textsuperscript{4} What made it possible for the SBA to be signed so quickly was that many of these discussions were already underway: Canada had for a long time worked hard to negotiate open border access and to appease US concerns. Only with 9/11 was there the political momentum to move ahead quickly with these issues. Soon thereafter, a comparable Mexico-US border accord was agreed upon. Presidents Fox and Bush signed the twenty-two point US-Mexico Border Partnership Action Plan in March, 2002 in at meetings in Monterrey. While these early initiatives were bilateral, many of their programs around cooperation, harmonization and interoperability were expanded, as noted above, under the SPP which drew the three countries even closed into a regional association.

This ethos of cooperation and interoperability belies the ongoing securitization at the border, and the ongoing disparities between the US’s northern and southern borders. Already long before 9/11, the Mexico-US border had been heavily militarized. Somewhat paradoxically, the opening of the border to trade in the 1990s through the North American Free Trade Agreement (NAFTA) had resulted in the hardening of the border to migrants, particularly through programs such as Operation Gatekeeper (Nevis, 2002). The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorized the construction of more walls along the border. In an effort to secure its own borders to the south, Mexico introduced Plan Sur (2001), which saw the erection of physical barriers, military patrols, and the enforcement of immigration law by military troops at the border with Guatemala (Coleman 2007a: 622). As noted above, after 9/11 and with the creation of Homeland Security, the Mexico-US border hardened even further. The Minutemen Project was formed in 2005 as an ‘activist’ citizens’ group who would monitor the border to prevent undocumented border crossings, raising the worrisome spectre of privatized securitization. The Secure Fence Act of 2006 would authorize more than 1,100km of double-security fence to be extended across unsecured Mexico-US border, backed up by new technologies (satellites, unmanned air patrol). From 2006-2008, Operation Jump Start was in action, whereby 6,000 additional members of the National Guard were deployed to the US-Mexico border to supplement forces already there, while more border patrol could be mustered.

In March, 2009 President Obama contemplated sending another contingent of National Guardsmen to the Mexico-US border to address the ongoing ‘war on drugs’ which has escalated

\textsuperscript{4} http://www.dfait-maeci.gc.ca/anti-terrorism/declaration-en.asp
in recent years. This ‘war on drugs’ has been central to the reconfiguration of the border. Operation Secure Mexico launched in June 2005 by President Fox to target drug cartels. Builds on previous Fox initiatives, but also became more expansive. US support. Then Mérida Initiative of 2007: a 3-year agreement with Mexico and the countries of Central America to provide a $1.4 billion package to help fight drug cartels. While the plan does not call for US military to go into Mexico, the project was called Plan Mexico to draw allusions to Plan Columbia where US military did move onto US soil. President Calderon has taken on drug war, and after election in December 2006 directed 35,000 military to matters relating to the ‘war on drugs.’ In that time, over 10,000 deaths, including 1,000 officers, have been reported. There have been ample criticisms that the agreement legitimizes a militarized engagement with Mexico and the infringements of human rights (eg arbitrary killings, torture, illegal arrests), rather than address the demand for drugs across the border, which some argue ought to be the focus of US policy and funding (Brewer, 2008). In March 2009 Napolitano pledges an additional $700 million to secure the Mexico-US border: tripling Homeland Security intelligence analysts, doubling security, more intelligence sharing, more equipment—with efforts to also help monitor southbound traffic, especially to see if carrying money and weapons. Contingency plans have been set in place for more border security if violence continues to escalate. A significant part of the monies will be directed to the US, but also more money for Mexican forces too: eg for helicopters, navy surveillance aircraft.

Changes at the Canada-US border have also been dramatic. As Andreas notes, before 9/11 many Canada-US border posts were unmanned in the evenings, with only an orange cone dragged across the road to signal that the border was closed. “Tellingly, there were more US border patrol agents in Brownsville, TX, than along the entire Canada-US border by the end of the 1990s” (Andreas 2005: 452). In 2001 there were only 340 US Border agents at the northern border; there are currently 1,200. By this year, the number is set to increase to 2,212 (Neinast and James, 2008). This will result in 24/7 operations at the eight northern Border Patrol Sectors. By contrast, in 2001 there were already 9,000 US border agents at the US-Mexico border (Andreas 2005: 452).

What has also changed for Canada is the sense that its borders will be not treated much, if any, differently from those with Mexico. This has been made especially clear by US Secretary of Homeland Security Janet Napolitano, appointed by Obama, who identified the Canadian border as one of her top priorities in her first few weeks in office, and immediately requested a review. In 2008 a U.S. Customs and Border Protection report to Congress had expressed ‘significant concern’ that extremists could cross the northern border. Infamously, Napolitano insinuated that the 9/11 terrorists entered the US by way of Canada (an oft-repeated fallacy). She has also indicated that the Canadian border will be treated the same as that with Mexico. As she has stated, the law does not differentiate between them, so there is no reason to do so otherwise. Napolitano has fully supported the move to locate more staff at the Canada-US border.

