The Hole in the Fence: Policing, Peril, and Possibility in the US-Mexico Border Zone,

1994-Present

by

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Graduate Program in Literature
Duke University

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Robyn Wiegman

Dissertation submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Graduate School of Duke University

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ABSTRACT

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Abstract

*The Hole in the Fence* examines the design and effects of the contemporary border security regime. Since 1994, the growth of military-style policing in the lands between the US and Mexico has radically reshaped the path of illicit transnational migration. Newly erected walls, surveillance technology, and the stationing of an army of federal agents in the border territory do not serve to seal off the national boundary. Border security rather works by pushing undocumented migration traffic away from urban areas and out into protracted journeys on foot through the southwest wilderness, heightening the risks associated with entering the US without papers. Those attempting the perilous wilderness crossing now routinely find themselves without access to water, food, or rescue; thousands of people without papers have since perished in the vast deserts and rugged brushlands of the US southwest. In this border policing scenario, the US border security establishment does not act alone. From corporations to cartels, aid workers, militia men, and local residents, myriad social forces now shape the contemporary border struggle on the ground.

*The Hole in the Fence* draws on the political theory of Michel Foucault and his interlocutors to argue that the US-Mexico border zone stands as a highly contemporary governing form that is based less on sovereign territorial defense or totalitarian capture than on the multilateral regulation of transnational circulation. Accounting for the conceptual contours of the border scenario thus challenges many of the assumptions
that underwrite classical political theory. This dissertation offers a vision of contemporary political power that is set to work in open and vital landscapes, and not in fortified prisons or deadened war zones. I articulate a mode of authorized violence that is indirect and erratic, not juridical or genocidal. I explore a world of surveillance technology that is scattered and dysfunctional, not smooth and all-seeing. I assess the participation of human populations in progressive political intervention as being just as often driven by practical self-interests as by an ethos of self-sacrifice.

This study draws on a diverse archive of on-the-ground policing tactics, policy papers, works of mass culture, academic scholarship, and self-authored media by rural residents to represent the contemporary border security environment. This pursuit is necessarily interdisciplinary, moving among historical, cultural, ethnographic, and theoretical forms of writing. Ultimately, *The Hole in the Fence* asserts that the southwest border zone is a critical conceptual map for the rationality of political power in the context of neoliberal transnationalism—a formation that constantly engenders new modes of persecution, struggle, subversion, and possibility.
Dedication

for my parents, and all they have given me

for the desert, and all its life
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“In this game, freedom may well appear as the condition for the exercise of power.”

—Michel Foucault
Introduction: The Hole in the Fence

The border is a broken strand of barbed wire lying on the dirt floor of a tranquil desert canyon. Grey-green mesquite trees reach up from the baking ground. Hawks, ravens, and vultures glide in a transnational network through the long blue sky. Below, a small gate has been built by a local rancher to ease the passage of human migration, deterring the perpetual cutting of the wire fence and the loss of US livestock to foreign lands. Nearby, a dry riverbed betrays dozens of footprints of those who have recently crossed through. Empty water bottles, tuna fish cans, and plastic granola wrappers from a nearby humanitarian aid supply drop toss about in the hot wind. Otherwise, all is quiet here.

To the east, twenty-five-foot metallic poles propped in vertical succession slice a hilly city in two. On the north side sits Nogales, Arizona, dotted with fast food restaurants, gas stations, and taxi stands. To the south, the metropolis of Nogales, Sonora, rises. Colorful adobe homes, churches, and apartment buildings range across the sloping landscape; the chatter of traffic, barking dogs, and all the bustle of city life stream through the air. Downtown, near the colossal eggshell awning of the international port of entry, community members gather on both sides of the border wall to hold hands through the steel beams in the location where a sixteen-year old was killed by a US Border Patrol agent. Graffiti reading SOMOS UN PUEBLO SIN
FRONTERAS defiantly adorns its base. Up the block, Border Patrol agents pour concrete into a hole in the ground, sealing off another smuggling artery discovered tunneling north at ninety feet below the surface of the earth: transnational porthole. To the west, a white and green patrol car sits at the gap where monsoon floodwaters have butterflied open a wide section of the flat metal surface. Further west, in the border town of Sasabe, Arizona/Sonora, musicians lead students up to a portion of the wall and use mallets to play music on its surface, eerily contorting the beastly sign of territorial negation into a gentler medium of song. Faraway on the beaches of San Diego/Tijuana, the poles pace out to sea. An artist makes the border wall disappear by painting its surface to match the colors of ocean, sand, and sky: beautiful dream. Back in Ambos Nogales, rope ladders momentarily dangle from the top of the metal partition and human figures scamper over, some making it, others falling. Smugglers use ultra-light aircraft to fly twenty-pound bundles of marijuana over the metal edifice; a heavy load accidentally drops from one contraption, crushing a resident’s doghouse—a local narco-spectacle that airs on the five o’clock news.

In binational cities where it has been built, the border wall stands as an imposing architectural feat. Outside of urban areas, the giant construction quickly dwindles into

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1 English translation: “We are a people without borders.”
2 The binational twin cities are commonly referred to as ‘Ambos Nogales.’ ‘Ambos’ meaning ‘both.’
shorter slats, triangular vehicle barriers, and eventually diminishes to thin wire cattle fencing, or nothing at all. Foot traffic flows through the open desert. In the public imagination, the construction of a wall between the US and Mexico represents the implementation of national order within the zone of transnational chaos. Walls stage the clean bifurcation of sovereign lands, trenchantly armoring the US territory with the protection of kings: the border as moat, the port of entry as drawbridge. Yet all this is, in a sense, what Wendy Brown calls, “a political theatre piece:” the transnational barrier is just as often a site of performance, play, and bypass (Walled States, Waning Sovereignty 110-111). The use of walling on the international boundary does little to steady or purify the edges of the nation-state. A wall in and of itself conjures visions of containment; its material reality in the contemporary US-Mexico border zone however, produces myriad counter-truths.

National discourse surrounding the US-Mexico border wall is booming. Conservatives complain that the standing boundary represents a failed homeland security tack, which suffers from a perennial lack of resources, national will, and martial know-how. For those on the left, the wall emblematizes a belligerent political power that uses spectacular military tactics to divide families and deny safe haven to the persecuted. At the same time, presidential candidates face off over whether or not to build a separation barrier between the US and Mexico, in a debate that would have us believe that the border wall does not presently exist. Meanwhile, thousands of activists
and religious leaders prepare to descend on Ambos Nogales in a massive protest to
demand that the wall be taken down. Together, this loud discursive jumble of divergent
and competing claims about the border wall produces incoherent noise around the
political reality in the US southwest. This rhetorical atmosphere, with its multiple
conflicting accounts, does little to clarify the status and function of the border wall,
seeming only to contribute to the further disarticulation of political power. 4

Upon visiting the southwest border zone, several material truths are readily
apparent. Contrary to the political indictments waged by the 2016 presidential campaign
of Donald Trump, walls indeed already exist in the lands between the US and Mexico.
More than 650 miles of border barrier currently stand along the nearly two thousand-
mile divide. The presence of the partition is a daily reality for border residents, activists,
federal agents, and migrants alike. Politically speaking, support for the wall has never
been a party issue. The effort was initiated under the Clinton Administration in the
1990s; the separation barrier has since received consistent support from both sides of the
aisle. 5 It follows that US border security in general, and walling in particular, are not

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3 The School of the Americas Watch has moved its annual vigil to the US-Mexico border this year
(2016) (Wiechec).
4 In her essay, “Images of Untranslatability in the US War on Terror,” Rosalind Morris describes
the “the use of images and the discourse of noise in the War on Terror” as “unsignifying signs”
(401).
5 The walling of border cities was bolstered in 2006 by the Secure Fence Act enacted under
George W. Bush. The resultant border wall construction cost an estimated $3.9 per mile
(McCombs).
underfunded but opulently financed. As a shared initiative of the War on Drugs, federal immigration policing, and the War on Terror, militarizing the southern divide has been a national spending priority. Defense contractors continue to strike it rich in the border contracting blitz, and US Customs and Border Protection has quickly grown to become the largest federal law enforcement agency, now claiming an annual budget of $19.5 billion and more than sixty-thousand employees (Budget-in-Brief Fiscal Year 2016).

Finally, and perhaps most importantly, the use of walls is no failure in the border security game. On the contrary, the construction of physical barriers between the US and Mexico has critically functioned to carry out the contemporary policing aims of the US Border Patrol. Indeed, the edifice is emblematic of a powerful and brutal governing approach on the North American continent. Its nature, however, is not simply that of a return to sovereign-style territorial defense, but rather inheres in another order of political aspiration. While walls proffer older images of territorial sovereignty, in the contemporary southwest border zone, barriers do not serve as a military limit on the nation-state. Walls are rather flagship enterprises to a transnational governing mode that produces its own forms of violence, circulation, control, and possibility. It is the conceptual contours of this dynamic order of contemporary border control in the US southwest backcountry that forms the focus of this dissertation.

I. The New Border History

“Borders are transformed rather than transcended.” 5
1994 inaugurated a new era of border enforcement when the US Border Patrol adopted its first official strategy for controlling the southern divide—a strategy which hinged on the tactical use of barriers. In the longer history of illicit migration from the Americas, people without proper documentation had generally gained entrance into the US by way of passage through border cities. In the absence of walls in urban areas, one could avoid inspection and walk into the US with relative ease. The new approach to border enforcement sought to alter this reality: over the last twenty years, walls have been built in and around border cities, peppering the southwest landscape. Despite projecting a powerful image of territorial armament between nation-states, the selective positioning of walls between the US and Mexico was never designed as a mechanism to fully enclose national territory. Security strategists rather admitted from the outset that, “the Border Patrol [has] accepted that the absolute sealing off of the border is unrealistic,” while insisting that, nonetheless, “the border can be brought under control” (Border Patrol Strategic Plan 1994 and Beyond 1; emphasis mine). Here, border “control” is defined not as the successful closure of the US-Mexico passage. It rather has a much more

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6 At the time, the Border Patrol was a relatively small agency housed under the Immigration and Naturalization Services (INS), part of the Department of Justice.

7 An ease with which US citizens can enter into Mexico today.
contemporary political valence: border security specialists conceived that effective border control would be a matter of sculpting the path of unauthorized migration anew.

The new border enforcement strategy was penned in partnership between Defense Department tacticians versed in low-intensity conflict doctrine and US Border Patrol higher-ups. Together, the security experts asserted that the border guard would control the movement of unauthorized traffic in the region by tactically increasing the relative risk of attempting to enter the US without papers (6). The approach, called “Prevention Through Deterrence,” uses resources and personnel, including the placement of walls in binational cities, to shift the flow of unauthorized traffic away from easier urban crossings and out into more dangerous journeys on foot through remote wilderness corridors.⁸ There, in the far reaches of desert and brush, many of those attempting to enter the US without authorization would “find themselves in mortal danger” as they undertake multi-day crossings on-foot through “more hostile terrain,” without access to water, food, or rescue (2; 7). For those who inevitably became lost, sick, or injured on the grueling passage, there would be few options: attempt to contact and surrender to the Border Patrol, attempt to turn around and find the way back to Mexico, or try to continue on, risking death in the remote wilderness. By styling

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⁸ The strategy was modeled after a 1993 experiment called “Operation Blockade” in the El Paso/Ciudad Juarez corridor (Nevins 94).
the crossing to be increasingly dangerous, the agency predicted that a significant number of potential travelers would be deterred from successfully making the trip into the US interior. A critical number of others would be dissuaded from attempting the crossing in the first place, amounting to a program of relative prevention through aggressive deterrence.

Over the last two decades, US Border Patrol surveillance technology, personnel, and infrastructure have been deployed across the US southwest border territory with the strategic effect of routing unauthorized migration through remote areas. It is now in isolated desert, mountainous, and brushlands corridors, just inside of the US interior, that the contemporary border security regime enacts its immigration enforcement program, where the infraction of unauthorized entry into the US is subjected to a plurality of on-the-ground punishments through the tactical games of risk.

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9 For the purposes of this study, “remote,” “backcountry,” and “wilderness” environments refer to any outdoor region where the travel time to reach definitive medical care exceeds one hour. In wilderness settings, communications systems may be compromised, essential resources and equipment may be minimal or lacking, and environmental factors, such as extreme heat and cold, can play a role in exacerbating threats to life. It should be noted that this definition of remote terrain, taken from wilderness medicine standards, is structured around a standard of travel time rather than a standard travel distance to civilization and infrastructure (NOLS). “Wilderness” is defined in these terms because distance itself is not a consistent measure for human subjects in distress, given that the ability to access assistance is vastly improved or worsened depending on the mode of travel available (i.e. on foot, by vehicle, by aircraft, and so on). It follows that in the case of travel by foot through treacherous terrain while injured or ill, “wilderness” may at times refer to regions that are as close as a one to two mile-distance from roadways or population centers.
II. The Repressive State Hypothesis

“This power had neither the form of law, nor the effects of the taboo (...) it did not set up a barrier; it provided places of maximum saturation.”
—Michel Foucault

For a long time, the story goes, we supported a repressive state, and we continue to be dominated by it even today. Or so we are told. Although federal border policy works to re-route migration flows, and not to block them, common parlance among activists and scholars is that, in the global present, we are increasingly confronted with a political world of closed borders. When it comes to commodities, we are told, we may live in an increasingly borderless world, but when it comes to people, borders harden. Wendy Brown describes this formulation as follows:

The conventional wisdom about neoliberal globalization is that it produces opposing economy and security imperatives, with the former driving toward the elimination of barriers and the latter toward border fortification (...) thus, an

10 Border theorist and historian Peter Andreas once summarized this formulation with specific reference to the southwest boundary in his essay “U.S.-Mexico: Open Markets, Closed Border,” writing, “as old barriers between the United States and Mexico are torn down and the two nations are drawn closer together, new barriers are rapidly being built up to keep them apart,” amounting to the “the simultaneous opening and closing of the southwest border” (52; 53). In his essay, “From a Borderless World to a Fortress World? The Two U.S. Borders After 9/11,” Ismael Aguilar Barajas describes this as the “great liberal paradox of migration,” writing, “trade investment flows spur processes of ‘de-borderization,’ while illegal migration and matters of national security create processes of ‘re-borderization’” (59).
economically driven erasure of distinctions is countered by a security-motivated press for boundaries and closure. (Walled States, Waning Sovereignty 94)

In the renewed “press for boundaries and closure,” this popular mantra asserts that the untethering of national economies is at odds with the repressive aims of the US security state. In effect, capital and people appear to be ruled by two distinct governing rationalities, which Lisa Lowe describes as “dynamic contradictions [that arise] precisely at those intersections, borders, and zones where normative regimes contact, enlist, restrict, or coerce” (122). On the one hand, we are told, unprecedented liberalization rules the global marketplace through free trade and deregulation. On the other hand, repression rules the transnational movement of people, who are subjected to backsliding modes of state violence as a means of halting migratory circulation.

Such a vision of the privileged movement of goods over the needs of migrating peoples effectively announces the survival of the repressive state apparatus in the transnational context of the US-Mexico border. While many indeed endure the separation of families and the lack of access to safety, stability and wages in the global south as a consequence of border policy, this study resists attributing such productions of cruelty to a contradictory relationship between economic and security imperatives at the border. What is significantly elided when posing the border zone as such an essential site of sovereignty interdiction is that the form of control proper to the border security apparatus is rather productive and regulatory in nature. This study thus critiques
the conceptual claim that the policing of the border region primarily functions to halt the
movement of migrating peoples into the US interior on the basis that this merely
represents a repressive hypothesis about the nature of state power—one which does not
adequately express the historical processes at work on the ground.

The term “repressive hypothesis” is borrowed from the pages of The History of Sexuality Volume I: An Introduction, wherein Michel Foucault examines a modern world in which sex appears to be an unspeakable, forbidden, and shameful ontological secret. While sexuality may seem to have taboo status in public discourse, Foucault observes how, during the same historical period, a vast number of social institutions and types of talk about sex were in fact rampant. Foucault thus mounts a well-known critique of the repressive hypothesis concerning the status of modern sexuality, asserting that the appearance of its repression is a red-herring—one which only distracts from the myriad ways in which sexuality is being actively regulated, produced, and controlled by numerous social norms and institutions. While his entry-point for historical analysis is human sexuality, Foucault’s critique of the repressive hypothesis offers an essential framework for reading political power more widely:

Underlying both the general theme that power represses sex and the idea that the law constitutes desire, one encounters the same putative mechanics of power. It is defined in a strangely restrictive way, in that, to begin with, this power is poor in resources, sparing of its methods, monotonous in the tactics it utilizes,
incapable of invention, and seemingly doomed always to repeat itself. Further, it is a power that only has the force of the negative on its side, a power to say no; in no condition to produce, capable only of posting limits, it is basically anti-energy. This is the paradox of its effectiveness: it is incapable of doing anything, except to render what it dominates incapable of doing anything either, except for what this power allows it to do. And finally, it is a power whose model is essentially juridical, centered on nothing more than the statement of the law and the operation of taboos. (85)

When gazing upon the US southwest border context in Foucauldian terms, we are increasingly confronted with a *repressive state hypothesis* in which public discourse postures border control as working to close the national boundary and stop the movement of people without papers—that is to say, an assumption that the state works as the “negative” force of “anti-energy,” one that is “capable only of posting limits,” which Foucault describes. Upon closer examination, however, this repressive appearance of border control gives way to an on-the-ground process in which the state is but one among multiple forces that are actively at work *producing* and *managing* the treacherous path of transnational human circulation.

Indeed, one cannot visit the southwest border zone without being confronted with the obvious flow of human traffic through the region. By any measurement, the line between the US and Mexico is the most frequently traveled international land
border on earth: in addition to the massive number of legal crossings at the border every year, at least six million people have made successful clandestine crossings into the US through wilderness regions between ports of entry over the last two decades of security operations (Pew Research Center). While the US-Mexico boundary may be the most heavily militarized border between two non-warring nations in the world, the aim of this build-up of the state apparatus does not serve to close the border but rather to enhance the risk and exaggerate the danger of the migratory crossing. As such, people without papers make it into the US every day of the year; the undocumented population in the US has ballooned to nearly thirteen million people. By any definition, the US-Mexico border is open.

Multiple geopolitical forces now propel these tides of transnational migration. The 1994 Border Patrol strategy was penned at a time when a new burst of illicit human movement from the Americas was touching the southwest landscape. The passage of the North American Free Trade Agreement, also in 1994, caused an immense boom in labor-driven migration of newly-impoverished campesinos seeking employment in the north.

11 There are approximately 350 million legal crossings through ports of entry at the US-Mexico border annually (Pew Research Center). For a discussion of the methodology challenges when producing counts of the undocumented population, see Jeffrey S. Passel “Measuring Illegal Immigration: How Pew Research Center Counts Unauthorized Immigrants in the U.S.”

12 English translation: ‘farmworkers.’ The debut of Prevention Through Deterrence doctrine came at a time of growing US political investment in governing the relationship with Mexico. The coincident passage of the North American Free Trade Agreement (NAFTA) in 1994 revolutionized trade relations between the nations, lifting restrictions on foreign investment,
Since that time, the character of illicit migration has transformed and the stakes of the clandestine crossing have deepened as a diversity of human populations are now caught up in the transnational migration circuit. As a consequence of the US Border Patrol strategy to make unauthorized entry increasingly perilous, migrant workers who had historically only labored in the US on a seasonal basis now elect to permanently relocate their entire families to the north, in lieu of risking multiple life-threatening journeys through the southwest desert. As a result, women, children, and the elderly have joined the droves attempting to survive the perilous border trek, amounting to a paradoxical situation in which heightened border militarization has catalyzed more permanent undocumented settlement in the US interior.

The initiation of urban combat operations in the Mexican Drug War in 2006 brought unprecedented levels of government corruption and cartel violence to civilian life, propelling a new and lasting wave of transnational human movement. The easing import and export practices, and dismantling communal land holdings. In effect, global agribusiness was brought into direct competition with small-scale subsistence farming, destroying local economies. A growing number of transnational corporations established large maquiladora manufacturing plants in Northern Mexico to access a cheaper foreign labor force. Maquila workers fashion products with imported materials that are then exported back out of the country to circulate in the global marketplace.

13 Before 2000, the center-left PRI party ruled Mexico for seventy years and official anti-drug efforts focused on crop-destruction of marijuana and opiate fields in the mountains, and not on military operations in urban areas. Since 2006 under the administration of Felipe Calderón, the Mexican military has been mobilized to dismantle powerful cartels in an urban drug war which had amassed 120,000 deaths by the end of 2013. There have been widespread reports that the Sinaloa cartel, which runs all southern Arizona illicit migration, had infiltrated the Mexican
expansion of the narco-war throughout the global south has led masses of Mexican, Guatemalan, Honduran, and Salvadoran nationals to seek sanctuary from the threat of kidnapping, extortion, and disappearance. Many of those now journeying through the southwest wilderness are not seeking employment, but are rather fleeing for their lives.\textsuperscript{14}

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government. This growing lack of distinction between government, military, and mafia in Mexico has caught the general civilian population in its crosshairs. This human tragedy made global headlines with the mass kidnapping and disappearance of forty-three students from the Ayotzinapa Rural Teacher’s College on September 26, 2014. Eyewitnesses report last seeing the students being rounded up and forced into multiple police vehicles who then allegedly handed the students over to the Guerreros Unidos gang—a splinter group of the Belten Leyva cartel (Iacino, 1; AFP). The depth of corruption in the Mexican government from cartel infiltration is chronicled by John Gibler in \textit{To Die In Mexico}; Gibler gives special attention to the high death rate of journalists: sixty-eight reporters have been executed by cartel affiliates in Mexico since 2000 (20). The end appears to be nowhere in sight, as a 2012 study estimated that over 450,000 people are directly employed by Mexican cartels and 3.2 million people’s livelihoods depend on various parts of the Mexican drug trade. There are now more than 45,000 government troops involved in the fighting. In \textit{A History of Violence: Living and Dying in Central America}, Óscar Martínez describes the high contemporary rate of murder in El Salvador as an effect of cartel dominance as particularly startling given that it is, “a country of only 13,000 square miles, home to 6.2 million people, and yet average[es] twenty-three murders a day. By comparison, during the sixteen-year Civil War, which ended in 1992, the average murder rate was sixteen. Today’s violence makes nonsense of the words ‘war’ and ‘peace’” (23).

\textsuperscript{14} Because of this shifting diversity of human populations caught up in the border security arena, border activists and scholars have taken pause when using any general term to designate these peoples. The use of the terms ‘migrant,’ ‘refugee,’ ‘foreign worker,’ ‘asylum-seeker,’ ‘smuggler,’ or ‘undocumented,’ are each inadequate as catch-all labels. ‘Border crossed’ is perhaps the most inclusive of these categories, however, it is one that is often employed in derogatory discourse, which also regularly refers to those crossing the border as ‘wetbacks,’ ‘illegals,’ and ‘aliens.’ Whereas ‘immigrant’ designates a person who has permanently relocated to a new home-place, it is important to point out that \textit{migration} is a temporary life-event or activity, and, in that sense, not a lasting identity category. Converting those who are in the process of crossing the border into a summary identity category arguably does as much to install an existential division that is used to authorize the treatment of diverse populations in universally criminalizing terms. Moreover, the issue of who is deserving of the designation ‘refugee’ is a highly political matter: under international law, there is no categorical protection offered to economic refugees. Despite the fierce political violence now facing many of those seeking entrance into the US interior, few
The immense flow of cross-border migration is not, however, without violent forms of regulation. First and foremost, the Border Patrol’s 1994 plan to make the border crossing increasingly perilous has been brutally effective. The enforcement agency estimates that since the years of the implementation of Prevention Through Deterrence doctrine, the bodies of at least 6,571 people have been recovered from the southwest borderlands—people who perished while attempting to migrate on foot through vast deserts and brushlands (United States Border Patrol). In these cases, the direct cause of death is exposure to the elements: dehydration and heat-related illness and other treatable afflictions become life-threatening when access to water, food, and life-saving care have been tactically severed. Moreover, the bodies of many of the dead are never found, being forever lost to the folds of the remote backcountry to be scavenged by animals and disintegrated under the hot sun. The official casualty count is thus only a fraction of those who have perished on the journey. Advocacy groups contend that the true number of border deaths is three to ten times the number of recovered human remains, raising the total estimation to between 20,000 and 65,000 migrant deaths in the qualify for political asylum in the US. The ‘migrant’ image seems to stubbornly cloak any and all who move through the southwest border. Given this terminological state of affairs, this dissertation employs the terms “migrant,” “the undocumented,” and “border crosser” only provisionally. Where possible, I favor the use of terms such as “those crossing” or “those migrating” and “people without papers” which emphasize process rather than identity when making reference to the human populations who are targeted by the contemporary border security regime in the US southwest.

15 Nearly half of these were recovered from the Arizona desert (Coalición de Derechos Humanos).
US southwest. In effect, over the last twenty years of risk-based policing, the borderlands have transformed into a gauntlet of survival and a vast graveyard of the missing.

The policing enterprise of heightening danger at the border has produced sizable profits for a diversity of non-state actors who, in turn, now play critical governing roles in the region. The implementation of Border Patrol’s 1994 approach has ushered in a new era of defense industry contracting in the US southwest. As the on-the-ground military campaigns in Afghanistan and Iraq wind down, war industry outfits have found new opportunities in providing the weaponry and manpower to militarize the home front. Walls, towers, helicopters, drones, scopes, sensors, SUVs, dogs, rifles, and more: outfitting the border with infrastructure, weaponry, and technology has become a multibillion-dollar global industry (Miller, “The Border-Industrial Complex Goes Abroad”). Given the planned permeability of the border territory, the inadequacy of a given defense system only opens new doors for contractors to enter the fold to debut the military equipment of the day, constantly expanding what many now term the “border-industrial-complex” (Miller).

The border policing practice of routing migration through dangerous terrain has also meant big business for black-market actors. The looming threat of death in a vast, rugged, and unfamiliar landscape makes crossing the border territory next to impossible without hiring a guide. As a consequence, the contemporary border security regime has
birthed a large-scale human smuggling industry, which has quickly become monopolized by Mexican cartel organizations. Organized crime on the border no longer simply runs in drugs, but now traffics in people.\textsuperscript{16} Regional monopolies have allowed cartels to charge averages of $3,000-$5,000 a head for escort through the wilderness. Many migrants pay part or all of this fee in advance; in effect, cartels often make a significant profit whether or not they successfully deliver their human cargo to their desired destination within the US. Simply walking across the line to be apprehended by Border Patrol agents and deported is now a value-adding enterprise in the border zone. The growth of cartel revenue is only ensured by the federal deportation regime as the Obama Administration has been responsible for the raids and removals of nearly three million undocumented people within the US. Many of those now crossing through the desert do so to seek family reunification after being forcibly removed from their mixed-status households upon traffic stops or workplace raids in the US interior.

The exploitation of undocumented laborers in the agricultural, manufacturing, domestic labor, and service sector industries in the US is an open secret on the national stage—so much so that many have argued against the deportation of the undocumented on the basis that the US economy would effectively collapse in the absence of this cheap

\textsuperscript{16} An effect which was predicted by tacticians in 1994 (\textit{Border Patrol Strategic Plan 1994 and Beyond} 13).
labor force. Moreover, being arrested and deported is a now also source of profit for US corporations: over the last twenty years, the immigration detention system has rapidly expanded to grow the private prison industry. Legislative efforts which promote criminal sentences for the civil infraction of unauthorized-entry in combination with the rapid uptick in refugees surrendering at ports of entry in hopes of receiving political asylum has amounted to an explosion in the undocumented US inmate population. Incarceration giants GeoGroup and the Corrections Corporation of America have received sizable government contracts to house immigration detainees. The revenue of for-profit detention centers is amplified by corporations putting the incarcerated to work for wages of between $1 and $3 a day (Kunichoff). In effect, many of those being punished for working illegally in the US are then made to labor within private detention centers. Serving time and being deported only facilitate another round of payouts for

17 The widespread hiring of people without papers under the table in the US produces profits for US companies, and comprises $54.2 billion in remittances annually (GAO, “International Remittances” 1).
18 The Secure Communities biometric data sharing system which cross-references fingerprints of any arrestee with the Immigration and Customs Enforcement system has rapidly increased the number of people being kept in US detention centers on immigration holds after being arrested for minor crimes in the US interior. The policing collaboration amendment 287(g) propels this process by empowering local police to enforce immigration law, further contributing to deportations of the undocumented from the interior.
19 In 2014, the Obama Administration awarded CCA a four-year, $1 billion contract to build “family detention centers” in Texas—the largest of which, the South Texas Family Residential Center which houses 2,400 women and children, alone produced 14% of the incarceration giant’s revenue in 2015 (Harlan).
this multiplicity of beneficiaries when the newly displaced inevitably attempt the journey again.

Like the transnational flow of human traffic despite its legal prohibition, official authorization and material circulation also do not readily align when it comes to the movement of commodities across the national boundary. Informal economies trafficking in narcotics, arms, money, and guns-for-hire not only exist but have rapidly expanded to become codified in clandestine networks in this new era of border security. On the ground, the smuggling of unauthorized goods is often tactically indistinguishable from the movement of unauthorized people, sometimes painfully so, as migrants in the border zone are at times referred to as polllo by cartel guides who, in turn call themselves polleros.\textsuperscript{20} This equation is not only a metaphor: in the southwest backcountry, bales of marijuana and groups of people are routinely ferried by the same guides on the same migrant trails with the same drop-off locations using the same criminal organizations and working through the same networks. Moreover, carrying drugs through the border zone is a common a means of reducing the fee to cross—a gamble made by the most impoverished, amounting to a situation in which unauthorized people and unauthorized commodities move as one. As a consequence, the line between the global movement of human beings and the transportation of goods has increasingly dissolved.

\textsuperscript{20} Pollo meaning ‘chicken meat,’ and polleros being its peddlers.
It is a reality far flung from the assessments of scholars who argue that the movement of people and products are organized by disparate governing forces. Perhaps a more disturbing truth than the notion that the border is closed to the movement of people is that the state increasingly institutionalizes, industrializes, and capitalizes the cycle of undocumented migration to the point of multilateral profitability. This terrain of global circulation is structured less by the repression of human movement by the state than by the aggressive capitalization of migratory circulation by a transnational governing regime.

In the border zone, the traditionally ‘repressive’ tools of the state are increasingly put to work to open and expand new markets, leading Peter Andreas to comment, “a liberalizing state is not necessarily a less interventionist state” (Border Games 141). If, in its material condition, the US southwest is a place of both open markets and open borders, in which security strategy seeks not to repress but to regulate the transnational circulation of unauthorized migration, then why does the mantra of “open markets and closed borders” have such diagnostic traction? From what conceptual order is this repressive guise of political power derived?

**III. Rule Without Exception**

“Violence always has a context.”
—Bruce B. Lawrence and Aisha Karim
Governing the contemporary border scenario is no longer the sole province of state authorities imposing juridical strictures on illegal immigration. In the southwest border zone, political rule takes the structure of powerful play among a heterogeneous set of participants as numerous non-state actors now dip into the scene of control. Along with contractors, cartels, and corporations, right-wing militia organizations have descended on the border region to conduct armed civilian patrols of the backcountry. Humanitarian aid organizations provide direct aid to the lost and injured in the far reaches of the desert. Local law enforcement agencies, backcountry emergency medical services, rural US residents, and tribal members are also routinely called into the mix, spontaneously acting as temporary proxies for border enforcement or as unlikely allies ensuring the safety and survival of those attempting the journey. From the gaze of drones high in the sky to the invisible detections of motion sensors buried deep in the earth, surveillance technologies now play a powerful role, infiltrating the remote wilderness with the possible stare of observation. And there is the physical landscape itself—its scorching heat, high mountain passes, snaking canyons, barbed cacti, humid brush, and arid flatlands—which is daily instrumentalized as both the grisly weaponry of border enforcement and as the clandestine passage to sanctuary. In the border territory, the state apparatus is but one force in a diverse political scenario that constantly overflows the conventions of sovereign rule.
The southwest border region thus offers a rich example for how political power extends beyond the confines of nation-state sovereignty in the present historical setting. A number of theorists have offered useful designations for such horizontal, plural, and networked expressions of postwar political rule that routinely decenter the state form. The terms “postnational,” “transnational,” “Empire,” “control society,” “neoliberalism,” “globalization,” “governance,” and “governmentality,” and “biopower,” have all emerged as conceptual means of articulating the exercise of political power in the absence of a single, centralized, and legible sovereign authority. Encapsulated in what he describes as, “power without the king,” this line of discourse has drawn heavily from the work of Michel Foucault, whose political philosophy offers a rendition of social control that subordinates law and the traditional forms of statecraft in its lexicon (The History of Sexuality 91). In his work, Foucault directs analytic attention to the production and exercise of political powers through a mixture of practices, norms, and institutions—formal or otherwise. As such, governing rule is not something principally derived from the juridical activities of the sovereign nation-state; “to govern,” Foucault contends, is rather the more general capacity of entities or actors “to structure the possible field of action of others” (“The Subject and Power” 790).

21 See, for example, Michael Hardt and Antonio Negri’s Empire (2000), Wendy Brown’s Undoing the Demos (2015), Gilles Deleuze, “Postscript on the Societies of Control” (1992).
In the post-9/11 period, the continuation of authorized campaigns of military-style aggression has troubled the more celebratory dimensions of interconnectedness and cultural transaction fostered by the rise of globalization and the decline of nation-state dominance. In upending the supremacy of nation-state authority in postwar theoretical accounting, scholars have struggled to make sense of the continuing exercise of programmatic violence by state actors on a global scale. The matter became increasingly pressing among political theorists in the spectacular onset of US wars and occupations in Iraq and Afghanistan. Many found an answer to the logical disorder of apparent unilateralist state violence taking hold in the post-national age in the concept of *the state of exception*. In “Rethinking American Studies After US Imperialism,” for instance, Donald Pease comments to this effect:

At the conclusion of the Cold War, proponents of transnational American studies described American exceptionalism as a mirage that concealed America’s interconnections with the world of nations it purported to rule. But after 9/11, it was the assertion of America’s interconnectedness that seemed delusory (…) The Bush administration’s unambiguous expressions of state power resulted in unilateralism in the international arena and in new rules of citizenship and belonging within the borderlands and contact zones of the newly circumscribed state of exception (22).
The term “state of exception” was first coined by Carl Schmitt in 1927; it has gained new traction as an analytic in the more recent work of Giorgio Agamben, who contends that sovereign violence survives in designated geopolitical sites wherein the juridical order that governs normative life has been temporarily suspended. In this conceptual imagery, global conflict zones are set in a world apart from the everyday course of political rule, being dictated by a state power that is totalitarian in form. In these spaces, the story goes, political authority can exercise its repressive violence without mitigation. The lexicon has been recently grafted onto the border scenario by a number of commentators, such as Roxanne Doty, who asserts, “US border control strategies have turned and continue to turn much of the southwest border areas into spaces of exception” (607). The geopolitical borderlands, thus conceived, play host to the liminal resurgence of sovereign-style rule, which then grants authorization for exceptional practices of violence. This special consolidation of sovereign firepower is then leveled against subjects who, upon entry into the zone of exception, have lost all protections,

22 See Schmitt, The Concept of the Political (1927) and Agamben’s, Homo Sacer: Sovereign Power and Bare Life (1998), and The State of Exception (2005).
23 In a similar vein, Mark B. Salter writes, “the border is a permanent state of exception, which makes the ‘normal’ biopolitical control of government inside the territorial frontier of the state possible” (366). In his account, Jason de León describes the border zone itself as “like Agamben’s characterization of the concentration camp,” insofar as it is a physical and political location where an individual’s rights and protections under law can be stripped away upon entrance” (27; original emphasis). See also Abraham Acosta, “Hinging on Exclusion and Exception: Bare Life at the U.S.-Mexico Border” (2014) and Louise Amoore “Biometric Borders: Governing Mobilities in the War on Terror” (2006).
rights, and liberties that would be otherwise afforded to them. In this alleged
exceptional scene of rule, accordingly, human populations are described as being
governed by an older and more lethal form of political power.

While offering an alluring formalist vision of governing practice, it is precisely
this kind of portraiture of the border zone that the present dissertation project seeks to
rewrite. I argue that the popularity of the state of exception does a conceptual disservice
by envisioning the border zone as a no-man’s land of total suffering that is cut off from
all modes of sociality beyond the sovereign decision over life or death. It is an abject
portrayal of the scene of political conflict, one which approaches the unimaginable, the
unpresentable, and the empty, amounting to an acute analytical disfiguration. In spirit,
the thrust of this style of analysis is generally that of an ethical concern for adequately
representing the terrible persecutions visited upon target populations in the
transnational governing arena. Indeed, the human consequences of the contemporary
policing of the US-Mexico divide are catastrophic: untold numbers live with the
experience of having endured the struggle for survival in the remote wilderness, and
many sit with indefinite uncertainty as to the whereabouts of family members and loved
ones who have disappeared while crossing. However, the design of governing violence
on the border is not simply a negative echo of sovereign decisionism otherwise passed.
It is rather critically animated by productive and regulatory transnational forces brought
on by the opening of military-style policing in the region. This study thus conceives the
southwest borderlands not as a state of exception, but as a place full of variable actors, powerful contingencies, and myriad forces which are made routinely available to both the completion of programmatic violence and to its perpetual subversion.

The official organs of the nation-state remain powerful actors in the terrain of US border security. Yet, the story of contemporary border control does not begin or end with its juridical formation. In this study I argue that the activities and policies of the US Border Patrol and its parent agencies facilitate a regime of transnational political power that constantly exceeds and decenters their authority. In effect, the US border zone offers an important demonstration of the way in which the weakened and even failing pose of national sovereignty comes to critically function on behalf of political aims that are fundamentally neoliberal and transnational in nature. The southwest border zone is thus not a land apart, bathed in totalitarian repression. It is rather a place in which the design of contemporary political control is being constantly innovated, contested, and recalibrated. In the pages that follow, the border territory offers an essential terrain for glimpsing the rationality that increasingly underwrites the more general control of contemporary social life—as a site of rule, without exception.

**IV. Writing in the Ecotone: Field, Archive, Method**

“The borderlands are a vision of the future.”

—Fatima Insolación
Academic discourse has proffered numerous modes of looking at borders: as frontiers, as postnational boundaries, as borderlands, free trade zones, liminal spaces, contact zones, and much more. Each term holds its own theoretical valence and claims its own intervention. Many of these concepts usefully cast borders as multi-dimensional sites rather than as flat dividing lines. Among them, Gloria Anzaldúa’s term “Borderlands,” is well-known for both referring to and exceeding the vital landed space of the US-Mexico territory. The “Borderlands” therefore travels conceptually, designating multiple hybrid processes, identities, and experiences of meeting, “wherever two or more cultures edge each other, where people of different races occupy the same territory, where under, lower, middle and upper classes touch, where the space between two individuals shrinks with intimacy” (np). 24 Mary Louise Pratt’s “contact zone,” similarly names the physical and figurative place where two or more cultures come together to “grapple,” conflict, and structure each other anew (1).

Beyond its national geography, the US-Mexico border sits at an important set of historical and political intersections: domestic policing and foreign militarism; government, privatization, and paramilitary powers; the war on drugs and the war on terror; death, survival and freedom. Over the last twenty years, the southwest desert has

24 For an account of the fraught nature of Anzaldúa’s concept of “Borderlands” functioning in both concrete and ideational registers, see Mary Pat Brady’s “The Fungibility of Borders” (2000).
become heavily saturated with the political forces of the day. In its presentation of the border zone and the desert, this dissertation works alongside Anzaldúa’s and Pratt’s notions while adding its own ecotonal valence. In addition to being a physical space of contact with powerful synechdochic capacities, in my discussions the border zone is also conceived of as a place of transition and tension, wherein various ecologies—natural, human, and technical—are in acute and contentious circulation. In the pages that follow, the border zone offers a distinct way of looking.

The reading of the US-Mexico boundary has been largely set within region-based disciplinary formations, finding a home in Latinx, Chicano, and American Studies departments, many of which now offer interdisciplinary ‘Border Studies’ curricula. The national divide has also been an object of exploration for US and continental historians and social scientists, and more recently for archaeologists and anthropologists, who have begun to study the material culture of undocumented migration. A growing number of investigative journalists have taken interest in the region, offering important accounts of the drug war, the migration route through Mexico, and defense contracting on the border.25 Despite its powerful heuristic capacity, however, the policing of the southwest divide has rarely figured in the realm of contemporary political theory.

Scholars more often source their chief examples from other global dimensions of the War on Terror, such as the invasion of Iraq and Afghanistan, the US proxy war in the Israeli occupation of historic Palestine, the twelve thousand “humanitarian” drone strikes in Pakistan, Yemen, and Syria, and the practices of indefinite detention, torture, and extraordinary rendition to international black sites (Cole). While all these locales and practices deserve their due in contouring the ruminations of the present, this dissertation lends the US southwest a more robust conceptual consideration. In particular, this project moves to bring the rich and diverse course of study of the US-Mexico boundary to bear on the innovations and challenges afoot in contemporary Foucauldian political thought.26 Foucault’s insistence on the productive guise of political power, the positivist reading of history, and the multiplication of rule beyond juridical authority have all been powerful and lasting interventions into the conventions of political theory. In turn, the Foucauldian optic has been indispensable to the conceptual elaboration of the border region.

Working interdisciplinarily, this study employs ethnographic, historical, theoretical, and lyrical modes of reporting. Whereas each chapter works within a relatively distinct multi-disciplinary arrangement, the method of inquiry remains largely

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26 See, for example, Wendy Brown’s work with Foucault and Marx in *Undoing the Demos* (2015), and Eyal Weizman’s exploration of the Israeli occupation of Palestine in the idiom of Foucault’s spatial philosophy in *Hollow Land* (2007).
consistent. The research explores the material details of the contemporary southwest policing context—helicopter blades slicing through the hot air, SUVs dragging car tires down dirt roads, migration trails moving elegantly through the sloping landscape, Border Patrol agents manning road blockades at high noon, the trailers, huts, and cabins of rural border residents at dusk, and much more. In a sense, this sustained attention to the quotidian minutiae of the border security setting enacts a massive rhetorical scaling-down from the customary treatment of globalized mechanisms of rule. Rather than drift in the sea of macro-level economic, social, and historical shifts in abstraction, I try to represent the particular procedure of control and contestation at ground-level, providing a close-reading of the rural southwest border environment that then serves as a practical means of articulating the political rationality that undergirds larger historical processes. This mode of on-the-ground accounting is brought into conversation with a number of discursive artifacts which work to shape the public understanding of border control in particular, and the world of political power more generally. I draw from an archive of government reports, media representations, cultural works, leftist scholarship, and activist writing. Through the lens of contemporary Foucauldian theory, I read the tension between the material practice and public talk of border security as potent evidence of a contemporary governing rationality which works to entrench and expand the hold of political power in the region.
While this study relies upon a wide-ranging disciplinary methodology, it also has several unavoidable constraints. First, historically, this dissertation begins with Border Patrol’s adoption of its Prevention Through Deterrence policing strategy in 1994 and continues to the present. This roughly twenty-two year timeframe may appear severely limited, especially given that there are many longer paths available for tracing US border enforcement: the original drawing of the national boundary following the massive land-grab of much of northern Mexico following the Mexican-American War and the Treaty of Guadalupe in 1848; the formation of the US Border Patrol in 1924; the initiation of the Bracero Program encouraging Mexican migration in the 1950s and the ruthless deportation regime, insidiously termed Operation Wetback, established in 1970s to reverse it; the devaluation of the peso, and more. These historical realities have all played undeniable roles in making the contemporary US-Mexico boundary what it is today. However, the truth of the present border context is not fully contained in the lineage of these remote events. Against such a search for historical origins as method, Foucault warns, “it is the attempt to capture the exact essence of things, their purest possibilities, and their carefully protected identities, because this search assumes the existence of immobile forms that precede the external world of accident and succession”

\(^{27}\) For US border enforcement genealogy, see Rachel St. John’s *A Line in the Sand* (2010) and Kelly Little Hernandez’s *Migra!* (2010).
(Language, Counter-Memory, Practice 142). In lieu of engaging in origin stories, this dissertation project favors the close-reading of the world of “accident and succession” to be found in this particular contemporary period of border policing.

The geographic emphasis of my research is on the southwest US border zone, and, more specifically, on the backcountry regions between official ports of entry just inside of US territory. This study thus does not include substantive discussion of the US-Canadian or maritime border contexts. Although those other US boundaries are governed by same or similar federal agencies, the dangerous land crossing into the US from Mexico is the principal terrain for the contemporary mass movement of unauthorized migrants into the interior, which constitutes the focus of this project. This dissertation also forgoes substantial discussion of other global militarized borders in which migrant deaths are being actively produced—most notable at present, the perilous seaward passage between northern Africa and mainland Europe where untold thousands are risking and losing their lives to drowning (Gladstone). While there are important parallels and shared governing structures pertaining to migration through the US southwest desert and the Mediterranean Sea, the mutual discussion of these geographically disparate locales is beyond the scope of research for this project.

Finally, this study tends to focus on the dynamics at play in the backcountry region just inside of the United States. Certainly this US-centric approach does not give equal attention to the Mexican or Central American migratory contexts, which play host
to perilous journeys and policing programs of their own.\textsuperscript{28} Additionally, the lion’s share of the examples are drawn from the setting of the Sonoran Desert basin in southern Arizona, with only a few taken from the emergent South Texas context.\textsuperscript{29} This focus is largely due to the fact that, over the last twenty years, the desert of southern Arizona has played disproportionate host to migration crossings. As a consequence, the Arizona corridor has also been the location of the most robust political interventions in the scene of conflict, in which the lethal rule of the border policing game has been most frequently subject to pressure and challenge.

The path of my research has been unconventional; it was never my intention to write about the border. This project came as a practical solution to living a life in tension, as an aid worker, activist, and academic writer, moving among disparate worlds. I have spent much of the last five years residing in the militarized border region, taking part in the efforts of a number of small humanitarian and community groups to provide direct aid to those attempting the dangerous crossing through the Sonoran Desert. I have made

\textsuperscript{28} For an account of the dangerous train crossing circuit through Mexico, see Os\'car Martínez’s \textit{The Beast: Riding the Rails and Dodging Narcos on the Migrant Trail} (2013).

\textsuperscript{29} The emergent migration context in Texas is becoming increasingly critical in the game of border control. In those subtropical brushlands, unauthorized crossings have exploded over the last three years due to the increase in political instability and strengthening of organized crime in Central America. Migrant deaths have since proliferated on the private lands of the Texan range, which is largely owned by the US gas and oil elite. South Texas is a fascinating political context on the border given the powerful role played by private property holders in the mix. The South Texas corridor thus represents an area for future exploration, academic and otherwise.
a home in the rural town of Arivaca, Arizona, and a place in the border struggle—one that perpetually offers up paths of possibility, even in the most terrible scenes of suffering. Participating in direct aid work and community life in the desert has offered an important counterpoint to more general currents of leftist political malaise in the US, which seems to routinely swing between cynicism and melancholia for social movements-past. On the contrary, today in the desert, there is always something to do. The bulk of this project has been written under the percussion of helicopter blades and with the disruption of calls for help. My thinking about the politics of the border territory is thus saturated with my many difficult, joyful, and improbable experiences while living and working in the region. The diagnosis of the political situation presented here is thoroughly infiltrated with the analysis of my fellows. In the course of writing this dissertation, I have not conducted any formal interviews or approached the border as a note-taking researcher. A critical dimension of the “archive” offered here is rather derived from my subjective impressions while circulating daily within the rural and militarized border arena.

Taking the southwest border as the object of academic inquiry has been a fraught venture; I often write with the dis-ease of being perceived as a native informant on a cause that is not fully my own, while being acutely aware of the infinity of what I do not know and cannot understand about all that goes on in the desert. In these moments, I draw energy from what Foucault once told an interviewer about such concerns: “if one
is interested in doing historical work that has political meaning, utility and effectiveness, then this is possible only if one has some kind of involvement with the struggles taking place in the area of question,” an involvement which may then give rise to “the possibility of a discourse which would be both true and strategically effective, the possibility of a historical truth which could have a political effect” (“Questions of Geography” 17). At best, this project hopes to offer such a truthful and effective discourse, one that can contribute to the necessary articulation of the rules of the contemporary political game as a means of better equipping ourselves to contest its crimes.

V. Uses of Force: The Chapters

The chapters are organized around four forces at play in the policing of the US-Mexico divide: landscape, violence, technology, and human populations. Chapter One, “The Skin of the Earth,” examines the powerful force of the 262-square-mile high-desert Sonoran Desert corridor in the border struggle—a region deemed ‘the Tucson Sector’ by the US Border Patrol. Since 1994, border security efforts have recruited the southwest landscape into the work of enforcement. The harsh, arid, and mountainous lands of the border territory now form the weaponry of an enforcement regime which seeks to punish unauthorized migration with exposure to the elements. This on-the-ground environmental policing approach has precipitated a discursive atmosphere in which the desert landscape increasingly acts as a narrative substitute for the exercise of lethal force.
by the state actors. Yet, the political alliance between border control and the desert is in no way complete: while the border enforcement regime infiltrates the action of the southwest desert, an immense system of migration trails carves through the rugged landscape, innovating clandestine paths and giving way to fierce tactical contests over the resources of survival. More than a simple line or a passive background to the events on the ground, this chapter portrays the geography of the US-Mexico border as an active and vital field of circulation. To this end, the spatial observations of Gloria Anzaldúa, Michel Foucault, Gilles Deleuze, and Eyal Weizman are essential resources in conceptualizing the political terrain of the border zone in dynamic, and even agential, terms. Drawing on the cultural theory of Geoffrey Wright and Fredric Jameson, this chapter then moves to consider how media discourse and on-the-ground tactics together work to make the strong arm of the state disappear into the surface of the earth.

Since the adoption of Prevention Through Deterrence strategy by the US Border Patrol, untold numbers of migrants have perished in the southwest wilderness. Chapter Two, “Letting Die,” examines the use of authorized force in the border zone, wherein the lethal power of the state is largely exercised through the abandonment of populations to dangerous environments. The practice of indirect violence on the border produces a scene of human destruction wherein individuals are not killed by human actors but are rather left to die by exposure to the elements. It is a form of lethal force that is not so much total and genocidal as it is partial and erratic—a method that
routinely kills some while allowing for the survival of others. Drawing on the observations of Melissa Wright and Alicia Schmidt Camacho, Chapter Two assesses border death as accomplished through the ambiguous condition of nation-state sovereignty in transnational settings—an ambiguity in rule that then authorizes the withdrawal of state protection from the scene of suffering. In the US-Mexico border zone, the conventional practice of corporeal punishment is thus transformed; so too is the rationality underpinning the exercise of governing force. As death on the border often takes the form of disappearance, advocates engage in rhetorical battles over the adequate measure of human loss produced afoot in an enforcement context that incessantly undermines the capacity to count. Government officials increasingly call upon the discourse of statistical moderation, state failure, and care when accounting for mass migrant death in the southwest wilderness. Working with the critical insights of Elizabeth Povinelli, Eyal Weizman, and Michel Foucault, “Letting Die” explores the ways in which the ‘softer’ logic of calculation and humanitarian concern have come to adorn the exercise of hard violence in the border region.

Chapter Three, “Dark Shimmers,” examines the role of surveillance technology in the composition of the contemporary border policing environment. The Department of Homeland Security has embedded the southwest landscape with surveillance devices which remotely police the far reaches of the border zone with technical observation. Towers, ground sensors, drones, IMSI-catchers, and hidden cameras are among a host of
recording apparatuses now inhabiting the region. Their scattered emplacement in the southwest landscape instills the contemporary border crossing with the perennial uncertainty of possible observation. Through the widespread use of technology, the homeland security regime appears to be increasingly carried out by anonymous human agents and faceless machinery, projecting a vision of the automatic functioning of control. This technological policing approach, which promises to comprehensively capture all activity in its sweeping technological eye is, however, perpetually compromised by the open wilderness landscape where its tools are set to work. Surveillance devices in the southwest wilderness constantly break and fail; they are vulnerable to the tactics of appropriation, jamming, and subversion among myriad players. The function of recording devices in the border zone is thus highly partial, albeit cloaked in the discursive performance of technical supremacy. This chapter explores how the rhetoric of surveillance totalitarianism, proffered by both the government security elite and its leftist critics, is largely incommensurate with the design of such technologies on the ground in the zone of militarized border security. I turn to the work of Walter Benjamin on the recording apparatus, Jacques Derrida and Michel Foucault on the secrecy-effect, and Fredric Jameson on conspiracy, to explore the epistemological effects of a technical political regime that appears increasingly decentralized, anonymous, networked, and dispassionate—a regime which routinely emphasizes its own opacity through the performance of secrecy and concealment. “Dark
Shimmers” thus examines the epistemological effects and political possibilities engendered by this surveillance-based policing approach.

Chapter Four, “Just Us,” investigates the role of rural US residents in the border struggle. Over the last twenty years, the play of immigration enforcement has spread out to the remote regions of the borderlands, delivering the drama of human survival and militarized policing to rural life in the US southwest. In the small town of Arivaca, Arizona, locals are regularly faced with the decision to provide aid and hospitality to migrants in distress or to call in the authorities; border residents may act as conduits for both the intelligence gathering efforts of border control and for the provision of sanctuary to the persecuted. This tertiary role of border residents offers an important challenge to the conventional conception of political conflict as a dialectical struggle between friend and foe. Moreover, as residents have become powerful players in the events on the ground, their actions are not cleanly determined by their a priori ideological political affiliations. Mixed motives and self-interested concerns just as often mobilize the political decisions of locals in the border region. The case of such ‘impure’ and incidental actors providing critical aid to migrants calls attention to the moral prerequisites that conventionally underwrite the conception of the proper agents of political agitation. This chapter draws on the post-structuralist theory of Louis Althusser and Michel Foucault and their critiques of the subject, whose innermost world is the invention of the ruling order, and whose daily activities powerfully reproduce the
hold of political power. The Foucauldian thought of Wendy Brown and Pheng Cheah on neoliberalism offer critical resources in engaging the question of *self-interest* in conceptually ambivalent, rather than purely toxic, terms. I am interested in the strategic possibility of *interest* as opposed to *ideology* as a mechanism of political participation. To this end, Chapter Four examines resident community organizing for the abolition of Border Patrol highway checkpoints as an instance of robust political intervention, which is accomplished through the mutual pursuit of self-interests among diverse populations who find themselves incidentally caught within the arena of political contestation.

Together, these chapters aim to produce a rich and layered portrait of the region, equipping the remote reader with a working literacy with respect to the environment at hand. Through these multiple analyses of the political formation of contemporary US border control, the southwest desert emerges as a critical synecdoche for a more general and powerful set of rules at play in the present political moment—rules which tend to defy static formations of all or nothing.
Chapter One: The Skin of the Earth: Landscape, Substitution, Milieu

“Always, always, power is directing our attention to something other than itself.”
—Wahneema Lubiano

“We pass from a world of acts and characters to one of space: scene, landscape, geography, the folds of the earth.”
—Fredric Jameson

“The desert gains and grows...”
—Gilles Deleuze & Félix Guattari

On most desert mornings, the US Border Patrol grooms Ruby Road: two or three corroded truck tires are linked together by chains and affixed to the back hitch of SUV patrol vehicles to be dragged along the dirt path, smoothing out all tracks from the day before. After the dust settles, the road offers a soft surface ready to be stamped again by migrating feet, Border Patrol boots, ATV tracks, animal prints, tire skids, and pedestrian hikers. The backcountry thoroughfare displays a temporary diagram of area movement through this isolated mountainous region of the US-Mexico border zone. As one of the only maintained routes in the area, Ruby Road angles southeast to northwest for some thirty miles, snaking through the Coronado National Forest to end at the small townsite of Arivaca, Arizona. Its path cuts across the momentous web of migrant trail systems traveling perpendicular from the staging areas of Altar, Sáric, and Caborca, Mexico in the southwest to the interstate in the north. Constructed in the final years of the
nineteenth century as the sole route in and out of Ruby Town, a now-extinct mining
camp, the road fell into disrepair after the lead, zinc, and copper ran out and the
company town depopulated. Ruby Road only became refurbished, graded, widened,
and regularly swept clean after the arrival of military-style border enforcement to the
backcountry some twenty years ago.

Many of those without proper documentation who attempt the journey into the
US interior through the remote regions of the Arizona desert must now cross this
impressionable surface on foot. Well-worn migration trails fan out into faint strands as
they near the roadway. Migrating groups spontaneously break up in order to dart across
Ruby Road at a quiet moment, regrouping once safely on the other side. The sign of
fresh SUV tire tracks or the long toothy boot prints of Border Patrol agents are cause for
pause and sometimes panic. Savvy travelers affix pieces of carpeting or fur to the
bottoms of their shoes, *pantuflas*, muffling all prints into indistinct smears in the dirt.¹

The threat of being tracked by enforcement agents is not simply that of detention and
deporation. In the backcountry, contact with the Border Patrol on foot, horseback, ATV,
or in helicopter just as quickly produces chaos: travelers scatter in all directions to avoid
tackle and arrest by armed agents. In the pandemonium, many become lost to the desert
without guide, supplies, or companion. In this arena of rural border enforcement, where

¹ English translation: ‘slippers.’
entrance into the US entails a multiday journey through a severe geography, death by exposure to the elements is not an uncommon fate. Footprints offer fast-fading hieroglyphs of the missing.

For some, Ruby Road is not a harbinger of oblivion but of a beacon of relief. For those who have been chased by Border Patrol agents into the labyrinthine canyons, washes, ridgelines, and flatland expanses of the Sonoran Desert without resources, finding a roadway laden with the fresh tracks of vehicles and people represents the possibility of survival. Making contact with anyone else circulating through the maze—be it a borderlands resident, a tourist, a humanitarian aid worker or law enforcement official—offers a potential path out of the brush. Sometimes the lost, sick, and injured sit on the roadside waiting for help next to the arrangements of chain-linked tires waiting to be hitched on for another pass. Those concerned about the death toll in the borderlands are tempted to remove the abandoned tire contraptions in an act of solidarity, though they are likely stunted by the knowledge that replacements will quickly materialize. In any case, the wind acts as an elegant substitute for this bulky equipment, ritually sweeping the ground clean, hushing all signs—a desert mandala to be played again, and everyone is a tracker.

The geographic borderlands that lie between the United States and Mexico now play host to an expansive transnational policing project. The fraught play over the inscription of Ruby Road as both a path of danger and a sign of survival figures the
powerful force of the natural landscape in the struggle over migration and enforcement in the region. Over the last twenty years of border security, the extreme climate, labyrinthine terrain, and sparse resources of the southwest wilderness have been recruited as the principal weaponry of border enforcement. Its harms are largely enacted through the natural action of the perilous landscape. This strategic investment of the physical space of the border territory with policing power, I argue, illustrates an important mechanism of contemporary political rule: the enforcement of the border is not achieved by way of a legible sovereign political power armoring its territory with an army of human actors. Contemporary border control is rather primarily exercised through a geographical means of armament in a largely anonymous, disembodied, and dislocated mode.

This chapter reads the border environment through the spatial analyses of Gloria Anzaldúa, Michel Foucault, Gilles Deleuze, and Eyal Weizman. I argue that the centrality of the rural landscape to the aims and daily practices of border policing presents a number of critical challenges to conventional conceptualizations of governing space. First, the open field of the southwest desert departs from the use of closed and built architectural environments to install political control. Second, the active participation of the desert in the struggle for survival complicates the perception of physical space as a passive background to the human dramas of conflict and coercion. Finally, the southwest landscape does not simply provide the stage for the border
security regime; in the contemporary US-Mexico border zone, the natural dangers inherent to the wilderness act as a powerful discursive substitute for human agents in the completion of state violence. The tactical use of the southwest wilderness to govern the border region is thus a potent demonstration of Wahneema Lubiano’s contention that, “always, always, power is directing our attention to something other than itself” (32).

This study gives particular attention to the spatial work of southwest border policy as it plays on the ground in the Sonoran Desert region of southern Arizona. My itinerary is multiple: the first section details the modern disciplinary rationality of spatial control, which relies on architectural enclosure to materialize its dominion. The second section contrasts the order of enclosure with the open, elastic field of the security milieu as a form of spatial regulation that is rather organized through the logic of freedom, circulation, and indefinite expansion. The third section discusses the fierce tactical struggles afoot in the Sonoran Desert environment to argue that landscape as such is an ambivalent political resource in the border territory, being routinely instrumentalized by both the work of enforcement and in the practices of survival. The final section turns to the cultural theory of Fredric Jameson, and Geoffrey Wright to examine the discursive

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2 The spatial policing strategy of the US Border Patrol holds true for other wilderness regions of the southwest border that are not desert landscapes: the humid South Texas subtropical brushlands, the treacherous New Mexican rocky uplands, and in southern California, where the desert meets sea on the beaches of the Pacific Ocean.
equation of the border landscape with authorized violence—what Fredric Jameson terms, “the regime of the scene” in the representation of political conflict. I move to consider the perilous backcountry terrain as a narrative stand-in for the deadly program of contemporary US border enforcement policy, and the epistemological effects it inspires (1538). Ultimately, this chapter rewrites the conventional imagination of the border as either a one-dimensional line of defense, or as a militarized no-man’s land of total control. Instead, I offer a picture of the border space as a vital, active, and even agential force in the contemporary border security regime.

I. The Mold

Figure 2: US-Mexico Border—Nogales, Arizona/Sonora
In “El Otro Lado,” Gloria Anzaldúa uses the terms borders and borderlands to designate two distinct spatial orders. “A border is a dividing line,” Anzaldúa writes, signifying that which cuts, splits, and separates, engendering a violent set of political divisions (3).

In contrast, Anzaldúa conceives of borderlands as the expansive, vibrant, and disruptive forces of nature which overflow any attempt at division or containment. Whereas borders are restrictive constructions that impose nation-state territoriality, borderlands are transnational ecosystems that defy the attempt at rule:

Beneath the iron sky
Mexican children kick their soccer ball across,
Run after it, entering the U.S.

I press my hand to the steel curtain—
Chainlink fence crowned with rolled barbed wire—
Rippling from the sea where Tijuana touches San Diego
Unrolling over mountains
And plains
And deserts,

A 1,950 mile-long open wound
dividing a pueblo, a culture,
running down the length of my body,
staking fence rods in my flesh,
splits me splits me
me raja me raja

This is my home
This thin edge of barbwire.

But the skin of the earth is seamless.
The sea cannot be fenced,

*El mar* does not stop at borders. (1-2)

This lyric describes the policing of the border territory as a “steel curtain,” that cuts human worlds in two, brutally dividing lands, cultures, and even the flesh of the speaker. This injurious work of segregation is, however, never fully complete. In “*El Otro Lado,*” children run across the border, vast swathes of mountains, deserts, and skies roll through it, and despite its wounds and damages, the “skin of the earth” cannot be successfully divided, the sea cannot be fenced, and life endures in its possibility, as that which straddles the “thin edge of barbed wire.” In Anzaldúa’s analytic, borders are the weaponry of brutal political regimes; the borderlands are a vast and fertile life force that always exceeds the repressive act of bordering. Anzalduá’s work in *Borderlands/La
Frontera thus refutes the heuristic capacity of territorial sovereignty to adequately capture the southwest reality, reconceiving of the passage between the US and Mexico in supranational and ecological terms.

The spatial ally that Anzaldúa locates in the natural southwest landscape, however, is no longer loyal only to the forces of liberation. In the time since the publication of Borderlands/La Frontera, the illicit passage US-Mexico has undergone a radical transformation. Territorial segregation no longer defines the policing of the US-Mexico divide. The active and seamless “skin of the earth” in the transnational border environment has become the instrument of a new mode of border control.

Unofficial border crossing between the US and Mexico has been routine since the institution of the current national boundary in the mid-nineteenth century. However, the escalation of mass migration following the implementation of continental free trade policies in the 1990s, in combination with the increasingly military-style approach to policing the war on drugs, birthed a new security strategy. In 1994, the US Border Patrol adopted, ‘Prevention Through Deterrence,’ a policing approach that seeks to govern unauthorized migration by building up walls, surveillance technology, and military infrastructure at international ports of entry. Sealing off of these urban ports is not aimed at halting undocumented migration, but rather works by making the crossing more dangerous. Rerouting the flow of migrant traffic away from border cities and into remote and unforgiving wilderness lands produces a heightened level of risk associated
with crossing as a means of preventing many other potential émigrés from attempting the journey. The current mass movement of migrating peoples through the most remote regions of the southwest wilderness is not the natural path of travel into the US interior, but a recent political fabrication.

The US Border Patrol first detailed this revolutionized immigration enforcement rationale in its *Strategic Plan: 1994 and Beyond*. The plan discusses the major economic shifts of the day in their predictive impact on migration patterns, speculating that the newly implemented North American Free Trade Agreement would eventually slow migration as the Mexican labor market would theoretically improve with the denationalization of its economy—a vision of neoliberal economic revitalization that would never come to pass. In the policy paper, the US Border Patrol predicts the waning of unauthorized migration into the US interior as an eventuality of global economic expansion. At the same time, however, the agency’s strategic plan proffers another vision of the future: an elaborate multi-phase, multi-year implementation design for border security effort that would fundamentally restyle the path of mass population transfer across the continent for decades to come.

To be able to measure the efficacy of the new border policing strategy, the Border Patrol’s 1994 plan lists a set of possible “Indicators of Success” which offer a new metric for effective border policing. Importantly, listed among these indicators is not the elimination of unauthorized migration into the United States. Instead, the barometer for
an effective security practice in the border zone includes the successful “change in traditional traffic patterns,” which would “shift flow to other areas of southwest border,” as well as causing “fee increase by smugglers,” “increased incidences of more sophisticated methods of smuggling at checkpoints,” “more documentation fraud,” “more violence at attempted entries,” “possible increase in complaints (Mexico, interest groups, etc),” and finally “potential for more protests against immigration policy” (10). In sum, if functioning well, Prevention Through Deterrence policing would restyle illicit migration to become more dangerous, more criminalized, more cartel-driven, and more politically fraught, effectively leaning the US-Mexico border region into multilateral instability and human crisis for the decades to come. The 1994 report announces from the outset that, “a 100 percent apprehension rate is an unreasonable goal,” making clear that in no way is Prevention Through Deterrence doctrine planned to result, even ideally, in the mass interdiction of all unauthorized travelers at the boundary line (6). It is instead a strategy for the targeted regulation and dedicated management of this active tide of human movement.

This shift in policing doctrine aspires to a world of border enforcement wherein “the most desperate of those aliens seeking entry will attempt illegal entry” but that “we believe we can achieve a rate of apprehensions sufficiently high to raise the risk of apprehension to the point that many will consider it futile to attempt illegal entry” with “the prediction that with traditional entry and smuggling routes disrupted, illegal traffic
will be deterred, or forced over more hostile terrain” (12; 7; emphasis mine). In practice, Prevention Through Deterrence has indeed succeeded in its aims. Migration traffic has been forced away from border cities and out into the southwest wilderness—a tack which has consequently amassed large numbers of apprehensions out of the flux while proliferating deaths, disappearances, and informal economies of violence.  

Key to the innovation of Prevention Through Deterrence is the introduction of a new geographic arena for the activities of border security. Under the heading “Environment,” the 1994 strategy document discusses the utility of the topographic features of the southwest United States and northern Mexico to the particular goals of migration policing:

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3 The legal risk associated with crossing into the US illicitly has also heightened over the past twenty years. Through the institution of special juridical programs, most notoriously Operation Streamline in Tucson in 2008, the legal infraction of unauthorized residency has been converted into a criminal offense of illegal entry or re-entry, with the latter carrying a felony conviction, now punishable with up to five years behind bars in the United States before being removed from the country (Kunichoff 1). In daily speed trials, seventy individuals apprehended on immigration violations and delivered to courtrooms in Tucson, Phoenix, and Houston, are lotteried out in order to be tried, convicted, and sentenced en masse for the crime of entering the US without papers, including those apprehended in the desert, at ports of entry, at a routine traffic stop or in the workplace in the US interior. Immigrants convicted of illegal re-entry as well as those challenging their case or attempting to qualify for legal asylum in the US are then placed within an expanding system of detention centers largely run by major private security conglomerates. Inmates do varying amounts of time in these facilities before being deported to an unfamiliar border town, where many then prepare for their next attempt through the wilderness gauntlet.
The border environment is diverse. Mountains, deserts, lakes, rivers and valleys form natural barriers to passage. Temperatures ranging from sub-zero along the northern border to the searing heat of the southern border effect illegal entry traffic as well as enforcement efforts. Illegal entrants crossing through remote, uninhabited expanses of land and sea along the border can find themselves in mortal danger.

The demographic profile of the border area has a significant influence on the border environment. Population centers straddling the international boundary have developed all along the southwest land border. These ‘twin cities,’ sometimes separated by little more than a line in the dirt, are the areas of greatest risk for illegal entry. These urban areas offer accessibility to roads, rail lines, airports and bus routes to the interior of the country. (2)

Offering images of the country and the city respectively, the first paragraph from the 1994 plan profiles the instrumentality of the heterogeneous and vital features of the backcountry landscape, the mountains, deserts, and valleys of which offer “natural barriers” to human passage, constituting a lethal environment where migrants would predictably “find themselves in mortal danger” as a consequence of “the searing heat” in “remote, uninhabited expanses of land.” The threat to life endemic to the erratic climate and circuitous landscape of the Sonoran Desert is made clear here, as is the
potential double-function of the backcountry terrain as a kind of naturalized border barrier. In contrast, the second paragraph figures the metropolitan context of the border zone as a binational and hence porous space, characterized by massive conjoining “twin cities,” where the border itself is reduced to the policing status of a mere “line in the dirt.” The Border Patrol depicts these “straddling” population centers as acutely accessible to unauthorized transactions and hence as sites of vulnerability, wherein overlapping infrastructures allow for a myriad of circulations or “routes to the interior.” As geographical other to the robust portraiture of the rugged and unforgiving wilderness terrain, utile in its organic recalcitrance, the urban context reads as culturally and spatially promiscuous—as a weak, open, and geographically imbricated site in need of the hard discipline proper to national security.

Through a tripartite law enforcement effort implemented throughout the 1990s—Operation Hold the Line in South Texas, Operation Gatekeeper in southern California, and Operation Safeguard in southern Arizona—Border Patrol agents flooded urban crossings that were then fortified with walls and technology, “bringing a decisive number of enforcement resources to bear in each major entry corridor” (6). The debut of the existentially callous “uninhabited” desert into the spatial structure of post-NAFTA immigration enforcement has thus brought rampant militarization to the population centers that surround major ports of entry throughout the southwest, delivering the techniques of surveillance and enclosure to these citied zones. By armoring the
traditional transnational crossings in urban environs, movement has since been successfully shuffled into the open, arid mountainous expanses of the Arizona desert and, more recently, into the dense, humid subtropical brushlands of South Texas.

This flow of human traffic has then been subjected to an enforcement response whose nature does not primarily lie in interdiction by Border Patrol agents at the line, but in the agential action of the environment. The harsh climates, hazardous mountainous passes, and isolated expanses of the southwest wilderness act to transform common and treatable human maladies such as dehydration, sprained ankles and foot blisters, into life-threatening dangers. In effect, the hard violence typically associated with militarized enforcement operations has been largely displaced onto the natural action of the borderlands backcountry. The policing of the southwest border thus no longer pivots on imposing hard territorial segregation, but on more elastic modes of indirect, environmental regulation. This contemporary mutation in the border security game thus signals a critical transition in the consolidation of political power in the US southwest—one which requires a conceptual movement from the borderlands to border zone to designate its design.

In urban ports of entry, the application of border walls, fencing, surveillance towers, cameras, ground sensors, lights, access roads, and a host of other policing techniques pose the US-Mexico divide as a partitioned, enclosed, observed, and evacuated space—a
built environment of concrete, metal, and glass where the most minute of movements are bathed in light and subjected to technological interdiction (Figure 2). When read through the isolated lens of its militarized urban performance, the border figures as a pure, machinic edifice. International ports of entry themselves are airport-like environments which convey human traffic into turnstiles monitored closely by cameras and agents in small cubicles, percussively scanning documents, and processing the hordes into identifiable, authorized individuals. A selection of travelers are quietly extracted into back rooms for further profiling. The urban barrier walls on the US side sit vacant, silent, and still under regimented circulations of personnel and equipment. In the meantime, the open spaces of the desert emit a vital hum, where the human dramas of migration and enforcement are playing out in dizzying motion—a theatre of control of another nature.

This disparity in the arrangement of border enforcement in urban and rural contexts illustrates a historical shift in the composition of political space. In *Discipline and Punish: The Birth of the Prison*, Foucault details a modern world of rule that aspires to total topographical enclosure. Foucault’s text profiles the rise of the design of the modern prison, which strategically employs architectural design to parse and segregate diverse human masses into cells of atomized individuals in an entirely built and sealed-off arena. Any and all human action in the prison is subject to intensive monitoring so that, in this space of *confinement*, the most seemingly insignificant details do not go
unnoticed. Foucault’s account of the modern prison in *Discipline and Punish* serves as a critical synecdoche for the spatial rationality that undergirds a more general order of social control in modern life, assigning the concept of “the disciplinary” to the tactical construction of space to form total enclosures (73).

While *Discipline and Punish* is the text most often cited for Foucault’s diagnosis of the spatial design of modern rule, his collected 1977-1978 lectures at the Collège de France, posthumously published under the title *Security, Territory, Population*, offer a suggestive theorization of another, more contemporary, formation of political space. In these lectures, Foucault places his architectural ruminations on the prison as the second iteration in a three-phase genealogy, which begins with the space of territorial sovereignty, followed by that of disciplinary enclosure, and then arrives at the *security milieu* as the most recent mode of governing space.

In the first order of territorial sovereignty, Foucault describes how, from the Middle Ages onward, landed distributions of space placed the capital city at the center of rule, with the hold of power weakening as it strayed away from the metropole. The mode of spatial policing germane to sovereign authority was that of territorial integrity, based in the hardening of national barriers, the topographical demarcation of the limited domain of rule, and the reciprocal practice of banishment as a primary mode of policing—of being thrown outside of the principality, excluded, either by way of exile or
execution. The spatial practices of classical sovereignty worked to install a more or less clear binary division between the permitted and the prohibited.⁴

In Foucault’s account, the arrival of the spatial dominance of disciplinary enclosure came with the onset of industrialized production in the United States and Western Europe in the eighteenth and nineteenth centuries. The construction of modes of disciplinary confinement within the geographical polis came to overpower the work of sovereign territoriality, shifting the traditional geography of sovereign exclusion to the predominance of modern enclosure. In the order of discipline, the prison, joined by the factory, the school, the barracks, and the hospital become hallmark spatial fabrications. Such enclosed institutions did not only enforce rigid captivity but also immense productivity, be it of labor, obedience, goods, knowledges, soldiers, or even sanity and moral consciousness. “Discipline belongs to the order of construction,” Foucault writes, and it is a political use of construction in the double-sense: the production of desirable social effects and the fabricated nature of the political space it requires. At the crux of the design of enclosure is artificiality, inspiring totally planned, built, discreet, closed, and non-natural environments. The disciplinary as such emerges through “the constitution of an empty, closed space within which artificial multiplicities are to be constructed and

⁴ It is a territorial ideal that Foucault explores in his earliest studies on the historical transformations in the social architecture of madness. See History of Madness (2006).
organized,” instantiated “where previously there was nothing,” entailing a political use of space wherein “discipline regulates everything,” and “allows nothing to escape” (17;15; 45; emphasis mine). What emerges in the disciplinary context is a vision of modern society as a grey background of nowhere in particular, dotted with architectural containers. Discipline thus treats space as a passive and static object to be molded, being a form of political sculpture. It is an architectural organization of modern society based in the pacification of unpredictable environmental contingencies and modes of human cooperation, tending towards the full elimination of any and all variables that could impede the constitution of a total atmosphere of rule.

On the level of vicinity, the disciplinary is a landscape of radical intimacy—one that isolates individuals and reaches to the depths of the subject to form its ultimate edifice. Foucault emphasizes this point in Discipline and Punish when he writes that the omnipotent gaze of the prison observation tower finds permanent residence as a structure of the mind of the condemned. In these heavily policed environments, no movement escapes the wash of political power; the architecture of enclosure invades the self, bathing all matters of thought, will, guilt, and conscience in the luminescence of judgment, so that not even the deviant ideas of the incarcerated are free to escape into the shadow of fantasy. The interior of the subject thus styled no longer offers retreat from the movements of politics or the action of control. It is an architectural, spatial, and psychic production of political power in the most insidious sense—as that which denies
action or choice to its subjects who are rendered “docile bodies,” and whose productivity and obedience are automatic (73). Thus while the architectural story of modern discipline is indeed one about the formal manipulations of space toward the production of conformity, it is also a story about the radical intimacy of modern governing rule.

Indeed, it is possible to conceive of the gripping levels of illicit migration across the rural space of border control as evidence of the failure of a disciplinary spatial regime: surveillance towers in the desert are dysfunctional, more often capturing the movements of cattle than people with vision obscured by the quick accumulation of dust and damage by high winds in monsoon season. The opulence of the border wall gives way to the feeble wire fence on the remote desert range. The most rugged of Border Patrol vehicles break down, popping their tires and bottoming out on the rocky four-wheel-drive backcountry roads. Phone reception is unpredictable and communicational capacity vanishes entirely in the lowlands. Vehicle checkpoints that would cut off major passageways are simply circumvented on foot. While all this may be the case in material terms, to conceptualize the border zone as simply a failed space of modern disciplinary enclosure is a critical misstep: it forgoes the possibility that a spatial strategy is indeed in

5 And to this extent it appears more than incidental that Foucault’s next book-length study investigates the strategic structuration of another intimate sphere of human experience—that of sex and sexuality. See The History of Sexuality Volume I: An Introduction (1978).
acute and effective operation in the region—a strategy that rather embraces an open milieu of circulation, in all its radical contingency, as the means of making spatial order.

II. The Sieve

Figure 3: Sonoran Desert, Coronado National Forest

“The space of modern warfare is vulnerable by definition and no longer belongs to anyone.”
—Fredric Jameson

Twenty-five miles due north of the Nogales Arizona/Sonora international border, dogs stand in the road next to Border Patrol handlers who tug them around northbound vehicles. A line of cars slow to a fifteen mile-per-hour crawl in obedience to the flashing monitor reading “Border Patrol Checkpoint Ahead/Reten Adelante.” Passing under a
colossal white metal awning, motorists pull up to armed agents standing by stop signs. One by one, drivers and passengers in each vehicle are profiled with varying levels of scrutiny before being allowed to continue north. Some are immediately told to move along without question. Most are asked about their citizenship status. Many are peppered with other questions: “Where are you headed?” “Where are you coming from?” “Is this your vehicle?” A few are prompted to show their identification, and a smaller number are asked for proof of citizenship—a demand that is disproportionately volleyed at people of color in general, and Latino travelers in particular (“Checkpoint Monitoring Report” 6). From time to time, agents will ask a number of the travelers to search their vehicle. Some shrewd motorists refuse to consent to a vehicle search without probable cause or a warrant. Many of them are told to move along. Some are directed to wait for a K-9 unit to sniff the car for possible contraband. A select few are pulled into the secondary inspection area where they may be detained, questioned, or arrested; they may have the interior of their vehicle searched, tires removed, seats cut open, and impounded.

Tourists who are unfamiliar with these checkstations often dangle their passports out of the window on approach, interpreting this inland stop as a policing equivalent to another national boundary. Many borderlands residents who are aware of the limited law enforcement jurisdiction of the US Border Patrol personnel at these inland checkpoints refuse to answer any questions that do not directly relate to their citizenship
status, in an effort to assert their waning legal rights and avoid unnecessary profiling.

Others smile, chat, and shake the hands of agents.

Inland immigration checkpoints now sit on all major throughways in the US-Mexico border zone. There are currently eleven active immigration checkstations in southern Arizona positioned between twenty-five and one-hundred miles north of the physical line between the US and Mexico. All of the checkpoints are temporary by legal definition and architectural design, yet their operation appears to be indefinite.

Checkpoints are indeed obstacles to human smuggling, but obstacles that, by design, may be possibly overcome by way of walking. While all northbound motorists are stopped at these inland road blockades, the majority of those crossing into the US without documentation are not smuggled in vehicles through checkpoints. Migration traffic rather routes around them and guides arrange for smugglers to retrieve their human cargo on the roadways in the north. The system of interior checkpoints thus forces migrating peoples to trek enormous distances on foot through the wilderness. In southern Arizona, some march seventy miles north to reach Tucson. Others attempt to hike as far as Phoenix. The position of the system of checkpoints on roads at a substantial distance into the US interior does not therefore generally produce more immigration-related arrests, but rather largely functions to shift human traffic into more
grueling and circuitous journeys through the wilderness. When examined in isolation, the presence of inland checkpoints in the border zone signals disciplinary control-proper, tactically ordering, profiling, and sorting the procession of vehicles exiting the border territory. Yet when considered within the landscape of Prevention Through Deterrence enforcement strategy more generally in the region, the spatial work of inland checkpoints serves not the absolute fabrication of a built, closed, and determined border environment, but the expansion of the migration circuit within a porous field.

The application of a line of checkpoints on all highways far into the US interior effectively demarcates a provisional and permeable northern edge of the border enforcement zone. The US lands that lie between the international boundary and the interior checkpoint system has come to constitute the new flexible terrain of militarized border security operations. Checkpoints thus expand the geography of border policing out across an enormous swath of national territory, capturing entire residential communities within its active and flexible field. In the 262-miles of border claimed as the

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6 Border Patrol is relatively scant in their statistical documentation of the activities at inland checkpoints, however, a 2009 Government Accounting Office report states that only 2% of interdictions occur at inland vehicle checkpoints although it takes approximately 4% of the Border Patrol agent pool to staff them (Checkpoints Contribute to Border Patrol’s Mission 16).

7 This portrait of the tactical survival of disciplinary structures within a field of security expresses Foucault’s own frequent qualification that his historical genealogies are not linear; the transition from sovereignty to discipline is not the absolute displacement of one regime by another (‘Society Must Be Defended’ 45). Instead it is the transition in the historical dominance of this or that governing regime, a dominance that can be translated in terms of principle, strategy, or rationality, with historical texture lying in the diversity of tactics that support it.
“Tucson Sector” by the Border Patrol, for example, the desert corridor between the international boundary and the system of interior checkpoints is well over 7,000 square miles. In effect, under contemporary security strategy, the matter of border control shifts from the problem of effectively policing a one-dimensional *line in the sand* between the US and Mexico to the control of a staggering *zone* just inside the US interior. Within this expansive yet provisional enforcement environment, the US Border Patrol concentrates the circulation of policing infrastructure, technology, and personnel to sway the pattern of human migration into ever-more complex permutations.8

After territorial sovereignty and disciplinary enclosure, the *security milieu* arrives as the contemporary form of spatial rule in Foucault’s genealogy of political space. Foucault describes the milieu as “a set of natural givens—rivers, marshes, hills—and a set of artificial givens—an agglomeration of individuals, of houses, etcetc” (21). As a historical setting that is composed of pre-existing elements, the milieu is not a closed prison but an open ecology wherein a diversity of social forces is already at play. All is not planned or calculated in the milieu. Rather, in its complex material mix, the milieu is “the space in which a series of *uncertain* elements unfold,” being an environment that plays host to myriad forces of chance and contingency (20). In his essay “Inhuman

8 Chapter Three of this study explores the function of such surveillance technologies in the border arena.
Conditions,” Pheng Cheah summarizes Foucault’s concept of the security milieu as follows:

First, whereas discipline is exercised over the bodies of individuals, security is exercised over an entire population as a collective being. Second, whereas discipline takes as its premise an ideal or imaginary space—one that is empty or to be emptied and artificial and that will be completely constructed according to a perfect model, security is concerned with a milieu—a space containing material or natural givens that is structurally uncertain because it is open to a series of possible events. Its aim is (…) to control or manage an open series through an estimate of probabilities. Third, whereas discipline is a radical process of artificial construction, security involves a form of structural causality that works with nature. (309; emphasis mine)

Representing neither a return to sovereign exclusion nor smooth and total discipline, the security milieu thus conceived works to allow, yet “manage,” the series of possible events in a given social setting. The order of security thus departs from the disciplinary insofar as social control is no longer a matter of pure edifice to be fabricated in a geographical non-place. The contemporary security milieu instead functions by approaching an existing set of environmental factors in their particular and situated heterogeneity, so as to “grasp them at the level of their effective reality,” as a means of coaxing those elements toward desirable ends (46). In the security setting, political
power no longer fabricates all its own tools of coercion. Governing force tools pre-existing social elements towards beneficiary trends, constituting a mode of control that “works with nature” (Cheah 309).

It is a form of rule that allows for, and even encourages, “the possibility of movement, change of place, and processes of circulation of both people and things” (49). The selective management, regulation, and direction of the social interactions among this set of material givens is what then breathes life and possibility into the action of control. In contradistinction to the way in which sovereignty casts away those who do not submit to its rule, and discipline cuts up and arranges any and all activity in an endeavor to allow nothing to escape, the work of political power in the security milieu “lets things happen” (45). It is a method of governing that approaches pre-existing historical contexts with a critical degree of distance in the course of its intervention. This measure of distance between the hard techniques of political power and its object of manipulation allows for the variable play of social elements. Rather than engineer all activity down to the most minute detail, this spatial regime employs a comparatively laissez-faire approach to social control: security-based rule designates its domain and approaches the social elements contained therein in situ, “standing back sufficiently so that one can grasp the point at which things are taking place, whether or not they are desirable” (46; emphasis mine). Like disciplinary architecture, the security milieu is a spatial governing form that is deeply concerned with the matters of vicinity. In this instance, however, it is
the selective direction of social processes at large rather than the close taming of all social elements which generates political power. Foucault designates this critical degree of distance and the negotiation it allows as the definition of freedom itself. In its combination of interventionism and laissez-fairism, the institution of the security milieu thus instantiates a neoliberal order of rule, which Wendy Brown describes as “governance through freedom” (Undoing the Demos 69).

Where discipline encloses, segments, and categorizes, security instead expands and diversifies—a distinction that Foucault describes as the difference between centripetal and centrifugal motion:

Discipline is essentially centripetal. I mean that discipline functions to the extent that it isolates a space, that it determines a segment. Discipline concentrates, focuses, and encloses. The first action of discipline is in fact to circumscribe a space in which power and the mechanisms of its power will function fully and without limit (...) In contrast, you can see that the apparatuses of security, as I have tried to reconstruct them, have the constant tendency to expand; they are centrifugal. New elements are constantly being integrated: production, psychology, behavior, the ways of doing things, of producers, buyers, consumers, importers, and exporters, and the world market. Security therefore involves organizing, or anyway allowing the development of ever-wider circuits. (Security, Territory, Population 45; emphasis mine)
Centripetal force gravitates towards a center, designating an organization of social control emblazoned in the design of territorial sovereignty around the capital, and in the orientation of the modern prison around its center watchtower. Centripetal mechanisms provoke perpetual concentration; their consummate gesture is that of circumscription, delimiting the closed space in which “power will function fully and without limit” (*Security, Territory, Population* 45). In contrast, centrifugal force tends away from any formal center, increasing distances and multiplying circuits, allowing uncertain social processes to occur. The consummate gesture of centrifugal political power is not that of bordering, of fixing spatial limits and objects within them, but is rather found in the action of movement and expansion, so that “it is not that life has been totally integrated into techniques that govern and administer it; it constantly escapes them” (*The History of Sexuality* 143; emphasis mine). The centripetal action of the disciplinary apparatus is proper to a topography of political power that seeks containment and repression: a static and bordered world. The centrifugal churn of the security milieu, as a spatial rule, attunes itself to the landscape in order to promote desired paths of circulation, modes of diversity, and flexible expansion: a world of migration.

In his 1992 essay, “Postscript on the Societies of Control,” Gilles Deleuze takes the emergence of the security milieu, which he terms “control society,” as consequent to a broad-based *crisis* in the dominance of disciplinary regimes:
Foucault located the *disciplinary societies* in the eighteenth and nineteenth centuries; they reach their height at the outset of the twentieth. They initiate the organization of vast spaces of enclosure. The individual never ceases passing from one closed environment to another, each having its own laws: first, the family; then the school (‘you are no longer in your family’); then the barracks (‘you are no longer at school’); then the factory; from time to time the hospital; possibly the prison, the preeminent instance of the enclosed environment (…) But in their turn the disciplines underwent a crisis to the benefit of new forces that were gradually instituted and which accelerated after World War II: a disciplinary society was what we already no longer were, what we had ceased to be. We are in a generalized crisis in relation to all the environments of enclosure.

(3; original emphasis)

The control society upends the disciplinary social formation that shuffles individuals through a series of closed environments. Indeed, as a security milieu requires freedom, movement, and distance for its action, its contemporary dominance might evince the waning of hard controls, political violence, and all the ordered totalitarian brutalities which still haunt the thinking of politics in the postwar period from when political power functioned “fully and without limit” (45).

Deleuze summarizes this historical transition from disciplinary to control society as a movement from the structure of the *mold* to that of the *sieve*: “enclosures are molds,
distinct castings, but controls are modulation, like a self-deforming cast that will continuously change from one moment to the other, or like a sieve whose mesh will transmute from point to point” (4). The sieve is this mesh that grooms the material moving through it, sifting some elements while leaving others to flow freely. While the conceptual transition in the design of political space from molds to sieves might appear as a softening of political power, an opening of enclosures, and a letting loose of vital tides, Deleuze warns, “there is no need to ask which is the toughest or most tolerable regime, for it’s within each of them that liberating and enslaving forces confront one another,” and as such, the opening of security is not without its own brutalizing logic (4; emphasis mine). The persistence of terrible political violence in the contemporary context cannot simply be ascribed to the re-emergence of a regressive authoritarian order. Instead, the use of lethal force is that which inheres in any program of rule, critically including the contemporary.

Some have called attention to the cultural and theoretical privilege bestowed upon the Jewish Holocaust during the second world war as an essential exemplar of modern governmental rationality taken to its end.⁹ It is certainly possible that the gas chamber of the Nazi camp might indeed function as a legible index for that supreme

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⁹ See Giorgio Agamben’s *Homo Sacer: Sovereign Power and Bare Life* (198) and Achille Mbembe’s “Necropolitics” (2003).
reason of disciplinary violence in all of its ordering, documentation, oversight, and total result. Yet, rather than measure fields of contemporary atrocity in relative dilution to that historical moment of genocidal consolidation, and rather than cheer the emergence of a new mode of spatial rule as humane in its formal disparity, the task at hand is instead to locate the special texture of the lethal force proper to its rationality. Perhaps it is no longer the enclosure of the gas chamber, but the oblivion of the desert that figures the stain of political violence on the present.

III. The Detail

Figure 4: Migration Trail, Sonoran Desert

“Power comes from below.”
—Michel Foucault
Artifacts litter the desert floor. Torn backpacks, worn out sneakers, empty bottles and cans bleach and bake in the hot dirt under a fiery summer sun. In the border zone, discarded objects signal a phantom world: a faded photo of a smiling family, a rusty knife with pearl inlay, a Mexican bus ticket, embroidered tortilla cloth, Guatemalan ID card, frayed toothbrush, belt. Looking closer, one finds small oil can stoves, black water gallons in canvas slings, disintegrating pantuflas, pieces of camouflage-print clothing, empty plastic packets of caffeine pills, dead cell phone batteries and scratched-out calling cards—all the makeshift stuff of human survival. Old t-shirts hang from spiny ocotillo branches; faded pants twist around boulders in pebbled drainages, painting the desert with the signs of others. At remote pick-up locations to the north, dry river beds fill up with layers of abandoned backpacks, which together form an eerie, rotting testament to the masses that have silently passed through.

Tourists taking in the spectacular ridgelines and great canyons of the Sonoran Desert basin make ground scores, finding a wide-brim baseball hat or old Virgin of Guadalupe bandana on the trail—authentic souvenirs from the border zone. Humanitarian aid workers plan trips to the backpack piles to glean those that can be washed and reused to supply others they will encounter. Researchers take teams of students out into the wilderness to collect samples of what has been left behind for
further study, cataloguing a new archaeology of migration. Environmentalists bemoan
the plague of trash in wild lands, alternately blaming those crossing for not picking up
after themselves and the border enforcement regime for pushing migration traffic out
into the desert in the first place. County Sheriffs lead orange-clad inmates with giant
translucent trash bags and long metal grabbers to clean the terrain of the left-behind
items, erasing all sign. Community search and rescue groups disparage such efforts to
beautify the scene, as the discovery of certain personal items can provide a lead on a
case of a missing migrant. A white tennis shoe with the left sole coming apart, size
thirty-three blue jeans, grey backpack, fresh footprints, and bottle of urine sit next to at a
faraway cattle tank: material traces form the vague shape of an experience of having
been left alone without water or rescue in the arid arena.

In a sense, the presence of personal belongings in the remote desert has a distinct
haunting effect, conjuring images of skeletonized souls further down the trail. However,
the sum of this constantly building pile of detritus is in truth no mystery: those
attempting the clandestine journey into the US interior routinely leave excess weight
behind to ease their load on the multi-day trek. When Border Patrol agents suddenly
descend on a migrating group, border crossers ditch everything in order to quickly flee
into the shadows of the southwest backcountry. And, when apprehended by the border

10 See Jason de León’s The Land of Open Graves: Living and Dying on the Migrant Trail (2015).
guard in the remote wilderness, personal items are often left behind by agents. All told, the scatter of belongings across the borderlands basin is not enigmatic but rather plainly legible: decaying backpacks, water bottles, and shoes are the logical remainders of a policing program that sends human populations into a protracted crossing on foot through a harsh and deadly wilderness environment. It is a truth that is not presumptive or conspiratorial, but rather fully externalized in the pages of contemporary US border security doctrine, being a material outcome of the struggles for survival taking place on the ground.

As a security milieu, the Sonoran Desert is a landscape teeming with natural givens.11 In the eastern uplands, a great wall of craggy mountain ranges casts the corridor in dramatic dips and dearths. Rocky slopes lead down to deep drainage ways filled with mesquite, oak scrub, and catsclaw acacia, offering pockets of coveted shade. The piercing needles of prickly pear, cholla, and barrel cactus across the lowlands threaten any who seek to tap their water reserves. Small white-tail deer traipse the range with bobcats and mountain lions in hot pursuit. Rattlesnakes devour kangaroo mice; coyotes chase after jackrabbits; tarantulas wobble across the hard desert floor; Colorado river toads cry out at night. The subterranean aquifer hides a series of precious fresh

11 The Sonoran Desert stretches some 100,000 square miles to include much of the state of Sonora, Mexico, almost all of the southern half of Arizona, southeastern California, the majority of the Baja California peninsula, and the islands of the Gulf of California (Phillips 15).
springs in the hills. Floating cyclones of vultures signal death on the ground. In the western flats, great forests of saguaro cacti keep watch over a land of no shade. Oily and pungent creosote brush, neon palo verde, and the occasional ironwood scrub sparsely dot a baking world. Amber-bellied Harris Hawks survey the landscape by day; wild donkeys congregate at dusk.

As the most complex desert terrain in all of the Americas, the Sonoran Desert is a place of extremes. Deserts are the driest of all biomes, being ecologically defined by the limited availability of water. During the daytime, this scarcity of accessible hydration sources, combined with intense heat and lack of shade, fosters an atmosphere of unbridled exposure to the elements. At night in the Sonoran Desert, the heat quickly radiates out of the baking earth to the awaiting sky, causing temperatures to plummet, amounting to radical swings from heat to cold. In the summertime, the climate routinely hovers around 104 degrees Fahrenheit. In the winter, temperatures drop below freezing. In the ‘fifth season’ of late-summer monsoons, violent storm systems dump rain into the network of awaiting dry river beds. The desert blooms.

The vital ecosystem of the southern Arizona landscape thus defies the rote imagination of desert lands as empty non-places. Naturalist Gary Paul Nabhan critiques the routine portrayal of the Sonoran Desert in such terms, “as a stark, biologically impoverished landscape where all creatures compete ‘tooth and claw’ for scarce resources,” noting how, “the native biota are adapted to and usually thrive under these
conditions and, in fact, most of them require an arid environment for survival” (2).

Indeed, the desert is not simply recalcitrant to the presence of life. Human cultures have subsisted in the Sonoran Desert region long before the arrival of industrial civilization and the importation of resources it proffers. The indigenous Tohono O’odham tribe—a name meaning “desert people”—are the original inhabitants of the region.12 Along with the massive O’odham Nation, numerous rural border hamlets now populate the Sonoran basin, giving further lie to the notion that the region is an empty stage for the activities of border enforcement.13

The adequate apprehension of the Sonoran Desert as a vital corridor is critical not only for the sake of empiricism, but also in terms of its overall protection, as “uninformed people who believe the Sonoran Desert to be a wasteland unknowing turn it into one” (2).14 The destruction of desert life has been furthered by the contemporary border security regime, as the Department of Homeland Security Secretary waived thirty-seven laws ensuring environmental and tribal protection in the borderlands in

12 Traditional O’odham territory and current tribal lands reach across the modern-day US-Mexico boundary.

13 The role of US rural border residents in the game of immigration and border enforcement forms the focus of Chapter Four of this dissertation project.

14 An ongoing culprit of such destructive practices in the Sonoran basin is the cattle ranching industry, as the practice of running cattle in the desert has radically altered the landscape. In the eastern most portion of the Sonoran Desert, the introduction of cattle to the range has dissolved its traditional grasslands, allowing invasive mesquite plants to enter the landscape and further ‘desert-ify’ the area. Emaciated cattle now wander the desert; their excrement has poisoned many natural water sources; their bacteria-infested troughs and ponds pollute the backcountry.
order to hasten the construction of barriers, roads, and other military-style policing infrastructure. The border security regime interacts daily with the natural elements of the desert, dragging truck tires, floating drones, perching surveillance towers, burying motion detector sensors, and otherwise employing the Sonoran topography and traditional tribal lands as its stage. For many, this smattering of dysfunctional Border Patrol infrastructure is yet another geopolitical waste-pile blighting these wild lands.

But more than just a surface for the destructive performance of border control operations and the detritus of mass migration, the Sonoran Desert ecosystem itself has been transformed into the raw material of an immigration policing approach that relies on environmental extremity to complete its work. The rays of the sun, the baking earth, the bitter cold, the barbed cacti, the predatory and poisonous wildlife, the isolated expanses and the treacherous uplands all ventriloquize the aims of an enforcement effort predicated on heightening the lethal risk faced by its target subjects. For those crossing through the border zone, the game of human survival in this land of extremes may last for hours, days, or weeks, depending on the path taken, the diversions encountered, and

\[15\] The Real ID Act gave the Secretary the power to waive such laws and regulations when it pertains to matters of national security. Among the laws waived in 2008 by then-Secretary Michael Chertoff are the Clean Air Act, the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act, the Solid Waste Disposal Act, the Federal Safe Drinking Water Act, as well as the Native American Graves Protection and Repatriation Act and the American Indian Religious Freedom Act.
the possible outcomes therein. Loosened boulders, steep drop-offs, heat waves, flashfloods, snakes, scorpions, and the rarity of water may all temporarily become policing weaponry.

In Foucault’s discussion of the security milieu, he questions, “What is milieu?” and answers, “it is what is needed to account for action at a distance of one body on another. It is therefore the medium of an action and the element in which it circulates” (21; emphasis mine). Inasmuch as the border zone figures this type of spatial rationality, the desert is now the medium through which the action of enforcement travels. This flexible function of the desert appears to be “connected up to a reality that is, as it were, acknowledged and accepted, neither valued nor depreciated, but simply recognized as nature” (37; emphasis mine). Insofar as it is completed by the physical attributes of the environment, the violent agenda of contemporary border enforcement, based on risk-enhancement, is here increasingly naturalized.

The Sonoran Desert environment is not only loyal to the prescribed brutalities of the landscape. Migratory survival has also made critical use of the desert milieu. Over the last twenty years, the movement of people without papers through the high desert has embossed the landscape with thousands of foot-trails. The traditional imagery of the US-Mexico boundary as a hard line on an atlas or a static metal wall in a photograph is rendered anew in a massive political diagram that has been written into the desert floor. Responsive to the diverse topographical challenges of the terrain and to the perpetual
recalibration of enforcement tactics, the system of migration trails in the southwest wilderness are in a process of perpetual reformation. Paths follow vast canyons, dipping in and out of the exhausting soft surfaces of dry river beds, climbing up through the lowest passes around craggy peaks in measured switch backs, opening into the rare shaded rest area, crawling along hillsides, through cacti forests, and perpetually splintering into new ways and other corridors. In the flatlands, routes thin and disperse, at times becoming indistinguishable from cattle or jackrabbit paths. The lack of physical barriers and natural choke points in these areas allow travelers to walk any which way. The highest points in the desert—the tops of great ridgelines—carry some of the heaviest trails on their backs; atop these perilous, rugged, and dramatic perches, travelers move with relative certainty that they will not encounter meandering Border Patrol agents, who typically stick close to their vehicles, rarely traipsing into the most punishing vertical dimensions of the terrain. In the populated valleys, trails move through cattle fences, often leaving them in tangled strands on the ground, leading some ranchers to emplace small doors for human passage. When viewed from the high mountain saddles, the trails appear as strange seams adorning the folding foothills (Figure 4). Migrating feet batter some paths in such multitudes that they widen to the size of small roadways. Other ways are only barely perceivable, gently denting the brush. The busiest human highways of last summer might be largely silent places today, playing host only to deteriorating food containers, water bottles, and abandoned clothing. Routes are in
constant and increasing flux. Busy stretches are quickly identifiable for their footprints and freshly discarded items with food bits lingering in opened cans waiting to be scavenged by animals in the night.