5 While there is illegal trade that passes at the northern border, it has been more a case of Canada turning a blind eye to the influx of guns and drugs coming north, with a little concern out of US when drugs head south, as through BC (Andreas, 2005).
6 “Senator Byron Dorgan (D-ND) held up a rubber cone at a congressional hearing on northern border security in late 2001 to show what meets those who arrive at some checkpoints after 10pm” (Andreas 2005: 455)
The installation of five air and marine bases near the US’s northern border, as have been in place for many years to the south, is but another example of this ‘Mexicanization’ of the Canadian border (Andreas 2005: 455). Gary Bracken, communications director for the US Office of Air and Marine Operations told the Montreal Gazette 27 August, 2004: “We’re closing off both ends, then we’ll fill in the middle of the States” (cited in Andreas 2005: 455). In light of increased security initiatives, US air and marine border surveillance has also been increased, with 28 aircraft and 16 interceptor marine vessels at the northern border. The use of marine units is expanding: Bellingham (2004), Buffalo and Detroit (2007), and Rochester, Erie, Sandusky, Port Huron, Ste Sault Marie and Port Angeles (2008 and 2009). Air and marine operations have also been involved in several joint operations with RCMP (Neinast and James, 2008). The US is also using unmanned surveillance drones to survey the border: these are mounted with high definition and infrared video that can capture anything within a 40-kilometre radius and has extra-sensitive radar. These drones (which are increasingly used by the US in Iraq and Afghanistan) will also be used during the Vancouver Olympics.

The Olympics itself has been a poignant example of the greater securitization of the border alongside deeper interoperability of security personnel. Pressing questions have been raised regarding the piecemeal security integration, and its likely permanence. Exercise Gold (November 2009) was an Integrated Exercise Program and included NORAD participation, largely through air patrol and CF-18 Hornets. The U.S. Coast Guard and RCMP have been authorized to conduct “integrated marine cross-border law enforcement.” If an emergency were to arise, there are also provisions in place for integrated response. The Civil Assistance Plan, signed in February 2008, allows forces from one nation to support the other during a civil emergency, when requested. Concerns have been raised with respect to both initiatives around command structures as the U.S. military doesn’t allow its soldiers to operate under foreign command.

Similar concerns have been raised regarding the ‘Shiprider’ agreement signed May, 2009 by Public Safety Minister Peter Van Loan and Homeland Security Secretary Janet Napolitano—the Canada-U.S. Framework Agreement on Integrated Cross-Border Maritime Law Enforcement Operations. The ‘shiprider’ program was a temporary measure that originated under the SPP which allows Canadian and US law enforcement to work together on marine law enforcement in boundary waters—officers are able to enforce law on both sides of border. With the new agreement, the ‘shiprider’ agreement has been made permanent, alongside other IBET programs. As a follow-up, in November 27, 2009 Van Loan and Justice Minister Rob Nicholson tabled legislation, Bill C-60, : Keeping Canadians Safe (Protecting Borders) Act, which would designate US police and security agents as peace officers equal to RCMP in all parts of Canada during joint maritime border operations. It has also been suggested that discussions are already underway (one day after the end of the Olympics) that other maritime security programs that were enacted as extraordinary measures for the event be made permanent. This includes a

request by US Senator Patty Murray (Wash) who has asked Napolitano to continue to fund the Olympic Co-ordination Centre in Bellingham, Wash, that was set up in advance of the games to deal with possible terrorist attacks or emergencies.

Finally, and in a quite different way, the border is also not just becoming more intensely securitized, but is also being extended well away from the legal line in the sand at the 49th parallel. As an effort to position Canada as central to the Asia-Pacific Gateway, plans are underway to develop the “transportation infrastructure, including British Columbia Lower Mainland and Prince Rupert ports, road and rail connections that reach across Western Canada and into the economic heartlands of North America, as well as major airports and border crossings” as part of the Asia-Pacific Gateway and Corridor Initiative. While much of this project involves transportation investment, particularly initially in BC and the Vancouver region, one component of the corridor system would be a gateway at a Manitoba Inland port. In 2008 the Manitoba government passed legislation to permit the creation of CentrePort Canada, a 20,000 acre, private-sector led initiative in the vicinity of James Armstrong Richardson International Airport in Winnipeg that will presumably assume border authority. This initiative may portend new forms in interiorizing port and border functions, as well as an increasing role of the private sector in shaping port development.