As masses travel the desert daily, area humanitarian aid workers supply hundreds of these trails with water, food, and blankets. Trails provide a quiet point of access for this work, where water can be left at the confluence of several paths to be tapped by travelers on their own terms in the coming hours, days, or weeks. Small aid organizations use GPS to map the system of migration trails as a means of schematizing area movement attuning their labor accordingly. The resulting maps depict a complex web of hundreds of footpaths crawling through the immense high desert topography. This border zone cartography offers a vision that distinctly departs from the traditional illustration of the international boundary as a clear, hard, and permanent line. Such mapping efforts do not depict the eerie quiet of total territorial control, but an aggravated intensity, the proliferation of peculiar forms, the hyperactivity of meandering lines, figuring the diversity of on the ground clashes that continually rework the landscape. The trail maps express the border as land-in-process, being perpetually shaped and reshaped by the dense political forces afoot in the region. As

\[16\] As powerful resources at present in the tactical struggle to strengthen the capacity for survival among those crossing through the region, these maps are vulnerable to the forces of appropriation as intelligence sources. In turn, their visual detail cannot be disclosed here.
such, the production of migration trails in the Sonoran Desert offers powerful testament to Eyal Weizman’s hypothesis that contemporary political rule works “against the geography of stable, static places, and the balance across linear and fixed sovereign borders,” to instead materialize “deep, shifting, fragmented and elastic territories” forming an “erratic occupation” (*Hollow Land* 2).17

In the border zone, the desert environment functions as mutable and elastic space—what Weizman has termed “political plastic,” as that which reacts to the changing tactics of rule and offers a vehicle for circuitous human passage (*Hollow Land* 4). Thus conceived, the border territory is an instance in which “space becomes the material embodiment of a matrix of forces, manifested across the landscape” (*A Civilian Occupation* 19). In this vital political theatre, resistance does not find quick signature in

17 Working with human rights organizations and in alliance with anti-occupation engineers, Weizman has produced a set of maps that picture the illegal settlement of Israelis in the West Bank in a corrective representation to previous attempts. Palestinian territory had been traditionally depicted as a blank background topped by Israeli colonies as a growing cluster of dots. In effect, Weizman argues, such pictures figured the Palestinian land-base and social world as the passive background, which then bears the uniform wounds of Israeli colonial settlement, and administration in a gradual filling-in of an otherwise enclosed, emptied space that will eventuate absolute saturation. Weizman’s revisionist maps for the B’Tselem Human Rights Center instead depict the active contests at play in the political organization of space the region—an activity that is contoured not only by the movements of settlers and IDF infrastructure, but also by the productive work of the spatial existence and resistance of Palestinian life in the region. Weizman and B’Tselem have since used the mas to argue that the flexible manipulation of landscape by the IDF occupation produces the insidious fragmentation of local life and culture: “planning and building in the West Bank is effectively executing a political agenda through spatial manipulations,” Weizman writes, and “the evidence is in the drawing” (*Hollow Land* 24).
the momentary act of border crossing. The elongated process of survival in the remote wilderness now sets the scene of social struggle, and the land itself offers up the main tactics.

Whereas the constructed space of disciplinary control is ideally not at all dependent on its pre-given surroundings, and does best if the context is already muted, depopulated, simplified, subjected, in the security milieu, it is the context, the surroundings, and the environment thus animate the regime of security. The nature of this animation depends on a fundamentally shifted status of the detail. In Discipline and Punish, Foucault writes that disciplinary surveillance renders visible individuals from the diversity of the mass, bringing them to light, illuminating into objectification, and classifying their functionality within a hierarchical system down to the most minute detail. All is seen and stilled. Discipline is therefore a fundamentally corrective procedure, having “the function of reducing gaps,” and fostering improvement by producing “a political anatomy of detail,” which “by its very principle it leaves no zone of shade” (189; 139; 177):

Discipline does not deal with the detail in the same way as the apparatuses of security. The basic function of discipline is to prevent everything, even and above all the detail. The function of security is to rely on details that are not valued as good or evil in themselves, that are taken to be necessary, inevitable processes, as natural processes in the broad sense, and it relies on these details
(...) it seems to me that in the apparatus of security, as I have presented it, what is involved is precisely not taking either the point of view of what is prevented or the point of view of what is obligatory, but standing back sufficiently so that one can grasp the point at which things are taking place, whether or not they are desirable. This means trying to grasp them at the level of their nature, or let’s say—this word not having the meaning we now give it—grasping them at the level of their effective reality. Security, unlike the law that works in the imaginary and discipline that works in a sphere complementary to reality, tries to work within reality, by getting components of reality to work in relation to each other. (46; 47-48; emphasis mine)

In the security milieu, the detail, the contingent, and the aleatory are no longer excessive elements to be trained, corrected, and deadened, but are rather cast as the serendipitous motor of political power. While “standing back sufficiently,” the mechanisms of security work to exploit rather than eliminate gaps, allowing for the tactical infiltration of pre-existing conditions in a given environment. Security then works not to construct a smoothly controlled reality but instead it “works in a sphere complementary to reality, tries to work within reality,” not by rendering it uniform, but by “getting components of reality to work in relation to each other” in an optimal way, as a facilitator operating largely at arm’s length. Contingency is not sought to be effaced as an abnormality, whose occurrence would be eliminated altogether in some ecstatic political future.
Security is the *dependency* on the contingent, the aleatory, the play and action of incidentals—their exaggeration, elaboration, and enhancement. The forces of control hitchhike onto the heterogeneous events and elements that are already in motion within a given social field, mounting selective interventions in the tactical retooling of these details. What then comes into view with the transition to the security moment is both the insertion of a vital distance in the relation of rule, and the crucial life of the detail to this operation. Hence, the *tactical play* with the aleatory in the fields of security diverges from the *procedural ordering* of matter so perfected in the houses of discipline.

‘Struggle’ emerges as the contested play with and over details, and security encourages detail to play. This play is ubiquitous in the desert, being immediately legible in the multilateral contests over water sources: border enforcement pushes migrants into arid land. Trails are carved through it. Roadway checkpoints are instituted to the north, forming a second line of traversal. The trails are stretched further beyond them, protracting the journey to the point that one cannot physically carry the load of water needed to survive. Many drink dirty water from cattle tanks, getting sick, and the death rate climbs. Some borderlands residents think giving water to those crossing is illegal and offer it only quietly. Others station gallons at their gates. Catholic charities in Mexico hand out water purification kits, small amounts of bleach, a filter. US-side humanitarian aid workers place gallons of clean water at hundreds of convergences of area migration paths. Agents destroy some of the gallons, shooting or slashing them,
letting the water drain out. Aid workers leave more. Agents slash them again. Aid workers leave the emptied destroyed jugs as decoys and place fresh water further up the trail. The water moves. Cloudy white gallons in the hands of migrating peoples reflect the light of the moon, provoking the shine of enforcement headlights. Travelers fashion burlap covers for these water containers to muffle the visual noise. Black oil containers repurposed as water jugs hit the migration staging markets in northern Mexico and everybody has one. But in the summer months the dark plastic heats the water it holds to undrinkable temperatures, appearing ablaze on Border Patrol thermal imaging systems: glowing orange beacons to enforcement. In the monsoon months, water flows in the desert, the grasses bloom, dry washes become violent rivers, flash floods offer another dimension of enforcement, water now kills. Many agents disappear from the field with the arrival of the rains, taking cover in their cars and trailers, leaving early for the day. As drinkable water runs in the desert, many travelers disappear from the roadside, walking coolly. Sometimes too coolly, shivering as winter freezing rains bring new punishments—hypothermia, swamp foot, the flu, and other flexible death sentences depending on one’s luck in finding help; trash bag as raincoat; pair of dry socks. Water bottles freeze into heavy blocks of ice and food becomes vital for the body to have enough calories to heat itself. Cans of beans and bags of blankets replace water gallons on the trails. An agent, vigilante, or the random hunter pops the tops of left bean cans, turning them rancid.
The tactical struggles over water in the desert figure a kind of mortal play that repurposes the circulation of everyday objects, imbuing them with a second function within the political field of human endurance instigated by border policing in the region. These objects are not stilled, not classified, not bathed in the sun of a determined and regimented regime; they rather flicker in and out as incidental actors in the vital scene of political contestation. This action of political control lies not so much in the unilateral force of a singular, definitive blockade but in this dissonant dance of a thousand little violences variably dressed up in the whatever-clothing of climate, resources, and infrastructure.
IV. The Desert

Figure 5: Warning Sign, Northern Sonora, Mexico

“The earth is bleeding.”
—Anthony Swofford

“The earthquake cannot be subpoenaed. The typhoon will not bend under indictment.”
—Ta-Nehisi Coates

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18 The full citation comes from a passage in Coates’ *Between the World and Me* (2015) in which the speaker describes the systematic nature of police violence against people of color in the US as so thoroughly embedded in the social fabric that it figures as a force of nature: “[My mother] knew that the galaxy itself could kill me, that all of me could be shattered and all of her legacy spilled upon the curb like bum wine. And no one would be brought to account for this destruction, because my death would not be the fault of any human but the fault of some unfortunate but immutable fact of ‘race,’ imposed upon an innocent country by the inscrutable judgement of invisible gods. The earthquake cannot be subpoenaed. The typhoon will not bend under...
In 2013, The New York Times featured an article entitled, “Arizona Desert Swallows Migrants on Riskier Paths” that details the ongoing rise in recorded migrant deaths in the US-Mexico borderlands since the late 1990s (Santos). In 2014, Al-Jazeera America ran an investigative report, titled, “Death in the Desert: The Dangerous Trek Between Mexico and Arizona,” and in 2012, Amnesty International released their human rights account of violations in the region entitled, In Hostile Terrain (McIntyre). Public discourse about border security in the US southwest has thus routinely invested the physical space of the US-Mexico border zone with agential action: in these accounts, it is the desert that “swallows” migrants, it is the terrain that is “hostile,” and in the trek between Mexico and Arizona, the deadly danger is the land itself. Being a convention among mainstream reporters and leftist commentators alike, this rhetoric invokes the harms of the border crossing as the consequence of a voracious and sinister geography. This discursive slippage rhetorically absents political power, the tactics of enforcement, and policing strategy from the metric of migrant death. It is a narrative dislocation that indicates more than just a language game, refracting a powerful political rationality that increasingly structures the conditions on the ground.

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indictment. They sent the killer [police officer] back to his work, because he was not a killer at all. He was a force of nature, the helpless agent of our world’s physical laws” (83).
In the rural migration staging areas in northern Sonora, Mexico, the conceptual slippage between the desert environment and lethal border policy is displayed to many in the form of large yellow metal caution signs that are funded and posted by US Customs & Border Protection (Figure 5). These signs silhouette a set of hazards germane to the region, including a rattlesnake, the hot sun, cacti, a mountain range, and a drowning person, reading “CUIDADO! – NO EXPONGA SU VIDA A LOS ELEMENTOS – ¡NO VALE LA PENA! NO HAY AGUA POTABLE!” 19 The image of political power offered in this Border Patrol caution sign registers a critical maneuver of substitution: the desert and its natural hazards, the absence of water, the proliferation of poisonous wildlife, barbed cacti, and perilous terrain, is that which threatens the life of those attempting to migrate. The violence of the border security apparatus is literally pictured as the violence of nature, effecting the smooth dislocation of strategy, policy, political program and human actors from the scene. Depicting the desert as environmental foe, as that which swallows, bakes, and bites, dissociates it from the strategy of enforcement so thoroughly that Border Patrol itself figures as an independent and transnational advocate, funding what appear as public service alerts. Exhibiting a rhetoric of care, these cautionary signs pose the border security establishment as a

19 English translation: ‘CAUTION! – DO NOT EXPOSE YOUR LIFE TO THE ELEMENTS – IT’S NOT WORTH IT! THERE IS NO DRINKABLE WATER!’
transnational guardian, promoting the welfare and safety of those migrating from the
global south against a threatening and unpredictable desert antagonist. As the source of
violence appears to emanate from the surface of the earth itself, Border Patrol is thus
positioned as largely ancillary and impotent to taming its fury, so much so that their
only recourse is to post signs around the proverbial neighborhood to warn others about
the proximate danger. It is a discursive and spatial dislocation of the agencies and agents
of enforcement from the design of lethal governing force in the border zone.

The formal primacy of landscape in the representation of political power is just
as much a matter of culture, perception, and epistemology as it is a tactical approach on
the ground, signaling what Geoffrey Wright describes as a kind of “geographical
semiotics,” or “geographically oriented codes for making meaning” in the formation of
rule (1677; 1676). Wright sources his chief examples of such geographic semiotics from
cultural works which retrospectively depict the first Gulf War. In his close-reading of
former-US marine Anthony Swofford’s memoir Jarhead (2003), the use of such
geographical codes figure the military conflict zone as an other-worldly environment:
“whatever else the war, the mass staging and movement of personnel and weapons of
destruction might be called, it is the Desert. Were you in the Desert? Who were you in
the Desert? They kicked ass in the Desert” (1680). In Jarhead’s filmic rendition, such
narrative codes are expressed visually in shots that show the glimmering flat horizon of
desert-haze mystically materializing and re-absorbing Iraqi fighters. Wright contends
that this discourse effectively places the desert as that which proffers political tension, “merge[ing] the landscape with the human enemy” (1678). The desert landscape becomes a container for all of the complex social forces structuring the war, offering echoes of the common short-hand use of ‘the jungle’ among veterans to index the chaos of the Vietnam War battlefield. This ambiguity of the role of human actors in the scene of authorized violence evinces a different rational schema of lethal political conflict from the conventional historical formation of warfare as what Carl Von Clausewitz once conceptualized as a dialectical contest writ large, in which “war is nothing but a dual on an extensive scale” (2). In the desert, geography arrives as a third term in the scene of aggression, as an immersive mediator of the brutalities endemic to political rule, which reciprocally scatters the legibility of its design into the hanging atmosphere.

In the security milieu, landscape itself thus acts as a powerful placeholder when accounting for the program, events, and experiences that organize state violence. It is a mode of political power that not only obscures but rewrites the causality of human destruction. In this epistemological maneuver, the jungle, the desert, and the earth itself increasingly appear as the source of lethal action—a maneuver which attributes the production of death by human political powers to the forces of nature. In terms of Swofford’s narration, Wright observes, “dead bodies are a common denominator of war stories, yet what distinguishes the representation of enemy casualties in Jarhead is that they are discovered rather than made,” so that the main character “does not fight and
kill enemies but walks through a landscape strewn with the already dead” (1782).

Swofford represents the cause of carnage of the Gulf War in such terms when he describes wandering through the battlefield, *ex post facto* (1683). As the actual event that produced a massacre of Iraqi civilians is narratively absent here, what instead appears is an after-image of the physical inscription of bloodshed into the desert terrain:

> Human bodies blend almost seamlessly into the texture of the desert, which subsumes the human residue left behind by American bombs. The figure of the enemy takes shape not as a threatening fighter but as an inert and negated feature of the landscape (…) ‘The earth is bleeding’ (1683; 1685).

This mode of representation finds material valence in the Sonoran Desert, wherein the casualties of US border policy are literally littered throughout the landscape; their injuries appear to be caused by nature despite being the predicted consequences of a distinct political program. In this mode of political power, humans do not fight and kill one another; rather, the desert materializes human destruction.

In effect, the officiating agents of armed conflict appear strangely ancillary, yet nonetheless present in the on-the-ground scenario, resulting in a brutal political world in which the earth itself hemorrhages human residue, and military men are its discoverers rather than its operatives. In his essay “War and Representation,” Fredric Jameson notes the growing adornment of landscape as rapacious and semi-autonomous in cultural works, wherein “the space of modern warfare is vulnerable by definition and no longer
belongs to anyone” (1538). By belonging to no one, the natural landscape offers an anonymous face of governing rule and, as such, the violences it commits can only be partially attributed to human actors, agencies, or invention, that then figure as mere and partial collaborators. Accountability for governing violence thus becomes increasingly difficult to parse: the milieu itself pulls forth as the central actor in this contemporary rationality. Jameson describes the figuration of this political formation in war stories, writing “bombs falling out of the sky are part of it, along with the lunar landscape of trench warfare; the silence of deserted villages is a narrative player in such tales, along with the menace of empty windows and the complicity of nature in ambush” (1537). It is the sky that births bombs, empty windows that menace, and nature itself that delivers the attack: landscapes kill.

This mode of figuration increasingly attributes governing aggression to the endemic nature of a given place, routing political perception away from the conventional moral dramas of human subjects who are nonetheless enlisted to participate in campaigns of state violence. Jameson contends that the discursive primacy of landscape-as-culprit evacuates the narration of authorized violence of its conventional dramatic actors, writing, “for even atrocities might seem to us today to belong rather to the malignant properties of evil or cursed landscapes than to the savagery of individual actors,” so that, “we pass from a world of acts and characters to one of space: scene, landscape, geography, the folds of the earth” (1537). The inflection of the scene as an
agent of state violence thus leaves the traditional governing order formally oblique; all
the dramas of human decision or intelligible political rationality are vanquished. In
Jameson’s words, we are increasingly left only with “the blooming, buzzing confusion of
the scene from which as of yet no formalizable actantial categories have emerged”
(1547).

Such dislocations give rise to an epistemological problem concerning the
legibility of political authority in the contemporary security setting—a problem
expressed by the ruminations of one humanitarian aid worker who writes, “I try to see
the beauty of the desert/but I can’t stop myself from looking for bodies/I try to look at
the stars/but I always end up looking for drones” (Agua Pura). The imbrication of
governing forces with the natural landscape here figures as an obstacle to continuous
perception, amounting to a flickering in and out of competing realities inhabiting its
physical terrain. The percussive terms of this political disfiguration are mimicked in
Jameson’s accounting, who describes the narration of the contemporary conflict zone as
that which, “fades in and out of nightmare, its mingled dialects now intelligible, now the
gibberish of aliens” in what he reads as the “metamorphosis from familiar to
unfamiliar” (1538; 1547). More than merely a tactical problem in the game of survival,
the geographic focus of contemporary border security doctrine carries with it acute
epistemological effects.
We are confronted with a lethal global governing regime that disables the adequate apprehension of the source of the violence it authors. It follows that the very design of government-sponsored interventionism in transnational space is increasingly incoherent to its publics—inspiring a stunted knowledge formation that Jameson articulates as the problem of “cognitive mapping,” or “the problem of the view from above” (*The Geopolitical Aesthetic* 3). It is a problem which expresses a contemporary condition of the subject as defined by the frustrated inability “to think a system so vast that it cannot be encompassed by the natural and historically developed categories of perception with which human beings normally orient themselves” belying “the incapacity of the human mind to give representation to such enormous forces” (*The Geopolitical Aesthetic* 2; Jameson, *Postmodernism* 34). In an age of militarism that is largely global and multi-faceted, wherein US military-style actions do not take the clear form of a bilateral contest between two sovereign nation-states, geographic coding offers an ad-hoc means by which complex contemporary programs of state-sanctioned violence gain cognitive coherence. Mobilization of military-style organs of US government are often unofficial, targeting subnational populations, intervening in internal armed conflicts in the form of civil wars or coups, and pursuing mobile enemies through entire regions of the globe. These historical processes have rendered the program, causality, and decisive events in global campaigns of contemporary state violence increasingly difficult to read. As a narrative solution, Wright argues, the topography of the zone of violence plays a
growing epistemological role, wherein, “the landscape absorbs or even stands in” for human forces (1677). The equation of the forces of transnational rule with the force of nature is a signal that such political disorientations are at work in the border security context, wherein political reality as such is cast under the ultimate hermeneutic cloak: the surface of the earth as the sign of oblivion.

We are thus left with the critical task of making legible the identity and rationality of transnational rule as it surreptitiously inhabits the searing rays of the Sonoran sun. For if the identity of political power is no longer directly intelligible, then how is it to be transformed? Attempting to imagine a different future in the essay “Designed To Kill,” a humanitarian aid volunteer labors to extract the desert landbase from its deep equation as an organ of enforcement:

I love the desert. It breaks my heart that it has played host to such terrible suffering. It gives me some solace to know that someday—even if it is only because there are no more human beings left on the planet—there will be no more United States, no more Mexico, no more helicopters, no more walls, no Border Patrol and no border. The plastic will break down, the memory of these things will fade, and the land will finally have a chance to heal under the blue sky and the merciless sun. (18)

Here, the possibility of disentangling the desert from its merciless double can only be foretold as a story of the untying of all fabrics of human organization: the nation,
technology, policing, even the category of humanity itself, expressing the existential stakes of this quiet spatial conversion.
Chapter Two: Letting Die: Calculation, Abandonment, and other Humanitarian Violences

“Éramos quince caminando. Una noche fuimos a dormir. La próxima mañana una persona no se despertó.”1
—Agua Pura

“It is in its moderation, rather than in its unrestrained application of power, that state violence becomes effective.”
—Eyal Weizman

A helicopter trolls the ridgeline, wobbling as it hovers over the dense shrubbery that fills a steep drainage on the hillside. Its tail wags back and forth to flash the blue and white insignia of US Customs and Border Protection in the midday sun. Dancing up and down this thicket of desert brush, the helicopter scans the craggy peak, which offers no landing site. Like a cat luring a mouse from a hole, the chopper harasses the hillside, darting so close to the wall of rock that the great wind from its circulating blades kicks up grasses, rocks, and dirt all around, forming a small brown cloud. Perhaps human figures will pop out from under a mesquite tree, straying in all directions, spilling down the treacherous slope. Maybe its migrating suspects will wait it out in hiding among barbed branches. Or it is possible that no one was there to begin with—that the stomp of

1 English translation: “We were fifteen walking. One night we went to sleep. The next morning, one person did not wake up.”
a cattle hoof, white tail deer, or some other traipsing Sonoran mammal triggered one of the enforcement agency’s many motion detecting sensors buried in the desert earth: nature’s ruse. Nothing is certain in this dramatic sweep of the mountain by floating machinery. The hovering persists long enough that the SUVs of Border Patrol agents begin assembling along Ruby Road below, waiting for the opportunity to try and kettle some of those potentially fleeing from the intimidating percussion of slicing blades through the hot air.

Disaffectionately called *moscas* by those crossing through the border zone, helicopters in the desert are habitual signs of terror. Every day they patrol the skies, flying low to scour the remote folds of the high desert borderlands. When they swoop down at migrating groups in motion, everyone scatters—an enforcement tactic termed ‘dusting’ that is well known to locals and migrants alike. In the ensuing chaos, guides separate from their human cargo, friends and family from one another. Many are driven, directionless, into the hot expanse, quickly finding themselves lost and without resources, companion, or access to rescue. Once the helicopter has dissolved into the horizon, some of the lost, attempting to surrender, wait by remote dirt roads for a chance encounter with a passerby. Others flee into the wilderness in search of foot-trails

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2 English translation: ‘flies.’
laden with fresh trash and discarded items—signs of hope that the path has been used successfully by others—and they wage their survival on following. Some climb to high-points to spot the lights of the nearest rural homesite and take the gamble of approaching, ending up on the doorstep of borderlands residents, whose frequent offer of hospitality to the lost, sick and injured is quiet yet widespread in the region.4 Without food, water, or sight of civilization under the scorching sun, a number perish—their remains are left to be savaged by animals or to decompose by way of the quick winds and searing heat. While in other spaces, helicopters are signs of aid, being the prized tools of professional search and rescue outfits, the irony of helicopters in the borderlands is their function as technologies of human disappearance. The machine disperses and the landscape does the rest. Unlike a game of cat and mouse, therefore, helicopters seek not to capture, but to spur their prey into a field of oblivion.

4 Chapter Four explores this specific role of rural US residents in the southwest border zone.
Along with producing maps of trail systems, direct aid groups undertake another form of cartography to visually schematize the play of migration and enforcement in the US-Mexico border zone—this time it is a map that bleeds (Figure 6).

Charted by Humane Borders in coordination with the Pima County Office of the Medical Examiner, these death maps picture the length of the southern Arizona boundary with a sea of red bullet points. Each crimson circle represents a location where a set of human remains has been discovered since Prevention Through Deterrence strategy commenced on the ground at the end of the millennium. Clusters and lonely outliers speckle this vast geographical field, which extends nearly one hundred miles inland from the international boundary to reach the highways and interstates north of
the system of interior Border Patrol checkpoints. The dead are crowded in the rural
corridors between international ports of entry in the Coronado National Forest, the
Buenos Aires National Wildlife Refuges, the Organ Pipe National Monument, Cabeza
Prieta Wilderness Area, the Tohono O’odham Reservation, on BLM and State Trust
lands, and along small private tracts away from walled border city centers. This imagery
of migrant death *en masse* effects a bombardment of the senses, appearing
undifferentiated and piled. The maps are routinely used to educate the remote public
about the largely untold story of human catastrophe in the borderlands.

The plague of death in the desert is not evidence of border security policy gone
terribly wrong. The proliferation of suffering in the region is rather part and parcel of
the rational objective of contemporary border control, in which the targeted
augmentation of the human cost of illicit migration is authorized to build a deterrent
effect. Border security tacticians have hence labored to enhance the mortal dangers of
illicit crossing as a means of rationally dissuading the undocumented entry of others.
This strategic production of risk and harm—of the heightened probability of
apprehension, financial loss, incarceration, and the ultimate threat of death—is explicit
in Border Patrol’s *Strategic Plan: 1994 and Beyond*. There, the agency stipulates that by
concentrating personnel, surveillance, walls, and military technologies around ports of
entry, “illegal entrants crossing through remote, uninhabited expanses of land and sea
along the border can find themselves in *mortal danger*,” after having been “forced over
more hostile terrain” (2; 7; emphasis mine). The anticipated consequence is that
“violence will increase as effects of strategy are felt,” in order to “increase the ‘cost’ to
illegal entrants to the point of deterring repeated attempts” (4; 7; emphasis mine). ‘Cost,’
as it is registered in scare quotes, uses the language of the market to refer to a plurality
of harms and potential losses—financial, legal, and mortal—that may now befall those
crossing.

The aim of reducing attempted illicit entries and undocumented residency in the
US interior that forms the ‘prevention’ side of Prevention Through Deterrence is by and
large a failure; demographers estimate that the population of undocumented residents
in the United States ballooned from 3.5 million in 1990 to nearly thirteen million in 2016
during these years of border militarization (Pew Research Center). As Border Patrol
itself admitted from the outset that in their border security strategy, “a 100 percent
apprehension rate is an unrealistic goal,” the planned weakness of overall prohibition
authorizes the forces of tactical risk-enhancement in calls for more personnel and more
militarized infrastructure to the region (6). In other words, without the ends of
prevention, we are left only with the means of deterrence, and its forces are not kind.
The Binational Migration Institute (BMI) observes:

These so-called prevention-through-deterrence measures, initially implemented
in the mid- to late-1990s, intentionally redirected hundreds-of-thousands of
unauthorized migrants away from previously busy crossing points in California
and Texas into Arizona’s perilous and deadly landscape. BMI’s findings unambiguously confirm previous findings that such U.S. policies did create the ‘funnel effect’ and that it is indeed the primary structural cause of death of thousands of North American, Central American, and South American unauthorized men, women, and children who have died while trying to enter the U.S. (Rubio-Goldsmith 2)

While the “primary structural cause of death” in the southwest is border security policy, the direct cause is exposure to the elements in the compounded forms of dehydration, heat-related illnesses, gastrointestinal sickness from drinking contaminated water from cattle troughs, lower-extremity injuries including blisters, sprains, strains, and breaks, and hypothermia in the freezing winter months. All of these maladies are treatable when they occur within proximity to rescue and care. All are converted into life-threatening afflictions in the isolation of the backcountry. As the forces of border security direct the flow of migrating peoples in a fabricated zone of enhanced danger, the possibility of life-saving intervention is strategically weakened and at times wholly absent, effectively, “letting things happen” (Foucault, Security, Territory, Population 45). In this dangerous arena, many bodies are forever lost in the backcountry, and missing persons cases
continue to proliferate. In turn, the death map is radically incomplete, as only the human remains that have been discovered are given cartographic representation.

Many people have encountered the dead in the backcountry, however none consider it to be their particular responsibility: there is no government program or agency tasked with the systematic recovery of bodies from the hills. Instead, the occasional resident, tribal member, aid worker, recreational hiker, hunters, and law enforcement agent will happen upon human remains and initiate their recovery when otherwise circulating in remote regions of the US southwest. An untold number of bodies and skeletal remains are never encountered, left to lie near trails, emitting signs of warning to those crossing. The dead on the trails thus act pedagogically, demonstrating the lethality of the desert environment to others, heightening the already shrill sense of danger and isolation for those traveling through the maze. The utility of undiscovered remains as warning signs lends material valence to Foucault’s observation that “power and knowledge relations invest human bodies and subjugate them by turning them into objects of knowledge” (Discipline and Punish 28). In the border zone, death and injury are not only matters of loss, absence, and lack—in short, they are not

In the calendar year 2015, Coalición de Derechos Humanos, a small Tucson-based advocacy group, received more than 1,200 cases of people who had disappeared while attempting to cross through the US-Mexico border zone (The Disappeared 5).

As in the following moment in Agua Pura, “estábamos caminando cuando la vimos en la tierra—una clavera humana” (9). English translation: ‘we were walking when we saw it on the ground—a human skull.’
only repressive elements. Rather, the dead and wounded project the lethality of the border environment to others as a space of danger, becoming proverbial heads on stakes demarcating the border territory. The demonstrative utility of migrant deaths to the strategic aims of border enforcement lays forth the productive function of death in the political field—the way in which “punitive measures are not simply ‘negative’ mechanisms that make it possible to repress, prevent, to exclude, to eliminate; but that they are linked to a whole series of positive and useful effects which it is their task to support” (24). As Deleuze and Guattari remind us, the targeted proliferation of border deaths evidences a contemporary mode of political power in which “even death, punishment and torture (…) are instances of production” (Anti-Oedipus 159). In this game of politics, death itself is no dead letter—the proliferation of human remains in the border region is both the logical product of the operation of power, and also the producer of a powerful set of material and epistemological effects.

Due to the widespread disappearance of bodies in the desert, the actual number of those who have perished in the washes, ridgelines, and arid flatlands north of the border is unknowable. Nonetheless, the US Border Patrol, medical examiners, nongovernmental agencies, and media outlets alike all attempt to count the dead and produce statistical accounts of border mortality, which then serve a wide range of political purposes. The Border Patrol routinely reports the lowest numbers of migrant deaths of any organization, and thus appears to be prone to under-counting. This
diminutive tendency led the Binational Migration Institute (BMI) to dedicate a section of their 2006 report to the issue under the heading “The US Border Patrol Significantly Underestimates Undocumented Border Crosser Remains” (Rubio-Goldsmith 25). BMI details a wide set of exclusions that the enforcement agency makes in its criteria for limiting the qualification of many human remains as migrant deaths.  

7 The US Government General Accounting Office has also criticized Border Patrol’s tracking of migrant deaths in a 2006 report on the basis that “the Border Patrol’s approach to tracking and recording deaths has not been implemented consistently across sectors” insofar as the agency does not “specify the frequency with which sector coordinators are to conduct this outreach nor does it outline the methods that coordinators should use to share information about migrant deaths with county coroners or local medical examiners” (25-26). The Binational Migration Institute’s examination of Border Patrol’s method for counting recovered human remains and found that the agency uses several major exclusions in their statistics to produce a lowered death count: 1) Non-Border Counties: Border Patrol does not count remains from outside of border counties that were recovered without the direct involvement of Border Patrol personnel. Yet a large number of deaths occur in non-border counties and are handled by local law enforcement, such in Brooks County, Texas, which has seen a flood of Central American migration in the past two years. With a large number of deaths also occurring on Tohono O’odham reservation land and handled by tribal police, this exclusion is a primary source of undercounting. 2) Smuggling: Border Patrol does not count the remains of those crossing who appear to have been smuggling contraband or guiding people through the desert. However, many migrants are forced under threat of violence to carry drugs by cartel members, and smuggling can be a means of reducing one’s fee to be guided into the US so that it is often those most lacking in resources that end up carrying drugs in the border zone. Eliminating migrants involved in smuggling from the death count therefore represents an illogical exclusion. 3) Skeletal Remains: Border Patrol does not count skeletal remains as migrants where cause of death cannot be determined, even when those remains are recovered from high traffic migration routes. The Pima County Medical Examiner’s Office found that in the last six years, ‘undetermined,’ has replaced ‘exposure’ as the primary cause of death of those crossing. Thus by excluding skeletal remains whose cause of death is undetermined, Border Patrol disappears a large number of deaths from their statistics.4) Deaths in Custody/Deaths from Natural Causes: Border Patrol does not include the deaths of migrants while in BP custody after crossing through the borderlands. Nor do they include deaths by “natural causes,” such as heart attack or other pre-existing medical disorder that was aggravated to the point of death while walking dozens of miles through the wilderness.
The Border Patrol’s shrunken numbers represent more a political appeal to a concerned public than a comprehensive accounting. Border deaths themselves have the utility of depicting the passage through the borderlands as endemically dangerous to others considering the journey. At the same time, the statistical undercounting of such deaths by the enforcement agency poses this danger as ‘managed’ to the general public. In this discursive mode, the lethality of the border zone does not read as total or genocidal, but rather as regulated, natural, tragic, and ultimately, as officially accounted for. As such, contemporary government-sponsored violence thus appears to function by way of a diminutive rationality.

Figure 7: Vietnam War Body Count, CBS News

When examining the phenomena of undercounting border deaths by the US Border Patrol, we find ourselves in a discursive world apart from the Vietnam War era when the publication of a high body count indicated the efficacy of US military intervention to the public. On evening newscasts in the late 1960s and early 1970s, the
numbers of dead US soldiers were posted against those of North Vietnamese in what was described by media historian Robin Anderson as “a discursive measure of victory” (55). At the time, the ubiquitous framing of the Vietnam War as such a killing competition in both the media and in the military fueled the indiscriminate targeting of Vietnamese civilians on the ground, as record of their deaths could be used to inflate the American score (Figure 7). Anderson observes that, “in this mechanized, bureaucratic format, ‘information’ about the war, with victory assigned by comparative numerical calculations, no longer made sense” insofar as “the winning number, though a smaller one, still added up to death” (55). In Anderson’s account, the Vietnam wartime body count signaled a moment of crisis in the mass production of corpses as a morally-tolerable barometer for national victory. No longer would higher death counts express greater levels of victory or control. Yet, neither would death counts be simply suppressed, erased, and denied from public discourse altogether. Instead, the lethal function of the state in the border region displays itself through a different moral calculus, rationalizing its violence through a discourse of numerical moderation.

The question of the place of the right to kill in the pursuit of political authority is, at its basis, a very old one. From the sword of the sovereign to the genocidal exterminations waged in the twentieth century, what Foucault terms “the murderous function of the state” has been the subject of perennial exploration in the annals of political philosophy (“Society Must Be Defended” 256). Accounting for the indirect,
partial, and environmental mechanism of this “murderous function” as it plays out in
the contemporary US-Mexico border zone, however, challenges many of the
conventional modes of reading political violence. As the casualties of US border security
doctrine are produced at a distance from human actors in the isolation of the southwest
wilderness, the political powers that now wield the right to kill have become
increasingly difficult to identify. Stuart Murray describes this indirect, passive, and
anonymizing condition of governing violence as amounting to a scenario of political
disfiguration, in which, “nobody is killed, at least not directly, and nobody’s hands are
bloodied, at least not that we can see,” so that “deaths are never ‘caused’ as such;
officially, they are merely ‘allowed,’ a passive event, collateral damage” (1). Elizabeth
Povinelli argues that, in the context of contemporary neoliberal rule, political power
increasingly wields the weaponry of “slow death,” based in complex environmental and
social processes rather than direct murder, which thus “constitutes a new and insidious
form of killing” (179). As a growing number of theorists seek to provide a conceptual
account for such indirect forms of authorized violence, this study hopes to contribute to
this intellectual project by exploring the nature of governing violence in the US-Mexico
border zone. I take Michel Foucault’s formulation of letting die as a conceptual starting
point for conceiving of a mode of lethal force that is not so much total and genocidal as it
is partial and erratic—one that routinely kill some while allowing for the survival of others.
Foucault first articulated indirect violence in the final pages of *The History of Sexuality Volume I: An Introduction* in the formulation, “to foster life or disallow it” (137). He expanded on its idea in his 1976-1976 “Society Must Be Defended” lectures, commenting that the definition of lethal violence in the contemporary context must now include “every form of indirect murder: the fact of exposing someone to death, increasing the risk of death for some people” (“Society Must Be Defended” 256; emphasis mine). In Foucault’s rubric, “letting die” marks an incomplete mode of killing—one which increases the risk of death only for some, rather than structuring its certainty for all. Exposure, the heightened danger, and even disappearance—*letting die* directs conceptual attention to forms of force that require a critical measure of distance between the agents of a given political authority and its human targets to complete the deed. In Foucault’s assessment of the contemporary, we are then not so much ruled by a regime that “takes life or lets live,” as we are faced with a formation of political power that is perpetually engaged in “making live and letting die” (241; 247). In effect, it is not only, nor even primarily, the threat of direct murder by a sovereign authority that draws human communities into submission. The growing involvement of a wide set of governing institutions in ensuring or withdrawing a certain quality of life has instead come to organize subjection to rule. The rationality of political violence based in the tactics of “letting die” is increasingly calculated, conservative, and care-giving in design,
comprising what Foucault marks as a “reasonable aesthetic of punishment” (Discipline and Punish 106).

Many scholars are at work exploring the meaning of “making live” by the contemporary agencies of social control. This chapter turns to the meaning and material practice of its lesser-examined corollary, “letting die” as it plays out on the ground in the policing of the southwest wilderness. In the pages that follow, I close-read the tactical and discursive landscape of the US-Mexico border zone, wherein the use of regulated exposure to harm forms the basis of contemporary US border security strategy. My itinerary is threefold: first I examine the status of lethal violence as a signature of political sovereignty—a conceptualization that has dominated modern discourse on the utility of killing to the maintenance of governing power. Second, I engage with the later lectures of Foucault and the observations of Weizman and Povinelli to explore how the authorized use of force in the border zone is increasingly framed and exercised through a logic of proportionality. In this discursive atmosphere, numbers, statistics, rates, ratios, and formulas form a powerful language through which the incidence of lethal force is rationalized. In the context of statistical moderation, the traditionally ‘repressive’ forces of political power—the armed law enforcement institutions—increasingly appear as weakened and ancillary humanitarian agencies concerned with performing life-saving interventions in the scene of violence. Finally, I contend that such ‘moderate,’ ‘constrained,’ and ‘humanitarian’ forms of governing violence rely on the construction
of dangerous environments wherein natural risks to life are tactically enhanced, and target populations are systematically abandoned. On-the-ground enforcement practices in the southwest borderlands, such as helicopter dustings, the destruction of water sources, and the strategic absenting of human intervention from the field of danger enable the lethal border security regime to do its work. In this final section, I turn to the insights of Melissa W. Wright and Alicia Schmidt Camacho to explore the transnational political setting as one in which the conventional protective power ascribed to the liberal democratic nation-state now assumes a passive, weakened, and even failed pose.

My analysis of the border zone thus resists wielding the categories ‘collateral damage’ and ‘state failure’ to discount the incidence of contemporary state-sponsored violence as a matter of accident or error. Instead, I call on ‘accident,’ ‘error,’ ‘failure,’ and ‘collateral damage’ as critical discursive categories that increasingly adorn, organize, and authorize the contemporary use of force. This chapter heeds Achille Mbembe’s contention that, in the midst of all the discussion about the primacy of life to contemporary politics, critical thought must also labor to shine a light on the violence that enforces its order. Mbembe asks, “under what practical conditions is the right to kill, to allow to live, or to expose to death exercised? (…) What place is given to life, death, and the human body (in particular the wounded or slain body)? How are they inscribed in the order of power?” (12). In a set of provisional responses with reference to the course of human destruction in the southwest border zone, this chapter explores
how the ‘gentler’ logics of moderation, care, and weakness have come to organize the ‘harder’ lethal violence of contemporary rule.

**I. The Sword**

![Figure 8: Frontispiece to Thomas Hobbes' *Leviathan* (Abraham Bosse, 1596)](image)

“If genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill.”
—Michel Foucault

“What meaning has the concept of murder when we are confronted with the mass production of corpses?”
—Hannah Arendt
On October 12, 2012, a US Border Patrol agent aimed his weapon through the metal slats of the downtown Nogales, Arizona/Sonora border wall to shoot and kill sixteen-year-old Jose Antonio Maria Elena on the streets of Mexico below. More than two years later, a federal judge ordered the agency to release the name of the officer who acted that day. We now know that it was Border Patrol agent Lonnie Swartz who was responsible for this transnational shooting, having emptied ten rounds into the unarmed teenager’s back. Mixed reports emerged to account for this daytime execution: the US Border Patrol claims that the teenager and others had been throwing rocks over the wall at agents, leading Swartz to discharge his weapon in apparent self-defense. Eye-witnesses and family members maintain that Jose Antonio was walking home after playing basketball with friends. The shooting sparked immediate protests that grabbed national attention. The spectacular killing of Jose Antonio by a US Border Patrol agent in the binational city center became a symbol of the impunity afforded to the agency when exercising lethal force in the field. A subsequent Arizona Republic investigation found that since 2005, Border Patrol agents had been involved in the shooting deaths of more than forty-eight people while on duty. Until Jose Antonio’s death, not one acting Border Patrol agent had ever been disciplined or prosecuted for their lethal use of force (Ortega 1). Swartz is the
first to have been indicted on murder charges; he is slated to stand trial in February 2017 (Joffe-Block).\(^8\)

The authorized right to take the life of another has been widely theorized as the signature of sovereignty. Mbembe argues that the direct decision on the life and death of a subject is “the ultimate expression of sovereignty,” forming “its fundamental attributes” (11). Foucault describes the right to kill as “one of sovereignty’s basic attributes,” and alternately as one of “the characteristic privileges of sovereign power” (“Society Must Be Defended” 240; History of Sexuality 135). And in Homo Sacer, Giorgio Agamben contends that “the first foundation of political life is a life that may be killed, which is politicized through its very capacity to be killed,” by way of its “abandonment to the unconditional power of death” of the sovereign (89; 90). In Agamben’s account, “life exposed to death is the originary political element” (88). In this survey of contemporary political thought, political theorists frame death-making as customarily posed as “basic,” “fundamental,” “ultimate,” “the first foundation,” and “originary” to the definition of political sovereignty. To historicize the concept of sovereignty, such

\(^8\) The efficacy of social movement in bringing about criminal charges against the Border Patrol agent who killed Jose Antonio in many ways represents an early rendition of powerful political events to come. Since the killing of Michael Brown by police officer Darren Wilson in Ferguson, MO in August 2014, powerful urban rebellions in US cities have shed dramatic light on the epidemic of racist police violence in the US. In turn, the Black Lives Matter protest movement has brought about an increase in the juridical indictment of killer cops. The legitimacy of lethal force as an unmitigated tactic among state agents is thus being subjected to reckoning in this contemporary movement moment.
thinkers refer to a wide range of ancient, medieval, and early modern forms of
government wherein a king, prince, or assembly exercised supreme power over a
citizenry within a specified territory. The sovereign political authority would maintain
claim to rule through the double-threat of killing: first, in the capacity to threaten war
against external enemies and second, in the promise of execution or banishment for
those subjects who disobey the laws of the land. The articulation of this political
structure is traceable to the early Hobbesian thesis, in which the formation of human
government is thought to absorb and organize the use of violence from the otherwise
marauding and indiscriminate brutality endemic to the chaos of human life left to the
rule of nature. Hobbes writes, “amongst masterless men, there is perpetual war, of every
man against his neighbor.”

[Individuals] conferre all their power and strength upon one Man, or upon one
Assembly of men, that may reduce all their Wills, but plurality of voices, unto
one Will. (...) In him consisteth the essence of the commonwealth, which is one
person of whose acts a great multitude, by mutual covenants with one another,
have made themselves everyone the author, to the end he may use the strength
and means of them all as he shall think expedient, for their peace and common
defense (...) There is now a SOVEREIGN and everyone else is his SUBJECT. (108;
original emphasis)
In this consolidation of the strength of many subjects into the will of the one sovereign, Agamben observes that, “in Hobbes the state of nature survives in the person of the sovereign,” so that “for Hobbes it is this very identity of the state of nature and violence that justifies the absolute power of the sovereign” (35). The sovereign, thus conceived, is an official vector for the otherwise sporadic exercise of lethal force. The demonstration of this authority’s firepower serves to reciprocally vitalize his rule.

Foucault labors within the historical archive to describe the concrete practices and methods of killing that characterized the maintenance of sovereignty in its traditional formation. Most well-known to this end is Foucault’s protracted account of the slow mutilation and eventual execution of a criminal on the scaffold in the streets of 18th century Paris that opens Discipline and Punish. By way of this gruesome description, Foucault observes that the public, and often elaborately brutal, practices of execution in the context of sovereign punishment were not designed as the proportional reply to a crime equally heinous. These performative killings rather showcased the use of an

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9 Foucault recounts, “On 2 March 1757 Damiens the regicide was condemned ‘to make the amende honorable before the main door of the Church of Paris’, where he was to be ‘taken and conveyed in a cart, wearing nothing but a shirt, holding a torch of burning wax weighing two pounds’; then, ‘in the said cart, to the Place de Greve, where, on a scaffold that will be erected there, the flesh will be torn from his breasts, arms, thighs, and calves with red-hot pincers, his right hand, holding the knife with which he committed the said parricide, burnt with sulphur, and on those places where the flesh will be torn away, poured molten lead, boiling oil, burning resin, wax and sulphur melted together and then his body drawn and quartered by four horses and his limbs and body consumed by fire, reduces to ashes and his ashes thrown to the winds’” (3).
overwhelming dissymmetrical violence against a helpless target in an extreme act of vengeance. In effect, the sovereign projects his uncontestable power to his public. Execution on the scaffold, Foucault observes, illustrated a rationality of disproportional violence as a “direct reply [of the sovereign] to the person who has offended him:”

Its aim is not so much to re-establish a balance as to bring into play, as its extreme point, the dissymmetry between the subject who has dared to violate the law and the all-power sovereign who displays his strength (...) The punishment is carried out in such a way as to give a spectacle, not of measure, but of imbalance and excess; in this liturgy of punishment, there must be an emphatic affirmation of power and of its intrinsic superiority (...) to make everyone aware, through the body of the criminal, of the unrestrained presence of the sovereign. The public execution did not re-establish justice; it reactivated power. (Foucault 49; emphasis mine)

Dissymmetry, imbalance, excess: the spectacle of punishment makes an example to its citizen-audience, serving as what Foucault calls “a political ritual,” and as one of “the ceremonies by which power is manifested” (47). Emblazoned in the blood of the condemned therefore was the triumphant face of political authority. Power thus “spoke through blood: the honor of war, the fear of famine, the triumph of death, the sovereign with his sword, executioners, and tortures; blood was a reality with a symbolic function” (The History of Sexuality 147; emphasis original).
Possessing the power to grant life or to take it away, sovereignty is a concept of extreme imbalance, being that which only enters the lives of its subjects at the moment of their existential negation. Foucault thus describes sovereignty as, at its basis, “a subtraction mechanism” that is “always tipped in favor of death:”

The right of life and death is always exercised in an unbalanced way: the balance is always tipped in favor of death. Sovereign power’s effect on life is exercised only when the sovereign can kill. The very essence of the right of life and death is actually the right to kill: it is at the moment when the sovereign can kill that he exercises his right over life. It is essentially the right of the sword. So there is no real symmetry in the right over life and death. It is not the right to put people to death or to grant them life. Nor is it the right to allow people to live or to leave them to die. It is the right to take life or let live. And this obviously introduces a startling dissymmetry. ("Society Must Be Defended" 241; emphasis mine)

In this “startling dissymmetry” of the sword, there is no equilibrium—no surplus of life-making for its subjects that would lend formal balance to its destructive power. Instead, one is either left alone to live, without the interference of a governing authority, or one is killed. Of this sovereign function of political rule, Foucault comments, “its symbol, after all, was the sword” (Figure 8) (The History of Sexuality 136).

Despite its flaunting of extreme violence, the sword is still with us today—at least conceptually. Indeed, sovereignty remains a principal concept for interpreting the
persistence of authorized, direct, and extra-judicial killing by state actors in the transnational present. Mbembe employs the term “sovereignty” to denote any “generalized instrumentation of human existence and the material destruction of human bodies and populations” (14). For Mbembe, any use of death in the practice of politics represents a contemporary instantiation of sovereign violence. Agamben employs the term “sovereignty” to designate the “unconditional power of death,” where “the sovereign is the point of indistinction between violence and law, the threshold on which violence passes over into law and law passes over into violence” (90; 32). In Agamben’s rubric, extra-juridical killing brings the subject into direct intimacy with sovereign authority—the act of authorized execution weds the contemporary subject to political power. This conceptual return of sovereignty as a language for authorized violence is prevalent in Judith Butler’s post-9/11 meditation Precarious Life when she argues that the present political condition is haunted by the sovereignty of days past. Butler contends that, in the use of force characteristic of the global War on Terror, we witness the resurgence of sovereignty “with the vengeance of an anachronism which refuses to die” (53-54). Butler asserts that sovereignty has re-emerged in the present, “as a reanimated anachronism within the political field unmoored from its traditional anchors” (53).

This conceptual return of sovereignty among scholars of political theory arguably represents what Foucault has called “historical retro-vision:” the persistence of governing violence in the transnational present finds account by being consigned to a
backward and repressed political past which forever threatens to burble up into the present (*The History of Sexuality* 150). This regressive conceptual mode poses sovereign authority as the hidden origin of contemporary authorized violence. At issue in this rationale is the suggestion that the current authorized use of lethal force represents less the vanguard of transnational neoliberal rule and more a stubborn political primitivism. In this way, the incidence of atrocity itself comes to us as stale baggage that continues to undo the present. It follows that, if the seed of political violence germinates in the heart of sovereignty as a melancholic relic of a bloody past, then the work of progressive political transformation is already underway—all that remains is ridding ourselves of these last tired demons on the journey to recovery. It may be reparative to lend such a clear figure of the sovereign and his sword to present-day formations of lethal political violence which otherwise seem to us as incoherent and senseless. However, the equation of sovereignty with any murderous function of the state whatsoever disables the pressing project of articulating the lethal logic that underwrites contemporary formations of political rule.

The corralling of all governmental killing under the figure of sovereignty has the added issue of effectively effacing the qualities that define sovereignty as itself a coherent, discrete, and historical system of rule. In *Walled States, Waning Sovereignty*, Wendy Brown offers a lucid schema of six such attributes of political sovereignty by
drawing on the major works of Thomas Hobbes, Carl Schmitt, and Jean Bodin. More than being primitively murderous, here political sovereignty entails:

1. Supremacy: no higher power
2. Perpetuity over time: no term limits
3. Decisionism: no boundedness by or submission to law
4. Absoluteness and completeness: sovereignty cannot be probable or partial
5. Nontransferability: sovereignty cannot be conferred without canceling itself
6. Specific jurisdiction: territoriality (20)

Among these six indicators, the use of the right to kill is not primary, remaining implicit in the discussion of supremacy, decisionism and territoriality. In the context of transnational exercises of political power, it is clear that many of these other attributes have been radically undermined and hence transformed: nation-state supremacy is routinely superseded by the demands of the global market; term limits have been applied to public offices and territoriality has been largely disregarded when it comes to global policing. Brown observes that “over the past half century, the monopoly of these combined attributes by nation-states has been severely compromised by growing transnational flows of capital, people, ideas, goods, violence, and political and religious

\[10\] This is evidenced by the absence of outcry over the violation of Mexican sovereignty with the killing of Jose Antonio in Mexico by a US agent, being one among many examples of US operatives killing foreign nationals outside of US territory where no formal war between nation-states has been declared.
fealty” (22; emphasis mine). She goes on to argue that if sovereignty as such persists in the present, it has persisted in “detachment” from the nation-state, migrating to serve a changing set of other global supremacies (24). In this sense, sovereignty no longer constitutes a dominant form of political organization, but at best as a sometime-tactic serving contemporary formations of transnational political rule, whose internal logic lies elsewhere.

The reworking of sovereignty as a tactic, however, defies its conventional definition as a singular and supreme form of political consolidation; this ‘tactical survival’ of sovereignty designates any instance of killing by an authorized authority, such as the murder of Jose Antonio, rather than ascribing such acts to a more general rational political order. If the task of contemporary political thought is to account for the function of lethal force in the enforcement of present political powers, then we must articulate forms that are not so much national as supra- and sub-national, not so much permanent as temporary and indefinite, not so much supreme as dispersed, multiple, and insidious, and not so much territorial as transversal. The signature of sovereign violence—vengeance, spectacle, disproportion, the poetics of blood, and the consolidation of power around a singular legible authority—appears as less the secret force driving the harms of the present, and more as one irreducible chapter in the genealogy of cruelty.
This genealogy includes a specifically modern mutation in the nature of political violence on the road to its ‘softer’ contemporary formation. Foucault offers an account of the emergence of the modern tactics of corporeal punishment to illustrate more general transitions within the rationality of rule. In particular, he reads the invention of the guillotine in eighteenth-century France as an early moment in the movement of sanctioned killing away from the prolonged theatrics of public torture and execution that adorn sovereign violence. Indeed, the modern period has witnessed the explosion of technologies that are aimed at the rapid and uniform production of human death on an unprecedented scale. The design of the guillotine sought to kill in “a single moment, and with a single blow” as a standardized, mechanical means that “takes life almost without touching the body” (Discipline and Punish, 13). The design of the guillotine, Foucault contends, depersonalized the act of execution, greatly diminishing its sadistic display. The arrival of the machine as one among many future technologies of ‘gentler’ ways of killing (lethal injection, for example) signaled a more general transition of authorized execution from the symbolic bloodlust of political revenge to the smooth mechanical action of a superior murderous technology. Of this Foucault observes, “the guillotine, that machine for the production of rapid and discreet deaths, represented a new ethic” (15). Standardized production thus steadily replaced the theatrics of vengeance. As such, Mbembe considers the invention of the guillotine as having represented the “democratization,” and “civilizing,” of governing violence:
In France, the advent of the guillotine marks a new phase in the
‘democratization’ of the means of disposing of the enemies of the state. Indeed,
this form of execution that had once been the prerogative of the nobility is
extended to all citizens. In a context in which decapitation is viewed as less
demeaning than hanging, innovations in the technologies of murder aim not only
at ‘civilizing’ the ways of killing. They also aim at disposing of a large number of
victims in a relatively short span of time. (19)

Aiming not only at the uniformity of killing but at the efficient execution of large
numbers, the assembly-line rule of the guillotine machines finds formal kinship with
Hannah Arendt’s assessment of the institution of gas chambers in Nazi concentration
camps as “death factories,” wherein corpses were rapidly and uniformly produced for
the purposes of ethnic cleansing (The Origins of Totalitarianism 89). Arendt considers the
way in which those technologies of execution in Nazi death camps did not seek merely
to punish the criminal individual or to deter a foreign army, but at the rational
eradication of an entire unarmed human population. Arendt writes that “this principle
[of scale] was most fully realized in the gas chambers which, if only because of their
enormous capacity, could not be intended for individual cases but only for people in
general” (449). As its target is trained on “people in general,” what emerges is “a power
that is not individualizing but, if you like, massifying, that is, directed not at man-as-
body but at man-as-species” (“Society Must Be Defended” 243). Together, the two
industrialized technologies of the guillotine and gas chamber exemplify the tendency for the rationality of capitalist industrial production to structure the tactics of death-dealing in the modern period.

Formations of political violence in the modern era have thus moved distinctly away from the centrality of the sword. Human life—the life of the citizenry, the inviolability of populations—has emerged as the cherished object of political organization. Matters such as ensuring a healthy birth rate, a low incidence of disease, quality education, employment, services and a general nurturing of the public good became the province of political power. Now individuals are not only touched by governing authority when banished or executed by the sword of the sovereign. The modern encounter with the political begins at birth and social control organizes itself in the technologies and institutions that invest in the optimization and care for human life and the defense of human societies at large. Of this transformation, Foucault argues that “the old power of death that symbolized sovereign power was now carefully supplanted by the administration of bodies and the calculated management of life” (The History of Sexuality 139-140). Those modern spaces of enclosure—the clinic, the school, the hospital, the barracks, the factory, and the prison—coalesce around the intimate management and production of a certain quality of life for a diverse set of populations. Human beings arrive in the realm of power not only as citizen-subjects of the sovereign,
but rather as highly valuable large-scale supra-national entities called ‘human society,’
‘civilization,’ or simply ‘humanity’ itself.

The emergence of human life as the explicit object of political power came with
the innovation of technologies that could affect its biological destruction on an
unprecedented scale. From the invention of the machine-gun to aerial fire-bombing
tactics, to the emergence of chemical warfare and the ultimate innovation of nuclear
weaponry, the technologies of killing in the modern era have been increasingly
industrialized toward the most efficient capacity to eradicate large populations of
human life, and with the bomb, all organic existence as we know it. Foucault observes
that “wars are no longer waged in the name of a sovereign who must be defended; they
are waged on behalf of the existence of everyone: entire populations are mobilized for
the purpose of wholesale slaughter in the name of life necessity: massacres have become
vital” (The History of Sexuality 137). To this end, the human worlds of Hiroshima and
Nagasaki were the canaries in the coalmine for a global nuclear war that never was, but
nonetheless forever threatens to ignite. Coercive practices of foreign policy by nuclear
powers are hence enforced by the implicit threat of all-out atomic destruction, to which
target nations would either be helpless to interdict or be led into igniting the horror of
reciprocation. Alongside these many superior killing technologies, nuclear apocalypse now represents the extreme and irrational end of armed conflict so that the use of less than-atomic weaponry by nuclear powers in the course of political conflict reads as the practice of both moral and tactical restraint. In the shadow of the capacity for absolute disproportionality of violence, the exercise of governing force now makes discursive claim to the moral categories of measure, symmetry, and proportional response, forever lingering a degree away from the ontological catastrophe that all-out aggression would guarantee. In this contemporary condition, nuclear extinction forms one pole, and the total protection of life the other, in the contemporary dialectic of moderation.

To return to the place where aid workers found human remains, drive approximately eight miles down Ruby Road. Rumbling on the washboard dirt, crest the hill above the ruins of historic Ruby Town to descend into the basin of Bear Valley. The vista will be framed by the massive body of Bartolo Mountain laid out to the north, the stunning striped face of the Atascosa range to the east, and Montana Peak’s rocky hat jutting into the big southern sky. Pass the abandoned tires lying by the cattle guard and continue to a pullout on a high plateau. Set out walking through the brush to catch the subtle trail

11 Arendt comments to this end, “the arms race, no longer a preparation for war, can now be justified only on the ground that more and more deterrence is the best guarantee of peace. To the question of how shall we ever be able to extricate ourselves from the obvious insanity of this position, there is no answer” (On Violence 4).
carving along the side of an overgrown drainage. Climb up and up to perch on the lookout from where the spine of Mule Ridge divides the frontal skyline. Shuffle downhill into the tangle of washes and footpaths below to catch a second smaller drainage heading back upward toward a looming lichen-covered rock formation. Climbing steadily, it is easy to miss the slight wooden cross held together with twine and surrounded by old candles on the rocky wall. A small marker for one body found. Of this event, attending aid worker Margaree Little wrote the austere poem, “What Was Missing”:

The undersides

of the hands. The hair.

The eyes. The chin,

the spot where the chin

becomes the neck.

Both of the arms.

The armpits.

The left tennis sneaker,
Wilson brand.

Water that we could

have left for him.

The sound of trains.

The canals that carry sound

into the ears. The ears.

Bruises and lips.

Wallet, if there ever was

a wallet. Genitals

and what they wanted.

Light after a while.

Dark after a while.

Thighs. A name.

The face, the neck.
This theatre of governing violence is not to be found in the public square at the heart of the capitol, nor the cityscape sparkling on the face of the awaiting earth below. The dead are not made in the spectacle of torture; they are not produced by the technology of mass destruction. The violence of US-Mexico border policing rather works by quiet dispersion. The dead are left alone, stowed away and disintegrated in the minute folds that endlessly crease the immense floor of the Sonoran Desert, remaining only as a flicker in and out of existence, “light after a while/dark after a while,” depending on their incidental discovery.

II. The Norm

**Figure 9**

“The moderation of violence is part of the very logic of violence.”

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In a rural South Texas town, white trash-bags are pulled from the dirt. Lavender, red, and blue ones too. Some are gift store baggies, others are biohazard bags, and many are the thin cloudy liners made for tall kitchen waste bins. Twisting around each other, this assortment fills an open ditch. Hands of students and researchers delicately tug the bags apart as others dump buckets of earth through large sifters, busily trolling for bone fragments. In 2013, a grisly secret was unearthed from this county-owned corner of the Sacred Heart Burial Park in Falfurrius, Texas. The remains of several hundred migrants who perished in the backcountry of Brooks County had been quietly disposed of in mass graves in the local cemetery without identification or ceremony. In these ditches, the body parts and bones of several hundred had been comingled. Some remains were without any container at all, while other bags contained portions of three or more people. Skulls were wedged between boxes stacked atop of each other in varying directions, anonymous. For years, the Brooks County Sheriff’s Department had been paying a local funeral home $450 for each body that it disappeared to the earth below (Bever). However, during the recent surge in Central American migration through the dense subtropical brush of South Texas and the subsequent proliferation of deaths in the surrounding ranchlands, finding space in the cemetery plot to dispose of the remains had become more difficult. Being one of the poorest counties in the nation and home to
only seven-thousand inhabitants, Brooks County was floundering when it came to handling the human cost of the transnational border security establishment. There was no county medical examiner, no means of identifying and interring the dead, and no federal subsidy. As a consequence, hundreds of human remains had been simply buried en masse without name or notification given to family—a practice that had gone unnoticed for years until the recent problem of overcrowding.

Although directly dealing with the casualties of border policing, Falfurrias, Texas is not in a border county—the town itself lies ninety miles inland from the McAllen/Reynosa international crossing. The proliferation of border deaths at such distance from the international line is the consequence of the placement of a Border Patrol immigration checkpoint on the interstate just south of the Falfurrias townsite. There, as in southern Arizona, all northbound vehicles are stopped, profiled, and all motorists questioned as to their citizenship status; vehicles deemed suspect might be searched or taken apart. To avoid the checkstation, human smugglers typically drive their cargo from just across the Rio Grande at the border to a region south of the immigration stop. From there, those migrating continue their journey into the US on foot, walking dozens of miles through the hot and humid environment to circumvent
the checkpoint. In the thick heat and with lack of access to supplies or rescue, many are left to perish on the Texas range, and, until recently, their bodies were then disposed of in a ditch at the far corner of the graveyard. The crisis of overcrowding in Falfurrias ultimately drew the attention of anthropologists at US universities, and with them, corporate media outlets. In the summer of 2013, students and professors traveled to Brooks County to exhume the remains and move them to a facility for forensic DNA identification. In the meantime, stories spilled over into the Associated Press circuit about the discovery of mass graves in South Texas. Conjuring images of other sites of civilian massacre, the sheer number of bodies, their anonymity, and apparent denial of burial rites spoke to the more general treatment of human life as fundamentally disposable by the border security regime and its local functionaries. When this mass grave was unearthed, the daily deaths of those walking that are usually shrouded by the cloak of the desert floor were suddenly converted into a spectacular death-event to the public.

12 Unlike the largely public-access desert lands of Arizona, the South Texas range is almost entirely owned by oil and natural gas elites. Migration traffic routes through these private compounds that generally have their own security force and are known to be reluctant to allow law enforcement, much less humanitarian aid workers, to gain access to their lands.

13 Advocacy groups believe that there are many more cemeteries like Sacred Heart in the rural regions of the US-Mexico border zone which where the remains of undocumented migrants have been unofficially interred. The South Texas Human Rights Center has launched a “cemetery mapping” project in eighteen South Texas counties an effort to identify the numbers of migrants who have perished in the region with the hopes of identifying and repatriating their remains to their families. The STHRC also regularly holds Missing Days, in which family members of
When death takes the form of disappearance, body counts fail. The mechanism of authorized violence in the border zone poses a distinct challenge of how to provide an adequate account of the human damage of border policing in a context that constantly undoes the capacity to count in the first place. As a consequence, there is no consensus on how to count the dead on the border. An expanding diversity of groups and agencies partake in the effort nonetheless, as the generation of death statistics appears central to the adequate expression of the political situation on the ground. In this contemporary context, *calculation* is what makes the loss of life legible to the public, being an increasingly common discursive means of soliciting popular consent or contestation to the border security regime. In the scenario of border violence, the language of statistical representation carries power. Over the last twenty years, county medical examiners, non-governmental human rights organizations, consulates, university researches, journalists, and even the US Border Patrol itself have thus participated in the production of statistical estimates of the number of bodies and skeletal remains *that have been found* in the US southwest. Yet all accounts are geographically partial. The remains of unauthorized migrants are handled by an admixture of state, county, and federal agencies. There exists no formal system of missing migrants are invited to undergo DNA testing in an effort to produce a comparative match with unidentified recovered remains.
coordination between them and no central agency tasked with compiling nationwide data.\textsuperscript{14} Border-wide assessments are therefore speculative at best.\textsuperscript{15}

Despite the stubborn impressionism that envelopes all numerical estimations of border death, the computation of statistical data, the drawing of charts and graphs, and the publication of findings in periodic reports continues. Across the political spectrum, this discursive incitement to count bodies figures a common investment in the language of data as the language of suffering. On the part of progressive social justice organizations, counting is an effort to project the sheer magnitude of human tragedy to the public. The Humane Borders death map works just this way, layering data to visually dramatize border death as a mass casualty scenario (Figure 6). Through this mapping, the slow accumulation of deaths on the border over more than a decade of Prevention Through Deterrence policy is converted into a catastrophic geopolitical

\textsuperscript{14} For example, The Pima County Office of the Medical Examiner makes public the number of human remains they handle annually from the border zone; however, this only includes three Arizona counties. The advocacy organization Coalición de Derechos Humanos, in partnership with the Mexico and Central American consulates and researchers at the University of Arizona, publishes periodic reports, which include Arizona-wide statistics.

\textsuperscript{15} The difficulty in accounting for estimates of even those remains that have been recovered made worse by the fact that some counties have never categorized the remains they handle as migration-related deaths, but rather by the conventional categories of cause of death—exposure, motor vehicle accident, gunshot wound, and so on. In the case of Maricopa county, Arizona, where humanitarian aid workers alone have recovered at least a dozen human remains since 2013, the medical examiner’s office had never compiled or made public any statistics on migrant deaths that they have handled; Maricopa county thus appears as a square blank-spot on the death map, not for lack of deaths, but for lack of data.
event. Of this type of conversion, theorist Elizabeth Povinelli asserts that “one tactic that all of us use to make visible and compelling the nature of dying in the zones of slow death is statistics” (190). In the context of the contemporary border security regime, GPS coordinates and mapping software form the tools of affective agitation.

In contrast to the abstraction of bodies into dots, the Coalición de Derechos Humanos Recovered Human Remains Project maintains massive registers of the names of those whose remains have been discovered in southern Arizona, with the unidentified simply listed as desconocido/a. The names are then painted on what has grown to thousands of white crosses; each year the organization holds a procession where the names are read and the crosses are displayed to the public. Unlike mapping projects that seek to overwhelm their audience with the sheer scale of human carnage by presenting individual remains as an abstract statistical mass, the tabulations of Derechos Humanos instead seek to humanize the data, lending individual identity to the bones in the bag. Yet, the unwieldy volume of the named and nameless, which takes nearly six hours to read, at some point also devolves into the bombardment of the senses with the unthinkable scale of atrocity. It is to this end that Povinelli suggests that such massifying practices figure an “anthropological attachment to the kind of violence that characterizes

16 English translation: ‘unknown.’ Between fiscal year 1990-2012, the Pima County Office of the Medical Examiner handled the remains of some 2,238 migrants. Over a third of these, or 761 cases, remain unidentified (12; 14).
the catastrophe” (190). Povinelli challenges us to instead locate tactics that “understand this kind of lethality within its own terms (its dailyness, ordinariness, ‘livedness’)” as an ongoing historical process (191).

Beyond shock and recognition, body counts are used to make arguments about the trends in migrant death along the border as evidence for the support or criticism of border security policy. For a time, and by all accounts, the recorded number of bodies recovered from southern Arizona spiked each year, forming a more or less exponential curve that always gestured toward higher planes of human disaster. Over the last four years however, the official count in southern Arizona began to plateau. As a result, Border Patrol published a press release in the fall of 2014 declaring that “fewer suspected illegal immigrants are being found dead north of the US-Mexico border,” on the basis that the agency recorded one hundred fewer deaths border-wide that fiscal year (Trevizo, “Border Deaths Down”). Citing only their own numbers, and crediting their own policing operations and enhanced surveillance techniques as somehow causing the supposed reduction, the claim drew quick criticism from record-keeping advocacy groups. Coalición de Derechos Humanos issued the following retort:

Several news outlets have featured stories that, according to Border Patrol, the deaths along the U.S./Mexico border have reached a fifteen-year low due to their efforts. However statistical analyses clearly reveal that the death rate continues strong when you compare the rate of death to the number of crossings. Migration
continues to be at the lowest level in the last 40 years, yet hundreds are still
dying. It is also disingenuous to equate the number of recovered remains with
the true number of deaths, given that hundreds of remains have not and will
never be found. Most importantly, additional militarization of our borderlands
will not only increase the number of deaths, but will also decrease the possibility
of finding remains. As people are pushed further into more and more desolate
terrain, the real numbers will be masked.

To account for this numerical leveling off, such advocates emphasize the probable rise in
the overall death rate for those crossing to testify to the fact that the border policing
environment continues to become increasingly deadly, and that, as such, its causalities
are increasingly difficult to count or recover. 17

Claiming a reduction in border deaths and attributing its incidence to more
humane methods of border enforcement was not the first time that the US Border Patrol
used statistics to make their own speculations about the trends of living and dying on

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17 Before the era of Prevention Through Deterrence, the leading cause of fourteen migration-
related deaths annually on the southern Arizona border was motor vehicle accident (Binational
Migration Institute 6). In the days before the sealing of the ports and the application of inland
checkpoints on the freeways, vehicular smuggling was the primary means of crossing into the US
without authorization. The dramatic surge in deaths coincided in the transition in their main
cause from vehicular accident to exposure, demonstrating that the vast majority of border
crossings are undertaken as journeys on foot through a deadly environment. For many, the
mechanism of death is officially undetermined because remains are often in such an advanced state
of decay by the time that they are encountered, that no cause of death, and often no identification
can be successfully attached to them.
the migrant trail. The Border Patrol issues annual per-sector counts and their tallies of
the dead, which diminish rather than amplify the material reality of the violent
consequences of border enforcement to a concerned public. At present, for instance, the
enforcement agency reports that there have been a total of 6,571 border deaths since
1999. Unlike nongovernmental organizations or individual counties, the US Border
Patrol does not qualify its account as referring merely to the number of bodies found
rather than being the actual number of those who have died. The tables that the agency
makes public simply list “southwest border deaths,” and are designed to read as
comprehensive representations of all migrant fatalities that have occurred border-wide,
and not as a partial index (Figure 9). This mode of accounting includes no identification
of its sources, nothing about the obstacles to accurate statistical representation, and no
mention of the limited criteria it uses to generate these numbers. In short, the US
Border Patrol omits all of the information required for the standard production of
statistics. In this way, the statistical as such serves less as an empirical method and more
as a discursive mode that makes implicit claim to the objective, the evidentiary, and to
the non-partisan representation of reality itself. It is what Deleuze has called “the

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18 Advocates estimate that the true number of border deaths in the US southwest backcountry is
three to ten times higher than the number of recovered remains. Even in the lowest account
offered by the US Border Patrol, this would amount to somewhere between 19,000 and 66,000
migrant deaths in US territory since 1999.
19 See note 7.
numerical language of control” (“Postscript on the Societies of Control” 5). While expressing the political reality of border violence seems to be a numbers game, the mechanism of indirect killing in use in the region, by definition, undoes the capacity to produce a count. It is an on-the-ground truth that registers Weizman’s more general objection to the discourse of statistical modulation, insofar as “questions of violence are forever unpredictable and will always escape the capacity to calculate them” (10). When it comes to US border security policy, the performance of calculation thus represents a powerful contemporary mode of representational realism.

Despite the political cross-purposes of reporting agencies, they all share in the use of trends, rates, and probabilities as the most effective means of political figuration. In an effort to incite moral outrage and political participation, some call on statistics to warn that the conditions are always worsening. Others reassure the public that violence is on the decline and border deaths are trending in the direction of moral progress. All endeavors seem to rely on the establishment of statistical norms around which the incidence of border death deviates. It is the direction of this deviation that makes the moral content of governing violence intelligible. Implicit in such numerical discourse is that there exists an optimal, aspirational rate of border death (which for those on the left is zero, and, for the engineers of deterrence-based border security is higher), and a presumed threshold at which the scale of death becomes morally intolerable (though this quantity too is flexible). When government officials establish a numerical norm of
border violence above zero, its marginal lessening then perversely becomes a marker of care.

In his *Security, Territory, Population* lectures at the Collège de France, Foucault offers a useful account of statistical calculation as a contemporary security-based rationality. Foucault profiles the varying responses of sovereign, discipline, and security-based forms of rule to criminal theft. In the case of classical sovereignty, Foucault asserts, punishment would be found in the order of exclusion to be accomplished through the gesture of banishment or execution of the condemned. In the case of a modern disciplinary regime, the response would not be exclusion but observation and enclosure. Rather than arm the law with the scaffold, modern discipline arms society with the *preemptive* techniques of surveillance, capturing all within a perpetual gaze and inciting self-policing among its subjects before the theft had ever been committed. For an individual who nonetheless steals, the reply of the disciplinary regime is then placement within incarceration that seeks the “possible transformation of individuals” into docile, obedient subjects (5). Eventually, these subjects would be either reintegrated into the general population or designated as “abnormal” and indefinitely confined.

The response to theft in the security regime, Foucault contends, would instead center on a flexible and ongoing cost-benefit statistical analysis of criminality and punishment. Despite its official illegality, the crime of theft would not be simply
prohibited or punished. It would also be something to calculate. Differential statistical measurements would be established to compute the rate of theft in a given population, its fluctuation among various sectors of society, for a diversity of demographics, and within myriad environments. The relationship between the cost of punishment, such as incarceration, and the relative levels of prevention such costly measures achieve, would be submitted for evaluation. The cost of allowing a measure of criminality would then be posed against the cost of punishing, which, in Foucault words, would determine “what is more worthwhile: to tolerate a bit more theft or to tolerate a bit more repression?” (5). Security-based political rationality thus works through the concepts of probability, cost, and moderation.

The pursuit of numerical moderation as a punitive standard requires the establishment of a spectrum of the ideal to the tolerable. “Instead of a binary division between the permitted and the prohibited,” Foucault asserts, “one establishes an average considered as optimal on the one hand, and on the other, a bandwidth of the acceptable that must not be exceeded” (6). Within this flexible bandwidth, all social phenomena are converted into variable distributions around a desirable norm. This includes the incidence of crime and the authorized exercise of lethal force. Foucault defines the security governing mode as one of normalization, which he distinguishes from the mechanisms of normation that constitute modern disciplinary formations. Disciplinary normation draws a hard line between the normal and the abnormal and
seeks to contain or correct abnormal behavior by conforming all phenomena to a homogenous standard. It is a code of black and white, dictated by the hard primacy of the norm. In contrast, the procedure of normalization at work in a security regime tolerates the play of variation and heterogeneity, and even encourages it, so long as all social phenomena falls within the spectrum of acceptable action.

The shift from a regime of normation to one of normalization involves an altered role of documentation and statistical calculation. On the one hand, the game of strict codification, classification, and atomization typifies the order of modern discipline, blanketing all events in public record. On the other hand, a contemporary formation of social control based in normalization derives projections of risk and danger from raw data in order to produce predictive probabilities, to which social norms and the average effects of governing interventions can be assigned. The norm is not a hard demand of conformity, but a flexible spectrum within which the diversity of activity is then rationally arranged:

We have then, a system that is, I believe, exactly the opposite of the one we have seen with the disciplines. In the disciplines one started from a norm and it was in relation to the training carried out with reference to the norm that the normal could be distinguished from the abnormal. Here, instead, we have a plotting of the normal and the abnormal, of different curves of normality, and the operation of normalization consists in establishing an interplay between these different
distributions of normality and acting to bring the most unfavorable in line with
the more favorable. So we have here something that starts from the normal and
makes use of certain distributions considered to be, if you like, more normal than
the others, or at any rate, more favorable than the others. These distributions will
serve as the norm. The norm is an interplay of different normalities. (Foucault,

*Security, Territory, Population* 63)

In these “different curves of normality,” a set of distributions around an optimal average
serves to establish a statistical barometer for variable social phenomena. In effect, an
extreme limit is selected, a desirable center determined, and everything within the field
between is designated as predictable—and hence tolerable—degrees of modulation and
moderation.

Security as such characterizes a formation of political power whose practice
exceeds the conventional hard enforcement of the rule of law. In the contemporary case
of border security, for instance, US law states that it is illegal to enter the US between
ports of entry without inspection. Immigration law is connected up with a juridical
system that exacts punishments for its transgression, which may include forced removal
or incarceration. While this may be the case, the aim of the contemporary border security
regime is not to enforce the law prohibiting illegal entry for all who trespass. The Border
Patrol has stated from the outset that, when it comes to contemporary border policing,
producing “a 100 percent apprehension rate is an unrealistic goal” (*Border Patrol Strategy*:
1994 and Beyond; emphasis mine). The approach to enforcement at the border rather aims at the tactical adjustment of patterns and probabilities—a rational approach that is already legible in the discourse of “rates” in the above citation. Border policing pursues not the complete adherence of all social phenomena to a rigid, homogenizing law or norm. It rather aims to tactically decrease the rate of illicit entry by increasing the rate of apprehension and augmenting the financial cost of crossing.

The enforcement of the US-Mexico boundary thus functions by way of the targeted manipulation of the diversity of legal, material, and ideational variables that appear to impact the rate of illegality. On the side of juridical punishment, unofficial entry into the US has been converted from a civil infraction to a criminal one. In turn, detention centers have been erected, deportations have been amassed, and incarceration joins deportation as a legal response to clandestine border crossing. On the side of non-juridical intervention, border security efforts have sought to sculpt the environment in which the incidence of illegality generally takes place. Military-style intervention is used to tactically alter the theatre of enforcement, moving the flow of migration traffic into a more desirable because more danger-ridden wilderness area, reciprocally heightening the effects of minor injury and misdirection.

This enforcement approach targets and manipulates factors which exceed the system of law—factors which nonetheless influence the cost-benefit calculus in the activity of illegal entry. First, forcing the flow of migration into journeys on foot through
the remote wilderness increases the financial cost of illegal entry, as it is impossible to navigate the backcountry without hiring a guide. The border security approach has thus involved the extra-legal (in fact, illegal) cartel-dominated industry of human smuggling as a means of enforcing immigration law.\(^{20}\) Second, the shift of migratory traffic into rural corridors along the US-Mexico divide was also predicted as a means of producing a healthy apprehension rate of undocumented migrants in the US southwest—again an approach that does not aim to enforce US law by halting illegality full-stop at the border line, but one that instead aims to allow its infraction to be committed, and then to punish its incidence just inside the US interior. Third, the geographical shift of the arena of border enforcement has introduced an entirely new element into the cost-benefit rubric of illicit border crossing. The threat of death has been ushered into the field of border enforcement, though not through its codification in law as a corporeal punishment for the crime of unauthorized entry available to judges when sentencing convicts. Death rather enters the terrain of social control in the border zone through the indirect and extra-juridical backdoor of the desert environment. Killing here constitutes an authorized practice of political power, but its instantiation relies on a risk-

\(^{20}\) The growth of the human trafficking industry was an extra-legal consequence that was predicted by the the Border Patrol’s in its 1994 strategy document, wherein, “increased incidents of more sophisticated methods of smuggling” and “fee increase by smugglers” are cited as potential indicators of the agency’s success in bringing “the border under control” (9; 10; 1).
based governing rationality, and its tactical exercise is performed outside of the juridical realm.

Such “techniques of normalization,” Foucault writes, “develop from and below a system of law, in its margins, and maybe even against it” (56):

Law cannot help but be armed, and its arm, *par excellence*, is death; to those who transgress it, it replies, at least as a last resort, with that absolute menace. The law always refers to the sword. But a power whose task is to take charge of life needs continuous regulating and corrective mechanisms. *It is no longer a matter of bringing death into play in the field of sovereignty, but of distributing the living in the domain of value and utility*. Such a power has to qualify, measure, appraise, and hierarchize, rather than display itself in its murderous splendor; it does not have to draw the line that separates the enemies of the sovereign from his obedient subjects; *it effects distributions around the norm.* (*The History of Sexuality* 144; emphasis mine)

Rather than display itself in its murderous splendor in a regime of the sword, the border security milieu instead wields death outside of the field of sovereignty, by “distributing the living in the domain of value and utility.” The result is a policing program that is based on the extra-legal adjustment to the rate of death, arrest, and financial risk associated with unauthorized border crossing as a means of managing the mass incidence of migrant criminality within a desirable bandwidth. In other words, the
tendency of the rates of deterrence, apprehension, punishment, and prevention towards more or less optimal degrees is what expresses the condition of border (in)security. In this sense, *normalization* does not target the motor of illegality—the root-causes propelling unauthorized migration in the first place—but intervenes only to manage its effects. The use of military tactics to introduce the life-threatening risk to unauthorized migrants in the border territory thus represents one such mode of management.

For this reason, Eyal Weizman asserts that authorized governing violence increasingly operates within an “economy of calculations” (3). In *The Least of All Possible Evils*, Weizman turns to the security context in the occupied territories to examine the use of formulas, algorithms, and statistics by Israeli security theorists to establish rational statistical limitations on the application of force against Palestinians, which legitimates its exercise. Weizman considers the case of 2002, when IDF security personnel were tasked with determining the optimal ratio of civilian deaths to militants killed in the course of wielding the force of targeted assassination. Weizman recounts how each colleague wrote down their numerical ideal of a morally defensible civilian causality count per militant eliminated. These numbers were then collected, collated, and an average was produced. The collective number was found to be 3.14. This average number of 3.14 dead civilians per militant killed would then function as a moral pivot point around which the exercise of lethal military violence within populated regions of Gaza would be organized. In this way, the production of collateral damage in the form
of civilian death was inscribed into the rational use of force at the measure of 3.14. It followed that if an IDF operation exceeds this 3.14 standard by too many degrees, it would enter into a zone of moral debt. And alternately, if the IDF caused the deaths of fewer than 3.14 civilians per dead militant, it would be considered an ethical use of force. The fact that this moral standard was more or less arbitrarily derived from the idiosyncratic imaginations of the Israeli security elite appears largely irrelevant to its legitimacy. So too is the fact that the moral standard for the production of civilian casualties in the course of military violence was not set at zero.

The death statistics offered by Border Patrol operate in a similar fashion—the fictitious establishment of an average death count—around two-hundred bodies recovered from the Tucson Sector annually, for example—functions as an extremely flexible barometer for measuring the condition of US border security. When the death rate greatly exceeds that of the previous year, the Border Patrol enters in a zone of moral debt. When the death rate appears lower than the previous year, as it did in southern Arizona in 2014, the agency then enters a region of moral surplus, allowing enforcement efforts to be touted as life-protecting—even when the count is in the hundreds. The fact that contemporary border policing doctrine is what ushered mortality into the punitive field of unauthorized migration in the first place appears irrelevant to this moral calculus. Such causal assessments are largely disabled by this form of governing rationality, given that a historical accounting of the recent transformation in border
policing to involve death at all would then set the moral barometer for the incidence of migrant mortality at zero.

In a second example, Weizman recounts how, also in 2002, an IDF weapons technology chief developed an equation based on systems theory that would predict the proportion of operatives the IDF would have to kill in order to crumble a given militant organization. The resulting formula for the requisite production of death to achieve this political goal was the esoteric, “Q=1—(q ln q + 1/q ln 1/q),” where Q stands for the probability that the organization will collapse and q is the percentage of militants eliminated:

To put it simply, if you kill (or neutralize in other ways) 20-25 per cent of the members of an organization—any organization—there is an 85 per cent likelihood that the confusion and knowledge of loss generated will lead to its collapse. If you kill 50 per cent, the formula has it, the result converges on a 100 per cent probability that it will collapse. (14)

This statistical computation of killing efficacy in percentages and probabilities frames governing violence as a reasoned practice of necessity; if the IDF must only kill 50% of Palestinian militants to ensure the elimination of their organization, then this statistical truth would conceivably prevent the use of ‘excessive force’ —wherein ‘excessive’ only represents the case in which more than half of a militant organization is exterminated. Again, this matter of calculation coolly elides the question of whether using mass
execution without trial is a morally defensible method for disarming the alleged internal enemies of the state in the first place.

Weizman marks the emergence of this rational use of force as the dawning of a “humanitarian violence” (11). In the wake of total atomic excess, in which the radical dissymmetry of force against its target once flaunted by a sovereign at the scaffold reaches cold technological crescendo in the strong nuclear state, the recuperation of killing as a legitimate tool of political power now passes under the moral cloak of proportionality and restraint. “Proportionality,” Weizman comments, “is thus not about clear lines of prohibition but rather about calculating and determining balances and degrees,” so that “the purpose of proportionality is not to strike a perfect balance, but rather to ensure that there is no excessive imbalance” (11; emphasis mine). The use of force is therefore held at a discursive distance from the threshold of ontological extinction, with the horrific demonstration of genocidal war remaining as imminent referent. Thus framed and rationalized, the contemporary authorized use of force appears forever-conservative and rationally measured—indeed, moderate—rather than vengeful and disproportionate.
For the US Border Patrol, presenting the tabulation of border deaths for the public serves to discursively align the agency with the aims and goals of non-governmental advocacy organizations whose primary concern is the protection of human rights against geopolitical violence. Posed as such a steward, Border Patrol statistics seek not to celebrate high death counts as a sign of the enemy’s defeat as in the days of the Vietnam War. The presentation of such data by the agency rather serves to represent migrant death as collateral damage in the border security game—that is to say, an inevitable, if regrettable, by-product. In per-sector annual reports, Border Patrol lists death counts in the hundreds side-by-side with apprehension statistics in the hundreds of thousands, and drug seizures in the dollar billions. When set in this visual context,
comparison, some several hundred deaths appear as the reasonable cost of an otherwise robust policing program. And recently, the enforcement agency began advertising a per-sector category called “rescues,” in numbers that generally exceed their death counts (Figure 9). Such “rescue” statistics seek to offset any moral debt incurred by heightened casualty counts. The dead are effectively dwarfed, being used in this instance only to indicate that Border Patrol saves more migrants that it kills, even if it is allegedly saving migrants from the arena of its own deterrence-based policing program—a contemporary vision of bombing the village in order to save it. Eyal Weizman marks this kind of logic as “a new form of proportional violence: a violence that kills and saves, a violence that calculates and determines the threshold between life and death” (134; emphasis mine).

By positing a ‘normal’ number of deaths that routinely accompanies border policing, the murderous function of the state is indefinitely authorized.
III. Rescue and Abandonment

![Figure 11: Water Destroyed by Border Patrol in the Sonoran Desert, Arizona](image)

“The reality is you’re looking at 114 degree temperatures, this very rugged terrain that you see behind us, and once they cross the border, many times they’re abandoned there and left vulnerable to the elements.”


An icy blue light blinks steadily in the desert night. Away from the copper ambience of the city and its distant muted glow, an immense blanket of stars punctuates the black sky in the stretches of flatland west of the Tohono O’odham Nation, accompanied by a luminous moon in various phases of wax and wane. The big dipper leans, enormous,
against the heavens, leading the way to the promising gleam of the North Star amid the herky-jerky motion of red helicopter lights that mimic the flight of angry insects whizzing through the dark. Golden practice flares light up from the neighboring Barry M. Goldwater Air Force bombing range, streaking the horizon like so many comets. In this vast expanse, the strange intermittent percussion of a blue beam from somewhere far off compounds the busy ensemble of twilight illuminations in the border zone.

![Figure 12: Border Patrol Rescue Beacon](image)

Visible from miles away, the blue light is mounted on a tall white beacon with a display in three languages, reading “If you need help push the red button. Rescue
personnel will arrive shortly to help you. Do not leave this area” (Figure 12). A series of silhouetted images accompany the text, illustrating a person walking with a backpack under a hot sun who approaches the beacon, pushes the button and then sits in wait until another silhouetted figure arrives to hand the traveler a gallon of blue water.

Adorned with red crosses and no other insignia or information, the beacon makes no visual reference to border enforcement whatsoever. The figure bringing water is without uniform or other visual specification, and in the text, responders are described as “rescue personnel.” The beacon appears to be the offering of a technologically savvy and well-funded humanitarian aid organization—given its symbology, perhaps of the International Red Cross itself.

In truth the beacon is the gadgetry of a US border enforcement project called “The Blue Light of Life.” As reports of widespread deaths in the desert began flooding the media at the end of the millennium, US Customs and Border Protection announced that it would be initiating the Border Safety Initiative (BSI). The BSI is a program that would promote the “preservation of life” in the borderlands through a “binational humanitarian” effort (Trevizo, “Beacons in the Arizona Desert”). Debuting, with much public fanfare in 1998, ten of these beacons were unveiled in the 262-square mile desert corridor of the Border Patrol Tucson Sector. The enforcement agency currently has installed eighteen such beacons in this vast swath of the Sonoran Desert, apparently more in a symbolic effort to pose the agency as a humanitarian group than a practical
attempt to cover ground. Compounding their scarcity, the push of the red button on these “lights of life,” will not trigger a 9-1-1 call to medical personnel, but will rather allegedly alert a nearby Border Patrol substation, so that green-uniformed armed agents will instead arrive with handcuffs. The Government Accounting Office’s 2006 audit of the program reports that, like so many enforcement tactics in the borderlands, such BSI interventions fail in their stated goal (3). The BSI program nonetheless functions, if not to reduce the harms of the wilderness, then in the cultivation of a discourse of care: if border policy kills with the terrain, it ultimately cares with the device. The irony of instituting a border security plan that strategically fabricates human crisis in the border zone and then places rescue beacons to help save people from its effects should not be lost on anyone. Neither should the deceptive impression that these beacons are nongovernmental humanitarian resources rather than being tools that will deliver individuals into the hands of enforcement.

Beyond blinking beacons, the blurring of border policing with humanitarian aid is ubiquitous in the southwest border zone. For example, Border Patrol routinely publishes press releases that herald their rescues of lost, stranded, or wounded migrants by agents in the backcountry. In a recent press release, the headline reads “CBP Rescues Migrant in Huachuca Mountains,” referring to a high-desert region east of Nogales, Arizona. Under the heroic headline, however, the details of this rescue read:
On Feb. 3 at approximately 4 p.m., agents from the Brian A. Terry Station apprehended a group of illegal immigrants. During field processing, agents noticed a male subject with severe injuries to his arm, clavicle and face. Agents contacted the Border Patrol Search Trauma and Rescue (BORSTAR) team to request additional assistance of the man.

Though heralded as a “rescue,” this is instead a story of the policing and apprehension of a migrating group that included the provision of necessary medical attention to those placed under arrest—a basic legal protection for those in US custody and hence not an act of valor or charity. In the many press releases of this kind, and there are many, the rendering of medical aid to those apprehended is routinely a rhetorical means of converting “apprehensions” into “rescues” in both the public imagination and in government statistical accounting. Appended to such reports is the stock phrase, “CBP agents frequently shift from law enforcement to rescue mode to assist anyone found in dire situations” ("CBP Rescues Migrant"). Despite the fact that Border Patrol agents are not trained medical providers, the agency poses their personnel as flexible humanitarian actors—indeed as potential saviors of the downtrodden in the borderlands. The rhetoric of rescue habitually positions border enforcement as ancillary to the production of suffering in the desert. The climate, human smugglers, and poor personal choices of the masses of migrating peoples themselves are instead pointed to as the causes of human
tragedy in the US southwest, on whose behalf the enforcement agency can only work to offer provisional relief.21

In a region in which there are a number of robust nongovernmental direct aid organizations that refuse collaboration with border enforcement, the humanitarian veneer of the Border Patrol sows confusion and mistrust. In his discussion of the growing global militarization of humanitarian aid, Dan Bortolotti writes of US military personnel in Afghanistan mimicking the appearance of the non-governmental relief organization Doctors Without Borders (MSF), wherein “the United States had military people on the ground who dress in T-shirts and drive around in white Land Cruisers” (221). Bortolotti quotes one MSF volunteer who comments, “it seems to us that they’re trying to imitate aid workers, and that deliberately tries to make Afghans think [aid workers] might be soldiers” (222). MSF subsequently attempted to expose this paradoxical political reality in which “the military was, as an MSF press release declared, shooting with one hand and delivering medicines with the other” (222). Bortolotti writes, “by dropping aid packages as well as bombs, the US-led coalition firmly positioned itself as a team that included humanitarians” (221). The appropriation of the demeanor of humanitarian aid groups by western militaries has led to a situation

21 In some reports, a high rescue count is listed to evidence increased humanitarian intervention by the agency. In others, such as in the Tucson Sector’s 2014 end-of-year report, Border Patrol “rescues” were listed as dropping from 802 to 509—and fewer rescues in this case are used as evidence that the border is less deadly.
in which “the cooptation of humanitarian action has become the single greatest threat to
groups like MSF” (221-272).

Such a strategy of cooptation is crystallized in the silhouetted figure handing a
gallon of water posted on Border Patrol rescue beacons, which blurs the tactics of
humanitarian aid workers and enforcement personnel. Specifically, the line-drawing of a
water gallon that appears on Border Patrol’s rescue beacon is the logo of the
independent faith-based direct aid organization No More Deaths/No Más Muertes—a
small non-governmental group that has been placing water in hundreds of strategic
locations on hundreds of migration trails for more than a decade, and does not
collaborate with enforcement agencies (Figure 13). The illustration of a medical cross in
red on the beacon’s signage too replicates the logo of the International Red

Figure 13: No More Deaths Logo
Cross. In tandem with the efforts of Humane Borders to place and refill fifty-gallon drums of water along the border, and other proactive aid groups, the posture of Border Patrol as that which provides water in the desert is particularly insidious. 22 The agency’s adornment of its enforcement effort with the usual discursive markers of nongovernmental humanitarian aid work lends material valence to Wahneema Lubiano’s observation that contemporary governing power operates in an increasingly dislocated mode, “directing our attention to something other than itself—unless, of course, it needs to show itself as something that Comforts” (33). All the while “showing itself” in the demeanor of life-giving care, the humanitarian performance of the US Border Patrol conflicts with a host of on-the-ground enforcement tactics used by the agency to augment the risk of abandonment to the elements.

22 The suspicion of water supply drops as traps of border enforcement is now so widespread among those migrating that aid workers take it upon themselves to draw friendly pictures, crosses, and to write good-luck messages on gallons, in order to visually distance them from the work of a law enforcement agency.
Figure 14: Border Patrol Agents Kicking Humanitarian Aid Supplies

The particular perversity of the projection of Border Patrol’s image as those who hand out water is compounded when viewed through the frequent and ubiquitous destruction of humanitarian water supply drops by Border Patrol agents in the field (Figure 14). Sometimes gallons are drained by inch-long knife slits. Other times they are butterflied open to lie deflated on the desert floor. Shot with bullets, stomped by horses, or quietly removed—humanitarian aid supplies are the regular targets of roving Border Patrol agents on the migrant trail (A Culture of Cruelty 6). Aid workers often tire of the game of moving supply drop locations, leaving destroyed gallons as decoys and then inevitably happening upon more permutations of the same sorry scene. Water gallons stationed at residents’ gates are slashed open. Stealth trail cameras capture agents
dumping out the water, removing the aid supplies, and stomping gallons to pieces (Frey). In response to the bad PR, Border Patrol issued a memo advising all agents to leave aid supply drops alone, with little impact in the field. Hunters, vigilantes, and other anonymous vandals seeking vengeance against undocumented travelers share in the ruin, leaving feces on destroyed jugs and scrawling *veneno* on their surfaces.23 Such acts fuel rumors among those migrating that the humanitarian supply drops in remote regions are enforcement traps and should not be touched. In the driest months of the year, scavenging ravens needle bottles open with their beaks. Thirsty insects fill the gallons and drown. Agile raccoons pry apart and ravage cans of food, competing with migrating people for rare morsels of sustenance in an otherwise parched landscape, becoming unknowing accomplices in the completion of political violence.

Though the destruction of such water sources is seen by some as the irrational behavior of over-zealous, rogue, and otherwise bad-apple Border Patrol agents, and there are many, the systematic deprivation of those crossing through the Sonoran Desert is nonetheless paramount to the risk-based strategy of southwest border control. Before or beyond the fate of an individual jug of water, the build-up of policing infrastructure at ports of entry shuffles migration traffic into protracted journeys by foot through a hostile geography where, in the summer months, it is not physically possible to carry

23 English translation: ‘poison.’
enough water to survive the heat. Many fall behind on the trail while crossing. While some human traffickers who are paid to guide those migrating swear that they will never purposefully leave anyone behind, others routinely abandon the sick and injured if their slow pace threatens the health of the group or the likelihood that they will make it to their pick-up location on time. The documented proliferation of “the dispersal of groups as an apprehension tactic,” by Border Patrol from helicopter dusting to the routine use of ATVs, SUVs, dogs, agents on horseback to “drive” groups into the direction of staged enforcement vehicles, have the double-function of disappearing their frightened and disoriented targets into the wilderness maze (6). Aid workers hear frequent reports of Border Patrol vehicles blazing past the lost, sick, and injured waiting by the road and waving in surrender. Some attempting to signal for help light fires with their clothing, hoping to receive rescue from one of the trolling helicopters. Some find water and food caches left by aid workers and continue on. Others find nothing and drink their urine in a last-ditch effort to survive. Through practices that further expose those migrating to the elements, the planned effects of Prevention Through Deterrence are calcified.

The instrumental use of the arid corridor as the theatre of illicit migration effectively places human populations within an environment whose rugged inaccessibility, lack of resources for survival, lack of communicational infrastructure,
and challenging topography is naturally resistant to the forces of human intervention.24 “Letting die,” as a formation of governing violence is not a matter of interpretive hyperbole in the US-Mexico borderlands. Corporeal punishment is made possible by the absenting of traditional state actors from the field of danger, leaving many to perish alone in the backcountry. Abandonment to the violence endemic to the desert environment, combined with the steady elimination of access to supplies or rescue, becomes the chief means by which deaths are produced in the border zone. Rocky cliffs, inadequate footwear, polluted water sources, dead cell phone batteries, arid expanses, and the inaction of individuals form the contemporary techniques of authorized human destruction. Nature is left to take its course, and with it, the lives of a portion of those crossing.

24 For example, there is little to no cell phone service in the remote regions of the border zone and the ‘roaming’ function of a phone searching for towers quickly drains its battery life. Beyond that, there exists no standard system for handling 9-1-1 calls from unauthorized migrants in the backcountry, and they are often never responded to on the ground. Among aid workers dealing with missing persons reports, it is an open secret that neither state search and rescue, nor local sheriffs, nor Border Patrol will respond to reports of missing persons in the desert if such reports do not include precise GPS coordinates as to the person’s whereabouts (see “The Real Death Valley” (2014)). As a consequence, small humanitarian aid organizations working on shoe-string budgets and without proper search and rescue infrastructure (radios, satellite phones, ATVs, helicopters, equestrian units, cadaver dogs, and capacity) are generally the only organizations willing to respond to the majority of missing persons reports of people without papers in the border region.
The lethal action of border policy is in no way smooth or absolute: people make it through the perilous arena every day of the year under varying degrees of duress.\textsuperscript{25} In this way, the southwest border zone is not a factory nor a sword nor a total blanket of nuclear holocaust. Rather its indirect violence is chance-based, with the probability of death progressively enhanced by the implementation of greater obstacles, more technological booby-traps, and the funneling of migration in increasingly barren expanses of terrain. Less total and more incidental, less final and more unforeseeable, the threat of death in the desert and its erratic incidence represents a new form of social terror. By routing migration into an environment that is recalcitrant to the traditional practices of policing, border security strategically maintains the perennial possibility of survival. This powerfully \emph{partial} rather than \emph{total} formation of governing violence thus mitigates the indictment that the Border Patrol is operating a veritable killing field in the US southwest, all the while justifying perennial calls for more enforcement infrastructure, technology, and personnel to arm its surface.

To this end, one aid worker comments that “the goal is to make entering the country without papers extremely dangerous, traumatizing, and expensive, \emph{but possible}” (\textit{Designed to Kill 12}; emphasis mine). This is not the uniform program of total

\textsuperscript{25} As one aid worker summarizes, “astonishingly, many people make it through this crazy fucking place to get where they’re going” (\textit{Agua Pura}).
surveillance and mechanical production, bathed in light and with final result, which characterizes the environment of disciplinary strategies. Instead, upon proscribed entry into the border zone, the erratic course of human events are largely trapped in shadow, wherein none are fully privy to all that goes on, and where the sporadic incidence of harm depends on the physical absence of state intervention.

Povinelli describes a mechanism that causes loss of life on a mass scale as an “agentless slow death” (183). Anchoring her work in the diverse harms that plague the condition of US poverty, Povinelli contends, “the state’s withdrawal [is] a form of state killing” (177). “Slow death,” and “state withdrawal,” articulate forms of lethal governing violence that are not granted the status of public spectacle but whose incidence is inversely authorized by the tactics of neglect and abandonment. The quiet processes of physiological degradation form its weaponry, and “their effects on mortality are usually slow and corrosive, with one thing leading to another,” spawning atmospheres in which “the everyday drifts towards death: one more drink, one more sore; a bad cold, bad food; a small pain in the chest” (175; 182). Povinelli ascribes the incidence of letting die to a neoliberal political rationality, insofar as “those behaviors that put one at risk are associated with individual choice,” so that “state killing and its public sanction are transfigured into a more amorphous agreement that people are killing themselves” (177). The violence accomplished by the withdrawal of the protection of the conventional liberal democratic state thus lends itself to a neoliberal existential economic
logic, framing the incidence of death as the consequence of personal-risk taking in privatized gambles with life and the body. The passive mechanism of indirect violence makes it possible to close the causal circuit of mortality around the individual as a free and rational actor, all the while denying the structural constraint of her situation within a field of terror.