As this section has illustrated, there is unquestionably a greater securitization, even militarization of North American borders. At the same time, there is a double movement whereby there is both hardening and ‘harmonization’ of border security: there is a hardening when it comes to risk prevention measures (surveillance, immigration), but a push for integration with respect to security response. This double movement might help assuage some US concerns about security issues but it reflects that the US remains convinced that, despite little substantiation, its neighbours pose security threats. The implications: different security perspectives mobilize different kinds of objectives, resources, and strategies on the ground. Will increasing securitization and militarization be effective? Given that the hardened southern border has not been particularly effective, it is questionable whether the new security measures will in fact deter terrorists or provide a ‘placebo’ effect (Andreas 2005: 456). Moreover, there are significant concerns around the ways that these agreements have unfolded through the back door, with a lack of political debate. A regional initiative with a clear democratic deficit.

IV: MOBILITY AND CITIZENSHIP

Border concerns around mobility pre-date 9/11 but they have taken on a new dynamic in the wake of the terrorist attacks. Didier Bigo has argued that there is a security continuum at work whereby populations deemed risky in one realm (eg ‘illegal’ migrants) are targeted as security and potential terrorist threats (Bigo, 2002). The Department of Homeland Security mandate clearly relies on this kind of linkage of migration with terrorism (Ackleson 2005: 178). Moreover, even ‘legal’ immigrants—especially racialized young men—are singled out as potentially (more) dangerous. Those who are deemed most ‘at risk’ are thus turned into risky subjects. This targeting is happening not just at the border, but is interiorized within the nation.

http://www.pacificgateway.gc.ca/index2.html
State and local police have been deputized in immigration policing, and enforcement extends well within state borders (Coleman, 2007a). As the American Civil Liberties Union has documented and mapped, border controls extend 100 miles inland from the US border, in a zone that exists outside constitutional purview.¹⁰ In the last several years, there has been a notable increase in the stops and searches in this zone, which because of their border designation can take place without a warrant. One such example are the Roving Border Patrols that took place in Southern California in June of 2004, where “exclusively Mexican nationals suspected of working without papers in the US” were targeted, leading to 11,000 ad-hoc interrogations and 450 formal detentions and deportations (Coleman 2007b: 60).¹¹ This blurring of the line between internal and external security and security forces has been typical of the post-9/11 ethos of securitization (Ackleson, 2005; see also Bigo, 2002).

Concerns about undocumented migration across the Mexico-US border are longstanding. Significant was the 1996 Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA) that earmarked hundreds of millions of dollars for border security and fortifications with an aim of deterrence (Ackleson 2005: 172). Yet Coleman notes that whereas there was a rising effort in the 1990s to reframe the Mexico-US border as a socio-economic issue, rather than a criminal one, post 9/11 it is the law and order mentality that has predominated (Coleman, 2007a). This mentality is a fundamental component of the Mérida Initiative which although ostensibly is about curtailing the US-Mexico drug trade, also targets cross-border migration—at both Mexico’s northern and southern borders. But there is also a lingering association—completely fallacious—that links undocumented migrants with terrorists, as with civilian vigilante groups such as the Minutemen who seek to make the US-Mexico border impenetrable (Doty, 2007). The violent sentiment against undocumented migrants in the US was clearly visible in House Resolution 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. The proposed act, authored by James Sensenbrenner, sought to further harden the US-Mexico border by measures such as erecting more fences, ending the catch-and-release of undocumented workers, making ‘illegal’ immigration a felony, and eliminate the ability of cities to offer sanctuary to migrants. While the bill passed in the US House of Representatives, it was defeated in the Senate. It was nonetheless a crucial fulcrum for mobilizing over a million protesters in the “Day without Immigrants” protests of May, 2006 (Pulido, 2007).

Mobility at the Canada-US border has also become increasingly securitized, and concerns over terrorists heading south to the US through Canada linger. In some of her first public comments as Secretary of Homeland Security, Napolitano intimated that the 9/11 terrorists had entered the US through Canada. This is a popular perception that while especially prevalent in the immediate aftermath of 9/11, continues to linger—former Republican speaker in the House of Representatives, Newt Gingrich, made similar comments in 2005.¹² Moreover, this continued perception has meant that Canada is no longer exempt from the hardening of immigration

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¹¹ Compare to the rounding up and detention of about 1,200 Arab and Muslim men—largely non-citizens—in the aftermath of 9/11. As Coleman notes, the detention of non-citizens is authorized in the 2001 PATRIOT Act, with no legal review and without public disclosure (Coleman 2007b: 60).