Governing violence in the form of the withdrawal of support for life is thus proper to a period in which political power is otherwise intimately invested in the making of life. *Letting die* takes hold in the moment at which the presence of protective power is strategically weakened—when the investment in life-making is summarily retracted. It is a procedure that is a product of the progressive loosening of the nation-state’s burden to function as a supreme sovereign political guardian (181). Povinelli argues that “new organizations of production, circulation, and consumption produced in the wake of the Keynesian state continue to dismantle any collective structures which may impede the pure market logic,” under the regime of “the neoliberal weak state” (189; 181). This formation of authorized governing violence does not vitalize the incommensurate strength of a powerful, nuclear-armed regime that will obliterate all organic life in order to protect its progeny. When it comes to the protection of human populations in the contemporary moment, we witness the growing discursive posture of the neoliberal state as circumstantially weakened, incapacitated, impotent, failing, and with its official agents being ancillary to or fully absent from the scene of violence.
Although materially complicit in the construction of harmful environments, the nation-state is one among a proliferating set of governing institutions that have emerged in the contemporary globalized period. This diverse proliferation of extra-, sub-, and non-national governing institutions increasingly displaces any singular responsibility for the harm and protection of subjects from a single governing entity, under transnational rule. Markets (both official and illicit), international governing bodies, nongovernmental agencies and organizations, social institutions, paramilitary groups, and more now variously participate in the control of human worlds. In this quilt of authority, Mbembe observes that even, “coercion itself has become a market commodity,” being bought and sold in an economy that progressively diversifies its actors (31). The sundry milieu of transnational circulation, particularly in spaces of transnational exchange, enables conventional nation-states to take an ancillary and passive pose when it comes to participating in governing violence, as its right to rule, and the responsibility to provide protection therein, appears to be perennially mediated by other players, and hence rendered largely contingent.

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26 Mbembe writes: “An important feature of the age of global mobility is that military operations and the exercise of the right to kill are no longer the sole monopoly of states, and the ‘regular army’ is no longer the unique modality carrying out these functions. The claim to ultimate or final authority in a particular political space is not easily made. Instead, patchwork of overlapping and incomplete rights to rule emerges, inextricably superimposed and tangled” (31).
A collection of scholars examining the contemporary formation of gender violence afoot in the Mexican drug war contend that the recent proliferation of unpunished homicides in these areas is made possible by this very weakening of national subjectivity and the protections to which it was historically beholden. The denationalization of citizenship in the transnational border zone thus entails the delinking of the subject from a direct contractual relationship to the sovereign nation-state, rendering supposed legal protections functionally obsolete (261). In “Ciudadana X,” Alicia Schmidt Camacho observes that in Ciudad Juárez, “national citizenship has little logic or operative utility” (261). The withering of national investment in Mexican women’s lives as citizen-subjects poses the question of who or what can those threatened with violence appeal to for protection? Who is accountable for the deaths of female factory workers in the border zone, and who guarantees their ‘human rights’ if their civil rights are no longer ensured as Mexican nationals?

Camacho argues that the systematic disappearance of poor female factory workers to the deserts around Ciudad Juárez, many of whom are new migrants to the northern frontier, is a reflection of the constitution of the region as “a denationalized space,” due to its function as “a critical site of Mexican integration with the US economy and foreign capital” (261). Camacho reads the suspension of Mexican sovereignty in favor of transnational investment in the region as simultaneously weakening any substantive ties that poor women, mostly who are recent migrants from the Mexican interior, to protective communities and institutions. Advocacy organizations have documented the lack of police response to the emergency calls of eyewitnesses of the kidnapping of women, and human rights organizations have observed patterns of police corruption in the handling of the murder investigations so egregious that “it is easy to believe that the police are either perpetrators or complicit in these crimes” (268).
A similar set of questions can be posed concerning who is ultimately responsible for the safety of those migrating through the border zone: Is it the State of Arizona? The federal government? Its Department of Homeland Security? The US Border Patrol itself? The governments of migrants’ countries of origin in Mexico and Central America? The corporations that have promised under-the-table employment upon successful arrival to the US interior? The nongovernmental humanitarian aid workers, who take the end to death and suffering in the region as their mission? The cartels who peddle in the trafficking of humans? The guides who leave the most vulnerable behind? In this transnational scene in which political authority is both multiple and diffuse, wherein sovereignty is neither singular nor supreme, and in which the protection of human life in general appears to be a charge to which only nongovernmental bodies are explicitly laboring to respond, who is responsible for these deaths? In the dizzying center-less pluralization of global political powers, Povinelli contends that “answers must yield to the complexity of an entire system” (183). In the absence of a clear path to justice through this immanent tangle of the world system, only an atomizing answer is provisionally offered by the powers that be: that safety and protection can only be guaranteed through the rational choices of the private individual.

Melissa W. Wright recounts how the Chihuahua Governor rationalized the high homicide rate of civilian women in the drug war as the product of such women’s choices to “live deceitful double-lives,” implying that they alone were responsible for their
murder (714). Wright observes how, “the impression created by the state and local
government’s response was that the victims ‘were looking to be murdered’.” Claiming
that the killings simply represented a standard statistical deviation, the Governor further
reassured that “the murder numbers fell within normal ranges for the city” (712). In this
sense, the multiplication of governing institutions allows for everyone to have a hand in
the production of violence and simultaneously for no one to appear particularly
responsible to stop it. Compounding the evidentiary performance of calculated
moderation in the use of force, and the humanitarian adornment of military activity, is
this discourse of the weak, failing, caring yet helpless nation-state in the explication of
atrocity. We are thus confronted with a contemporary mechanism of governing violence
that functions through a dialectic of care and failure, which is then routinely parsed into
rates and probabilities. Far from the return of the sword of the sovereign, if the right to
kill continues to designate a critical tool of political power, it is not as a spectacular
violence that bathes the face of authority in brilliant light, but as that which reveals the
power of no one, and only shimmers darkly.
Chapter Three: Dark Shimmers: Technology, Conspiracy, Totality

“Will he not fancy that the shadows which he formerly saw are truer than the objects which are now shown to him?”
—Plato

“If everything means something else, then so does technology.”
—Fredric Jameson

“I look at you looking at me.”
—Lana Del Rey

A lanky metal tower stands eighty feet tall at the wide bend where Ruby Road turns from pavement to dirt. The pleated desert landscape sprawls in every direction as US Border Patrol trucks drag old car tires, rancher pick-ups pull horse trailers, and the occasional tourist vehicle meanders past the looming machine. Adorned with long-range radar, high-resolution cameras, and surrounded by a chain-link cage housing a humming generator, the tower gazes out at 360 degrees of desert, projecting an invisible orb around its hilltop dominion. The scanning device scares migrant traffic down into circuitous drainages and deeper into the wilderness; no one will walk within its possible range. The equipment’s perch is not solitary but networked: eight duplicate structures are assembled along roadways and near backcountry residences, peering out. Each tower connects up with a web of underground sensors that can detect movement from
miles away. Rural homesites squat atop hills in close proximity, bathed in the light of the
technological eye. One day, a mobile surveillance unit in an unmarked truck bed shows
up next to an area home and the surrounding neighbors come out to shoo it away. The
following week it pops back up on the other side of town and the game continues.
Border Patrol agents stare at screens in distant substations, ready to trigger a responding
vehicle when the equipment senses movement. The blank, impersonal gaze of the
apparatus acts as a placeholder for the physical presence of human observation. It is
always possible, however, that no one is really watching.

The border zone has spawned many surveillance devices, not all of which are
affixed to lanky towers, though they are particularly chilling in their giant, silent stature.
Over the past two decades, the region has become increasingly saturated with a wide
variety of technologies. From motion detector sensors buried in the desert floor to
drones in the skies, the tactics of border security increasingly involve a set of high-tech
interventions which are vertically integrated into the environment.¹ As there is
extremely limited road access and communications capacity in the rural borderlands,
border security operations now stage in a landscape that is naturally recalcitrant to
many conventional policing practices. This state of tactical affairs perennially authorizes

¹ See Eyal Weizman’s “Introduction to the Politics of Verticality” (2002) for an account of the use
of multi-dimensional infrastructure in the Israeli occupation of historic Palestine.
opulent government contracting with defense technology outfits competing to solve this enforcement problem with cutting-edge gadgetry. A multiplicity of private security corporations, including Raytheon, Elbit Systems, G4S, Boeing, FLIR, and General Atomics, among others, now have contracts with the Department of Homeland security to deliver high-tech policing equipment to the US southwest.

At the same time, intelligence-gathering technology is becoming increasingly central to the public relations pose of the present-day border security effort. The US Border Patrol’s press work and public policy papers propagate a vision of a virtually controlled zone in which human agents are reliant on the technology of the day. Surveillance technology is now an active participant in the fold of transnational border policing, constituting what the US Border Patrol terms a “force multiplier” (2012-2016 Border Patrol Strategic Plan 15). In the pursuit of total “situational awareness,” it appears that the border security establishment hopes to use technology to see, sense, and know all that transpires in the US-Mexico border region. Through comprehensive intelligence gathering provided by air and ground surveillance, the theory goes, the US Border Patrol will be able to achieve a “Common Operating Picture” of all that goes on in the borderlands—an aspirational claim to the construction of a closed arena of absolute watch (GAO, “DHS Has Faced Challenges” 1). It follows that the aim of a technologically monitored border would be to transform the rugged open backcountry
terrain into a prison of perception, wherein all events are fully captured by the eye of the neutral recording apparatus.

**Figure 15: Technological Policing Schema, 2012-2016 Border Patrol Strategic Plan**

While celebrated by the Department of Homeland Security, among critics, the agency’s vision of total governing surveillance tips towards the sinister, the paranoid, and even the dystopian. Indeed, the signing of the Patriot Act and the authorization of aggressive domestic and global surveillance measures under the banner of the War on Terror continues to fuel the rapid development of intelligence-gathering technologies. Electronic watch over public life is indisputably on the rise. The American Civil Liberties
Union (ACLU) recently warned that we are now witnessing “the creation of a truly nightmarish ‘surveillance society’” (Stanley). *Time Magazine* journalist David Von Drehle describes the contemporary world as already thoroughly infiltrated by recording devices:

A surveillance society is taking root. Video cameras peer constantly from lamp poles and storefronts. Satellites and drones float hawkeyed through the skies. Smartphones relay a dizzying barrage of information about their owners to sentinel towers dotting cities and punctuating pastureland. License plate cameras and fast-pass lanes track the movements of cars, which are themselves keeping a detailed record of their speed and location. Meanwhile, on the information superhighway, every stop by every traveler is noted and stored by internet service providers like Google, Verizon and Comcast. Retailers scan, remember and analyze each purchase by every consumer. Smart TV’s know what we’re watching—soon they will have eyes to watch us watching them—and smart meters know if we’ve turned out the lights.
Drehle’s dark vision is one of smooth collusion between commercial technology and government equipment, which together form a flourishing global network in which all is incessantly monitored and recorded down to the most minute detail.²

Personal privacy, government spying, and political transparency have become growing causes of concern for the defenders of civil liberties in the contemporary period. The humanities and social sciences have seen the rapid growth of discourse on the issue—discourse increasingly housed in the interdisciplinary field of Surveillance Studies, which problematizes the rise of such intelligence-gathering technologies in both global and domestic space. Much of Surveillance Studies scholarship issues ominous warnings about the coming of a total world of perpetual observation and recording—what David Lyon terms the rise of “the surveillance-industrial complex” and against which he rails, “what can be done in the face of such all-encompassing power?” (6; 8).

The thrust of this type of analysis lies in the claim that the technological expansion of the forces of surveillance inevitably leans towards the absolute capture of all the events of the world within the scope of the recording apparatus—proffering what Hille Koskela describes as “dystopian images of totalitarian power” (244). Indeed, Lyon notes that “much of surveillance theory is dystopian,” insofar as it “instills paranoia and paralysis”

² As we have seen recently, however, in the recent battles over privacy and disclosure between Apple Corporation and the US government, this collusion is anything but complete (Domonoske and Selyukh).
among readers (204). In its own melancholic and demoralized tone, leftist discourse on surveillance thus reiterates government rhetoric that increasingly equates the growth of the tactics of observation with the enhancement of total political control.

Both the Department of Homeland Security and its critics ask us to imagine a world in which everything is progressively seen by a perfect technological eye and wherein all subjects already rendered docile bodies and hence denied any possibility of escape or contestation. This study turns to the context of technological surveillance in the US-Mexico border zone to draw a different set of conclusions. If the border environment is the experimental vanguard of this new surveillance society, then the story of the political present is far from the nightmare of technological totalitarianism. Rather than perpetuate the idea of technological surveillance as inevitably leaning towards the creation of a virtual prison-world, this study calls attention to the highly partial nature of technological policing operations in the US-Mexico borderlands, being partial in both the design of surveillance equipment and in its material effects. In the pages that follow, I explore what happens when ‘all-seeing’ surveillance contraptions are placed within the open, rugged, shadowy and indefinite field of the border zone. In the border wilderness, the functionality of such technologies is frequently compromised, dysfunctional, and vulnerable to appropriation, jamming, and counter-attack, all the while being extraordinarily demanding of personnel and funding. Importantly, I do not argue that the non-comprehensive nature of surveillance technology in the border zone
represents its overall ineffectuality or waning as what Lyon terms “a fundamental social
ordering process” (1). Instead, this study investigates how the partiality, failure, and
uncertainty of border technology critically functions to carry out the strategic aims of
contemporary political control in the border security setting.

Through a specific consideration of Jeremy Bentham’s panopticon, Walter
Benjamin’s concept of the recording apparatus, Fredric Jameson’s analysis of conspiracy
theory, and Foucault’s account of the secrecy-effect in the production of political power,
this chapter examines the epistemological effects of technological border policing in
detail. The first three sections explore how the proliferation of non-human apparati and
anonymous human technicians poses the forces of contemporary border control as
dislocated, impersonal, and networked. The final section then examines how the
Department of Homeland Security’s propensity to heavily redact basic information on
the design and daily practice of contemporary border surveillance technologies
attributes a shadowy, secretive, and conspiratorial demeanor to the design of political
control.
In the early years, border security under Prevention Through Deterrence included relatively few plans for the use of surveillance technology. At that time, planning experts mentioned only that “the Border Patrol will increase the number of agents on the line and make effective use of technology,” and that such technologies would “maximize personnel and enhance mobility” (Border Patrol Strategic Plan: 1994 and Beyond 6; 13). The focus of border policing in the 1990s was rather on the construction of infrastructure: walls and checkpoints were emplaced as a means of diverting migratory traffic into the remote and deadly regions along the international boundary, enhancing
the risks and dangers associated with attempting to enter the US without proper
documentation. In this border security adolescence, the presence of policing technology
in the border territory was relatively minor and was concentrated in and around urban
ports of entry. In these binational border cities, the empty face of the surveillance camera
perched atop the new walls functioned to spur migrants away and into the largely
unwatched wilderness of the borderlands backcountry.

The terror attacks on September 11, 2001, the creation of the Department of
Homeland Security (DHS), and the subsequent integration of national territorial policing
with the War on Terror brought unprecedented funding to the border effort. This rapid
period of growth for Customs and Border Protection (CBP) not only brought about a
hiring boom for US Border Patrol agents, but also instigated the radical expansion of
surveillance technologies beyond border cities and into the far reaches of the deserts and
brushlands in the US southwest. The vast, rugged, and isolated expanses where
migration now flows present significant material obstacles to traditional policing tactics:
vehicle access is limited to rugged backcountry roads or absent altogether;
communications systems are frequently blocked by high mountain ranges and spotty
cell tower coverage; deep, maze-like canyons lined with brush offer ample cover to those
crossing. In the post-9/11 funding blitz, the untameable disposition of these corridors
presented a golden opportunity for defense contractors, who volunteered a series of
technological solutions that promised to surmount the enforcement challenge.
Surveillance technology quickly became a major player in the policing of the US-Mexico divide.

Consequently, the last decade has seen a wave of lucrative contracts disbursed to a growing number of war industry outfits under the Secure Border Initiative (SBI)—a multiyear, multibillion-dollar program aimed at employing a wide array of state-of-the-art surveillance equipment to oversee the nearly two thousand miles of southwest backcountry terrain between urban ports of entry. Through the use of remote policing technology, including towers, cameras, sensors, radar, and other infrastructure, SBI promised to capture all movement and activities in the border zone on screens at remote sub-stations being watched by Border Patrol personnel, who would then trigger a ground response. With the guarantee of a total technological view of the border zone from defense corporations came the promise of a “comprehensive border protection system,” by the US Border Patrol—a system that would be achieved through the use of “‘Smart Border’ technology to multiply the effect of enforcement personnel” (GAO, “DHS Has Faced Challenges” 1; National Border Patrol Strategy 10).

The construction of a ‘virtual fence’ in the form of a border-wide network of eighty-foot surveillance towers would mark the debut of the new high-tech SBI policing system. The original concept was to develop a single technology that could be used across the entire southwest boundary at an estimated cost of $7 billion. In September of 2005, the Boeing Corporation was awarded a sizable contract to build a test-run of the
towers. This defense industry outfit emplaced prototypes in a twenty-eight square-mile corridor around the rural town of Arivaca, Arizona, in the Sonoran Desert. Termed “Project 28,” the pilot project included nine towers that were erected at varying distances inland from the boundary with Mexico. In theory, this technical equipment would elevate border policing to a level of observation and control never seen before.

Upon announcing the project, then-president George W. Bush proclaimed SBI to be “the most technologically advanced border security initiative in American history” (Hsu 1).

While posed as a harbinger to a smoothly controlled technological future, the lanky surveillance towers carry the architectural signature of a much older technique of perpetual observation. In the late eighteenth century, the architect Jeremy Bentham drew up a model for a prison building called a Panopticon. By design, the Panopticon is a prison in the round where inmates are housed in individual cells arranged in a ring to face the massive central watchtower. This central observation site was to be lined with windows, however the windows would always be kept covered over with venetian blinds, forever obscuring the presence and identity of any overseer within. The silent, inhuman gaze of the looming watchtower imposed the force of perpetual observation on the surrounding sea of caged inmates, who had to assume that they were being

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3 Along with the towers, Project 28 components included four underground sensors, seventy small hand-held satellite phone for agents to communicate through the Tucson sector to respond to tower alerts, and fifty Border Patrol vehicles with secure-mounted laptop computers and communications capabilities.
constantly observed from within the architectural apparatus. By rendering the presence and identity of human observers structurally unverifiable, the function of the system is complete: inmates would police themselves, compelled by the technically manufactured belief that all actions within the prison were being held under total watch. The panopticon is hence designed to function as a pacification structure—one that is operational whether or not human observers veritably inhabit its central eye.

Bentham’s prison panopticon design found new life in the contemporary period as an object of fascination for philosophers of social control, specifically for Michel Foucault, whose reading of the apparatus in *Discipline and Punish* remains a major touchstone in contemporary surveillance theory. Against Bentham, who hailed the Panopticon as a model of utopian order, Foucault details the prison architecture as an insidious technique of modern coercion, one that has social application well beyond the walls of the penitentiary. Reversing the principles of the dungeon, in which criminals are disappeared to rot unseen in shadow, in the panopticon, Foucault argues, total illumination forms the principle of subjection. As each inmate is separated in “so many small theatres, in which each actor is alone, perfectly individualized and constantly visible,” the appearance of being completely seen inhibits disobedient activity (200). Under the ceaseless stare of the central inhuman apparatus, “visibility is a trap” (200). Foucault comments how the self-policing effect inspired by the panoptic environment would engineer a space of absolute docility among its subjects, engendering a complete
mechanism of control. To this end, he asserts that the panopticon is less a utopia and more a “cruel, ingenious cage” (205).

Importantly, the special function of the panopticon lies in the replacement of identifiable human authority with a faceless inhuman apparatus as the agent of observation. Unlike a visible person working as an overseer (who may yawn, nap, look the other way, be vulnerable to games of diversion or to the lure of corruption), the blank, anonymous surface of the watchtower projects a complete gaze while conceding no space of human error. It is therefore beside the point whether or not human observers are actually present at all hours inside the keep. The tower itself projects a gaze of ceaseless observation around its scope, forming what Foucault describes as “a perfect eye that nothing would escape” (173). As all architectural lines in the prison direct attention to the silhouette of the central tower, the identity of its implied observing occupants remains forever dislocated, reciprocally constructing a “landscape of shadow” around the presence of authority to those it watches (Foucault, *The Order of Things* 326). The tower thus holds the secret of the inmates’ subjection—the identity of the arbiter of control—but it is a secret that is made structurally undiscoverable.

The panopticon hence divests its captives of the epistemological capacity to understand the materiality of their subjection and to orient around contesting its hold. To this extent, the panopticon represents “the machinery of a furtive power” (*Discipline and Punish* 203; emphasis mine). Foucault writes:
In order to be exercised this power had to be given the instrument of permanent, exhaustive and omnipresent surveillance, capable of making all visible, as long as it could itself remain invisible. It had to be like a *faceless gaze* that transformed the whole social body into a field of perception: thousands of eyes posted everywhere. (214; emphasis mine)

The invisible source of surveillance hidden behind the lifeless face of the machine has the overall effect of projecting a guise of power that is omnipotent, like “thousands of eyes posted everywhere,” in a façade that ensnares all in the cage of sight. Marking a form of political control that is no longer founded in the wrath of an individual authority figure, the panopticon, Foucault contends, designates a relatively “light” form of political power insofar as it “tends to be non-corporeal,” “throwing off its physical weight” (203; 202; 203). The replacement of human overseers accomplished by the construction of architectural concealment is meant to serve more than social and psychic ends—it also serves an economic one. The watch of a great machine replaces the many guards it would take to keep an eye on hundreds of prisoners simultaneously. Foucault argues, “there is no need for arms, physical violence, material constraints, just a gaze (...) power exercised continuously for what turns out to be a minimal cost” (“The Eye of Power” 155). As a clean, closed system of pacification, the panopticon represents “the simple, economic geometry of a ‘house of certainty’” (*Discipline and Punish* 202).
Foucault’s rendition of Bentham’s panopticon is central to the emergence of Surveillance Studies as an academic field, functioning as what Greg Elmer calls “a master signifier of sorts” for discipline as an archetype of totalizing power (21). Jerome Dobson and Peter Fisher comment to this end: “for 220 years the Panopticon has stood as the tangible symbol of total surveillance, discipline, and control,” where “always it has been the utopian dream of some and the hellish nightmare of others” (307). David Lyon reiterates the treatment of the panopticon as a dystopic image of total observation, writing, “Foucault’s Panopticon often appears as imminent and inevitable,” being a central part of “discourses of ubiquitous power” (204). Some of these studies go so far as to argue that we are now witnessing the obsolescence of the panopticon as a relevant model of subjection on the basis that the process of instituting self-policing among the general public has already reached completion. In “Post-Panopticism,” Ron Boyne summarizes this line of argument, which he terms, “the redundancy of the Panoptical impulse,” wherein “it is internal to the Panoptical paradigm that physical apparati and external controls might one day not be needed, as (post-)Panoptical subjects reliably watch over themselves, and perhaps this stage has now been reached” (299). In sum, the position of Foucault’s panopticon in Surveillance Studies literature is often one issuing the disheartening confirmation that social life has already been comprehensively captured within a system of surveillance—one so smooth that the modern world now merely persists in a state of universal visibility under an all-seeing power emanating
from an obscured system of human operators. The emphasis these field literatures place on the panopticon is, in a word, totality.

However, if these are the conceptual conditions for border panopticism, then the Boeing towers in the southwest desert represent its clear tactical failure. Indeed, the Department of Homeland Security replicates this imagination of a total form of control based on perpetual watch in the architecture of the virtual fence (Figure 16). Boeing was awarded its 2005 SBI contract with the aim of wiring the entire border within three years. The company promised that, once completed, the tower system would lead to the interdiction of 95% of migrant traffic caught in its range—an impressive technological feat that “will enable CBP agents and officers to gain effective control of U.S. borders” (GAO “DHS Has Faced Challenges” 4). Like the central watchtower in the panoptic prison, the Boeing perches were built to be seen, projecting a faceless gaze across the landscape while obscuring the identity and presence of human observers through their physical dislocation to an off-site command station. However, in the design and implementation of Project 28, there is little that is total, comprehensive, or perpetual about the nature of its watch.

Although nine of the towers were indeed constructed in the Arivaca corridor, the pilot system was plagued with defects and delays. Chief among them was the inability of the towers’ surveillance equipment to withstand the strong winds, whipping dust, and torrential monsoon rains characteristic of the Sonoran Desert environment. The web
of underground sensors, motion-detecting cameras, and radar systems were often tripped by wildlife and cattle rather than by those migrating. The integration of commercial software systems malfunctioned to the point that cameras were not able to lock on targets nor able to see more than five kilometers away, even though they were guaranteed by Boeing to be able to see at twice that distance (4). By 2010, the Government Accountability Office reported that the number of new system defects was generally increasing faster than the number of defects being fixed (xi). Unlike the still and insular construction of the penitentiary where the watchtower stands in silent dominion over passive “objectified space,” the living environment of the borderlands constantly acts upon surveillance technology, deteriorating its vision (Koskela 251).

Plagued with equipment malfunction that many considered predictable, the Boeing towers were also severely limited in their vision of the borderlands by dint of the geography of the system, whose design was drawn to be anything but comprehensive. The nine towers were only constructed along maintained roadways in the border zone. While these locations allow for relatively easy maintenance access, it also places the equipment far from the sprawling web of migration trails etching through the more remote and roadless regions of the desert crossing. In turn, all was never to be confined within the scope of the device, as it is possible to avoid its gaze by traveling in the shadows of canyons, ravines, lowlands, flats and under the cover of the stomp of cattle or the haze of wind, rain and dust. Also, unlike the prison panopticon, the targets of the
towers’ gaze are not individually immobilized in a display of cells, but rather move in
groups, navigating the policing arena on foot in order to circumvent the eye of the
machine. All told, the plan for the SBI network from the outset would only amount to a
highly local and locatable range of illumination.

The short-range and non-total gaze of these contemporary watchtowers,
however, is not simply a sign of their inadequacy as tools of border enforcement. While
not contributing meaningfully to the interdiction of those migrating through the region,
the appearance of the surveillance towers indeed works to drive migration traffic away
from their roadway perches and deeper into the wild. Peppering the landscape with the
blank face of technical observation, the devices thus force migratory routes into more
circuitous and remote contortions, extending the journey through the desert and hence
proliferating the physical risks associated with crossing. Practically speaking, regardless
of whether or not they are fully operational at a given moment is beside the point, the
appearance of the towers nonetheless functions, performing a faceless wall of vigilance
that pushes migrants into further danger. Flickering in and out of visibility, the partial
scope of Project 28 has been effective insofar as it imparts a perennial sense of
uncertainty and possible watch to its migrating subjects. As a “consequence delivery”-
based policing technique, the dysfunctional towers work well to further the aims of
Prevention Through Deterrence in the border territory (2012-2016 Border Patrol Strategic
Plan 17).
The shadowy milieu of the desert is a world apart from that of the bright prison where the warden sees, documents, and potentially answers for all the mechanics of punishment down to the most intimate iota. The use of surveillance technology in the border zone thus figures the effective flight of disciplinary techniques from the enclosure of the prison—a reality that defies the claim that the panopticon only functions “provided simply that the multiplicity [of observed individuals] is small in number and the space limited and confined” (Deleuze Foucault 72). Whereas Koskela contends that “space under surveillance is always confined,” Foucault himself accounts for the departure of the apparatus from the spaces of confinement, writing, “[disciplinary] mechanisms have a certain tendency to become ‘de-institutionalized,’ to emerge from the closed fortresses in which they once functioned and to circulate in a ‘free’ state; the massive, compact disciplines are broken down into flexible methods of control, which may be transferred or adapted” (251; 211). Here, Foucault calls attention to the flexibility of the panoptic gaze and its propensity to travel beyond the factory-like fortresses from which it was borne to function on behalf of other rational aims. Whereas “utopias, perfectly closed in upon themselves, are common enough,” what is remarkable about the contemporary period, Foucault observes, is that we are now witnessing “the spread of disciplinary procedures, not in the form of enclosed institutions, but as centres of observation disseminated throughout society” (Discipline 205; 212). These less frequently-cited passages from Discipline and Punish offer an important corrective to the
rote portrayal of Foucault’s philosophy as imagining a world of total control wherein the smooth functioning of power finds no texture and no beyond. If the involvement of the apparatus in policing is not simply of the order of transforming the world into a prison of total surveillance, then the coercive effect of this proliferation of technological watching devices across social space has come to serve another governing rationality.

In the scattered use of technological apparatus, the border territory is not a “house of certainty,” but an open field drenched with uncertainty. Foucault describes uncertainty itself as the primary epistemological effect of subtracting human authority from the scene of control, emphasizing how the watch of the panopticon must always be “unverifiable” rather than known and guaranteed: “the inmate must never know whether he is being looked at in any one moment; but he must be sure that he may always be so” (201-202). There are two available readings as to the political effects of this production of uncertainty by panoptic techniques. The first equates the production of uncertainty with total subjugation—an equation seen in Lyon’s account, as he discusses how “Bentham’s innovation was not just to inspect or even to ensure that the gaze is asymmetrical, but to use uncertainty as a means of subordination,” in which “the asymmetrical gaze created uncertainty which in turn produced surrender” (65; emphasis mine). In a second, different way of reading, the uncertainty of observation produces distrust within the targets of the panopticon as to the veracity and totality of its gaze. Koskela takes this note, asserting that visible surveillance equipment “works as a
reminder of possible scrutiny, as a ‘deterrent’ which “perhaps ensures discipline but, at the same time, it erodes confidence” (253; emphasis mine). Koskela argues that the erosion of confidence wrought by uncertainty as to the presence of human authority behind the gaze of the device produces, “the very notion that ‘you never know’ [as] one of the most important reasons for mistrust of electronic surveillance.” She thus calls attention to the fundamentally undetermined scope of surveillance technology, regardless of the fantasies of total control it relentlessly performs. The blank stare of the border security tower selectively attempting remote watch over the folds of the landscape indeed propagates uncertainty as to whether or not migratory movements are being captured at a given moment by surveillance technologies. It is perpetually unclear whether or not ones’ travels are being effectively cloaked by the shadowy crevices of the terrain or cloaked by the gaze of the device—a terrorizing border reality that routinely bends in both directions.

The on-the-ground reality of Project 28 gives clear lie to the notion that the tower system could ever have comprehensively seen two thousand miles of rugged border territory. And perhaps it was never meant to, as the system was built without any designated method for measuring its efficacy. Following requests for data that would prove it to be a robust tool for increasing migrant apprehensions, Customs and Border Protection conducted tests that deemed Project 28 a success. However, auditors later found that over 70% of the approved measurements of success were altered during the
testing process, so that the process of evaluation was apparently designed to pass the test rather than qualify the system (GAO “DHS Has Faced Challenges” 7). In the absence of any means for calculating the material contribution that the virtual wall makes to immigration-related arrests, funding for the program was continually authorized. And unlike the cost-efficient goals of panopticon design, this border technology effort demands exorbitant spending—spending that has totaled more than $1 billion paid to Boeing Corporation, despite being a decade behind schedule and producing a tower system afflicted with error (Trevizo, “Past Border Technology Efforts”).

The total promise and technical disorder of Project 28 critically functions, not only by furthering the aim of risk-enhancement in the region, but also by perpetually expanding the market for defense contracting. Each equipment failure in the rugged maze of the desert give rise to another opportunity for defense industry outfits to develop newer technology promising to solve the enforcement crisis this time around. In 2014, shortly after authorities claimed that the Boeing pilot program “did not work as planned or meet the needs of the US Border Patrol,” DHS ignited a contracting frenzy to construct a new generation of towers (Hsu 1). The failure of Boeing created a $145 million contract for Elbit Systems, an Israeli defense contractor responsible for providing
surveillance infrastructure to the Israeli Occupation of the West Bank and Gaza.\(^4\) Taller, sleeker, and allegedly more backcountry-ready, fifty-two Elbit-brand fixed towers which have been ‘tested’ in the occupied West Bank are currently being erected along the south end of Ruby Road and in over a dozen locations on the Tohono O’odham Nation.\(^5\) The weakness of these technological security efforts continues to drive their proliferation in the border zone, as the new initiative, deemed “The Arizona Border Surveillance Technology Plan,” appears to be replicating much of the Boeing effort: the new towers again stand at eighty feet and are equipped with radar and night-vision cameras that send real-time video footage to a Border Patrol substation some sixty-five miles away (Trevizo, “Past Border Technology” 1). Like the original Boeing towers, DHS officials and Elbit planners are already celebrating the new system’s capacity for near-comprehensive border control, promising that once fully operational “it will give the Border Patrol 90 percent situational awareness” (2). Aiming for completion by the year

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\(^4\) This is not the first time that Israeli occupation architects and US-Mexico border security outfits shared contracting. Elbit too assisted Boeing with the building of portions of the US-Mexico border wall in 2006. Of this, Wendy Brown comments that the Israeli occupation and US-Mexico border militarization are “two projects that share, technology, subcontracting, and also refer to each other for legitimacy” (8, *Walled States*). See Todd Miller and Gabriel Schivone’s “Gaza in Arizona” (2015) for more information on shared contracting.

\(^5\) Tribal members are fighting against their installation, pointing to the violation of native sovereignty and the environmental degradations caused by their electromagnetic emission which have been found to drive away seasonal bat and bird migrations.
2020, the project was publicized by the Arizona Daily Star under the dubious headline, “Past Border Technology Efforts Failed, But Not This One, Experts Say” (1).

II. The Mask

![Figure 17: Border Patrol Agents](image)

“It substitutes a plurality of copies for a unique existence.”
—Walter Benjamin

“No longer an individual villain, but an omnipresent network.”
—Fredric Jameson

White Ford SUVs cluster on the roadside around the Border Patrol checkpoint in Amado, Arizona, twenty-five miles inside of the US interior. A jumble of agents in olive-green uniforms mill around the trucks, picking up and putting down weapons and
radios, hopping in and out of vehicles, playing with their cellphones, standing in the street, stopping cars, and questioning drivers. Port-a-potties sit near the tan military awning that adorns this section of county highway; a large pale shipping-container repurposed as a field office stands nearby. As US Border Patrol personnel circulate in their identical uniforms, none are recognizable to the local motorist. Touted as an anti-corruption measure, the border enforcement agency constantly rotates officers to new assignments, counties, and sectors along the southwest border. Different faces are seen daily at the checkpoint, on the roads, and deep in the backcountry. Agents’ last names are embroidered in small black letters on their uniforms—otherwise the US Border Patrol and their regalia appear largely interchangeable. With more than 4,400 agents assigned to the 262-squaremile corridor of the Tucson Sector, southwest rural highways are now awash with the repetition of white and green patrol cars, which often outnumber civilian vehicles, especially during shift changes and through the night. Hidden officers in helicopters dot the sky, helmeted figures buzz through wide washes on quads, and burly foot soldiers traipse through the desert toting big guns. These government agents are heavily adorned with the technological gadgetry of the day, never being without transport, comms, and weaponry.

On the one hand, the ubiquity of semi-autonomous border security technology dislocates personnel from the scene of enforcement. Many Border Patrol agents are now sequestered in offices and substations where they witness and respond to events
projected on screen from a geographic elsewhere. As we have seen, the prevalence of
panoptic surveillance has historically aimed to diminish reliance on human actors in the
game of control. On the other hand, the dramatic uptick in contemporary policing of the
US-Mexico border in the post-9/11 period has proceeded by way of a massive hiring
surge. Back in 1993, there were 4,000 Border Patrol agents working nationwide. Now
there are more than 44,000 armed agents working on behalf of US Customs and Border
Protection. The bulk of this personnel expansion took place in the years between 2005 to
the present, in which the number of Border Patrol agents in the southwest border nearly
tripled (Graff, 5). In addition to lanky towers, a human army now occupies the border
zone, roaming about the region and interfacing with the public. Whereas the direction of
our gaze upon the tower, the security camera, the patrol vehicle, or the helicopter does
not generally bring about the meaningful apprehension of a specific identity of
authority, there is nonetheless the implication of a human operator, invisibly controlling
the device. In this regard, the forces of political power at work in the border zone are not
completely technological; human operators, foot soldiers, and functionaries remain
active players in the scene of rule.

The rise of the US Border Patrol to become the largest armed domestic law
enforcement agency in the United States has come with the growing integration of
personnel with technology. In Border Patrol strategy documents, human actors figure as
one element within a critical mix of border enforcement resources that include
“personnel, technology, infrastructure” (National Border Patrol Strategy 14). Through the proper combination of these three human and non-human elements, the agency asserts, “the investments made in new agents and new technology” will produce “a strong law enforcement posture” (21). When it comes to the role of surveillance equipment, officials proclaim, “without technology, the Border Patrol cannot operate in an effective, efficient, and risk-based manner” (2012-2016 Border Patrol Strategic Plan 15). In this discourse, the power of the agency is tied up with technical equipment. In its public relations pose,
Border Patrol showcases state-of-the-art gear, weaponry, and machines in photo spreads where posing agents appear as faceless props modeling the shiny devices (Figure 18).

Agency imagery routinely displays personnel as being without individual identity: faces are masked by dark glasses and hidden behind technological scopes, projecting what Foucault describes to be “a sort of immediate, collective and anonymous gaze” to the public (“The Eye of Power”154).
Foucault argues that the dominance of technical surveillance marks an important turn in the role of human authority in the composition of political power—a turn that reverses the principle of political sovereignty, which requires the elevation of an individual to the status of supreme, spectacular, singular, and divine ruler:

[Now] one doesn’t have here a power which is wholly in the hands of one person who can exercise it alone and totally over the others. It’s a machine in which everyone is caught, those who exercise power just as much as those over whom it is exercised (...) Power is no longer substantially identified with an individual who possesses or exercises it by right of birth; it becomes a machinery that no one owns. (“The Eye of Power” 156; emphasis mine)

In place of the charismatic leader who rules over subjects, the anonymous technical apparatus reigns in silence. Human subjects act as supports for the impersonal economy of technical control. When accounting for this function of personnel in the production of perpetual observation, Foucault observes that “any individual at random, can operate the machine” (Discipline and Punish 95). This reconfiguration of political power entails a set of critical conceptual transformations. First, human agents appear anonymous or arbitrary rather than identifiable and unique. Second, their anonymity makes them interchangeable and hence temporary rather than singular and permanent. Third, human participants increasingly serve as mere technicians or operators, carrying out an established program, rather than as free individuals exercising discreet will or intention.
Finally, human actors are arranged as a network, forming a legion that exercises power collectively while dispersing responsibility for all actions, rather than working within a legible and consolidated hierarchy. In this new existential terrain, some may go so far as to argue that we lose the human altogether and are instead presented with a post-human scenario of ontological becoming-machine. The identity of a given individual seems to matter little as all are transformed into “anonymous and temporary observers.” Anonymized humans thus become another façade of a programmatic power, which then works through them as its dispassionate instruments.

This subordination of human agents to the technical action of policing machines runs deep in the discursive practices of the US Border Patrol. It is a discourse that can be clearly seen in the pro-establishment reality TV show Border Wars. This popular series follows a Cops-style narrative form, wherein the border guard is shown engaging in the rough and tumble enforcement of law and order in the US southwest. In an episode titled “Meth Mobile,” Border Patrol agents are shown at twilight meandering around the South Texas brush while tracking a group of Central American migrants. One agent turns to the camera, whispering “we have a chopper on the way—it should be able to put the group down for us.” The scene then cuts to show a group of uniforms encased in a floating chopper. The agents cluster around a thermal imaging screen displaying more
than a dozen radiating, cloud-like figures that appear motionless on the earth below.\footnote{The defense corporation FLIR provides DHS with these helicopter systems, which point lasers at targets that can only be seen with night-vision goggles, guiding ground agents to the indicated location while flashing the traditional spotlight elsewhere as a diversion tactic. Of its border surveillance systems, FLIR advertises, “FLIR combines thermal cameras, radars and a host of other sensors to create a truly persistent 360-degree surveillance solution for the detection, assessment, and tracking of multiple targets simultaneously from extreme ranges.”}

This representation of the US Border Patrol does little to make heroes out of individual agents. Rather, helicopters, drones, night-vision goggles, ground sensors, vehicle scanners, walls, cameras, and towers dominate the representational landscape, painting the action of technology in heroic light. In \textit{Border Wars}, rarely does a Border Patrol officer appear unadorned with technical equipment: machines lead agents through rugged terrain; agents strapped with night-vision scopes follow helicopter laser beams and radio transmissions to encounter their targets. As each episode focuses on a different mixture of personnel, \textit{Border Wars} does not pursue nor accomplish a personification of the enforcement agency. In effect, interchangeable uniformed agents

\begin{figure}
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\caption{Infrared Footage of Border Patrol agents chasing migrants, \textit{Border Wars}}
\end{figure}
appear as dependents on technology in their policing of blurred faces. The series regularly has its viewers inhabit the cold, infrared stare of gamma ray imaging systems’ bird’s-eye view capturing migrants in its crosshairs. Border officers figure as non-specific human assistants to the incisive gaze of the device, and human error appears as much an obstacle to border security as do its vilified human targets.

This style of impersonal figuration, characterized by technical supremacy and decentered humanity, is also routine to Border Patrol’s own public relations work. For example, a recent agency press release entitled, “Border Patrol Technology Detects Marijuana Smugglers on Horseback,” celebrates an enforcement effort conducted by technical actors in rhetoric that reduces Border Patrol personnel to mere conduits for the agential action of the policing apparatus:

TUCSON, Ariz. – Border Patrol agents operating detection and surveillance technology observed two individuals on horseback crossing into the United States illegally near Sasabe. The information was relayed to agents in the field, and a Border Patrol agent and an Air and Marine Operations helicopter responded to investigate. The smugglers continued to trek northbound until they heard the helicopter approaching. At that time, the two individuals dismounted the horses and fled back to Mexico (…) These types of technology assets strengthens and multiplies Border Patrol effectiveness in a wide variety of scenarios in the Tucson Sector’s unpredictable and remote terrain,” said Division
Chief Raleigh Leonard. “Improved technology has enhanced our ability to deter, detect, identify, classify, and resolve border incursions.” This press release tells the story of how surveillance sensors detected an incursion of unauthorized subjects in the border territory and a helicopter responded to chase them away. The video accompanying the press kit depicts smugglers as thermal blobs captured in the technical eye of an unidentified scoping device (Figure 20). In this silent black-and-white video clip, the gaze of border enforcement is a technical one, scanning the desert landscape that appears as an uncanny lunar surface in strange mounds of grey. Human activity is visually de-realized as a foreign object to be dispassionately processed and targeted. In effect, the eye of border policing is an inhuman and technical one, scanning the surface of the earth. Such images are evacuated of the texture, unpredictability, and scenic warmth typical of the human world. This detached and mechanical visualization seems to reinforce the panoptic notion that “it does not matter who exercises power,” as policing action in the border zone does not appear to flow
directly “from the choice or decision of an individual subject,” but from the automatic work of the neutral and exacting recording device (Discipline and Punish 95; 202).

While perhaps attributable to a propagandizing effort to pose US border control as total in scope, works of cinematic realism that seek to critique the border security establishment also employ this style of figuration. One example can be found in the 2013 advocacy documentary, Who Is Dayani Cristal?, which retraces the path of a Honduran national who died in the Arizona desert. Although the film indicts the deadly contemporary US border security regime, the depiction of Border Patrol agents is scant. There are only two scenes that include real-life personnel—in the first, two Border Patrol agents stand silently on the sidelines of a human remains recovery conducted by the Pima County Sheriff’s Department. The second is a fleeting clip that pictures a green-

Figure 21: Who Is Dayani Cristal? (2013)
clad agent with his back turned to the viewer as he gazes at tables of information displayed on a set of computer screens in a generic office space (Figure 21). In this second scene, the officer’s face and personal identity are representationally decentered, while the name of the agency for which he labors is brightly illuminated on a computer screen. Though less triumphal in tone than establishment press releases and reality TV shows, the individual identity of Border Patrol agents here also appears essentially masked, presenting an image of an anonymous functionary carrying out the technical work of border enforcement while attached to the armature of data.

In his own account of how human subjects project a faceless comportment, Fredric Jameson considers the figuration of policing power in the cinematic classic *Dog Day Afternoon* (1975). The film features two distinct visions of political power: the charismatic city cop and emotionless FBI men (Figure 22). Whereas the local police chief is shown to be prone to bumbling and impotent rages and passionate displays, the federal agents exude an impersonal and exacting demeanor. Jameson reads the narrative
struggle for control over a hostage situation between the local police and FBI officials in the film as an expression of a contentious historical transformation in the performance of political power in the postwar period—one in which the inhuman and anonymous and networked disposition of state actors ultimately wins out:

The starkly blank and emotionless, expressionless, coolness of the FBI man himself (...) this gazing face, behind which decision-making is reduced to (or developed into) pure technique, yet whose judgments and assessments are utterly inaccessible to spectators whether within or without the filmic frame, is one of the most alarming achievements of recent American moviemaking (...)

The organization man is neither vindictive nor paranoid; he is in this sense quite beyond the good and evil of conventional melodrama, and inaccessible to any of the psychologizing stereotypes that are indulged in most of the commercial representations of the power of institutions; his anonymous features mark a
chilling and unexpected insertion (...) a kind of silence or charged absence in a
sign-system. (Signatures of the Visible 48-49)

In this reading, the very faces of the FBI agents express silence, absence, and anonymity;
these figures appear to serve only as empty containers for some greater system of
authority, transforming personable decision-makers into a constellation of operatives
calmly carrying out “pure technique.”

A 2014 documentary exposé on the operation of inland Border Patrol checkpoints
and massive numbers of migrant deaths in South Texas figures a similar face-off in the
representation of political power. Titled, “The Real Death Valley,” the short film depicts
both a thinking and feeling local sheriff’s deputy and the anonymous, emotionless
system of border agents. Brook’s County Chief Deputy Sheriff Benny Martinez is
featured in an intimate, emotional setting when describing his deep frustration with the
growing border tragedy and the callous disinterest of the border security establishment

7 Jameson notes how this sense is compounded by the fact that unlike the police chief, the actors
playing the FBI agents were unknown in Hollywood: “our decoding of the FBI agent, whose
anonymity in the filmic narrative is expressed very precisely through his anonymity within the
framework of the Hollywood star system. The face is blank and unreadable precisely because the
actor is himself unidentifiable” (52).
in putting an end to the suffering (Figure 23). Martinez tells a Telemundo journalist, “the border will never be secured, I don’t see it happening.” These humanizing shots of Martinez are bathed in warm light. The imagery of the US Border Patrol is otherwise: agents appear as a scatter of nameless operatives, adorned with equipment and weaponry, automatically carrying out the brutal program of the border security establishment. This style of narrative contrast, Jameson argues, indexes a historical shift in the economy of political control, which entails “a crisis of figurability”:

The basic contrast, that between the police chief and the [federal] agent, dramatizes a social and historical change which was once an important theme of our literature but to which we have today become so accustomed as to have lost our sensitivity to it: in their very different ways (...) a gradual but irreversible erosion of local and state-wide power structures and leadership or authority networks by national, and in our own time, multinational ones (...) The crisis of
figurability implied by this shift of power from the face-to-face small town life situations of the older communities to the abstraction of nation-wide power (a crisis already suggested by the literary representation of ‘politics’ as a specialized theme in itself). The police lieutenant thus comes to incarnate the very helplessness and impotent agitation of the local power structure (...). The [federal] agent—now that we have succeeded in identifying what he supersedes—comes to occupy the place of that immense and decentralized power network which marks the present multinational stage of monopoly capitalism. The very absence in his features becomes a sign and an expression of the presence/absence of [political] power in our daily lives, all-shaping and omnipotent and yet rarely accessible in figurable terms, that is to say, in the representable forms of individual actors or agents. (50)

As a stand-in for the “immense and decentralized power network,” which has replaced the local one, Jameson contends that the “absence in the features” in the representation of federal agents is expressive of the way in which a vast and anonymous power now undergirds the multilateral governance of the contemporary world. State agents themselves now appear as mere representatives, or even representations, of a deeper governing order.
Down the road from the milling agents staffing the border checkpoint, an unmarked white van sits with its engine running in a wide dirt pullout. Visibly wired with exterior cameras, the interior of the vehicle is largely obscured by heavily tinted windows. The gridded outline of a metal cage divider can barely be perceived between the front seat and the back compartment. Shadow figures shift behind the dark glass. In the front, a single armed grey-uniformed driver sits bored, eating a sandwich, listening to the radio, or taking a nap. Soon a badly battered 4x4 pick-up truck loaded with a dozen crates of water pulls in next to the anonymous van. Two humanitarian aid workers hop out with water, socks, and food in tow, approaching the annoyed driver. Cracking the window, the red and black insignia G4S flashes from the cropped-sleeve uniform. Aid workers ask if there are any detainees aboard, offering the supplies. Sometimes the drivers accept the offering. Sometimes they refuse, saying they already have what they need, or that no one requires medical aid, or that they’ll lose their job if they take anything from humanitarians, as all is being caught in the technological eye of the vehicle camera system. Sometimes the drivers smirk, telling the humanitarians to fuck-off. Sometimes they claim there is no one within the mobile holding cell, despite the perception of shifting silhouettes held inside the mobile keep. Sometimes they tell aid workers that “bodies are on the way,” divulging information about where Border Patrol agents are in pursuit of a migrating group.
Over the last two decades, the Department of Homeland Security has contracted G4S, a private security conglomerate, to provide these “mobile detention centers” to all southwest border states (Figure 24) (G4S Secure Solutions USA). At least six hundred unmarked white G4S passenger vans and buses now sit and circulate in and around the southwest basin, waiting for the delivery of apprehended migrants by Border Patrol agents patrolling the area. Once the bus or van has reached capacity or when the shift ends—whichever comes first—G4S contractors transport the prisoners to short-term Border Patrol custody. In effect, the vast game of immigration enforcement in the rural
regions of the US-Mexico borderlands has meant big business for the security conglomerate, which won a renewed government contract worth $234 million in 2013 to provide such “transportation services.” Originally named Wackenhut Corporation and founded by four former FBI agents, the company has been bought, sold, rebranded, and merged to form its present British rendition. G4S is now the largest security company in the world, and with over 620,000 workers, it is the world’s largest private employer, second to Wal-Mart. Its armed private cops can be found guarding banks, grocery stores, sporting events, and providing “detainee services” across the globe. The growth of such mercenary-type contracting, both in the US-Mexico border zone and around the world, has made it increasingly unclear what system of law regulates the activities of armed private operatives in the course of transnational policing.

As an isolated federal agency, the US Border Patrol may seem far flung from the “immense decentralized power network” of which Jameson writes. However, an increasingly heterogeneous mixture of governmental agencies and non-state powers, such as G4S, are now carrying out the daily activities of southwest border control. Moreover, government programs like Operation Jumpstart integrate national military troops into the border effort; another DHS program named Operation Stonegarden has fostered new cooperations among state, local, and tribal law enforcement agencies and the US Border Patrol (2012-2016 Border Patrol Strategic Plan 18). It is common to see Border Patrol, Pima County Sheriffs, DEA, and unmarked vehicles clustered together in
the southwest desert; badge-less commandos in tan military fatigues roam the backcountry, conducting armed drills on behalf of an unknown agency or cause. The US Border Patrol describes this development of collaborations between diverse law enforcement entities and private contractors as essential to a strategic future of US border security: “CBP must lead development of a seamless global network to integrate border enforcement capacities and meet the demands of a constantly evolving landscape” (Vision and Strategy 2020 8; emphasis mine). As time marches on, the wash of armed agencies operating in the borderlands appear increasingly integrated and difficult to limn or know.

Though striving toward the construction of a highly technical and dispassionate legion, the conversion of a heterogeneous set of individuals into obedient border security technicians is anything but smooth and total. The post-9/11 ballooning of the US Border Patrol to a force of more than 21,000 agents brought widespread corruption to the border security effort. In the dash to meet new agency staffing requirements, background checks and training were often streamlined (Graff 3). In turn, the vast Sonoran Desert and dense South Texas scrub quickly filled with heavily armed novices prone to the excessive use of force, bribery, and infiltration by powerful Mexican cartel
In “The Green Monster,” journalist Garrett Graff describes how, “a massive agency—freshly militarized by billions of dollars of weapons and technology and thousands of poorly vetted gun-carrying personnel hired in the panicky years after 9/11—was left adrift” (3). Described by US Border Patrol in the ambiguous technical language of “agent-related anomalies,” corruption is endemic to the law enforcement organization: between the years 2005 and 2012—nearly one Customs & Border Protection officer was arrested for misconduct every single day for seven years (2012-2016 Border Patrol Strategic Plan 25; Graff, 4). Graff reports:

There was the Miami CBP officer who used his law enforcement status to bypass airport security and personally smuggle cocaine and heroin into Miami. There was the green-uniformed agent in Yuma, Arizona, who was caught smuggling 700 pounds of marijuana across the border in his green-and-white Border Patrol truck; the brand-new 26-year-old Border Patrol agent who joined a drug-smuggling operation to distribute more than 1,000 kilograms of marijuana in Del

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8 In his chronicle of these events, Graff describes how during this hiring boom, “the agency regularly sent new agents through the academy and even out into the field before completing full background checks,” so that “by the middle of the hiring surge (...) whereas the agency aimed for an agent-to-supervisors ration of 5 to 1, some stations reported ratios as high as 11 to 1. By the end of the Bush administration, more than half of the Border Patrol had been in the field for less than two years” (3).

9 The rapid hiring and turnover extended beyond foot-soldiers to include key positions within the power structure: since its creation in 2003, CBP has cycled through seven confirmed and acting commissioners (Graff 2).
Rio, Texas; the 32-year-old Border Patrol agent whose wife would tip him off on which buses filled with illegal immigrants to let through his checkpoint on I-35 in Laredo, Texas. Some cases were more obvious than others, like the new Border Patrol agent who took an unusual interest in maps of the agency’s sensors along the border and was arrested just seven months into the job after he had sold smugglers those maps for $5,500. (5)

In an attempt to reduce these damning statistics, DHS leadership ordered the US Border Patrol to alter its definition of ‘corruption.’ As a result, a distinction is now made between “mission-compromising corruption” (i.e. human and narcotics smuggling or bribery) and “non-mission-compromising corruption,” as a lesser category of criminal activity that includes sexual assault of detainees, workplace theft, and even homicide (4). Now only “mission-compromising corruptions” are required to be reported to Congress—a shift that helped the border security agency to clean their statistics of nearly a third of all misconduct cases.

The insider position of human operatives to the activities of border policing have quickly become a powerful point of intervention, manipulation, and degradation by competing political powers. Not only does it appear that US Border Patrol agents are susceptible to bribery, which asks only that they provide cover for the transnational criminal business racket, but the quick-and-dirty twenty-first century hiring environment meant that cartel operatives have been able to infiltrate the ranks of the
enforcement agency, masquerading as obedient agents of the system. Graff describes how in the years that followed the personnel surge, “CBP was uncovering dozens of cases of criminal organizations like Mexican cartels and street gangs such as MS-13 infiltrating its ranks with new hires,” quoting a former CBP commissioner who admits, “we found out later that we did, in fact, hire cartel members” (4). In March of this year, the agency’s Security Advisor Panel released a report that identifies corruption within the US Border Patrol to be “a national security threat” (29). In effect, it is increasingly unknowable what agenda these heavily armed, anonymous actors are carrying out in the region. Following the history of corruptible and mutinous human armies, it appears that, when it comes to the proscription of personnel as passive functionaries who will obediently carry out the technical aims of the system, the relinquishment of such human qualities as self-interest, deception, and rogue action is anything but complete.
III. The Apparatus

Figure 25: Unidentified Surveillance Equipment, Ruby Road, Arizona

“The sight of immediate reality has become an orchid in the land of technology.”
—Walter Benjamin

“Even if the camera seems to look down from above, the camera itself has no eyes.”
—Hille Koskela

“Humanity is already under the control of aliens.”
—Slavoj Žižek
A motley crew of hidden cameras spies from under mounds of rock, in makeshift cardboard boxes with glued on sticks and leaves for camouflage, strapped to the slender trunks of mesquite trees, and camouflaged in impressive faux-boulder concrete molds. While some cameras dangle from opulent government surveillance towers, others are quietly concealed in the brush. Game cameras maintained by the Forest Service point at wildlife water guzzlers in the Sonoran Desert, capturing images of deer, coyotes, foxes, hawks, javelina, and mountain lions drinking from the lichen-filled pools. The guzzlers also attract migrating travelers to their slimy offering—a desperate border scene no doubt also recorded on these devices. More hidden cameras are set up by right-wing militia organizations to capture images of people and narcotics illicitly moving north on well-traveled migration trails. They publish the footage online as evidence of a weakened federal government and its ineffective policing of the border, using the videos to justify their own armed—and notoriously violent—vigilante patrols of the border zone. Another team of hidden cameras is strewn around the desert by humanitarian aid workers, who have been known to hide trail cams near water supply locations that have been repeatedly vandalized in order to catch the antagonist in the act. It has proved a successful tactic, as videos showing Border Patrol agents kicking, stomping, pouring out, and removing water gallons have offered an important counterpunch to the agency’s public pose as a humanitarian actor in the region (Frey).
Concealed surveillance gear is now thickly embedded in the border zone—along with covert cameras, the US Border Patrol has planted a network of more than eleven thousand motion detecting sensors on public lands around the US southwest:

Technology used along the border consists of a *layered web* of technological tools to identify, verify, and track illegal cross border activity. These technological assets consist of unattended ground sensors that alert agents of cross border traffic and estimate the size of the group illegally crossing the border; in some instances magnetic sensors are used to detect motorized vehicle incursions. Hidden cameras and photographic equipment are also used to detect, verify, and track illegal cross border activity. Some of this equipment is operated by Border Patrol agents in command centers near the border, yet other equipment is hidden in remote areas (…) While the technology outlined here is not all-inclusive, its use in combination with vehicular and foot patrols is essential to ensure an accurate accounting of illegal cross border activity. (*2012-2016 Border Patrol Strategic Plan 35*)

This “layered web” of unattended ground sensors hidden in remote areas acts as a silent system of technological landmines for those traveling through the border territory. Sensors are embedded in succession along migration trails; the weight of walking on a given route will produce a string of alerts. The resultant alarm indicating activity is afoot in a given canyon may initiate an airborne response: a helicopter transforms from a
distant speck on the horizon to a growling machinic intimidator swooping in low circles around its human targets. Although migrants are their official prey, residents, hikers, tourists, and aid workers also unknowingly trip ground sensors on forays in the backcountry, suddenly coming face-to-face with the percussive fury of the menacing airborne enforcement machine.

In addition to sight and motion, sound is also invisibly recorded in the backcountry arena through the use of a surveillance device alternately called a ‘stingray’, a ‘cell-site simulator,’ or an ‘IMSI-catcher’. Used by Customs and Border Protection, as well as by the FBI, the CIA, and local police departments in the US interior, the stingray essentially acts as a fake cellphone tower. In a Marco-Polo schema, a stingray calls out to all cellphones within a given geographical range. All area cellphones then respond by pinging their identification and locational information back to the apparatus as they would to a reception tower. This tracking system pulls the phone number and identifying information from any cellular device being used in the region, pinpointing its GPS coordinates. Stingrays can thus be used to locate the phones carried by those moving through remote desert terrain, identifying the devices and mapping the location of their users. One never knows when a stingray is functional in a

10 “StingRay” is a particular brand of IMSI-catcher—the brand’s popularity has led to its colloquial designation for all forms of the technology.
given area at a given time, as its operation is silent on the air. In the 9/11 period, a
diverse fleet of recording devices now hides in the isolated wilderness, capturing
snippets of the myriad events afoot in the place of migration and enforcement in the
shadows of the southwest backcountry. The multivalent possibility of being detected by
a recording device thus seamlessly infiltrates the border environment.

On January 28, 2014, a giant grey device struck the blue-green surface of the Pacific
Ocean off the coast of San Diego, California, breaking to pieces atop the choppy sea.
Some eight years earlier and four hundred miles to east, another metallic bird smashed
into the foothills of the Patagonia Mountains outside of Nogales, Arizona. In both cases,
the casualties were not human but technical: two of the eleven unmanned aircraft tasked
with patrolling the US-Mexico divide had been completely destroyed. Known
colloquially as drones and called UAVs among government officials, both of the
unmanned planes that crashed were Predator B-models. At $18 million a pop, the loss of
these surveillance drones represented more than just an enforcement failure for a
security program that was already under scrutiny for its exorbitant spending and lack of
demonstrable results. The two spectacular crashes gained only minor press coverage,
however, in reports that disclosed few details about the nature of their operation. The
Nogales International thus reported, “Mystery Cloaks Predator B ‘Drone’ Crash”
Government authorities waited more than a year to offer any official explanation for the cause of the falls.

The Nogales crash was ultimately attributed to human error—an off-site pilot reportedly sitting alone in a trailer at a military base in Sierra Vista, Arizona, inadvertently shut down the Predator’s engine when attempting to unlock the computer console. The engine shutdown cut all electrical power to the radio system that makes the drone visible to its air-traffic controllers. In effect, no one knew where the drone was for several hours, as it was invisible to other aircraft and impossible to restart without a radio link to the ground. Without power, the Predator eventually fell onto the jagged mountains of the high desert below (Figure 26).

In the case of the Pacific Ocean crash, technological malfunction rather than human error was provided in the similarly minimal official explanation: an unspecified equipment failure reportedly led the Texas-based flight crew to decide that the “safer
move” was to electively crash the device into the ocean (Stickney and Zabala). For many US residents, the crashes were the first that they had ever heard of the operation of Predator drones inside of the United States. Known for conducting targeted assassinations in Pakistan, Afghanistan, and Yemen, US Predator drones are rather a signature of contemporary foreign wars. The presence of Predator Bs in domestic airspace for more than a decade has flown under the radar of most US residents.

In 2004, the US Border Patrol became the first civilian law enforcement agency in the world to use drones when carrying out a domestic policing mission (National Border Patrol Strategy). The designation of the US-Mexico border region as a principal zone in the global War on Terror greased the wheels for the quiet entrance of military drone surveillance in the country’s interior. With the launch of the domestic arm of the drone program under the banner of border security, the Department of Homeland Security authorized the purchase of eleven Predator B devices. Manufactured by General Atomics, Inc. and first flown by the US military in Bosnia in 1995, Predator Bs are considered by many to be the “Rolls-Royce of drones” for their steep cost; they have quickly become the choice unmanned aircraft of the agency (Ortega, “Is Pricey Border Patrol Drone Program worth the Cost?”). By design, Predator drones are singular in

11 A practice posed as a life-saving measure, removing the possible loss of American life from the equation of war-making, but fraught with increasingly controversy for its tendency to kill civilians, including large numbers of children when attacking their targets.
their ability to fly at extremely high or low altitudes for more than twenty-four hours without refueling while carrying a payload of up to four thousand pounds—a payload containing hellfire missiles in the Middle East, and state-of-the-art surveillance equipment in the US-Mexico border zone. Aiming to produce “actionable intelligence to Border Patrol ground agents,” the conversion of Predator drones to the border mission has involved arming the technological birds with video equipment, thermal imaging cameras, and synthetic aperture radar (CBP, “Concept of Operations” 6). As the narrator of Border Wars comments, “a Predator drone is a silent invisible killing machine [but] on Border Patrol, its job is only to watch” (“Animals on the Frontline”).

While hidden cameras, motion-detecting sensors, and stingrays seamlessly police the ground below, unmanned aircraft vehicles invisibly patrol the skies above, soaring at up to fifty thousand feet around the US-Mexico border zone. From these heights, Predator drones cannot be sighted from the ground, but the unmanned device sees its targets with the greatest of intimacy, being able to read the label on a piece of clothing worn by those they observe (Weizman, Before and After 27). The unseen device acts an undetectable observer in the scene of border security. The domineering architecture of the watchtower thus vanishes as the sky itself is transformed into an unverifiable surface that conceals. It is a truth that led several concerned US congressmen to describe the machines as “faceless ambassadors” (Living Under Drones 144).
Pitched as a means of surveying the “entire southwest border” with perpetual observation, DHS promised that Predator drones would hover over borderlands soil twenty-four hours a day, seven days a week, and 365 days a year (Office of the Inspector General 4). The initial pilot program was subsequently deemed a “southwest border region success,” and the drone effort was soon expanded to include the northern and coastal borders of the US, effectively opening the surface of the nation to the possible gaze of its electronic eye (CBP, “Concept of Operations” 6). In their policing posture, drones provide the ultimate sign of comprehensive surveillance based in an invisible, impersonal, and totally remote technology, conjuring images of domestic order for the security state aficionados and of repressive nightmare among the stewards of civil society.

The contemporary history of the drone program on the border, however, has little resemblance to such totalizing political visions of the establishment or its critics. Instead, mechanical failures—both catastrophic and routine—as well as staffing issues, exorbitant funding demands, sparse coverage, and a negligible overall contribution to the apprehension of unauthorized border activity characterize the US Predator effort. A series of increasingly scathing audits conducted by the DHS Office of the Inspector General—the most recent in 2014—revealed that, despite the promise of perpetual watch, border drones are only aloft in the border zone an average of ten hours a week (“OIG 2014” 4). Prone to weather-related cancellations, the Predators are not operated in
thunderstorms, high wind, or above cloud cover, being unable to withstand the environmental forces typical of the southwest territory (4). While officials nonetheless continue to claim in annual reports that drone surveillance blankets the entire southwest border, the DHS Inspector General has found that all of the Predator Bs’ border operations have been limited to a one hundred square-mile corridor of Arizona and a seventy-mile stretch of South Texas, the only exception being several hours logged in California and New Mexico while the devices were in transit to other locales (7). When it comes to border surveillance, the view provided by domestic drones has been highly partial.

While the drone program promised to reduce the spending associated with border security, it has instead demanded opulent expenditures, costing an estimated $12,255 an hour to fly. As a result, the domestic drone budget has quickly ballooned to more than $600 million annually (Ortega 1). Using less expensive drone models is an option that would radically cut costs; however, authorities have an exclusive predilection for the Predator system—a pricy proclivity that some attribute to General Atomics’ powerful corporate lobby. And, despite its technical appearance as unmanned, each drone in fact requires an entire flight crew to operate the machine remotely, as well as a team of mechanics to maintain the equipment. DHS officials have complained that there were reportedly not enough crew members to fly the twenty-four hour missions that the Predators are uniquely designed to be capable of. Even with the proper funding,
Predator B flight personnel contend that it would be “irresponsible” to fly Predator Bs around the clock because such constant exposure to the elements would mean that “the aircraft would literally wear out in four or five years” (1). For these reasons, the Inspector General deemed the goal of perpetual border drone surveillance coverage “unrealistic and not attainable” (Office of the Inspector General 4).

Beyond malfunction and expense, the tactic of drone surveillance cannot be credited with enhancing conventional border policing. When it comes to the day-to-day of border enforcement, Predator drones have had little to no measurable effect, having only “contributed to” an estimated 1.8% of apprehensions of unauthorized border crossers in Arizona (6). The efficacy of drones as tools of border enforcement however remains empirically hazy because, like the Boeing towers, the debut of the program came with no plan for measuring its policing outcomes. To this end, the DHS Inspector General comments:

Although CBP anticipated increased apprehensions of illegal border crossers, a reduction in border surveillance costs, and improvement in the U.S. Border Patrol’s efficiency, we found little or no evidence that CBP met those program expectations…After 8 years, CBP cannot prove that the program is effective because it has not developed performance measures. (1)

Though highly partial and dubiously productive in its border watch, the domestic drone program functions towards another set of rational aims—specifically contributing to
what officials call “persistent thickening of the enforcement line,” far into the US interior (Holding the Line in the 21st Century 9).\textsuperscript{12} Whereas UAVs are used intermittently for border operations, the program increasingly loans out its Predators to an expanding set of other local, state, and federal agencies across the United States.

In effect, the border zone has functioned as a gateway for introducing militarized unmanned surveillance into US airspace. Predator Bs now flying for the FBI, US Marshalls, the US Coast Guard, ICE, the US Forest Service, the North Dakota Bureau of Criminal Investigations, the Texas Department of Public Safety, and for unknown others (Lynch). Predator drones have flown on behalf of non-border enforcement agencies more than seven hundred times in the last three years. By way of the border security effort, military drones can now be in use anywhere in the nation. Despite their apparent technical inadequacies, the long-term US border security plan includes adding fourteen more drones to the fleet, “to be able to respond to a major event anywhere in the United States within 3 hours” and to extend to future operation into the “Transit Zone” of Central America and throughout the northwest world hemisphere (Office of the Inspector General 2; CBP, “Concept of Operations” 63). The security demands of the

\textsuperscript{12} CBP refers to this geopolitical thickening as “extending the zone of security,” writing “CBP will lead collaborative efforts that apply multi-directional pressure on those seeking to do us harm; outside the US borders, at the border, and into interior regions of the country. CBP is fully committed to preventing strategic surprise and will continue to reinforce the principle of extending the ‘zone of security’ in order to transcend the physical borders of the United States” (Vision and Strategy 2020 3).
border zone acts as the geopolitical vanguard for technological policing, authorizing the expansion of militarized surveillance activities previously reserved for foreign wars into domestic airspace. As General Atomics develops newer models of the Predator B, including The Guardian, a maritime variant, the domestic drone program continues to gain funding, with each defect, malfunction, or accident forming fertile ground for increases in contracting (Office of the Inspector General 4). Predator surveillance in the US interior is effectively here to stay.

Border Patrol tacticians contend, “border security doesn’t start and stop on the border, nor is it defined by interdictions alone” (Holding the Line in the 21st Century 26). While the US drone program functions to extend militarized surveillance beyond the physical border, its operation in the southwest also produces the perennial possibility of machinic eyes scanning from the sky. As the uncertainty of drone watch abounds, migration trail systems attune themselves to its forever-possibility. Paths dip into the dense thicket of barbed crush that fill low canyons for cover. Groups use caves and cliff overhangs as sites of temporary sanctuary from the sight of surveillance. Many of these nooks and crannies spawn makeshift shrines constructed by all who find a night’s respite there, leaving Virgin of Guadalupe candles, photos of loved ones, and pesos as offering.

13 The Federal Aviation Industry predicts that 30,000 drones will fly domestically within the next twenty years (Ortega 1).
Convenience stores in Mexican border towns peddle camouflage-print outfits, tinted and toned to match the mauve hues of the Sonoran basin. Prepared travelers don the soft uniforms in hopes of blending into the brush when viewed from above. The perennial possibility of drone surveillance contorts the paths of migration into more protracted, circuitous, and hence dangerous paths through the wilderness, calcifying the deadly aims of Prevention Through Deterrence doctrine on the ground.

Whereas migrants turn to the desert landscape and its myriad spaces of shadow to dodge the possibility of drone observation, Mexican cartels have dealt with the omnipotence of the drone program with a more confrontational counter-tactic: cyberattack. In December of 2015, news outlets reported that CBP border drones were being hacked by cartel organizations, who sought to ease the clandestine movement of unauthorized people and products across the border (Tucker 1). Through a practice called “GPS-spoofing,” hackers send fake GPS coordinates to drone receivers used for navigation. Appearing to issue from an authentic source, the fake GPS coordinates misguide the government drone to another area of patrol, in turn evacuating a chosen region of aerial observation to clear the way for trafficking maneuvers. While GPS-

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14 It appears that officials have been aware of some version of GPS-spoofing for several years now, as a 2014 report notes, “today, Transnational Criminal Organizations (TCOs) use social networking and many forms of advanced electronic equipment to gain real-time counter intelligence on Border Patrol operations. This facilitates a greater situational awareness within their ranks and creates a very elusive network, one in which illicit operations can be halted and diverted to other areas at a moment’s notice” (“Holding the Line” 11).
spoofing is a relatively simple tactic, drones are only protected from the hack if a special anti-GPS-spoofing module is installed during the manufacturing of the device. Such modules are both heavy and expensive to install; CBP apparently chose to forgo the addition, as their drones are without this anti-spoofing hardware and hence perennially vulnerable to cyber-attack. Torin Monahan observes how such “intentional, tactical uses, or disruptions” of government surveillance equipment evidences the “under-determination of technologies” (515). In other words, the incidence of GPS-spoofing, in addition to its frequent technical malfunction, gives lie to the impenetrable and all-seeing pose of domestic drone surveillance. Its automatic and comprehensive watch thus represents less an a priori truth, and more a performative fantasy.

The well-known presence of hidden surveillance gadgetry in the border zone exercises power nonetheless: the invisibility of Predators in flight, cameras in the brush, stingrays on the air, and sensors in the earth precludes adequate knowledge as to their operational scope and constancy. In the border zone, the tactics of panopticism have been integrated into the organic fibers of the backcountry field. The spotty, intermittent, yet unseen presence of technological surveillance thus summarily converts the natural

\[\text{Monahan considers such tactics to be examples of “counter-surveillance,” defined as “intentional, tactical uses, or disruptions of surveillance technologies to challenge institutional power asymmetries. Such activities can include disabling or destroying surveillance cameras, mapping paths of least surveillance and disseminating information over the Internet, employing video cameras to monitor sanctioned surveillance systems and their personnel, or staging public plays to draw attention to the prevalence of surveillance in society” (515).}\]
texture of the earth, wind, and heavens into proxies for faceless apparati, where
“technological infrastructures become invisible when they are functional” (Monahan 52).
The disposition of the backcountry environment as itself a surface that conceals thus
represents the obsolescence of a model of surveillance-based policing centered only on
the spectacular display of the material architecture of observation. This contemporary
security formation instead manifests Walter Benjamin’s prediction that, in the rapid
development of technological recording devices, apparati will increasingly penetrate
social life, functioning most seamlessly when not only the observer behind the apparatus
is rendered invisible, but when the face of the recording device itself becomes
undetectable. Benjamin contends that with the “most thoroughgoing permeation of
reality with mechanical equipment,” the “equipment-free aspect of reality here has
become the height of artifice” (234; 233). The desert context thus presents a governing
beyond to the hermetic prison that focuses all gazes upon the stagnant watchtower,
which seems to see everything at all moments. In the US-Mexico border zone, the open
sky and indefinite landscape constantly harbor the potential of being seen—a
conditional threat of observation that functions not because it is structured to appear
everywhere, but because its possibility could secretly reside anywhere.16

16 Reflecting Foucault’s contention about the immanent nature of power: “power is everywhere;
not because it embraces everything, but because it comes from everywhere” (The History of
Sexuality 93).
IV. The Secrecy-Effect

"We are dealing with attempts to fathom a more genuine, a deeper, and indeed a more real reality."
—Erich Auerbach

"On this surface it sparkles with a glaring doubt and hides an internal voice; it is impossible to know whether there is a secret or none, or several, and what they are."
—Michel Foucault

"Behind the curtain, there is nothing to see."
—Gilles Deleuze
Information about the scope of stingray use has been largely withheld from the public. Some insight was gained in 2015 when a Baltimore defense attorney stumbled onto indication that local police had used an unnamed device to conduct surveillance on his client’s cell phone. Upon cross-examination in court, city detectives conceded that they had made a confidentiality agreement with the FBI to exclude all mention of the use of stingray technology from prosecutors and judges. When threatened with being held in contempt of court for withholding evidence, a Baltimore city investigator admitted that the device had been used “thousands of times” by city police (Fenton 1). Following this revelation, prosecutors opted to drop all phone evidence from the case, rather than turn over any further information regarding the use of stingrays by Baltimore police. With this disturbing disclosure as to the vast scope and high level of extra-juridical collusion between state and federal authorities, the technology has become increasingly controversial in the public eye. A subsequent Freedom of Information Act (FOIA) request revealed that stingrays indiscriminately hijack all cell phone communications in their region of operation, which, in turn, interferes with emergency calls (Zetter). When used in the border zone, 9-1-1 communications in a geographic area of unspecified scope would be summarily disabled as the identification of migrants, local residents, and tourists alike are surreptitiously lifted from their devices. Follow-up research has revealed that at least sixty-one agencies in twenty-three states use stingray technology, including DHS and CBP—a count that the ACLU notes bemoans as highly partial by
dint of the fact that such agencies continue to “shroud their purchase and use of stingrays in secrecy” (“Stingray Tracking Devices”). Specific information about how and when stingrays are used in the border zone remains largely trapped in shadow.

The nature and scope of the domestic operation of the US drone program has been another concealed truth: the majority of what is publicly known about Predator Bs in US airspace has likewise emerged only as the result of legal challenges and FOIA requests by advocacy organizations. Like the ACLU with reference to stingrays, border historian Peter Andreas comments that the border drone program is “shrouded in secrecy” (158). This shadowy state of political affairs is exacerbated by the fact that, when made public, previously suppressed government information is customarily delivered in the form of heavily redacted documentation. Displaying black bars and boxes over the flow of the text, and sometimes stamped ‘Top Secret’ or ‘Sensitive,’ formerly classified documents are sanitized in preparation for their release to the public. This process of document redaction involves the selective covering over of content deemed unfit for public knowledge. Figure 27 shows one of many fully redacted pages from the daily logs of the US drone program—logs that were successfully FOIA’d by an open society advocacy organization (CBP, “Drone Flights in the U.S.”). Hundreds of files have been released, which detail when, where, and how CBP Predator drones were flown on behalf of other agencies. The cache also included an alarming “Concept of Operations Report,” which surfaced the statement that in the “far future,” the
Department of Homeland Security intends to weaponize the payload of its domestic Predator drones, making it possible for the unmanned aircraft to “immobilize targets of interest” on US soil (“Concept of Operations” 63).

While these documents indeed offer a set of disturbing discoveries as to the extent and aims of technological political power, the release of information in the form of redaction represents only a conditional transmission of knowledge. In the drone logs, the names of cooperating agencies, dates, times, and locations of drone patrols, as well as information about geographical regions that are described as “mission gaps” in drone surveillance coverage are among the details possibly hidden under the black. These blatant measures of concealment provoke new questions as to the political stakes of such secrecy: if revelations as alarming as the plan to arm domestic drone flights comprise the un-redacted components of this FOIA disclosure, one can only imagine what damning information hides beneath the fold. The only certainty offered is the knowledge that, when it comes to contemporary political power, there is something essentially unknown. The occasion of knowledge thus coincides with the production of obscurity; while delivering new truths, redaction also proliferates the presence of concealment. In the case of domestic surveillance technologies, it is an unknown that nonetheless plays a growing role in governing us all.

In the contemporary border security context, secrecy has come to serve as a powerful political tool. Secrecy increasingly structures the tactical performance of
surveillance technologies, which hide their human operators behind the technical apparatus or disappear the devices altogether into the wilderness environment. Secrecy also adorns the strategic dimension of the border security program, as the design and scope of the network of surveillance in the borderlands is a perennial unknown among those who circulate through the region. The contemporary border security regime seems to be increasingly rooted in an elusive, shadowy world of unseen tactics and unknowable interests.

Invisibility and redaction employ concealment as a formal procedure, producing an aura of mystery and darkness around the technological activities of political power, effectively sowing the seeds of uncertainty and ignorance in its subjects. Importantly, the same effect is had whether true revelatory secrets, random banality, gibberish, or nothing at all lies behind the black. In all cases, the insertion of blank spaces into a government document and the implementation of faceless apparati throughout the territory tactically proliferate uncertainty, which positions the public in a place of epistemological weakness when it comes to fully conceptualizing the conventions and limits of political rule. Such a formal procedure has the secondary-effect, which may in fact be its primary function, of positioning its subjects as so enchained in ignorance before an unseen and hence incomprehensible system of political power that we are paralyzed from being capable of asserting ourselves as adequate thinkers or actors within its domain.
Foucault offers an important account of how the secret constitutes a modern strategy of social control in *The History of Sexuality Volume I: An Introduction*. Detailing the concept specifically in terms of the modern regulation of human sexuality, Foucault argues that, while matters concerning sex appear to be consigned to the status of taboo (shuttered in sex shops, suppressed in the family, and forced into the closet), it is less that sex is actually excluded from public discourse than that it has taken on an increasingly concealed performance. In turn, Foucault observes how the modern world has in fact become saturated with salacious sex talk—salacious because such talk contains constant reminders that sex is something forbidden and private; to speak of it openly would be the height of transgression. In turn, Foucault argues that we are confronted with a society that “speaks verbosely of its own silence,” speaking of it “ad infinitum, while exploiting it as the secret” (35; original emphasis). Like the glaring construction of sex as shrouded in secrecy, redaction too speaks loudly, investing its hidden contents with the mesmerizing lure of the unknown.

Foucault describes secrecy as a performative pose that thus casts a “dark shimmer” around its object of choice (157). In terms of the taboo construction of sex, Foucault writes that the guise of secrecy “attaches each one of us to the injunction to

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17 Indeed, as a refutation of the Freudian “repressive hypothesis,” Foucault’s labor in *The History of Sexuality* goes beyond the realm of critique to offer an important theorization of the secret as a coercive political force (85).
know it, to reveal its law and its power; it is this desirability that makes us think we see
ourselves reflected—the *dark shimmer of sex*” (157; emphasis mine). In this rubric, the
adornment of secrecy transforms an ordinary matter into a seductive object of existential
discovery. Its glittering mystery calls us to know the secret: to rip off the mask and
reveal the forbidden truth. To this extent, Foucault argues that the referent of the secret
is less the particulars of one’s personal life or the details of a specific hidden governing
practice, which upon revelation may come to us as remarkably banal. The form of
secrecy, he argues, conjures something more fundamental in its shadows: the taboo
object constructs an essential space of the unknown housed within the caverns of the
self, something which has otherwise “escaped us” (69). Be it our relationship to the
mysteries of our own sexuality or our relationship to the hidden system of forces that
govern us, the performative figure of the secret produces a more essential
epistemological obscurity. This constitutive, if engineered, space of non-knowledge
holds the subject in an indefinite and frustrated space of ignorance; one forever attempts
to crack its code and finally see its truth shine forth in the light of day. Foucault
contends, however, that such efforts at hermeneutic decipherment tend to reify rather
than dispel the shadows. In this post-structuralist maneuver, there is not one true
essence properly concealed by the secret. Rather, the investment of a concept like sex or
political rule with the guise of a hidden truth produces an artificial consistency around
its idea, funneling a plethora of disparate practices, ideas, and entities into a “fictitious unity” (154).

Foucault makes a critical distinction between an “encoded language” and one that is “structurally esoteric” as two distinct epistemological formations (The Order of Things 102). An encoded language can be decrypted and hence veritably holds a concealed and forbidden message. It follows that what appears superficially unintelligible actually possesses a true buried order, whose rules and nature are simply foreign to us. In the case of the encoded language, one must only learn how to decode the secret in order to revel in its forbidden truth. On the other hand, the “structurally esoteric” holds no such key. Instead, its incoherence hollows out to infinity. In this knowledge-formation, the appearance of disorder, contradiction, and unintelligibility is not the indication of a secret system that lies beneath the superficial chaos. Rather, incoherence is the system, and the implied secret to its resolution functions as a cunning epistemological trap. Derrida terms this latter esoteric formation the structure of a “secret without knowledge,” whereby superficial obscurity makes one “suppose [hidden] knowledge and believe in the secret,” that refers less to an existential reality than a to a powerful representational feint (Derrida 75; 76; emphasis mine). Under the regime of the “secrecy effect,” one is “deceived less by a secret than by the awareness that there is secrecy” (Derrida 75; Foucault, Death and the Labyrinth 5). To this end, Foucault writes, “the weaker it is epistemologically, the better it functions,” wherein “we become
dedicated to the endless task of forcing its secret, of exacting the truest of confessions from a shadow” (Foucault, *Abnormal* 45; *The History of Sexuality* 159).

In the contemporary period, the marriage of shadow with the forces of governance constitutes the premise of many a conspiracy theory. Fredric Jameson has observed how the postwar context has given acute rise to conspiratorial thinking as an explanatory political device. In its imagination of a deep, obscure, inaccessible kernel that insidiously animates the world around us, conspiracy theory follows the logic of the secret, as the superficial appearance of hidden corruption and clandestine surveillance are taken as evidence that a furtive order is tacitly running the world. While this may or may not be the case, the rise of such conspiratorial discourse around the identity and coherence of contemporary transnational rule indicates an existential situation in which the structure of political power has itself become increasingly unintelligible to its subjects. Jameson notes that conspiracy theory represents an effort at “trying to figure out where we are and what landscape and forces confront us in [an age] whose abominations are heightened by their concealment and their bureaucratic impersonality” (*The Geopolitical Aesthetic*, 3). While adrift in a sea of multiple, competing, transnational, technological, state and non-state governing forces, wherein, “never have there existed more centers of power,” conspiracy theory attempts to resolve the proliferation of governing organs by providing a unifying “view from above” (Foucault *The History of Sexuality* 49; Jameson 2). Conspiratorial narratives attribute a solid
structure to the contemporary milieu of political power as “narratives that set out to map the social totality” (2). The animating fantasy of conspiracy theory then is an epistemological one, based in the desire for adequate knowledge and representation of the global governing system. The conventions of this fantasy tells us that, when it comes to political power, a dynamic yet total and comprehensive structure may now only be dimly suspected, rather than readily perceived.

Insofar as attaining such a cohesive view of the organization of contemporary rule comprises the aim of conspiracy theory, such visions of a total system also structure discourse surrounding the ubiquity of technological surveillance in the border region. In the proliferation of imperious gadgetry that can capture much in its scope, both government propagandist and scholarly accounts of technological surveillance regularly lean towards visions of a smooth, systematic, and increasingly automated world of control. From the incisive eye of a drone that can capture the most minute of human details, to the infrared camera that can illuminate figures out of darkness, to the vigilance of the stingray catching and computing the identity of faraway devices, to the eighty-foot surveillance tower and its ground-sensor web that feels the movement of the unseen, these apparati achieve perspectival positions that greatly outspan the domain of unaided human perception. Through their “most intensive interpenetration of reality with equipment,” this expanding network of technological devices obtains a widening range of positions by which the activities of the social field can be surveyed (Benjamin
The frustrated attempt to “think a system so vast that it cannot be encompassed by the natural and historically developed categories of perception with which human beings normally orient themselves,” as Jameson accounts, begets a system of technological surveillance in the border that indexes as a superhuman position of mediation between a vast material world and a vast, transnational set of human actors. The apparati of technology issue partial informational snippets from their infiltrating channels—snippets that we take to be authentic because they appear registered as raw data in a neutral recording device. At the same time, the presence of surveillance efforts allegorizes an absent total system, giving provisional form to a (hidden) system of connection, cohesion, and structure in an otherwise relentlessly expanding and chaotic social field. In other words, the technical apparatus increasingly stands-in for the possibility of achieving a comprehensive world picture—a possibility forever held at a distance from the limits of human knowledge or perception under the incessant multiplication of technical equipment. The proliferation of surveillance gadgetry in public space offers the paranoid confirmation that “telephone cables and lines and their interchanges follow us everywhere doubling the streets and buildings of the visible social world with a secondary, secret underground world” (Jameson 15). 18

18 To this end, Jameson writes, “I want to suggest that our faulty representations of some immense communicational and computer network are themselves but a distorted figuration of something even deeper, namely, the whole world system of a present-day multinational capitalism. The technology of contemporary society is fascinating not so much in its own right
In the summer of 2014, a revelatory video surfaced online. In a clip dated July 16, then-US Border Patrol Chief Michael T. Fisher appears in uniform making an in-house presentation to a small, chuckling audience. Perhaps inspired by the intimate setting, Fisher offers a candid account of the causal relationship between Prevention Through Deterrence policing strategy and the growth of transnational criminal organizations in the border region:

Fisher: The majority of the people who crossed in the late eighties and early nineties didn’t need to be smuggled because there was nothing stopping them (...) you didn’t have to pay anybody (...) You didn’t have to go through distant mountainous places. Why would [migrants] go to the mountainous areas if they didn’t have to? [In the mid-1990s] is when the infrastructure started (...) Building walls in Nogales, Tijuana (...) What we have now is called ‘displacement:` you have to keep moving people out to the flanks [of the desert]. The further they are to the flanks, the harder it is to navigate from point A to point B. [Operation] Hold the Line moved people to the flanks, so then we moved the flanks out

but because it seems to offer some privileged representational shorthand for grasping a network of power and control even more difficult for our minds and imaginations to grasp (...) yet conspiracy theory (and its garish narrative manifestations) must be seen as a degraded attempt—through the figuration of advanced technology—to think the impossible totality of the contemporary world system” (Postmodernism 38).
further (...) So smuggling came out of that change, and transnational criminal organizations.¹⁹

In the video, Fisher explains how emplacing border walls in cities has caused the “displacement” of unauthorized migrant traffic into remote, mountainous regions—a displacement that then opened a new market for the widespread hiring of human smugglers to navigate those crossing through the wilderness and into the US interior. In effect, Fisher confirms that the efforts of the US Border Patrol to make illicit entry more perilous reciprocally grew the reach of the cartels that now monopolize this brutal smuggling economy—a sophisticated trafficking circuit now responsible for infiltrating the agency’s ranks and jamming its surveillance devices.

For border scholars and activists, Fisher’s admission comes as no real revelation: the direct connection between contemporary border security strategy and the dominion of cartel smuggling operations are obvious realities on the ground. What is remarkable about the Fisher video however, is that this truth, which had heretofore only been articulated in the most oblique terms within US Border Patrol policy documents, was now being explicitly (even nonchalantly) announced by the head of the agency. Equally revelatory is how the Border Patrol chief describes this use of such corrupting policing practices in the border zone as “experiments” and “learning experiences.” We are here

¹⁹ Approximate quotation.
presented with the head of a powerful governing organization who appears not as a calculating mastermind but as an incidental placeholder in a seemingly directionless and conjectural system—a governing system whose overall program and effects appear violent, contradictory, and hence largely politically incoherent. Given the novelty of the Fisher video, it comes as no shock that the clip was quickly made “private” on its YouTube channel, forever disappearing into the stubborn shadows of the internet ether.

The secret apparently revealed and suppressed in the Fisher video can be read in two distinct directions. The first reading would be that a hidden order is smoothly and nefariously dictating the shape of border control—an order which involves the perverse collusion of official and criminal organizations to engineer a human crisis that functions to grow the power of both entities, who then divert attention from this diabolical reality by claiming one another as mortal enemies in the public sphere. Seductive indeed, this first reading is of the order of conspiratorial totality—of an encoded language—in which the apparent incoherence and contradiction of the material border situation is a messy veneer covering over a clean, smooth, and nefarious political underbelly. The second available reading gives rise to a different set of conclusions—that the border security effort has been a highly partial policing program whose reckless actions and chaotic bureaucracy routinely empower a growing number of actors in the region whose aims and goals at times strategically cohere with those of the state and at times diverge and conflict—Mexican cartels being principal among them. This second reading is of the
order of the “structurally esoteric,” taking the incoherence and malfunction of political power in the region not as sign of a secret cadre pulling all the strings, but as itself a formation of rule. Such a political order does not rely on the implementation of total control and containment to function, but rather works within and thrives upon a complex, messy, experimental, contingent and largely underdetermined field. Whereas the first conspiratorial reading would require the labor of hermeneutic decipherment and authoritarian fantasy for its political legibility, the second treats the governing program in the border region as a matter essentially written on the surface of things, despite the appearance of secrecy and the concealment performed by many of its tactics.

These two possibilities can be evaluated in terms of their material veracity—whether or not surveillance technologies are indeed all-seeing, whether or not cartels and government are in truth operating together, whether or not there is such a thing as “a common totalizing form,” or if such visions are always already the stuff of political fantasy (Deleuze, Foucault 39). However, these competing renditions may also be judged perspectivally as distinct modes of reading the historical situation—modes which either open up or foreclose a set of powerful political possibilities. Indeed, judgments based on the essential nature of material reality comprise much of the history of theorizing, leading thinkers like Deleuze to assert that “power has no essence; it is simply operational,” and theorists like Jameson to contend that the unified logic of a hidden social totality indeed exists, constituting “what organizes history but is unrepresentable
within it” (27; Postmodernism 410). Yet, even when evaluated solely as competing paths of political imagination, the conspiratorial order of (absent) totality appears as an impoverished one, as it would often have us believe that we are all already docile bodies, enslaved to an unseen and all-powerful and self-similar system that we cannot know or challenge. Such a vision amounts to a dystopic scenario that breeds the staggering prescription of global revolutionary overthrow or demoralized apathy as its possible political results. On the other hand, the conditional, partial, and underdetermined guise of rule produces a political scenario in which myriad forces and programs are rather constantly at play upon one other, enhancing, conflicting, colluding, jamming, hacking, and contorting into new forms, both insidious and subversive.

Following from the second suggestion, the case of the highly partial life of technological surveillance in the border zone does not necessarily evidence the lack of a programmatic form of political power in the region. Rather it points to the way in which such a governing program asserts itself within a complex maze of other forces, be them preexistent forces, including the environment of the desert landscape, or imputed forces, such as technology, profiteers, and special interest groups. In this sense, it is not that border control is without a plan or ambition, but rather that the plan for technological policing takes place within a diverse field that incessantly incites new modes of cooperation, struggle, and chance. Perhaps the striking political innovation called forth in the border security context is then not the vanguard implementation of an
authoritarian program of total pacification and its quiet encroachment into the US interior. The border scene instead evidences the growing capacity of contemporary governing efforts to adapt, work within, and ultimately depend on the unpredictable and chaotic forces within the social field as a governing rationality—to this extent supporting Foucault’s contention that, “it seems to me that power must be understood in the first instance as the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization (...) force relations which, by virtue of their inequality, constantly engender states of power, but the latter are always local and unstable” (92-93). Such vision would read the dense uncertainty sown by the ubiquity of technological surveillance in the border region neither as the dystopic confirmation of the smooth functioning of total power, nor as the aspirational utopian stage for total revolution. Rather, when governing forces increasingly work within the disorder, dysfunction, chaos and contingency to perpetuate rule, one is presented with a political situation that, albeit powerfully infiltrated, also always remains powerfully underdetermined.
Chapter Four: Just Us: Proximity, Hospitality, and the Politics of Self-Interest

Figure 28: Private Property Line, Arivaca, Arizona

“Power relations are rooted deep in the social nexus.”
—Michel Foucault

“There is no Justice, there’s just us.”
—City High

At night in the high desert, a mountain pass opens northward onto a broad vista. The inky sea of flickering stars above meets another illumination below: the speckled glow of rural homes ranges out across the borderlands basin, gleaming, like so many beacons.
White rooftops reflecting the light of the moon throw the visual sign of civilization and infrastructure out into the shadows of the backcountry. At daybreak, sunlight pours over the towering Santa Rita mountains to fill the valley. The grated dirt of Ruby Road cuts across the horizon; pick-up trucks rumble along its snaking path. Trailers, fencing, adobe huts, barns, gates, dogs, workshops, pools, and horse corrals crystallize into view. Border inhabitants rise to putter around their properties, hopping into cars to go to work, bringing kids to the bus-stop, heading to church, visiting with friends at the local coffee shop, or driving out of town to work in Green Valley, Tucson, Nogales, or some other destination to the north of the system of interior checkpoints. For those who have lost their way on the migrant trail, the sight of this rural border community signals the possibility of respite and survival. Help calls out from the horizon. But for those traveling with companions, guide, and provisions in tow, the sight of the border community represents the new challenge of traversing a populated area while evading the eyes of US residents, who may be inclined to call the authorities. The presence of locals can potentially deliver a measure of safety, or alternately, threaten further danger to those attempting the clandestine journey into the US interior. Across the rural stretches of the US-Mexico boundary, the actions of vigilant border inhabitants bend in multiple directions.

The implementation of Prevention Through Deterrence border policing strategy in the mid-1990s brought with it the tactical deflection of unauthorized human traffic
away from border cities and into remote and rugged lands. Pushing migration out of urban areas reciprocally routed traffic into rural border regions, effectively placing small-town residents at the geographic heart of a mass movement of undocumented peoples from the Americas. As migration began to flow through the high hills, treacherous canyons, baking flatlands, and dense brush, rural border residents have been inundated with the human damage of the contemporary US border security regime. In this new landscape of social struggle, backcountry homes have become critical points of contact for those caught out in the dangerous wilderness without access to supplies or rescue. At any given moment, local inhabitants may receive a knock on their door from those in distress and in search of assistance. US residents are now routinely faced with the decision to give aid or to call in the authorities.

Whereas State Department and mainstream media representations stage the struggle over border security as a two-sided fight between the US Border Patrol and border crossers, a different truth makes waves in the border territory. In the course of migration and enforcement, another set of actors is frequently caught up in the mix—actors who are not easily allied with either side of the so-called ‘border war.’ Rural residential populations, incidentally located at the site of this historic process, have come to act as powerful players in the border zone. The stakes of their participation are high as rural border communities have been increasingly subjected to the unfettered federal policing powers of the US Border Patrol. Small town inhabitants are not only living in
the midst of a mass human migration and the daily tragedies therein; they are also living under the ad-hoc authority of a heavily-armed federal law enforcement agency. As a consequence, border dwellers struggle daily with whether to stand on their constitutional rights as citizens and risk possible confrontation with this domestic army, or to unconditionally submit to invasive questioning, warrantless searches, and, at times, outright abuse and harassment by the border guard. In an op-ed for the local paper, one resident comments, “the situation in the borderlands is serious and very real. Arivaca is right in the middle of it. We have armed men to our left and people in desperate need to our right” (Wendell).

This dissertation has yet to examine the role of individuals and populations in the political composition of the contemporary border security regime. Up to this point, my principal lines of inquiry have followed a post-human itinerary, focusing largely on other material forces sculpting the contemporary border struggle: the tactical use of the remote wilderness, the indirect violence of neglect and abandonment, and the unverifiable gaze of surveillance technologies. In the course of the analysis presented thus far, people and populations have occasionally figured as anonymous agents dragging tires along roadways and guiding helicopters along ridgelines, as bureaucratic policymakers curating the lethal border environment, as corporate profiteers running prisons and dealing weapons for financial gain, and as skeletons along the trail. Yet as
actors endowed with the capacity to make choices and to exercise political powers in
their own right, human subjects have yet to gain proper representation in this study.

This chapter turns to the place of the subject in the game of border policing. My
approach to the issue is neither an attempt to represent the experience of the
undocumented nor an effort to conduct an institutional history of the decisions of the
powerful. Instead, this study focuses on a different population—one that generally goes
unaccounted for in the diagnosis of political conflict on the border: the diverse and
largely non-activist rural residents who happen to be living within the militarized zone
on the US side of the divide with Mexico. Being incidentally proximal to the border
struggle, local residents are those who might be more or less disinterested when it
comes to political pursuits writ large, but who nonetheless find themselves in the path of
an active, high-stakes social struggle. Espousing a wide range of views, from the
militaristically conservative to freewheeling libertarian to committed communist, rural
border residents engage in a diversity of responses to the material events of migration
and enforcement. As such, the categorical political status of border communities is
largely undecidable; their fraught condition is made more ambivalent by their erratic
treatment by the US Border Patrol, whose agents have been known to approach
residents as both potential proxies for intelligence-gathering and as potential criminal
co-conspirators. Given their ambiguous position in the calculus of the border security
regime, rural southwest US residents rarely figure as actors in journalistic and scholarly
accounting, especially not as those who contest the police state and directly aid the persecute in the transnational struggle for sanctuary and survival.

Insofar as they are critically situated at the nexus of resources and policing, this chapter examines how rural residential communities in the borderlands exercise remarkable power within an ongoing set of political scenarios. While representing a fascinating human interest story in its own right, the consideration of the special role of border residents opens up a broader inquiry into the conceptual assumptions that underwrite the imagination of political agency, action, and social change through and by the subject. In particular, through the examination of source material taken from resident-authored editorials and media efforts in the border town of Arivaca, Arizona, the case of incidental actors providing critical aid to the migrant justice cause calls attention to the moral prerequisites that conventionally structure the conception of the political subject. It follows that the close-examination of the participation of this unconventional population in the border zone demands a mode of accounting that departs from many of the concepts that have governed theories of the subject in political philosophy. In the course of this chapter, I turn to the work of contemporary Foucauldian theorists to investigate the following critical questions: what is the political status of a population that does not see itself as ‘activist’ but nonetheless plays a decisive material role in a historical social conflict? What is the conceptual basis for such populations’ traditional exclusion from the ruminations of political theory and the
prescriptions of practice? Finally, how can the consideration of such ‘impure’ actors foreground a set of strategies that revise our understanding of effective political intervention?

The question of the particular powers of people and populations in the march of political events has a long history. Theories of sovereignty offer an account of the individual as a juridical subject who willfully enters in a social contract with a governing authority who, in turn, provides her with a measure of protection and personal freedom. When it comes to defending their society, juridical subjects are called upon to sacrifice themselves for the greater good on the battlefront. When faced with unjust forms of rule, such self-possessed actors may violate the social contract and engage in social struggle to pursue freedom from tyranny. Exceptional moral actors who catalyze great historic political events, from those defending the nation-state to those subverting it, comprise many of the histories that are routinely taught in schools and rehearsed in contemporary works of mass culture.\(^1\) In the interventions accomplished by post-structuralist theory, however, such an agential conception of the exceptional political actor has been largely broken apart in favor of analyses that explore the multiplicity of practices, rituals, norms, forces, and social systems which intimately condition human subjection to

\(^1\) In particular, the disillusioned subversive who comes to consciousness and takes great risks to fight the system is, at this point, a major figure in representations of progressive social transformation.
political power. This area of postwar critical theory conceptualizes the subject less as a self-conscious agent exercising free will on a triumphal historical stage, and more as an effect of dense and impersonal social forces. In The Psychic Life of Power, Judith Butler summarizes this radical vision of the social construction of human life, proffered by post-structuralist critique, wherein, “subjection is literally the making of the subject” (84). In this vein of political thought, people are not so much heroes as they are malleable bodies and psyches through which political power inscribes and materializes itself (84).

Despite finding ourselves in such a ‘post-human’ moment of theorizing subjection, when it comes to representing people engaged in radical political transformation, we confront a discursive environment that frequently reverts to older sketches. In particular, the morally-conscious, self-possessed individual has arguably been retained as a heuristic device for parsing resistance to tyranny. In this mode of political imagination, an existential remainder lies dormant in otherwise docile bodies, awaiting activation; one’s powerful participation in subversive social struggle is ascribed to the aberrant failure of political regimes to engineer fully pacified subjects.2 The implication is that, when it comes to the subject, contemporary forms of social control lean towards the complete, uniform, and total submission of all. Imagining

2 It is a conceptualization emblematically figured in the film The Matrix (1999), in which a messianic actor is literally awoken from a chemically-induced stasis as a laboring cog to overturn a repressive regime.
subjection under contemporary political rule as that which, when functioning well, comprehensively drains its subjects of the capacity to choose and act, however does us a double conceptual disservice. On the one hand, this vision posits subversive political agents as those possessing an exceptional moral interior that is somehow inherently resistant to the impersonal programming of the powers that be. Such a diagram positions enlightened self-consciousness as the specialized origin and motor of political transformation. On the other hand, this vision elides the way that subjects’ flexible capacity to freely act may be put to use not only by the leagues of resistance but also, and most critically, by the forces of control.