¹² Much of this concern is traced to a single incident in 1999, when Ahmed Ressam was apprehended at the US border arriving from Canada with plans to commit a terrorist act (Gilbert, 2005). This was the incident that triggered the first US Congress hearings on Canada-US border security (Andreas, 2005).
policies at the border. For example, Canadians were initially exempt from the Western Hemisphere Travel Initiative (WHTI), introduced in 2004, but it has now been extended to Canadians as of June, 2009, so that a passport (or equivalent document) is now required at the land border.13

The harmonization of immigration policy between Canada and the US also arises out of the latter’s concern regarding Canada’s ‘lax’ immigration policies (Gilbert, 2007). One such example is the Canada-US Safe Third Country Agreement (STCA) which came into effect in December 2004, as part of the Smart Border Action Plan. The agreement requires all those claiming asylum (with some exemptions) at a land-port-of-entry to make their application in the country of last presence. Effectively, it means that refugees who arrive first in the US cannot make an asylum application in Canada, and vice-versa—the possibility of making refugee claims at the US-Canada land border has thus effectively been shut down. This has raised considerable concerns that the countries are not meeting their obligations under the UN Convention for Refugees (eg the policy against refoulement).14 What this has meant is that the border has been hardened towards refugees, while creating a de facto regional perimeter that encompasses Canada and the US.

On July 13, 2009 Minister of Citizenship Jason Kenney announced that effectively immediately Mexican nationals would require visas to enter Canada.15 (The basis for this new regulation was the almost tripling of refugee claims from Mexico since 2005 (9,400 applications in 2008; 25% of total applications). This shifts the burden of management of migration from Mexico offshore, limits who can get to Canada, and thereby forecloses opportunities for asylum applications. At America’s Summit in August, 2009 PM Harper blamed Canada’s refugee process for “encourage[ing] bogus claims,” so as to appease Mexican governmental officials. Yet there has been little discussion of the factors that may be behind rise in refugee applicants from Mexico: 1) more stringent US immigration policies since 2004; 2) economic problems associated with NAFTA: agricultural collapse (because of subsidized US corn exports to Mexico) and increase in maquiladoras (and landless workers); and 3) intensity of violence around Drug War and US Merida Initiative that pumps money into security. What the STCA and the imposition of Mexican visas do is to create harmonized border immigration policy between Canada and US: to secure it more coherently from outsiders, especially from Mexico.

There has also, however, been a push to expand trusted travelers programs between Canada and the US. At their November 2009 meetings, Napolitano and Van Loan announced that NEXUS and FAST would be expanded, and would be available at all land and sea ports. Just over 9% of land crossings are by those enrolled in such programs, with the aim to double these numbers by 2009 (Neinast and James, 2008). The expectation is that expansion of these programs will enable more directed, targeted focus on ‘risky’ travelers, facilitated by new RFID (Radio Frequency Identification) technology in the membership cards. Yet while these programs

13 WHTI-compliant enhanced drivers’ licences have been permitted. Notably, they have been thanks to provincial and state innovation, issued first in BC but also Ontario and Quebec. The states of Washington, Vermont, Arizona, and NY will also produce parallel documents.
14 In January 2008 a Canadian Federal Court ruling stuck down the STCA arguing that the US does not comply with human rights obligations; this decision, however, was overturned by the Federal Court of Appeal, although it did not affirm that the US is safe for asylum seekers. The Supreme Court of Canada declined to hear the case.
15 Czechs were also targeted.
allow expedited mobility for their members (private citizens or transportation and trade companies), the complexity of the process “can force almost crippling administrative burdens on to the users” (Muller 2008: 12). These programs raise problematic questions around how the borders are being reconfigured and for whom (Gilbert, 2007). They signal a move away from a scenario where there is either a national border or regional perimeter, but a national border, within a regional security perimeter, that is both open and closed. This is entrenching hierarchical differentiations between legitimate and ‘illegitimate’ bodies, with temporary workers, non-citizens to dual citizens all being lumped into the latter. Economic rationales are thus being used to make some people’s lives more vulnerable—and noticeably, as with the case of temporary workers, groups of people who are more and more necessary to the new economy.

V: CONCLUSIONS

Recap:
1) Economy trumps trade
2) Security at the borders
3) Mobility and citizenship

Connect with the three conceptual frameworks:
1) new regionalism
2) democratic deficit
3) idea of community

WORKS CITED

16 There is also a push to develop trusted shipper programs by aligning the U.S. Customs Trade Partnership Against Terrorism (C-TPAT) and Canada’s Partners in Protection (PIP)


http://www.aclu.org/constitution-free-zone-map