In examining the powerful position of rural US border residents, I employ a different conceptual approach to account for the political role of subjects and populations. In particular, the transformative power conventionally ascribed to the subject’s possession of an enlightened moral consciousness is here put into question as I investigate the compelling phenomenon of border residents who may do the ‘right thing’ but often for the ‘wrong’ reasons. The sometimes flagrant incoherence of ideology and action among these border inhabitants leads me to several conclusions concerning the political life of the contemporary subject. First, the complex historical field in which political struggle necessarily takes place cannot be neatly understood as a dialectical struggle between oppressors and oppressed. Second, the ideational beliefs and material actions of subjects and populations cannot, in my view, be consistently equated. Third,
subjects and populations are often called on to play multiple and competing roles by the governing authority, which then constitutes individuals as highly flexible and hence unstable resources when called upon to carry out the aims of governing rule. Finally, I argue that the power of interest must be given a place in theorizing progressive political intervention. The common phenomenon of border residents acting for the migrant cause out of a concern for self-interest suggests that interest as such cannot be a priori condemned to only servicing toxic political programs. This final turn in analysis carries important implications for strategizing intervention in the contemporary moment—a moment which, as we have seen, far exceeds the juridical framework of the citizen-subject living under sovereign rule.
"Freeman and slave, patrician and plebian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed (...) Society as a whole is more and more splitting up into two great hostile camps, into two great classes directly facing each other."
—Karl Marx and Friedrich Engels

“There is no binary and all-encompassing opposition between rulers and ruled at the root of power relations.”
—Michel Foucault

When crossing on foot into the US from the busy human smuggling corridors between Nogales, Altar, Sasabe, and Saric, the first signs of civilization after days in the desert are
the lights, roads, and houses of the small rural town of Arivaca, Arizona. Lying eleven miles due north of Mexico, Arivaca is home to approximately seven hundred residents. In a region that is traditional Tohono O’odham tribal land and was once part of Mexico, the community of Arivaca was established in the mid-nineteenth century following the Gadsden Purchase. Since US incorporation, this rural town lying on the eastern edge of the Sonoran Desert has seen multiple waves of settlement. Ranchers, cowboys, and groundskeepers have come to run cattle on National Forest Lands. Miners arrived to dig for zinc, lead, and silver in the hills. A generation of hippies heeded the call of the back-to-the-land movement in the 1960s and established several sizable communes in the desert basin. The border hamlet now boasts one store and gas station, one bar, a coffee shop, a post office and a library. In this small community, there is little work or money to be found, leading many locals to live on low-to-no income. Given its large aging population, much of the community survives only on social security checks. Arivaca is an unincorporated municipality; there is no local government and no local law enforcement presence. Residents embrace outlaw culture, and many inhabitants exhibit a general allergy toward formal authority of any kind. It is therefore with great irony and palpable friction that the miniscule border community and surrounding lands have become the arena for the militarized federal border policing campaign.

When the Border Patrol first began to direct the flow of illicit cross-border traffic away from binational city centers and into remote backcountry regions in the 1990s,
mass migration was highly visible in small border towns. As the NAFTA-stoked human movement began pouring into rural areas along the US-Mexico border, US residents began encountering many in need of life-preserving aid. Of this period, residents of Arivaca tell stories of going to the library in the morning and finding a parking lot full of people waiting for food and water. Droves could be seen migrating on foot along the nearest northbound highway. From the beginning, and long before there were any official humanitarian aid groups providing disaster-relief on the border, many local inhabitants responded to this state of affairs by opening their doors and providing care to this migrating population that was being indiscriminately targeted with the new form of governing violence. Since that time, a number of border residents have quietly offered a hand to the masses traveling through the treacherous and remote borderlands, though largely under the radar and without formal support or political organization. Those most often encountered by locals today are generally lost from their guides and are in serious physical duress from having suffered many days in the backcountry.

The case of US residents providing direct aid to border crossers could be described as a historic instance in which the privileged leveraged their relative protections to provide hospitality to the persecuted—a case that calls forth important comparisons to the histories of Germans sheltering Jews and white southerners providing respite to escaping slaves traveling the underground railroad. Of this phenomenon, Regan Wendell writes in the local Arivaca Connection newspaper, “Most, if
not all of us, have seen travelers from the South on the road, in the mountains, or at our homes,” noting, “many of us have opened our doors and our hearts to these fellows” (n.pag).

While this may be the case, the impact of mass migration on rural border towns has not been without harm. The backcountry web of migration trails travels through swaths of private property, often causing the repeated destruction of residents’ fences and the loss of livestock to the land. For those attempting the dangerous crossing in the scorching heat of the Sonoran Desert, many seek water from spigots and cattle tanks on private property. When migrants inadvertently leave these water taps running, wells are quickly drained dry. Such negative material impacts from living in the middle of a perilous migration corridor has bred resentments among some locals. Left unaddressed, such resentments develop into racist and nativist mentalities, causing some residents to turn away those seeking help, even going so far as to point guns or call in law enforcement.

As a remedy to these frictions, a number of border residents employ a savvy set of practical measures. Wendell describes such efforts as follows:

I have seen countless cattle fences in the desert where obvious foot trails cross through them. Some wise ranchers have set up gates or passages for people. There is a reality they may not like, but they have accepted it and found a way to coexist. They have made a conscious choice to trade frustration for peace.
From Arizona to Texas, the practice of installing small gates and ladders on cattle fences to accommodate human passage has become widespread, as has the replacement of turn-faucets with spring-loaded spigot heads (see Figure 29). Such material acts may be undertaken by those who wish to allow migration to occur, in a gesture of compassion and support for the cause. However, they are also adopted by those who simply wish to protect their personal property as a self-interested intervention. Either way, the political effects are the same: installing gates, ladders, and specialty spigots enables access to water and the safe movement of a clandestine migration through the land, all the while diminishing the source of antipathy among border residents.

Beyond the nitty gritty of water tanks and fencing, the arrival of mass migration in rural corridors along the border has also meant the ongoing exposure of local populations to a large-scale human tragedy—a change which has had a significant impact on the overall quality of life in border communities. When heading to work, to the store, to the dump, or to visit a neighbor, it is always possible that a rural border resident may encounter a traveler in distress. Morning coffee might be met with calls for help from the backyard. Because the local population is an unknown entity to unauthorized migrants—being both a possible source of help or a proxy for the eyes of law enforcement—those who choose to gamble with approaching an area residence or with flagging a motorist down on the road are generally in serious distress, often being in need of urgent medical care. In her article for the *Arivaca Connection* newspaper,
entitled “Remembering Miguel,” Carlotta Wray describes the gravity of her encounter with a man by the side of Arivaca-Sasabe road who had fallen acutely ill while attempting to cross through the Sonoran Desert:

My daughter and grandchildren and I were returning home to Arivaca from Sasabe. It was after sunset, and we were all talking about the good day we had just had watching the horse races. We didn’t know that in the road ahead a surprise was waiting for us. About milepost seven on the Arivaca-Sasabe road, we could see something up ahead. When we got closer we saw it was a man lying by the side of the road. My daughter was driving and she slowed down and drove past him a little ways. The man stood up and staggered a few steps toward the car, then fell down again. I shouted at my daughter to stop. She had rolled down the window a little bit and locked the doors. As she explained to me later, she was worried it might be a trap. But I was certain that it wasn’t, it was just a man who desperately needed help. When she stopped the truck, we all rushed out. I sat on the ground next to the man and held his head in my lap. I asked him what had happened to him, but all he could whisper was ‘I’m dying.’ He was finally able to tell us that he hadn’t eaten in three days and had drunk dirty water but hadn’t had any water at all for a day and a half (…) The man asked for food and water and we gave him a little bit to drink and eat but he immediately vomited (…) I just held him close and my grandson brought him a
blanket because he only wore a t-shirt and was very cold (...) This isn’t the first time I’ve met someone near death in our desert, and I know it won’t be the last. Many people in our community have had experiences like the one I had with Miguel. And they suffer because they feel sympathy with other people’s pain. But sometimes they also suffer from confusion or fear about what to do.

Everyone responds to the suffering of others in different ways. Some people can pass by on the other side, telling themselves that ‘those people’ aren’t like us, they are criminals, they are breaking the law and they deserve what they get. Some people are afraid for their physical safety or they think they’ll get in trouble if they treat an undocumented person like a human being (...) My grandchildren were born here, they are citizens. Miguel’s experience was different, and he suffered for it. And I suffered with him.

Wray describes how, although the encounter caused her great emotional pain, it was nothing new: “this isn’t the first time I’ve met someone near death in our desert, and I know it won’t be the last.” The weight of such acute experiences and repeated exposures to suffering has had a lasting effect on the emotional lives of local residents.

While just about everyone living in the region has been approached by those in need of aid, some have also come across the remains of those who did not survive the journey through the backcountry. Without any government project focused on recovering the remains of those who have died while attempting to cross the US-Mexico
borderlands, at times local residents have been the ones to encounter the dead on private property and on adjacent public lands. Among the private ranchers of South Texas, some have come across the remains of more than one hundred people. Searching for the dead has become a routine part of daily surveys of the land by ranch staff and the local sheriffs they call upon. One such Texan rancher, Presnall Cage, who owns more than fifty thousand acres in Brooks County used primarily for oil and gas extraction, comments, “I don’t really know what the solution is, but I would like to see it stop. I saw enough dead bodies fighting in Vietnam” (Bosque 1). He adds, “When you see a pregnant woman or a lost fourteen-year old, your first instinct is to help. I may be a conservative, but I’m a human being” (1). In effect, the relative calm of life in the rural US southwest has been transformed by contemporary border policy. Small border communities now find themselves in the midst of an active campaign of human destruction. In Arivaca, Arizona, the peace and quiet of off-the-grid living is perpetually crossed by the ever-present possibility that such life-or-death encounters are waiting just around the corner. Wendell comments to this end, writing, “by choosing to live in this beautiful place with all of you beautiful people (...) I choose to live in an area where people are dying in my back yard. Where there is suffering within earshot when I wake and when I sleep.” Between crisis, care, harm, and loss, border residents are undeniable, if undecided, participants in the border struggle.
Despite this multivalent reality of human populations and actors circulating in the border territory, the public relations efforts of the Department of Homeland Security would have us believe that the powerful political participation of residents is the stuff of myth—that the activities of US border security unfold in a non-place evacuated of all other actors beyond the enforcers of law and the transgressors that they target. On its website, DHS describes its mission simply in terms of “protecting our borders from the illegal movement of weapons, drugs, contraband, and people,” and the pro-establishment reality-TV series Border Wars paints the border territory as an empty landscape devoid of all human actors save for the clandestine movement of traffickers and the border guards who act to stop them. In government-sponsored representations of the security effort, the political climate on the border reads as a historic war being fought between two opposing sides: the subnational criminalized population of migrants, cartel affiliates, and so-called potential “terrorists” forming a consolidated foe on the one hand, and an integrated apparatus of military enforcement partners safeguarding the nation on the other.\(^3\) For the Department of Homeland Security, a line

\(^3\) Despite the perennial mention of terrorism as the rhetorical justification for the use of military tactics on the border, there is no evidence that such threats veritably exist—a truth admitted by the agency itself in a 2015 panel presentation called “Holding the Line in the 21st Century,” with then-Border Patrol Chief Michael Fisher. During the question and answer session, an audience member raises questions about the evidence of potential terrorists crossing the southern border, asking, “I read in *The Washington Post* that Islamic extremists are training some of their people to ‘imitate Hispanics’ to cross the southern border. My question is: is there any credible intelligence
has been drawn at the border—one that is not only geographic, delimiting the scope of US territoriality, but one that is also existential, delimiting the US protectorate from the enemies of the state.

The denial of the existence of a multiplicity of diverse human populations within the conflict is not merely a matter of representation. On-the-ground policing efforts have worked to shift the terrain of illicit migration away from populated regions. In the Border Patrol’s 1994 Strategic Plan, defense department tacticians asserted that the border environment had been vulnerable to unauthorized entry precisely because illicit traffic was, at the time, flowing through “population centers straddling the international boundary” (Border Patrol Strategic Plan: 1994 and Beyond 2). Such “twin cities” or binational urban centers were not yet bisected by walls and armed with surveillance technology and personnel. Instead border cities were “separated by little more than a line in the dirt” (2). At the time, security experts versed in low-intensity conflict doctrine considered these densely populated areas to be “the areas of greatest risk for illegal entry,” because “urban areas afford accessibility” to the interior (2).

The decision to bring the border “under control” in the 1990s involved the strategic imperative to drive migration traffic into “remote, uninhabited expanses of

that that is happening, to your knowledge?” To this, Border Patrol Chief Fisher answers flatly, “No,” and moves onto the next question (YouTube).
land,” where migrants would be prevented from accessing the outside assistance and resources offered by the presence of human civilization (2; italics mine). Once isolated in the wilderness, the plan speculated, migrants would find themselves “in mortal danger” (2). In effect, transitioning the path of illegal entry into isolated backcountry terrain sought to allow military-style policing tactics to face-off against their targets in a war largely unseen and hence unmitigated by other publics. By the end of the millennium, this vision of border enforcement had been instituted as policy, leading Border Patrol officials to reiterate their military approach to immigration policing in their 2004 National Strategy paper:

*The Southern Border with Mexico consists of approximately 2,000 miles of border, some of which is extremely inhospitable and harsh terrain. Hundreds of aliens die each year as a result of failed smuggling efforts while attempting to cross the Southern Border (...) To [continue to] carry out this approach on the Southern Border, CBP Border Patrol will: Deter or deny access to urban areas, infrastructure, transportations, and routes of egress. (National Border Patrol Strategy 5; 15-16; emphasis mine)*

Shifting migration away from urban areas hence authorizes a warlike enforcement arena. Like other wars in other places, such a geographic curation of the contemporary border conflict has amassed thousands of civilian casualties. Despite the measures taken to build walls, install surveillance equipment, and concentrate personnel in order to
redirect migratory traffic away from urban areas along the border, the “remote” regions where migration is now set to flow, however, are not fully “uninhabited.” From California to Texas, a wide set of pre-existing small rural border communities sits in the midst of these contemporary zones of migration and militarized enforcement. It follows that, when faced with the deadly play of policing powers and the struggle for survival, border residents are not in an external or neutral position in the events taking place on the ground. Rather, the exercise of political power by the local population runs deep within the scene.

The division of a human group into two great rival camps is not only an establishment discourse. The war of two sides is a principal means by which leftist scholars and activists diagram injustice. The uptick in immigration policing over the last two decades has led to a reciprocal growth in American Studies and Latino Studies scholarship, which diagnoses the border contest as a fierce game of ontological exclusion. Aviva Chomsky’s Undocumented, for example, offers a critical genealogy of what she terms “the invention of illegality” and its equation with the very being of immigrant peoples. In Migrant Imaginaries, Alicia Schmidt Camacho reports on the Border Patrol’s description of immigrants as “aliens,” who threaten ‘national security’ at large (1). The use of a binary political logic has led activist-scholars to argue that the creation of new immigration regulations in the contemporary period has come by way of the designation of undocumented peoples as starkly other to the national body (1; 2).
To this end, Mae M. Ngai comments in *Impossible Subjects* how, “marginalized by their position in the lower strata of the workforce and even more so by their exclusion from the polity, illegal aliens might be understood as a caste, unambiguously situated outside the boundaries of formal membership and social legitimacy” (1). Such accounts assert that the legality-illegality opposition constructs a dueling set of identity categories, which effectively divvy up human populations within a clear two-sided antagonism. To this end, Camacho contends that we are now living within a political regime “that has rendered Latina/o migrants ineligible for membership to the nation (...) in border crossings that confer on them the status of the alien, the illegal, the refuse of nations” (1-2). Seen from the perspective of law, the exclusion of many immigrants from legal status figures in these literatures as a gateway through which human populations are consolidated into a political dichotomy of the privileged and the dispossessed. It is a dichotomy that then arguably provides the political justification for the designation of those without papers as the legitimate targets of US military tactics.

Although the use of citizenship and illegality as a means of parsing systematic inequality is increasingly topical to the contemporary analysis of the border scenario, this mode of theorizing persecution emerges from a much longer philosophical tradition. Hobbes, Hegel, Marx, and Schmitt all, in their own way, read the political as reducible to a binary division between the deserving and the damned. On the one hand are the oppressors: the rulers, the bourgeoisie, the bosses, the executives, the
executioners, the wealthy, the privileged, or the rights-bearers. On the other hand, their opposite: the oppressed, the workers, the proletarians, the masses, the poor, the dispossessed, the wretched, and the rightsless. “In his nascent state, man is never simply man,” Kojève writes of this structure in Hegel’s philosophy, “he is always, necessarily, and essentially, either Master or Slave” (8). David and Goliath, kings and commoners, masters and slaves—theorizing the interplay of human populations in the game of political power appears entrenched within a binary discursive register.

For the theorists of political sovereignty, the division between friend and foe provides the rational basis for the use of lethal violence in the name of the collective good. Thomas Hobbes describes the organization of human society as regulated through the use of sovereign violence which gains authorization from the dualistic determination of enmity. Those who trespass against the laws of the land are considered domestic foes and hence can be subjected to capital punishment. Those who threaten the territorial bounds of the principality from without are foreign threats who may be aggressed with military action. In turn, Carl Schmitt defines the political itself in terms of the formation of a great existential fracture between “friend” and “enemy” (26). He writes, “the specific political distinction to which political actions and motives can be reduced is that between friend and enemy,” a relationship in which “the political is the most intense and most extreme antagonism” (26; 29). Among theorists of political sovereignty, this clean conceptual bifurcation is essential to authorizing the use of violence by the state.
Among theorists of social transformation, the discursive division of human worlds into a war of two sides also holds sway. Marx and Engels, for instance, call upon a primary political division between the capitalists and the proletariat as the unifying motor for effective class struggle. In *The Communist Manifesto*, they assert that it is this central political opposition that structures all other social relationships, proclaiming that “hitherto, every form of society has been based, as we have already seen, on the antagonism of oppressing and oppressed classes,” whereby “oppressor and oppressed [stand] in constant opposition to one another” (216; 203-104). Here, the dialectical composition of human populations forms the political idiom of revolutionary change. It is an idiom that travels beyond Marxist discourse to offer a commonsense lexicon for a wide array of leftist endeavors, producing an attendant style of sloganeering, such as those that assert “we are the 99%,” those that ask “which side are you on, boys?” and those that aspire to “fight the rich, not their wars.” For government propagandists, theorists of sovereignty, and leftist contenders, it seems that we live in a bifurcated world between the elite and the impoverished. When it comes to the maintenance or transformation of this status quo, a hard line separates human worlds into two great camps—friend or foe.

A number of theorists working largely in the field of Black Studies have challenged this mode of theorizing the political on the basis that conceptualizing human life as dualistically divided engenders an abject portraiture of the oppressed. Casting the
persecuted as the conceptual other to the privileged, they argue, leans towards an *a priori* disfiguration of the subject who suffers—a disfiguration which, in turn, runs the risk of conceiving of entire human populations as unintelligible, powerless and even lifeless in nature. Depicting the bearers of oppression as those summarily converted into dehumanized beings, who are then deprived of the capacity to act or choose, arguably posits the oppressed as an over-determined victim-class—as passive sheep awaiting slaughter. In *Scenes of Subjection*, when analyzing the conventional representation of chattel slavery, Saidiya Hartman observes how many modes of historical accounting engender an idea of blackness as a condition of ontological pacification by way of “the routine display of the slave’s ravaged body” (3). This discursive strategy, she argues, tends not to immure the public to the pain of servitude, but rather only to “reinforce the

4 It is a type of figuration of oppression exemplified in the work of Ward Churchill, who uses what he assesses as the case of Jewish passivity during the European holocaust as in-road into arguing the issue of armed struggle versus non-violence in his book *Pacifism as Pathology*. Churchill writes: “Jewish leaders took their people, quietly and nonviolently, first into the ghettos, and then onto trains ‘evacuating’ them to the east (...) by 1945, Jewish passivity and nonviolence in the face of the weltanschauung der untermenschen had done nothing to prevent the loss of millions of lives” (48). While examples such as the Warsaw ghetto uprising and the many harrowing escapes and hidings accomplished by European Jews and their sympathizers are perhaps the most popular and hence romanticized counter-examples to this style of historicism, the muted spaces of defiance and negotiation at play in the maintenance of life within the concentration camp is also elided in this line of reasoning in favor of an ends-means analysis of resistance. In this assessment of docility among suffering subjects, the assumption is that if any act of resistance, organized or otherwise, is unsuccessful in halting injustice and revolutionizing systems of domination, it does not historically nor conceptually count as resistance proper. I believe this to be an existential vision that more likely reveals an impoverished theory of resistance than an impoverished ontological condition of suffering subjects.
spectacular character of black suffering” and the deformed figure of the subject it requires (3). In “Necropolitics,” Achille Mbembe observes how this tendency towards abject portraiture in the representation of slavery casts the subjugated as consigned to a state of absolute passivity, wherein “a person’s humanity is dissolved,” proffering an image of blackness “as a perfect figure of a shadow” or a phantom whose thin existence is constituted as other to life itself (22).

The reading of human populations’ exposure to programmatic violence in binary terms also arguably undertheorizes the capacity of these same subjects to challenge and transform their conditions through acts of rebellion, subversion, and survival, among the many other forms of struggle which have accompanied the histories of domination. In this key, Fred Moten troubles the easy equation of the tactics of dehumanization with the production of ontological stasis. Moten asserts that the history of black survival since the time of slavery is, in and of itself, “a testament to the fact that objects can and do resist” (1; emphasis mine). These conceptual interventions thus labor against the depiction of the oppressed in purely formulaic terms as the voided underbelly of the protected class. It is an effort which Alexander Weheliye heralds for opening up not only

5 On this note, Michael Hardt and Antonio Negri challenge the smooth theoretical work of abjection at play in such schemas in their impassioned insistence in Commonwealth when they write, “humanity is never naked, never characterized by bare life, but rather always dressed, endowed with not only histories of suffering but also capacities to produce and the power to rebel” (53, 77).
the histories of resistance, but also a more nuanced rendering of the forces of domination. Weheliye contends that, “in the face of extreme violence (...) we might come to a more layered and improvisatory understanding of extreme subjection if we do not decide in advance what forms its disfigurations should take on” (2).

The push away from a concept of subjection based in a binary cut between the included and excluded has become crucial to the theorists of neoliberalism. In particular, Michel Foucault’s observations in his 1978-1979 lectures at the Collège de France, *The Birth of Biopolitics*, have provided the conceptual basis for an expanding number of accounts that detail domination in the neoliberal present by way of a general rather than dialectical political diagram. Foucault invokes the concept of “human capital” to mark the emergence of a highly contemporary form of subjection, in which the neoliberal universe calls upon the subject to become “an entrepreneur of himself” (230). Foucault makes use of the figure of the migrant worker to detail the disposition of this contemporary subject as “an investor” who would relate to the action of migration as “an investment” (230). Importantly, Foucault describes how the potential gains afforded to such activity of self-investment necessarily come at a material “cost”—a cost which can include a number of “negative elements,” which exceed the monetary:

In the elements making up human capital we should also include mobility, that is to say, an individual’s ability to move around, and migration in particular. Because migration obviously represents a material cost, since the individual will
not be earning while he is moving, there will also be a psychological cost of the individual establishing himself in his new milieu. There will also be at least a loss of earnings due to the fact that the period of adaptation will certainly prevent the individual from receiving his previous remunerations, or those he will have when he is settled. All these negative elements show that migration has a cost. What is the function of this cost? It is to obtain an improvement of status, of remuneration, and so on, that is to say, it is an investment. *Migration is an investment; the migrant is an investor.* He is an entrepreneur of himself who incurs expenses by investing to obtain some kind of improvement. (230; emphasis mine)

In Foucault’s account, subjects appear *agential* on the one hand, using their “mobility,” in the case of the migrant worker, to bring about an “improvement of status.” On the other hand, subjects are also *the bearers* of unmediated material costs in their pursuits. Here, the migrant worker is not depicted as a docile body being homogeneously acted upon by a system of dominance. Rather, she is a subject who appears as an agent caught within a perilous system of exchange, being required to take on a measure of damage in the attempt at possible benefit, without any guarantees.

In the contemporary US-Mexico border struggle, the stakes of the transaction of risk for benefit have been heightened. On the one hand, many of those crossing the border are in pursuit of gains that greatly exceed monetary remuneration: safety from cartel extortion and governing violence in Mexico and Central America and family-
reunification with citizen-children and spouses who are permanently residing in the US interior, are among the potential gains motivating one’s decision to cross the border. While the possible benefits have intensified, the impending costs associated with pursuing them have artificially deepened by the imposition of contemporary border policing strategy. Prevention Through Deterrence doctrine continues to tactically heighten the risks associated with undocumented entry into the US by pushing migration traffic into more deadly passages and enhancing legal programs which criminalize the undocumented. The games with life, death, and protracted incarceration have offered new material harms in the perilous, privatized gambles that define the neoliberal subject.

Understanding the special violence proper to neoliberalism, Foucault argues, requires conceiving of all subjects as endowed with the capacity to make choices and negotiate their circumstances, albeit under differential extremes of constraint and exposure. In Undoing the Demos, Wendy Brown thus contends that the subject of neoliberalism is no longer constituted within a dialectic of free or unfree before the gaze of the state, as the theorists of sovereignty would have it. Rather, subjects are all constituted as rational actors who are always already personally responsible for the consequences of their actions while navigating a multiplicity of dangerous social worlds. In a growing set of threatening contemporary political scenarios, Brown argues, the individual is charged with exercising her own responsibility in order to afford herself
protection and prosperity in place of relying on any guaranteed provisions from a sovereign power. Critically, the nature of this neoliberal subject’s endowment with agency does not entail a reduction in overall domination, violence, or suffering she may endure. Instead, as Brown observes, this delivery of a measure of agency to the subject produces a contemporary form of oppression wherein the marginal capacity to act, choose, and negotiate an expanding sea of risk-based endeavors amounts to a dangerous and paradoxical situation, in which “responsibilized individuals are required to provide for themselves in the context of powers and contingencies radically limiting their ability to do so” (134).

It is a truth made tangible in the US Border Patrol signs posted in northern Mexico examined in Chapter One, which reads “CUIDADO! – NO EXPONGA SU VIDA A LOS ELEMENTOS – ¡NO VALE LA PENA! NO HAY AGUA POTABLE! (Figure 5).” This mode of address hails migrants not as those enduring an unchosen and systematic persecution by the state, as the case may be, but as free agents who should be advised of potential risks before making their own choice to attempt to cross through the treacherous desert landscape. This discursive cloak of autonomy and self-reliance thus releases the sovereign nation-state from its social contract to provide protection to its

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6 English translation: ‘CAUTION! – DO NOT EXPOSE YOUR LIFE TO THE ELEMENTS – IT’S NOT WORTH IT! THERE IS NO DRINKABLE WATER!’ For another example of the US Border Patrol appealing to migrants as rational actors, see “Border Patrol Releases New Video to Discourage Illegal Crossings” (CBP 2016).
subjects. In effect, now-responsibilized individuals are turned loose into the open of the transnational marketplace—a contemporary transformation in political rule that produces a threatening form of liberty. It is in this light, Brown asserts, that neoliberalism amounts to an insidious form of “governance through freedom” (69).

In his essay, “Capitalizing Humanity: The Global Disposition of People and Things,” Pheng Cheah thus argues that it is not exclusion from the sacred circle of citizenship that founds the oppression of human populations. Rather, he writes, it is the insidious inclusion, infiltration, and instrumentalization of life as human capital that styles contemporary domination (306). Cheah notes how, in traditional accounts of oppression, “what is presupposed is a juridical subject, a subject of right that has been wrongfully dispossessed” (300). Instead, in the contemporary setting of transnational migrant workers, Cheah comments:

These practices of accumulation [as evidenced by the global migratory laborer] should not be understood in terms of exclusionary forms of power that lead to slavery but in terms of the inclusionary processes of modern governmentality and the concept of human capital that underwrites these processes (…) Given the common association of neoliberalism with hyper-exploitation, what is especially striking about the concept of human capital is the principle of universal inclusiveness that guides its themes. For in principle, every human being is
capable of self-investment and self-capitalization and this ability enables us to transcend our limitations through self-uplifting and self-improvement. (306)

In parsing persecution under neoliberalism, Cheah contends that the subject is engineered within an inclusive political design, undergoing “hyper-exploitation” on the differential basis of self-capitalization. In turn, Cheah asserts that the structure of human capital does not pivot on a great existential divide, but rather functions across the social spectrum, diversely structuring the privatized gambles of all, from the wealthy to the impoverished.

When it comes to accounting for the political role of border communities under the contemporary security regime, it is a clear case of a human population that does not adhere to a tidy, binary political division. Taken as a group, the relative privileges and persecutions experienced by border inhabitants are heterogeneous—some are wealthy Republican ranchers, some are impoverished tribal members, some are middle-class liberals, some are Latinx and first-generation immigrants, and some are poor rural white folks. This diversity, in combination with their incidental position in the border conflict, amounts to a lack of any pre-given categorical political allegiance to the oppressor or with the oppressed. Border residents may rather exercise a wide range of practices and attitudes, being positioned in an irreducibly tertiary role with respect to the border war. It is reality which gives material valence to Foucault’s contention that relations of political power between human groups “are never univocal,” but rather “define
innumerable points of confrontation, focuses of instability, each of which has its own risks of conflict, of struggle” in “an entire network” (Discipline and Punish 27). It is an arrangement of human populations that takes the form of a dense multiplicity, whose dynamic relationships are not inherently directed by a central animating antagonism. This ambivalent human milieu thus calls attention to the undertheorized place held by pre-existing, proximal actors and populations in the arena of political struggle more generally. As these border residents offer an on-the-ground complication to the rote understanding of binary conflict, accounting for their political participation requires a conceptual optic in which the relationship between human populations is always more than two.

II. The Soul of Revolt

“We share a faith and a moral imperative that transcends borders, celebrates the contributions immigrant peoples bring, and compels us to build relationships that are grounded in justice and love.”
—Principles of Humanitarian Aid, No More Deaths

“There is an imaginary line out there between right and wrong, good and evil—I believe what I am doing is good, and I believe that what I am standing up against is evil.”
—Arizona Border Recon Militia Founder

“Whatever your personal opinion about immigration, I don’t imagine any of us enjoy driving through an unconstitutional checkpoint and being profiled by men with guns.”
—Arivaca Resident
It’s twilight and there’s a knock at the door: two sixteen-year-old Honduran boys fling their hands in the air and pull their shirts from their waists to show the answering border resident that they are unarmed. It’s morning and there’s a knock at the door: a woman from Chiapas appears in the front yard calling for help. It’s sunset and there’s a knock at the door: an elderly indigenous Guatemalan man holds up an empty water gallon, asking for a refill. For those crossing through the US-Mexico borderlands, the curtilage of backcountry properties telegraphs the possible response of those housed within—some gates are adorned with signs in English and Spanish reading ‘no trespassing,’ and ‘violators will be shot.’ Others display water gallons with ‘agua pura’ written across the side, demonstrating the willingness of the desert dweller to provide aid to the passerby. Some homestead exteriors feature signs deterring the encroachment of federal agents, warning, ‘BORDER PATROL: DO NOT ENTER WITHOUT A LAWFUL SEARCH WARRANT.’ Others are fortress-like compounds that are protected by roaming dogs, motion-activated floodlights, and triple-stringed barbed wire. Many Arivaca homes sites are stationed atop desert hills and are dotted with decrepit trailers, solar panels, four-season gardens, and other makeshift subsistence-living projects. There are the few large adobe mansions covered in intricate tiling, where wrought-iron furniture poses under a veranda by a chlorine pool glistening alongside forty acre

7 English translation: ‘clean water.’
properties with cattle and horses out to pasture. Approaching these rural outposts in
search of aid is an existential gamble reserved for the most desperate. Sometimes
migrants are asked to wait outside as locals prepare water and bags of food for them.
Sometimes they are welcomed in, offered a soft bed, a warm shower, a square meal, and
a place to rest and heal. Sometimes they are turned away with sharp words in English,
barked at by guard-dogs, or chased off with guns. All of these responses, and everything
in between, are practiced by the residents of the border region. The presence of area
homes constantly bends between the relative promise of safe haven and the relative
threat of subterfuge.

In material terms, US residents providing hospitality and practical support to
those migrating amounts to a striking scenario of anti-government alliance and
transnational solidarity. And yet, the tactical affinities elicited between residents and
travelers do not always arise out of locals’ desire to carry forth the metaphysical spirit of
justice. The stated political beliefs of border dwellers are much more of a mixed bag:
some white racists who routinely call border crossers ‘wetbacks’ allow the sick and
injured to recuperate in their out-building for days at a time. Commune-dwellers
preaching the ethos of free love and a borderless world call in the Border Patrol. In small
border communities, locals find themselves caught in the middle of a struggle over
survival in which they did not elect to participate. Because of the incidental nature of
their presence in the conflict zone, there is no easy alignment between one’s spoken
personal opinion on the issue of undocumented immigration and what one may do when suddenly confronted with a person in crisis. For many residents, the motivations for material acts of political solidarity are hazy at best. The choice to offer hospitality or to inform on border crossers is often done without any broader commitment to a coherent political ideology concerning undocumented migration. It is an on-the-ground truth that begs the question as to whether such activities or participants can be considered properly political in nature. The attempt to find an answer calls attention to the moral consciousness prerequisites that underwrite the conception of the political subject.

The pressure of the border conflict on the relations between disparate human populations circulating in the southwest births a number of unforeseen collaborations and betrayals. While being in one sense ancillary to the border struggle, in another, locals have access to essential resources in the game of migration and enforcement: water, food, clothing, shelter, and a measure of protection from the scrutiny of the security state. The decision to share these resources, however, is often contingent on a number of material factors, which may exceed the issue of unauthorized migration. In Arivaca, for example, the largely white community of US citizens is also heavily impoverished and laden with anti-authoritarian culture. The latter is due in part to the longer history of rugged western expansion and settlement in the basin, and also to the appearance of communes, where a generation of children were raised to live without
formal authority while embracing the principles of personal freedom at a time of cultural, political and psychedelic experimentation. The combination of out-west ruralism and practiced communal living has imbued the town with an ethos of self-reliance. The tiny impoverished hamlet boasts more than a dozen small local non-profits directly providing basic needs to the community in the absence of government investment and services. Material interdependency runs deep among locals—so much so that regardless of one’s party affiliation, religion, or lifestyle, Arivacans make a point of always sitting down together to break bread at the seemingly endless number of potlucks, events, and community celebrations.

When it comes down to a traveler knocking on the door looking for help, those who hold opinions against undocumented migration will often nonetheless try and lend a hand as a matter of human decency and the commonsensical sharing of needed resources which are otherwise scant in the desert corridor. Maggie Milinovich, a local business owner, expresses this practical sentiment in her comments to the LA Times: “if I come across someone in need, I’m not going to just leave them there” (Carcamo). Wendell, too, writes about her choice to provide aid in neighborly rather than overtly political terms: “in my years of traveling, I have experienced generosity and kindness

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8 The direct services provided by these non-profits include open programming at the Arivaca Community Center, free pre-school at the Arivaca Action Center, a complimentary meal program at Arivaca Human Resources, work-trade opportunity at the Arivaca Community Gardens, and more.
along the way. Today I have the opportunity to repay what was so generously given to me. I cannot compare my life experiences to another’s, but I can offer people what I would want offered to me.”

The pervasive culture of mutual aid among Arivaca residents is complicated by other problems of rural poverty. While some locals have found stability and community in the desert hills, others have found themselves in and out of the system—a fate especially prevalent among those who were birthed on the communes and were never claimed by any parents in particular. An unforeseen consequence of counter-cultural upbringing in the backcountry is that a number of young Arivacans are now wedded to drug addiction and have become involved in the small-time production and sale of illegal narcotics while also perpetrating drug-related crimes in the community, such as theft, extortion, and domestic violence. Like much of white rural America, methamphetamines have entered the Arivaca township in recent years; a number of residents have since become lost to the deteriorations of chemical dependency. As a result, locals have a fraught relationship with the criminal justice system and generally attempt to avoid the possibility of further entanglement.

When it comes to giving assistance to those crossing the borderlands, this knot of outlaw culture and community autonomy leaves many residents disinclined to bring the law to their property. It is an attitude that exists regardless of any deep affection or sympathy feeling for migrants in principle. In truth, some level of antipathy toward the
encroachment of mass migration and enforcement on one’s live-and-let-live lifestyle is not uncommon among locals. Upon receiving a knock at the door from border crossers, however, it is often within the self-interest of many residents to provide aid and forgo calling the Border Patrol as a means of avoiding any unnecessary dealings with government authorities. This attitude is especially common among those who may have a standing warrant or who may be in violation of their probation.

In the case of Arivacans who do choose to call upon the Border Patrol when they encounter migrants, there are certainly some Arivacans who do so out of an overt political support for the border policing effort. Yet, many more contact the authorities because of resource-related issues, as rural border residents have found themselves in the middle of a government-sponsored human crisis without any organized support when faced with foreign travelers in acute distress. As a consequence, locals may lack the supplies and skills required to be able to assist lost and injured migrants on their own. For instance, many Arivacans do not speak Spanish and need help to communicate with those they encounter. Some do not have the financial means to be able to offer food and clothing. Many locals lack the medical knowledge or supplies to treat a migrant’s badly blistered feet, swollen and bruised knees and ankles, nausea, vomiting, diarrhea, wooziness, severe dehydration and other heat-related illnesses. Because the Border Patrol is contacted on all 9-1-1 calls in the county, any attempt to access emergency medical services coincides with the arrest and possible incarceration and deportation of
the sick migrant. It is thus not uncommon for residents to bring in Border Patrol out of fear that they do not possess adequate resources to aid in the survival of those they encounter. In these scenarios, the Border Patrol has come to play a catch-all role for crisis response in rural border US communities, despite the fact that its agents are not generally trained in the provision of emergency medical care and are notoriously negligent when it comes to their brutal practices of apprehension, detention, and deportation.9 The decision by locals to call or not call on the federal enforcement agency—a decision that has enormous consequences for those attempting the crossing—is, therefore, not unilaterally derived from a concern with the larger issues of justice at play in the migrant cause. More immediate concerns, such as vested self-interest and relative access to resources, are just as often the primary forces that determine the arrival of authorities or the provision of safe haven on the scene.

9 In August 2016, stills from surveillance video in Tucson Custom’s and Border Protection detention centers facilities were released to the public, depicting masses of people wrapped in Mylar blankets crowded on cement floors in small holding cells. The American Civil Liberties Union of Arizona has filed a joint lawsuit that claims fifth amendment constitutional violations in these centers, contending that the conditions detainees are subjected to constitute forms of cruel and unusual punishment. In the complaint, accounts of overcrowding, the withholding of medicine and medical care, the forced removal of clothing, lack of beds, drinking water, and diapers for infants are among the scenes of “malicious mistreatment” and “humiliation” described by inmates. Numerous detainees have reported being forced to spend lengthy stays in rooms kept at freezing temperatures—a practice so common that inmates slangily refer to the ice-cold CBP holding cells as hierlas, meaning ‘freezers’ or ‘iceboxes’ (Dayan, 1). For more accounts of mistreatment and neglect in Border Patrol custody, see the more than 30,000 incidents of abuse of detainees recorded in No More Death’s A Culture of Cruelty report (2011).
When charting the role of Arivacans acting as resourced allies or government informants in the border struggle, external and material factors are front-and-center. However, the archetypal figure of the agent of political change is that of the moral actor, one whose deeds are primarily compelled by internal and ideational causes. With courage, we are told, those who believe in justice act on the behalf of the oppressed. With conviction, those who believe in law and order act in support of government. This assumed causal link between belief and action bleeds across critical theoretical accounts of the political subject.

Consider Judith Butler’s *Frames of War*, in which she diagnoses the issue of political intervention in purely affective terms. Butler argues that the lack of US mass mobilization against the war and occupation of Iraq and Afghanistan is the product of a lack of adequate empathy in the minds of the citizenry. The affections that are normative to this remote public, she argues, do not readily apply themselves to the loss of the lives of those deemed ‘other’ as a cause of mourning. If a lack of adequate empathy is the political problem, Butler argues that inspiring “a new trajectory of affect” among US residents is the political solution. *Frames of War* thus prescribes the reframing wartime journalistic representations of Arab lives in such ways as to make them “grievable” to the US public (11). Butler sees concrete political opposition to atrocity as the proper outcome of psychic conditioning, that is, of the passions of the subject. In this moral universe, she imagines, the production of enlightened sentiments would cause “a more
generalized horror and outrage that will support and impel calls for justice and an end to violence” (11).

If, for Butler, the incitement of moral outrage among the general population offers the path to adequate political participation, then, for Wendy Brown, such affection is housed in a deep, internal, and “soulful” space of the self. Embracing a Marxist take on the impassioned political subject, Brown comments:

If Marx’s analysis remains unequaled in its account of capitalism’s power, imperatives, brutality and world-making capacities, this analysis also presumed subjects who yearned for emancipation and had at hand a political idiom of justice—unrealized principles of democracy—through which to demand it (...)

Marx assume[s] a political exterior and a subjective interior that is disharmonious with capitalism—political life featuring at least the promise of freedom, equality and popular sovereignty and a figure of a subjective personhood bound to ideals of worth, dignity, self-direction, even soulfulness.”

( Undoing the Demos 111; emphasis mine)

Accordingly, Brown celebrates a deep notion of the enlightened political actor—one whose “interior” is “soulful” and, as such, “disharmonious with capitalism”—one whose entire “personhood” is “bound to [her] ideals.” Such a subject, whose yearnings from within to sow the seeds of freedom and equality, appears here as the agent of radical social change. Brown’s analysis thus embraces this “subject that governs itself
through moral autonomy,” a subject whose personal passion for justice catalyzes revolutionary political participation (79).

The conception of the political subject who first feels and then acts sets up an origin story wherein the root of solidarity is a priori housed within the passions of the self. It is this kind of origin story that constitutes the target of post-structuralist critique. In his work, Foucault observes how the ascription of a deep, internal, determining world to the subject is a relatively recent historical construction. The idea of the “soulful” individual, whose development of self-knowledge is the lynchpin for regulating action in the external world, he observes, is not only a diagram for radical political actors, but also a highly modern recipe of subjection that lends itself well to the aims of a number of systems of social control. The deep conception of the self as laying hold to a shadowy yet powerful set of passions, he argues, produces a political scenario in which “knowing the inside of people’s minds” “implies a knowledge of the conscience and an ability to direct it” (“The Subject and Power” 783). Foucault contends that political interventions which target such deep spaces of the subject, be them in the form of consciousness-raising, religious confession, or moral rehabilitation, do as much to discursively invent such enigmatic and powerful existential worlds as they do to alter them. Such inventions, he asserts, are not inherently progressive, and just as often perpetrate the forces of domination. The hermeneutic notion of the individual, “tied to his own identity by a conscience or self-knowledge,” consigns subjects to the rule of an inner world, which
presides over any and all social behavior (781). In effect, through the use of political
tactics that seek to foster a specific ideational, passionate, or moral disposition within the
subject, “the soul” itself emerges as a powerful political construction—one that, Foucault
warns, has too often come to form “the prison of the body” (Discipline and Punish 29).

The primacy of a moral consciousness in the inspiration of political behavior,
then, is perhaps more a historical construction than an ontological truth. Nonetheless, it
is a construction that has been effective in inspiring the recruitment of outsiders into the
border struggle—actors who have joined the migrant justice cause on the basis of a
passionate opposition to state violence and a commitment to providing protections to all
people regardless of legal status. As migrant deaths began skyrocketing, humanitarian
aid workers from outside the region arrived to the borderlands with the aim of
providing direct assistance to the sick and injured in the backcountry. In an effort
officially launched in 2003 by former faith leaders of the US Sanctuary Movement,
individuals of conscience initiated disaster relief efforts in the Sonoran Desert in
southern Arizona. Carrying water gallons, cans of food, and medical supplies,
volunteers from all over the country have been patrolling the deadliest regions of the
US-Mexico border for over a decade in a non-governmental effort to stem the tide of
suffering. Participants travel the landscape by vehicle and on foot to leave supplies on
known migration trails and to search for the missing. Aid workers never call on the
Border Patrol without the express and informed consent of the migrants they serve; the
actions of these committed activists have strengthened the capacity for survival of untold numbers of people migrating through the desert. The most robust of these organizations, No More Deaths, has established a desert aid station in the backcountry outside Arivaca that operates as a full-time relief shelter and ad-hoc clinic for migrants in distress. The cause is not without a degree of risk and self-sacrifice: aid workers are repeatedly put to legal test to prove that giving water to people without papers is not a form of aiding and abetting, and that transporting the injured and ill to medical care does not constitute a federal smuggling crime.¹⁰

As “people of conscience,” No More Death’s volunteers commit to a set of political principles in order to participate as allies to the migrant justice cause. The organization asks that its participants “share a faith and a moral imperative that transcends borders, celebrates the contributions immigrant peoples bring, and compels us to build relationships that are grounded in justice and love” (No More Deaths). Seeking to join the struggle of the persecuted and do the right thing out of such a “moral imperative,” borderlands humanitarian aid workers, it would seem, represent model cases for the political efficacy of the subject of psychic passion, political principle, and soulful self-sacrifice that post-structuralist theorists critique.

¹⁰ The most notorious of these legal battles was the case of No More Deaths volunteers Daniel Strauss and Shanti Sellz who were charged with felony smuggling for attempting to evacuate several critically ill migrants to definitive care in Tucson.
The assessment of humanitarian aid workers as purely driven by selfless compassion has, however, come under increasing scrutiny within the movement. In his memoir, *A Hope in Hell: Inside the World of Doctors Without Borders*, Dan Bartolotti relates how volunteers with the global direct humanitarian aid organization MSF often fail to live up to the image of principled martyrdom that precedes them:

[MSF aid workers] might disappoint the questioner, who has usually assumed that aid work is a hair shirt, an act of self-sacrifice. As one doctor puts it: ‘People hear about MSF and say, “You’re going to be nominated for sainthood,” and it’s not at all like that. *I consider myself a person after his own self-interest*. It’s rewarding to bring medical care to these people, but I’m doing it because it makes me feel good, and I like it. I’m not doing it for them—I mean, I am, but I go there because it feels right for me, not because I think I’m helping the world (...) the degree to which [altruism] plays a part varies dramatically, even in the same person over time. The drive to do that first mission is rarely the same as the one that prompts a fifth or sixth visit to the field (...) Doctor’s benefit from not fearing malpractice suits. Much wider scope of hands on medicine gets to be practiced as a relatively new doctor. People are attracted to the challenge (...) every day is different, doing lots of things you never imagine you could.’ (69-70; emphasis mine)

As people of conscience but also being ‘after [their] own self-interest,’ aid workers’ propensity to sacrifice themselves for a political cause is here mitigated by the personal
fulfillments, deep sociality, and other lifestyle benefits that come with participating in on-the-ground disaster relief projects. In a challenge emerging from within the archetype’s most celebrated domain, accounts such as Bartolotti’s tarnish the facile portraiture of political allies as pure moral actors driven selflessly from within to fight on the behalf of others.

In the Arivaca region, outside humanitarian aid workers are not the only staunch believers in the migrant justice cause, as some local residents also oppose inhumane border policy on ideological grounds. And, if not initially compassionate, many border dwellers are politicized by their experiences with providing hospitality. However, the cases of those who may hold racist views about undocumented migrants and who nonetheless offer assistance in an effort to avoid the immediate threat of the descent of law enforcement on their properties demonstrate how self-interested concerns can override ideological commitment. In turn, the sentimental motivations of border residents who offer hospitality are at best highly heterogeneous, ambiguous, and inconsistent. The possession of a moral consciousness cannot therefore be considered solely nor directly causal in inspiring tactical support for the illicit transnational movement of people without papers through the rural borderlands.

The moral framework for the production of political actors is not only highly partial when it comes to accounting for the provision of aid in the border zone; it is also a framework that is in no way reserved for the agents of progressive social
transformation. The claim to an enlightened ‘soul’ has also catalyzed powerful acts of violent racial hatred. It is a historical truth that has become brutally clear in the Arivaca community, which was tragically damaged by the arrival of outside ideological political actors claiming moral superiority. Since 2006, right-wing civilian vigilante organizations have traveled to the border region to conduct armed patrols in the wilderness. Having ties to historic white supremacist and neo-Nazi organizations, border militias began their rise in the US after 9/11, spurred on by the resulting national panic around ‘homeland security’ emanating from the State Department and in the mainstream media. Then-President George W. Bush proclaimed that the battle to seal the US-Mexico border was a critical fight in the War on Terror; he then deployed six thousand national guard troops to flank the boundary. Soon after, a number of citizen militia organizations formed, calling on individuals to volunteer to partake in the war effort by serving as the ‘eyes and ears’ for the US Border Patrol in the deserts of southern Arizona. Following the staging of militarized border enforcement, militia groups descended on the Arivaca community. Bands of armed, camouflage-wearing citizens roamed the remote deserts surrounding the town, hosting campouts and media demonstrations of their tactical operations. During this formative period for the border militia movement, the most notorious organization was the Minutemen Civil Defense Corps, which then spawned many local chapters and iterations, including the Minutemen American Defense (MAD). Such right-wing border militias espouse an overt and righteous political doctrine, as
evidenced in a recent documentary on vigilantism in which a border militia leader describes his commitment to the cause in starkly dichotomous moral terms: “there is an imaginary line out there between right and wrong, good and evil—I believe what I am doing is good, and I believe that what I am standing up against is evil” (Cartel Land). In the name of national sovereignty and territorial defense, militia members see their mission as an enlightened one within a historic battle against a threatening enemy. Participants seek to enact their nativist ideological beliefs by conducting armed patrols in the shadows of the borderlands backcountry.

Though minor in their actual numbers and dubious in their effect on disrupting undocumented migration, militia-leaders Chris Simcox, Jim Gilchrist, and Shawna Forde quickly became powerful media darlings. During these early years, mainstream news outlets flocked to the border zone to cover the spectacle of vigilantes taking homeland security into their own hands. In the Arivaca area, the escalation of militia activity culminated with a heinous act of violence against local residents. On May 30, 2009, in the early hours of the morning, Shawna Forde and several other MAD members arrived at the door of Arivaca residents Raul and Gina Flores, yelling “Open up! This is the Border Patrol! We have tracked a fugitive onto these premises! We need to conduct an immediate search!” (Neiwert 244). One of the intruders was disguised as a Border Patrol agent; when twenty-eight-year old Raul Flores, Jr. answered the door, he assumed that, even without a search warrant, he had no choice but to allow the border guard into his
home. MAD was carrying out its plan to rob local drug dealers in order to fund their vigilante operations. Raul was said to have been involved in small-time drug trafficking—he was rumored to have a million dollars in cash stowed in the house—a rumor that proved to be false. In an attempt to make good on their pact to leave no survivors, the intruders immediately shot and killed Raul and his nine-year-old daughter, Brisenia, while severely wounding his wife, Gina, who shot back at her attackers and drove them off (244).

The Flores murders were a massive tragedy for the tiny community—a tragedy that was made worse by the arrival of corporate news journalists on the scene, seeking to represent the atrocity as just another example of the violent and uncontrolled nature of the US border, a story that served to fuel the national call for more military-style policing of the border region. This narrative spin infuriated local residents, who had witnessed firsthand the way in which the warlike staging of national security on the border had authorized acts of vigilantism in the first place. For many in the community, the Flores murders offered a cautionary tale, not about the dangers of an open border, but of outsider influence, government interference, and group-think.  

A constructive outcome of the tragedy was that the Arivaca murders catalyzed the dissolution of border militia organizations, forcing many of their activities underground, and Arivacans did their part to drive militia out of the community. Shawna Forde and Jason Bush, who perpetrated the murders, now sit on death row in Arizona. The past three years have however seen a second rise of nativist rhetoric on the border and armed right-wing civilian organizations patrolling the backcountry. The growth of the new patriot movement, comprised of mostly former veterans,
new border militia movement is a clear example of how moral actors armed with righteous ideological commitment is a political prescription that is not only reserved for the forces of liberation. Action on the basis of one’s political passions can just as easily be put in the service of a darker political program.

While ideational commitment may be a powerful force in the realm of political participation, it is neither a singular nor directly causal factor. In the provision of direct aid by US border residents, we are confronted with the production of cross-racial transnational political affinity that arises neither primarily from the pure motivations of moral actors nor principally from an overt organizing effort promoting a political ideology. Rather, a set of incidental conditions on the ground play a sizable role in

and the popularization of anti-Islamic rhetoric by the Trump presidential campaign has led to the recent multiplication of far-right citizen vigilante organizations on a national scale. In the nearby border town of Sasabe, southwest of Arivaca, another militia group called Arizona Border Recon (AZBR) has gained recent media attention conducting heavily armed desert patrols in the backcountry. Considered a “nativist extremist group” by the Southern Poverty Law Center, its leader has been investigated by the FBI for allegedly planting improvised explosive devices on migration trails in the region. AZBR thus appears no less practiced in the violence and racist political passion that empowered the Minutemen who carried out the Flores murders. Said one of its members “the reason I come down here is to do something about having a porous border. the truth is tall fences make for better neighbors. Especially if you have conflicting ideas. You wouldn’t put two pit bulls in the same pen and expect them to get along and not fight. Why would you put two races in the same nation and expect them to get along?” (Cartel Land). Beyond the border, nativist militias are undoubtedly on the rise, as evidenced by the occupation of the Bureau of Land Management on the Malheur National Forest in Oregon by Oathkeeper militia members, as well as the recent stabbings by Traditionalist Worker Party in San Diego, and the Trump Presidential campaign’s unwillingness to separate from white supremacist support, including that of former Grand Wizard of the Klu Klux Klan, David Duke. And, Duke himself is currently making a US Congressional run. For further reporting on the new militia movement, see Tim Murphy’s “The Meltdown of the Anti-immigration Minutemen Militia” (2014).
directing the behaviors of residents. In effect, critical acts of hospitality in the border milieu are routinely performed by a population generally considered to be apolitical, non-activist, and disinterested with respect to the issue of unauthorized migration. The practice of border residents aiding the migrant cause call for a re-examination of other social movement histories where subjects whose thoughts and actions did not so neatly coincide may have also played a powerful political role. Such a vision of material affinity without ideological affection disrupts the assumed psychic demeanor of political agents as those who are smoothly guided by an enlightened and self-identical subjective interior. Unforeseen tactical cooperations are readily coaxed into existence by the pressure of political conflict on otherwise disparate human groups, who find themselves situated within a shared terrain of social struggle. The case of the apparent disjuncture

12 Among these sidelined histories is that of the practice of wealthy white women materially aiding the black domestic workers participating in the Montgomery Bus Boycott. White women were routinely giving rides to the poor black women who worked in their homes, effectively enabling them to stay off the bus system and furthering the anti-Jim Crow boycott. Such actions were taken not out of charity or belief in the civil rights cause, but rather out of a self-interested concern for the completion of cleaning and childcare in the home. However, this material support was so effective in aiding the movement that then-Montgomery mayor issued a public statement appealing to the white women, many of whom were married to members of the White Citizen’s Council, to stop aiding black women with their transportation troubles. The activist Virginia Durr describes the housewives’ reaction to the Mayor’s statement, writing, “the mayor at the time issued an order saying if the white women would just stop carrying their maids back and forth that the boycott would be ended. And so, I don’t say all of them, but some of them replied, and said, ‘Well, if he wants to come out and do my cooking and laundry, and nurse the children, and clean up, he can’” (Hampton, 23).
between border residents stated beliefs and material actions thus introduces a remarkably impactful, if under-theorized, dimension of political solidarity.

**III. Relays, Conduits, Proxies**

“CBP welcomes assistance from the community. Citizens can report suspicious activity to the Border Patrol by calling 1-877-872-7435 toll free. All calls will be answered and remain anonymous.”
—Border Patrol Press Release

“Humanitarian Aid Support in Arivaca: please call for information and assistance. Leave a message: our line is checked regularly after hours.”
—Ad in the Arivaca Connection newspaper

“As a community, we have the power to effect change. We have choices to make.”
—Arivaca Resident
A recent government press release entitled “Border Patrol Agent Saves Choking Child” details how an on-duty officer patrolling the small border town of Douglas, Arizona, administered the Heimlich maneuver to a US citizen while the agent was waiting in line for his lunch at Carl’s Jr. In the press kit, Tucson Sector Chief Paul Beeson cheers the Border Patrol's actions as “just another example of how we are all committed to protecting and keeping our communities safe.” In an LA Times article about border residents giving humanitarian aid to migrants in distress, Border Patrol spokesperson Victor Brabble similarly stages the agency’s concern for the safety and well-being of rural border dwellers, commenting that “the Border Patrol and other immigration agents urge residents to be careful when providing humanitarian aid” (Carcamo). In this second example, the rhetorical alliance of the immigration enforcement agency with local residents is accomplished by way of posing undocumented migrants as a potential threat to local life.

The Border Patrol’s interest in positing a warm and collaborative relationship with local residents is not only a matter of media rhetoric. An “increase in community engagement” is also listed among the agency’s official objectives in its 2012-2016 Strategic Plan, which calls for the Border Patrol to “use its collective capabilities to engage and educate the public about border activities and issues” (20). In the plan, the proposed “education” of border residents includes efforts to bring the Border Patrol into the public school system in order to tell children “about the dangers and consequences
surrounding narcotics smuggling,” and as a means of compelling youth to “think for
themselves, withstand peer pressure, and reach out to parents, teachers, counselors, or
law enforcement” (20; emphasis mine). Such agency public relations programs seek to
“use graphic depictions, video, and live discussion to provide a true sense of the horrors
and tragedies that befall individuals and families that become involved with narcotics
smuggling and the narco-terrorism underworld” (21).

While posed as a public service, much of the strategy of “community
ingagement” that the Border Patrol describes amounts to a fear-mongering campaign
which paints undocumented migrants as nefarious harbingers of the “narco-terrorism
underworld”—fear-mongering which then aims to compel residents to “reach out” to
law enforcement. The strategic cultivation of cooperation with local border residents is
therefore not simply promoted as a gesture of respect for small towners living within the
militarized zone in which the agency now operates. Increasing community engagement
rather offers a means by which “the Border Patrol can leverage the critical assistance of
border communities” as intelligence-gathering sources (20; emphasis mine). The
strategic imperative refers less to a situation of mutual respect than to a situation of
power, as rural border inhabitants are uniquely positioned to inform on the travelers
they encounter. In the signature line of such press releases, the enforcement agency
writes, “citizens can report suspicious activity to the Border Patrol,” noting that “CBP
welcomes assistance from the community,” and “all calls will be answered and remain
anonymous.” When it comes to gathering on-the-ground intelligence in the US-Mexico border zone, the border security regime hopes to work by and through rural residents as proxies.

Such publicity notwithstanding, the day-to-day relationship between rural inhabitants and the Border Patrol does not strictly adhere to the spirit of cooperation. The unfettered policing powers of the federal law enforcement agency routinely subject border communities to multiple forms of collective punishment, including profiling, questioning, temporary detention, searches, and, at times, outright abuse and harassment. Border inhabitants are thus frequently treated as potential criminal targets by Border Patrol agents in the field. Locals often contend that they feel more endangered than protected by the national security effort. Alex Huesler, an Arivaca resident, speaks to this reality in a locally-made documentary about the impact of border militarization on the community, commenting. “I don’t feel any safer, I don’t, but on the other hand, I don’t feel threatened here—I don’t feel threatened by the people walking across the border, I’ve never had any trouble with anybody” (Living With Border Patrol Checkpoints). In the same film, Robin Warren, another Arivaca resident, agrees:

It’s almost a death sentence for [migrants] to come across. I’m not afraid of them, nobody here is really afraid of them who’s lived here for a long time (...) the government is trying to make us afraid of them. And through this constant intimidation we get and harassment we get, we do get afraid, but not of people
coming across the border. So it does make your paranoia go up. We have drones, we have helicopters, we have planes, we have men on the ground, ATVs, horseback—what am I missing? We’ve got it all out here, and how would anybody feel about being dropped out here and living like this who’s never seen it?

The establishment rhetoric that equates migrants with narco-terrorists does not sit well with border inhabitants’ experiences encountering sick and injured Mexican and Central American refugees in the backcountry. In fact, it is difficult to find a community member in Arivaca who has ever feared for his or her safety in an encounter with those migrating. Many, however, report instances of being intimidated by armed federal agents and the seemingly indefinite march of border militarization in their communities. Wendell bemoans the Border Patrol presence in this key, commenting, “they speed through our quiet town disregarding posted signs. They enter private property and then give lame excuses when questioned. It is frustrating and tiresome” (n.pag).¹³

¹³ Depending on the racial and economic make-up of border communities, the reception of militarized border enforcement ranges widely. For some of the wealthy Republican ranchers of South Texas, the arrival of the Border Patrol, at least initially, represented a return to law and order on the range. There, agents are familiar with ranchers and seek partnership with locals, though these cooperations are not without their tensions. For the tribal members of the Tohono O’odham Nation who find their traditional lands surrounded by checkpoints and bisected by walls and vehicle fencing, the arrival of border enforcement on the reservation has meant a deep violation of tribal sovereignty by an enemy army, whose abuse of elders and youth is both fierce and indiscriminant.
The post-9/11 creation of the Department of Homeland Security provided massive federal funding for the global War on Terror. This funding boom amounted to an unprecedented expansion of military-style national security operations out into the rural regions of the US-Mexico borderlands. Those living in the rural southwest experienced the sudden arrival of thousands of Border Patrol agents carrying assault rifles, flying in Black Hawk helicopters, and instituting road blockades. Although on-duty Border Patrol agents officially target illicit border crossers, contact with the local citizenry is frequent and, at times, contentious. In Arivaca, it is common for residents to be pulled over by roving patrols and subjected to questioning and vehicle searches. Officers armed with assault rifles enter private properties on foot without permission, cutting gate locks and trampling fences. Locals have been held at gunpoint by agents during recreational hikes in the hills. All outbound traffic from the community faces inspection and potential detention at the immigration checkpoint north of town. Across these scenarios, Latino residents, tribal members, youth, and the poor experience disproportionate scrutiny and harassment from the Border Patrol. To many, the arrival of the border guard has meant the imposition of an authoritarian-style regime on small-town life.

The negative impacts of the indefinite Border Patrol presence in US border communities are exacerbated by the fact that incidents of misconduct often occur in isolated rural and wilderness areas. In the borderlands backcountry, there are few to no
available oversight mechanisms that would compel Border Patrol agents to uphold the
civil rights of US residents. While much of the antagonism between the Border Patrol
and the local population may appear as a consequence of too many bad apples
overreaching and abusing their federal law enforcement powers, this is ultimately
complicated by the fact that, under a special set of federal regulations, Customs and
Border Protection has extra-Constitutional authority within one hundred miles of any
international US boundary. Accordingly, the US Border Patrol operates in the
community with a large measure of legal impunity. As Bobie Chitwood, an Arivaca
resident, exclaims, “What can I say? It’s the military right there, they can do whatever
they want, they can rip your vehicle apart if they want” (Living With Border Patrol
Checkpoints). Although not the official enemy targets of border policing, it is clear that
US residents nonetheless endure the acute loss of rights and protections in the border
zone—material impacts which comprise some of the collateral damage of the
contemporary border security regime. As Patty Miller puts it in her comments to the LA
Times, “it seems like a war zone all the time” (Duara 1).

Beyond the abusive actions of personnel, the extensive implementation of border
enforcement infrastructure in and around small border communities is a second cause
for alarm. Fixed and mobile surveillance towers perch around area homes; thousands of

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14 See the American Civil Liberties Union Report, “The Constitution in the 100-mile Border Zone.”
motion detector sensors are buried in the earth; drone surveillance disappears into the skies above. In her article for the local paper, entitled “The View That Looks Back at You,” Maggie Milinovich describes how a mobile Border Patrol surveillance system parked directly across from her backcountry home:

Each morning I feed the birds, make coffee, then Rich and I go out to the back patio to enjoy the morning and watch the birds. There is now a Pyrrhuloxia that watches for me to fill the feeder so he’s first. Now, I have someone else watching my morning rituals. A few weeks back a “spy truck” moved onto an adjacent hilltop. I thought it would be there a few days and then go away. It hasn’t (...) an anonymous uniform, with weapons and high tech equipment, watching—creepy. The spy truck is officially known as a Mobile Video Surveillance System, acronymed MVSS. There are many people in Southern Arizona that are upset at being watched as a byproduct of Border Patrol activities. I’m one of them (...) Years ago the Border Patrol descended on us. Racing through town, stopping people on the roads and questioning them. Harassing them. Then they put in a checkpoint as official notice that we had lost our right to travel without being questioned. Numerous times they have come onto my property without my permission—in their trucks and on horseback. Helicopters hover over the hills. Cameras at the checkpoint take our picture. Dogs sniff our cars. At the slightest hint of wrongdoing and they tear your car apart looking for contraband. Go four-
wheeling in the backcountry looking for wildflowers and you’ll have an agent
arrive to see who you are and ask what you’re doing. (1)

Asserting “I live here in the middle of nowhere because I want to have hills to walk
where the eyes watching are cows and coyotes (...) Not Big Brother,” Milinovich
describes how the arrival of the border security regime to the Arivaca basin has afflicted
the freedom, autonomy, and off-the grid ethic that had called her to find a life in the
backcountry in the first place. The official aim to leverage the local population to act as
information relays for the national security effort is therefore crossed by the harmful
aspects of the Border Patrol presence on local life. Given this level of material friction, it
appears that there is little easy affinity to be had between the residents of this border
community and the agency patrolling it. With respect to the work of border
enforcement, locals occupy a highly ambivalent political position, being subject to
suspicion and mistreatment on the one hand, and called upon as friends to enforcement
on the other.

One Arivaca resident captured an encounter with the Border Patrol that
evidences this fraught and flexible situation of rural US border inhabitants when she
surreptitiously recorded an interaction at the immigration checkpoint on the outskirts of
town. Posted online under the title “Woman Screamed at and Harassed at Border Patrol
Checkpoint,” the footage shows the young, white Arivacan coming to a stop at the
inspection station (Figure 31). At first, the agent on duty appears jovial. His tone turns serious, however, when he begins questioning the resident about who owns the small sedan she is driving. The motorist responds by asking the agent if she has to answer the question, which she perceives to be out of bounds for an immigration-status inspection. The officer then gives the driver two options: answer the question or pull over for secondary inspection. Allowing the camera to roll, the resident stands on her rights and chooses the latter. An agitated supervisor is then shown quickly approaching the window of the vehicle, demanding to see her ID and ordering her to step out of the car. The resident cooperates and hands over her identification, but, before leaving the vehicle, she asks the supervisor why she must get out of the car. Her question apparently prompts the agent to respond with physical force: he can be seen suddenly
reaching through the window into the car and grabbing at the woman in an attempt to forcibly drag her from the vehicle, all the while yelling “do you have any weapons in here?!” Upon being physically handled by the agent, the resident screams “no!” and manages to help herself out of the car. The following exchange is then captured as an audio recording:

**Border Patrol Agent:** Why wouldn’t you cooperate with us? Because you feel that you need to fight some civil rights thing?

**Arivaca Resident:** I just want to keep my rights protected.

**Agent:** But you’re destroying your rights because what happens is the criminals take your rights away. Okay? Not us, we’re here to protect you, that’s all we’re here to do (…) We’re a service to you! (…) For every person we catch here who is bad, it saves you and your children! (…) We don’t want to violate your civil rights, that’s the last thing we wanna do, you’re the citizen we want to protect! (…) Now you’re gonna fight your little civil rights thing right here on the street with us every day instead of maybe cooperating with us, maybe calling us and letting us know where a bad guy or suspicious activity is? Instead just fight with the man every day because you think we’re violating your civil rights. We’re not taking your rights away. We’re trying to help you! (…) I understand every time there’s an over-inspection you feel like we’re taking something away. But that’s not what we’re doing. We live in a pretty dangerous world here and Arivaca is a
pretty pretty high priority, otherwise you wouldn't see a checkpoint here, you wouldn't see fifty officers in a twenty four-hour period coming in and out of your town. Make sense?

Resident: I hear you.

Agent: You can go if you want, I don’t see any kind of danger.

Resident: I would like your [badge] number please.

In this exchange, the agent attests to the heavy presence of Border Patrol policing in the community when he tells the resident that “Arivaca is a pretty pretty high priority, otherwise you wouldn’t see a checkpoint here, you wouldn’t see fifty officers in a twenty four-hour period coming in and out of your town.” He dismisses the resident’s concern for her own safety with respect to the actions of the federal agents as “a little civil rights thing,” while at the same time admitting that the incident amounted to “an over-inspection.” He insists that the physical and verbal assault of the unaccompanied female US citizen by an armed man in the middle of the desert were all measures undertaken for her benefit, exclaiming “you’re the citizen we want to protect!” Then, in a fascinating turn, he makes a bid for the resident’s collaboration, asking, “now you’re gonna fight your little civil rights thing right here on the street with us every day instead of maybe cooperating with us, maybe calling us and letting us know where a bad guy or suspicious activity is?” In effect, the Border Patrol supervisor asks the motorist to work on behalf of the enforcement agency that has just abused her. The incident showcases
the ambivalent disposition of border dwellers in the eyes of border enforcement, being both criminal suspects and as the citizen-protectorate—a contradictory position that compromises the smooth functioning of US border residents as allied proxies for the policing effort.

Conditioning rural residents to act as automatic information relays for the border security regime refracts a post-structuralist idea of the subject, which would conceive of individuals not as self-possessed agents but rather as open conduits for the work of social control. It is a vision of subjection that disrupts the juridical image of the individual as one who either submits to or rebels against the demands of a repressive state. Post-structuralists posit a different utility of people to the composition of political rule wherein subjects are formed as the instruments of the powers that be.

In “Ideology and Ideological State Apparatuses,” Louis Althusser directs analytic attention beyond the conventional organs of political power—the police, the prisons, the military—and beyond the normative tactics of subjection to authority based in violent coercion to conceptualize the reproduction of the social order. Althusser contends that, more than just the actions of external governing institutions, it is in “the practical rituals of the most elementary everyday life” of individuals through which social control is insidiously produced and reinforced (173). The subject is hence never external to the forces contouring the political world: in the post-structuralist assessment, there is no such thing as an a priori human individual who enters freely into a social contract with a
sovereign political authority that then acts upon her as citizen either in the capacity of protection or punishment. Instead, human individuals are always already constructed, invested, and directed by “multiple” “distinct” and “autonomous” social forces, which seamlessly compel them to serve and reproduce the relations of control (149).

In order to conceive of such subjects as conduits for the exercise of political power, Althusser overturns the idealist conception that would treat the immaterial beliefs of the individual as the driving force behind social conduct. Instead, he posits that material practice, rather than belief, is primary. Althusser invokes the religious practice of worship to illustrate this point, wherein we might think that “if [an individual] believes in God, he goes to Church to attend Mass, kneels, prays, confesses, does penance” (167). Althusser contends that subjection rather follows a Pascalian procedure that amounts to the inverted imperative: “‘Kneel down, move your lips in prayer, and you will believe.’” In this conceptual reversal, belief is the effect rather than the cause of the material actions of the subject. It is a mode of governing rule that seeks not to explicitly compel the submission of autonomous individuals to a legible authority, but rather uses numerous techniques to quietly recruit, train, and sculpt the behavior of subjects, constituting their “know-how” (132). Through such intimate conditioning, the individual is thereby constituted as a subject who functions as a vital relay for reproducing the forces of rule. For this reason, Althusser asserts that, in the perpetuation
of political control, “the decisive central term on which everything else depends [is] the notion of the subject” (170; original emphasis).

The post-structuralist analysis of subjection hones in on the powerful nature of everyday practices in materially perpetuating the norms and institutions that extensively govern human worlds. Representing an important account of the often unconscious and complicitous material role played by human actors in systems of dominance, the concept of the individual subject as the effect of governing rule, however, arguably reduces the unique and vital existence of individuals to the degraded status of mere cogs in a nefarious political machine. Indeed, it is possible to read Foucault’s description of modern prisoners as “docile bodies” to this effect, wherein disciplinary techniques function to completely isolate and atomize individuals, as “something that can be made out of a formless clay,” in a process, “dissociates power from the body” rendering all subjects passive (135; 138). If all actions, down to the minutaie of Sunday prayer, are in truth the contaminated and impersonal activities of a control society, then it appears that, in the eyes of post-structuralist theory, human beings are left without any ability to act, shape, and alter the world in which they live.

While it is certainly the case that many such post-structuralist accounts of subjection detail the process by which political passivity, objectification, and docility may be widely and surreptitiously instilled, the interventions of Foucault and Althusser simultaneously emphasize the fraught, flexible, and hence dynamic nature of subjects as
conduits for the reproduction of political power. While Althusser argues that “subjects ‘work’” on behalf of the powers that be, he also asserts that there is always the possibility of “bad subjects” who provoke a “repressive” response by the state apparatus to corral their excessive conduct (170). In *Discipline and Punish*, just as soon as Foucault argues that the forces of social control are “transmitted by [subjects] and through them,” he also contends that “[such power] exerts pressure upon them, just as they themselves, in their struggle against it, resist the grip it has on them” (27). In “The Subject and Power,” Foucault goes further when accounting for the capacity to maneuver and make choices endemic to human subjection. He contends that political power is “exercised only over free subjects,” insofar as freedom refers to “individual or collective subjects who are faced with a field of possibilities in which several ways of behaving, several reactions and diverse comportments, may be realized” (“The Subject and Power” 790). Given that each individual “can act as the vehicle for transmitting a wider power,” Foucault sees the multiplicity of her choices, behavior, and negotiations as forceful means by which such power may be directed toward multiple political ends (“Questions on Geography” 179). In other words, even if people are indeed the relays for the powerful and insidious exercise of political control, their obedience in this charge is never structurally complete. In a mode of social control that functions by working through the capacity of individuals to act, struggle is always afoot. In this lexicon,
political power takes hold not all at once in a vacuum of absolute pacification, but in the
dynamic ongoing work of sociality.

In their recruitment as proxies to further the intelligence aims of the US Border
Patrol, there is nothing consistent in the behavior of border residents. In fact, border
community members just as often function as conduits for resources to those crossing
through the region. Their capacity to pivot, shift, and modulate their material affinities
in the border context expresses their relatively “free” nature as a population. Given this
powerfully underdetermined position of local inhabitants, the US Border Patrol is no
longer the only organization vying for the cooperation. A community effort by and for
Arivaca residents has sought to leverage the daily behavior of border dwellers towards a
subversive set of political practices.

The Arivaca community organization, People Helping People (PHP), has been at
work since 2012 supporting locals in providing direct aid and resisting Border Patrol
abuse. PHP’s community-based intervention directly supplies needed material resources
to enable the provision of disaster-relief by rural inhabitants to those migrating through
the border zone. This approach has proven to be a viable means of increasing the
likelihood that community members will chose to offer direct aid to migrants rather than
simply reporting on them to the authorities.\textsuperscript{15} This recent experiment in small-scale autonomous self-organization in response to border conflict has fostered a culture of hospitality in the Arivaca community when it comes to the presence of migrants in the region, and a culture of resistance when it comes to the presence of border enforcement.

By bringing the provision of aid above ground and lending official organization to its practice, Arivacans can now call upon local non-governmental support when they encounter the lost, sick, and injured at PHP’s humanitarian aid center. A growing number of trained Arivaca resident-volunteers respond to requests for assistance, offering Spanish translation, medical care, food support, and a free telephone service provided by the International Red Cross to aid those they encounter, employing a resource-based rather than ideological response to the border crisis.

\textsuperscript{15} Until the formation of PHP in 2012, official Tucson-based humanitarian aid groups and Arivaca residents had been veritable ships in the night: volunteers from all over the country did short tours in the backcountry around town, bumping around in pick-up trucks and putting out water and providing direct medical aid to those traveling on area migration trails; residents were encountering the lost, injured, and sick and doing their best to help. For aid workers in those days, Arivaca was just the funky hippie town where volunteers gassed up trucks and ate popsicles at the Mercantile. For locals, aid workers were anonymous, transient faces passing through town in V8 trucks stacked with crates of water gallons. Aid work at the time was geared not toward the permanent residents who espouse a wide range of political beliefs and many of whom are elderly, but toward like-minded able-bodied young people coming down to the war zone to fight for the cause on a short-term basis. Without formal ties between these organized humanitarian aid groups and the local population, Arivacans lacked any commonsense way to get involved with the official humanitarian aid effort.
Prior to the local formation of PHP, Arivaca residents had few to no options beyond calling on the Border Patrol when coming upon those struggling to survive the border crossing. In effect, residents had been reliant on the same enforcement agency that was responsible for their harassment one day, to deliver crisis-assistance the next, in a situation that amounted to a community’s material dependency on its own abuser. PHP’s provision of a non-governmental response facilitated by friends and neighbors has broken apart this dependency of Arivacans on the border security establishment. In this powerful work of self-government, whereby, to cite Foucault, “to govern, in this sense, is to structure the possible field of action of others,” PHP’s strategic intervention has made it more possible for rural US border residents to choose to open their doors (“The Subject and Power” 790). This case of resident-organized crisis-response thus offers an important model for community-based solutions to policing. It is also an intervention which laid the groundwork for US border inhabitants to proactively contest the contemporary border security establishment at large.
IV. Self-Interest and the Question of Strategy

“My husband often remarks that Arivaca Road is the new international border and we are residents of a no-man’s-land, interrogated before being allowed to enter the United States.”
—Arivaca Resident

“It is impossible to avoid instrumentality altogether, since human interaction mostly consists of pragmatic actions in which we routinely treat others as useful means in our pursuit of self-interest.”
—Pheng Cheah

“In this game, freedom may well appear as the condition for the exercise of power.”
—Michel Foucault

For twenty-three miles, Arivaca Road winds from the I-19 freeway to the center of the townsite. Immense craggy desert mountain ranges punctuate the wide open sky. The paved highway makes one graceful curve after another, rumbling over cattle guards to
pass roadside altars, ranch entrances, multicolored rows of mailboxes, dirt driveways, old mining equipment, campsites, and, eventually, a collection of painted signs welcoming motorists to Arivaca Town. The open rural vista turns south and fills in with the dotted sea of residential homes. After the coffee shop, library, and wildlife refuge, the small settlement ends and the high-desert wilderness again stretches out in all directions. In the heart of this miniscule community, just past the mercantile and across the street from the cantina, a sandwich board reading, “People Helping People, Arivaca Humanitarian Aid Office” sits in front of a squat building lined with corrugated cardboard placards announcing, “Humanitarian Aid is Never a Crime” and “REMOVE THE CHECKPOINT!” Sometimes a lone resident volunteer can be found quietly manning the shop, kept company by a tall bookshelf full of lending library items, a merchandise table with locally-made t-shirts and Know Your Rights pamphlets, a patient-care suite outfitted with canned food, water gallons, clothing, backpacks, and a stocked medical supply cabinet. Sometimes the center is less quiet as the porch spills over with a group of students making a stop on their university’s border tour. Sometimes aid workers fill the parking area, loading supply donations into battered pick-up trucks. Every Sunday the building is filled with chairs in the round. A group of Arivaca residents sits to discuss how to move forward with their campaign to abolish interior Border Patrol checkpoints.
The appearance of any organized political campaign in the small border community is itself an anomaly. Arivaca residents are not generally joiners, preferring the ethos of live-and-let-live to taking any part in group-think. However, locals are also fiercely protective of their personal freedoms, a sentiment which led concerned residents to hold a sizable community forum in the summer of 2013. The meeting was organized in response to the Obama administration’s proposed Comprehensive Immigration Reform bill which, if successful, would have brought with it a $48 billion increase in border security funding. Already besieged by ground and aerial policing, technological infrastructure, and a veritable army of federal agents, Arivacans were fearful of what destruction the increase in border security spending could bring to life in the desert basin. Locals saw themselves as unduly persecuted by the heavy border policing presence in a political scenario that seemed to be only causing more harm than good. With an enthusiastic turn-out at the initial forum, it appeared that the march of border militarization would no longer go unopposed by the US residents living within its arena.

A group of Arivaca residents collectively outlined a strategy for political intervention that would both expose the impact of militarization on rural civilian life and demand change from the border security establishment. First and foremost, this involved the tactical issue of choosing a concrete political target that could stage the more general indictment of the border security regime. To many, the choice was obvious, as a large number of locals were already vocally opposed to the Border Patrol’s
immigration checkpoint on Arivaca Road. The checkpoint was often a flagrant site for
the intimidation, harassment, and abuse of locals by Border Patrol agents operating on
the backcountry highway, far out of sight of the general public. Despite being
considered a ‘temporary security measure’ by the Border Patrol, the checkpoint had
been stopping all local outbound traffic on a 24/7 basis for over seven years. To
Arivacans, the checkpoint appeared to be a permanent fixture. Making public the
presence of armed road blockades in the community would offer inflammatory evidence
of encroaching tyranny in southwest US border communities.

The tactical positioning of Border Patrol checkpoints on all developed
northbound roads into the US interior effectively disables vehicle smuggling, forcing
migration traffic to flow on foot through dangerous terrain in order to reach safer
locations to the north. These checkpoints vastly extend the journey through the desert;
migrant death maps display its brutal effects, with many human remains being
recovered far inland from the actual international boundary (Figure 6).\(^{16}\) Despite this
harrowing political reality for those crossing, the Arivaca checkpoint campaign was not
primarily launched as an act of solidarity with the migrant justice cause. Instead, it was
largely formed around the self-interested concerns of the Arivaca citizen-class, whose
priority issues were the violation of their constitutional rights by the US Border Patrol,

\(^{16}\) See discussion of the Humane Borders Death Map project in Chapter Two.
the economic deterioration caused by border militarization in the region, and the
negative impacts of militarization on the overall quality of life for community members.

As one local business put it: “there is no equalizing justification for [the
checkpoint] being this far north of the border. It protects neither the general population,
nor the people of Arivaca. It only serves to intimidate and infuriate” (Milinovich). The
impact of Border Patrol checkpoints in augmenting the humanitarian crisis on the
border was thus treated by resident organizers as merely one political issue among
many. The problems immediately impacting the US resident population remained the
primary focus of the campaign. In effect, the political design of the organizing effort
against checkpoints violated basic tenets of contemporary social justice planning—
specifically, the widely-accepted ethical imperative to center the experiences and
leadership of those most severely impacted by a given system of injustice. By any standard,
the most impacted by border security operations in the Arivaca region are not US
residents, but are those who are subjected to injury, illness, and death while attempting
to migrate into the US interior. This contaminated approach to the design of the
Arivacans’ campaign was however complicated by the fact that, if successful, the
removal of Border Patrol checkpoints would neither exclusively nor most acutely benefit
border residents. The abolition of road blockades from all major roads in the southwest
would definitively alter the game of illicit migration, shrinking the distance of foot travel
through the border zone, powerfully increasing the chances of survival of those
attempting the dangerous crossing. Through its militarization of the southwest backcountry, the Border Patrol had supplied rural US residents and border crossers with a shared enemy. The choice of the checkpoint as a target was therefore a politically savvy one, as the problem of checkpoints sits at the intersection of the interests of both migrant and US resident populations alike. By centering the concerns of the citizenry, Arivacans believed that they could leverage the pursuit of the self-interests of border inhabitants to accomplish material gains that would powerfully benefit both themselves and those crossing through the desert.

To build support in the community and to expose the reality of militarized border enforcement in US communities to the greater public, Arivacans circulated a petition listing the negative impacts of interior Border Patrol checkpoints on local life. Among the issues enumerated were the loss of constitutional rights, economic depression, and a deterioration of rural community life under perpetual border militarization. In the petition, migrant deaths were denounced, but largely in terms of the impact of the human catastrophe on the nature of civilian life in the region, in a passage which reads:

The Arivaca Road checkpoint is part of a misguided border enforcement strategy that increases the tragic and unnecessary deaths of migrants, leading to a humanitarian crisis, which extends into the Arivaca community and beyond.

Consequently, a generation of Arivaca children and young people are growing
up in this militarized zone, where they are taught by experience that the erosion of civil and human rights, freedom and quality life is acceptable.

Nearly half the town’s populace signed the petition along with ten local businesses. In November of 2013, residents and supporters marched on Arivaca Road to deliver the signatures *en masse* to awaiting Border Patrol personnel in a protest which halted operations at the checkstation for the day. Arivacans rallied in the secondary inspection area and relished the sight of cars freely passing by.

Upon receiving word from the Border Patrol that all southwest immigration checkpoints would remain operational, Arivacans responded by holding a press conference to announce the launch of a monitoring initiative—the first of its kind in the United States (Figure 32).¹⁷ Locals armed themselves with video cameras, clipboards, reflective vests, and lawn chairs to set up watch at the checkstation on Arivaca Road. The goals of monitoring were threefold: first, to document the enforcement activities at the inspection station, given that the Border Patrol does not provide the public with any data on the checkpoint’s efficacy. Second, to deter abusive behavior by agents towards motorists by providing third-party witness on an otherwise remote and isolated county

¹⁷ The tactical approach of the monitoring effort borrowed both from Copwatch organizations who record police activity in US cities and from human rights monitoring at checkpoints in the Israeli occupied West Bank.
highway. Third, to make US border resident opposition to checkpoints visible to the public.

After several months of intensive monitoring, the Arivacans’ findings were disturbing: in more than two thousand vehicle stops observed at the Border Patrol checkpoint on Arivaca Road, residents recorded zero incidences in which agents arrested people without papers (“Checkpoint Monitoring Report” 5). Monitors witnessed zero interdictions of narcotics or any other contraband at the road blockade. At the time of writing, after nearly three years of independent observation at multiple Border Patrol checkpoints, Arivaca residents have yet to witness a single immigration-related arrest. What was once a commonsense truth among locals was now a public fact on the national stage: interior Border Patrol checkpoints do not meaningfully contribute to the apprehension of unauthorized migrants in the border zone. Without arrests occurring at the road blockades positioned far inside US territory, it was clear to locals that the tactic instead serves to force migration through remote and treacherous backcountry terrain.

While monitors found no evidence that checkpoints directly interdict the undocumented, their findings nonetheless revealed the widespread use of racial profiling of motorists by Border Patrol agents. Latino motorists were observed to be twenty-six times more likely to show identification to agents and twenty times more likely to be pulled into secondary inspection (5). As Latinos are a clear minority in the Arivaca community, representing only 10% of motorists on Arivaca Road, these statistics
indicate an acutely heightened level of scrutiny directed at people of color.\textsuperscript{18} By definition, then, checkpoints in the border zone do more to target the local population with general policing than to halt unauthorized immigration. At the same time, checkpoints quietly enact a more insidious policing aim, being a critical means by which the flow of transnational migration is geographically contoured so as to heighten mortal risk in the border zone.

The monitoring effort conducted by border residents has been particularly successful in garnering mainstream media coverage, as well as attention from a collection of local Arizona news stations, which were eager to tell the story of border residents taking matters into their own hands; the campaign projected the problem of interior checkpoints onto the national stage. Through agitation and public pressure, the Arivaca campaign has been effective in transforming the border policing environment at the backcountry checkpoint on Arivaca Road. Border Patrol agents no longer carry semi-automatic weapons at the checkstation; the questioning of motorists is markedly muted or absent altogether. The agency appears to be acutely aware that their actions are under public scrutiny, and as such, incidents of abuse and harassment of locals have sharply declined. A large placard describing motorists’ constitutional rights now watches over

\textsuperscript{18} As a consequence of widespread racial profiling, many Latino residents make it a habit to carry their passport with them in order to avoid further harassment when leaving the community in which they were born and raised.
the primary and secondary inspection. When it comes to interior checkpoints, border residents have effectively put the homeland security establishment on the defensive.

The efforts of the Arivacans continue; residents remain steadfast in their call for the removal of all such interior road blockades, and the effort has since spread across southern Arizona. In May 2015, Arivaca joined with five other rural border towns and tribal communities to hold a joint day of coordinated autonomous actions calling for the demilitarization of the US southwest. The success of political organizing among Arivaca residents offers a fascinating case in which a mostly-white rural border community publicly opposed racial profiling and the use of inhumane tactics to punish undocumented migration. This is a story about the border that is rarely told. Moreover, an effort that has been effectively waged not through a compulsion to self-sacrifice among the privileged, but rather by way of their self-interested pursuits. These political actors were motivated more by the immediate afflictions wrought by the border security regime than by a long-term ideological commitment to a prescribed form of social transformation. It is a political situation that reflects Foucault’s assessment of the motor of social struggle. Terming this an “anarchistic” conception of social movement, he writes:

In such struggles people criticize instances of power which are the closest to them, those which exercise their action on individuals. They do not look for the ‘chief enemy’ but for the immediate enemy. Nor do they expect to find a solution
to their problem at a future date (that is, liberations, revolutions, end of class struggle). In comparison with a theoretical scale of explanations or a revolutionary order which polarizes the historian, they are anarchistic struggles.

(“The Subject and Power” 780)

In his study of neoliberalism, Foucault investigates the political question of interest in its conceptual departure from the existential lexicon of self-sacrifice that defines the juridical subject of right under sovereign rule (The Birth of Biopolitics 274). Foucault describes how, unlike the “subject of right,” who, under the social contract, surrenders personal liberties to the state in exchange for a measure of protection, in the game of the market, “the subject of interest is never called upon to relinquish his interest“:

The subject of right is, by definition, a subject who accepts negativity, who agrees to a self-renunciation and splits himself, as it were, to be, at one level, the possessor of a number of natural and immediate rights, and, at another level, someone who agrees to the principle of relinquishing them (...) With the subject of interest, as the economists make him function, there is a mechanism which is completely different from the dialectic of the subject of right, since it is an egoistic mechanism, a direct multiplying mechanism without any transcendence in which the will of each harmonizes spontaneously and as it were involuntarily with the will and interest of others. (275-276)
In this passage, Foucault discusses the nature of the subject of interest as fundamentally “egoistic,” not so much in terms of simple selfishness, but rather insofar as the subject of interest surrenders nothing to a higher governing authority in order to gain political status. Despite being egoistic, then, the subject of interest is also not simply anti-social—Foucault here observes how interest functions as a “direct multiplying mechanism,” one which may at times “harmonizes spontaneously” with the interest of others.

What is politically suggestive about the concept of interest, then, is the way in which one’s pursuit of self-preservation without sacrifice can be set to strategically intersect with the needs and desires of others to produce a multiplying effect. It is precisely this mode of mutual or intersectional self-interest that formed the strategic basis for the organizing effort among border residents against Border Patrol checkpoints. The pursuit of the community’s own stake in challenging the border security regime incited an oblique and material form of political affinity with the migrant justice cause, rather than an ideological one that would have been based in the redemptive action of self-sacrifice among the relatively privileged.

The case of border residents offers an important political fascination wherein incidental human populations and self-interest have become potent resources in the play of social struggle. While organizing against the immediate threat to the well-being of border residents has been effective in the Arivaca case, self-interest is not generally considered to be a path toward progressive politics. On the contrary, an ethic of self-
sacrifice envelops much of leftist discourse around the incitement of political participation. Self-interest—an attention to one’s personal gain and well-being—is instead generally disparaged as a marker of ethical corruption. Even more seriously, theorists rightly diagnose self-interest as an individualizing force that has been put to work in fostering capitalist forms of sociality, which contorts human relationships into atomizing modes of competition in a neoliberal world dominated by market imperatives. Wendy Brown thus opposes the pursuit of self-interest to the pursuit of justice and equality on the basis of these clear political defects: “modern moral life requires a counter to a world otherwise organized by self-interest” (*Undoing the Demos* 215).

It is indeed possible to disparage the subject of interest as a concept thoroughly contaminated by its fidelity to the structure of the market. However, foreclosing any discussion of self-interest as a force that is also available to progressive political intervention represents a strategic misstep. For it is not as if the concept of the subject of right is without its own political toxicity and ambivalence—the juridical conduct of subjects has historically bent both in the direction of the preservation of civil rights for all and in the production of terrible wars in the name of the defense of the sovereign. Notwithstanding this ambivalent reality of the juridical subject of right, it is a forgone truth that the analysis of the concepts of human and civil rights in the design of effective political intervention is relevant and necessary. In the same key, it has become
increasingly relevant and necessary to engage with the ambivalence of interest as an active political force, given that its rationality is becoming increasingly indispensable to the mechanisms of contemporary rule. Its political possibility must then also be reckoned with, when self-interest as such works to powerfully propel the forces of rebellion, subversion, and survival on the ground.
Epilogue: Crisis Time, Comatose Border

“The world outside the walls
has had its turbulent say
and history like a long
snake has crawled on its way
and is crawling onward still.”
—Adrienne Rich

“Everything is temporary.”
—Adi Ophir

The makeshift desert clinic wears out on repeat. Under the constant sun, the tent’s heavy-duty vinyl turns to fragile crepe paper. Whipping wind pulls at the seams, tearing a wide gap along the shelter’s base. During the summer monsoons, water floods in. The provisional floor, made of pallets and plywood, turns to rot. The PVC skeleton that holds the large structure aloft begins to strain and warp: bolts pop out, linkages detach, and all, slowly and steadily, falls down. The metal cafeteria cabinets that have been repurposed to store medical supplies are quickly shuffled to a new temporary location. Volunteers plan a workday to rebuild the failing structure. In the meantime, someone donates another massive backcountry-ready shelter—this time a geodesic dome—and the medical cabinets are moved again. The makeshift clinic quickly settles into this next provisional iteration. Patients seeking respite from the treachery of the migrant trail immediately fill its keep.

The medical tent is not the only structure in the constant flux of ruin and repair at the humanitarian aid station in the US-Mexico border zone. Sleeping trailers are in
perpetual deterioration—their windows pop out, insulation crumbles, roofs leak, and
they collapse into heaps on the ground, overtaken by rats’ nests, left in place to live on as
the installation art of border disaster relief. But, as so many things fall apart at the desert
refuge, new infrastructure constantly digs in. Replacement campers are dragged onto
the property, nestling into the burgeoning settlement. A solar panel trailer arrives,
bringing lights and refrigeration: new luxuries. A phone line awakens, antennae go up.
A well is installed. A faucet. A shower. A garden. The temporary aid camp mutates into
an indefinite shelter as the border crisis perpetually births the tactics of the temporary.

Indeed, the aura of crisis cloaks the southwest border environment. Taken all at
once, the incidence of mass death wrought by the contemporary border security strategy
constitutes a staggering human catastrophe. On the ground, crisis sounds off as a
thousand daily harms in an always-volatile survival scenario. The desert buzzes with
the sharp sense of urgency, disaster, and possibility, around which migrants, residents,
and activists are all challenged to orient themselves. For those attempting the perilous
crossing into the US interior, this dynamic atmosphere of border security makes for
perplexing gambles over timing: is it best to wait for the cold of winter? For the light of
the full moon? Is it best to go before the heat kicks up? Before the vote is cast? Before the
mafia returns to the door? When could conditions let up? When will they have become
too dire to wait any longer? So many temporal contingencies make the calculations
around personal safety unruly.

As the human crisis multiplies in scale and duration, border residents have
quietly opened their doors to the lost. Organized efforts to provide water, food, medical
care, and shelter have taken clearer shape, all the while delivered in the ephemerae of pop-up tents, mobile trailers, and a constantly rotating cast of volunteers. But as time goes on, new questions grow near: if the lethal policing of the border is a crisis, then what is its duration? A week? A month? A year? A decade? A generation? What happens when a crisis does not end? When does the event of crisis turn into a historical process? When does rupture become structure?

Crisis invites intervention, authorizing improvisatory modes of action that may elide pre-established norms, models, protocols, and institutions. When it comes to political struggle, the time-frame of crisis propels its activity with great speed: representing the border as a humanitarian crisis has been an effective means of fostering public challenge to the brutal practices of the security regime. It has been a hook for new volunteers to join the relief effort. Urgency, crisis, event, and singularity have distinct political traction in the present. Crisis-responses are quick and on-the-ground. They are employed in scenarios wherein the urgency of mitigating immediate suffering cannot adhere to the slowed tempo of the official political process and all of its bureaucracy, particularly when there is no promise of official redress to be found therein. Such is the logic of direct aid in the US-Mexico border zone—its action lies in the time of the present.

On the side of government, the declaration of crisis slackens the regulatory hold of law and eases the troubles of measure and accountability. The political freedoms unleashed by the time of crisis have thus also come to work on behalf of the powers that be, as a temporal means of authorizing the mechanisms of destruction: the innovation of
the new border security strategy was originally posed as a reactive measure in a historic moment of *temporarily increased migration* caused by the passage of NAFTA. Its later enhancement with checkpoints, sensors, and thousands of agents on the ground was posed as a *stop-gap security response* to the sudden events of 9/11. Crisis-based border policing tactics have also been delivered in ephemerae: pop-up checkpoints, hiring surges, and mobile surveillance units. The implementation of militarized border operations proceeds by way of the discursive elision of permanence. If transnational border policing is not a strange aberration but a vanguard experiment, then it evinces a temporal formation of political power which functions by denying its own perpetuity. In the border zone, the provisional and erratic organization of aggressive ‘security measures’ perpetually displaces programmatic government and its proceduralist violence.

Crisis emits the time of the temporary, as that which makes implicit claim to the coming-end of catastrophe, holding the forever-possibility of sudden reversal or transformation in view. As it happens on the border, however, this always-latent *we’ll see* in the present has begun to lean into temporal oblivion. While Prevention Through Deterrence ignited in a sudden surge in the US southwest in the 1990s, the march of militarization and mass death has now stretched across two decades. Time drags on the border scene. Looking around at the weathered work of a dozen years of ad-hoc direct aid on the desert floor, the speculative end to the disaster appears to be increasingly remote to the present. In effect, the political vernacular of temporariness has pitched border-time toward the endless, the siege-state, and the stalemate. We find ourselves
mired in what Adi Ophir calls “the squall of the temporary” (48). On the border, the perpetuation of the crisis over historical time has shifted the interventionist life of the temporary into the comatose politic of the indefinite.

To be sure, over these years of border control, some elements of its design have changed: in Arizona, migration is now moving west into the most remote regions of the desert. South Texas now rises as a second principal theatre of immigration policing. Brand-new Elbit Systems surveillance towers leer over south Ruby Road. Border Patrol agents may soon be outfitted with body cameras. Yet in its general strategy and basic tactics, the border security game continues to curve about its original plan. Far from approaching a point of reversal, the border struggle in the backcountry, in the detention centers, on the trains, and in the shelters seems to be only deepening; new populations are being brought into the dangerous migration system designed for others decades ago. Refugees from cartel violence in El Salvador now join deported Mexican nationals who, a decade ago, crossed the same desert in search of work and now attempt the trek again in search of family unification. In the border zone, crisis no longer forms a cut between before and after, but seems to only move in a circle.

Those living and working in the rural southwest now gaze upon the same ocean of tragedy they first confronted years ago, and begin the work of telling its history—not from an external future place looking back upon the rubble of the past, but from within its indefinite arena. With time and witness, the border struggle has emerged not as a singular event but as an ongoing social history: “history like a long snake has crawled on its way, and is crawling onward still” (Rich). Through the vector of protracted time, what once
seemed to be a *de facto* production of human crisis on the border can only be now taken for *de jure* policy. One begins to notice the material signs that were somehow there all along: the gargantuan feat of erecting eighty-foot surveillance towers is not a provisional undertaking. The walls in the cities, which have been built, remade, layered, and fortified, are not architecturally temporary. The second freezer installed at the Pima County Medical Examiner’s office to house the unidentified remains from the border zone looks to be a permanent infrastructural investment. The myriad Border Patrol substations and opulent headquarters scattered across the southwest are not designed as makeshift compounds. A strong set of industries now bank on the indefinite stability of the forces producing human destruction in the region. On the side of enforcement, the rhetoric of temporariness gives way to practical, if not planned, permanence.

If the policing approach on the southwest border is therefore not an exceptional and momentary state of affairs but a vested political reality, then can its violence be termed a *crisis* any longer? Have we been left with the tactics of the temporary in a playing field of the permanent? What is to be gained by retaining the concept of crisis over the indictment of the permanent? How do crisis and permanency inflect our sense of what can be altered and what will remain? These are some of the questions of time that now face those who live, work, and travel in the border arena.

Despite the growing material entrenchment of the border scenario, the language of crisis has held its grip. Its vernacular is a powerful political speak of the present. Indeed, as crisis projects the need for immediate action, the discourse of disaster must be retained as a tactical means of galvanizing rapid support, a matter of political savvy.
And, beyond the matter of rhetoric, the struggle over survival in the US southwest continues to issue new daily catastrophes. Yet, would forgoing the temporary for the declaration of the scene of border violence as functionally ‘permanent’ then amount to an admission that the violent program of southwest border control is fundamentally unchangeable? If those opposed to the border disaster admit that the conditions sustaining its growth are ubiquitous and thoroughly entrenched, would this mean that no power can be exercised to alter the political world in which we find ourselves? A loss of agency, a loss of scale, and a loss of historical time all seem to flow rapidly from this suggestion.

Yet the answer is clearly no: the border crisis will indeed end one day, as all things change, transform, shift, and move into other patterns, alignments, styles, and forms, growing up and dying off. We may never see the end of tension between the polis and its rulers, nor the end to hardship and the human systems that make and mediate it, as long as we are here. But just as we have seen the end of a purely sovereign formation of political rule, so too will we see the passing of humanitarian violence, of land-as-weaponry, of the erratic gaze of technological eyes, and of risk, chance, and luck catching the lives of so many in the net of power. Be it a year from now or three hundred, the forces acting to give the border zone its catastrophic shape will move along. The tents can be packed up, the towers dismantled, the sensors unearthed, the drones grounded, the agents laid off, and the walls torn down, for “every epoch bears its own ending within itself” (Forché). There is no guarantee that this great turning will be catalyzed by the forces of resistance already in motion, any more than they will be
catalyzed by the forces of domination, the force of nature, or by the game of chance, and with great speed or at a terrible crawl. The political embrace of the permanency of the present crisis as no longer an event, but as a social process that we call border security, therefore requires no implicit surrender of the historicity of the situation—no loss of the possibility of transformation endemic to the march of time. For whereas the temporary is never without the indefinite following close behind, the permanent is forever terrorized by the powerful force of the conditional.

There is an incessant historical claim at work in this dissertation project—that what we witness in contemporary border security doctrine is not the remnant of a barbaric sovereign power of the political past, which somehow still haunts the present in the liminal space of the border. Rather, I have argued that the organization of political power and the terms of its subversion are highly contemporary in nature. In turn, this project frequently contends that we must move beyond the idea of sovereignty in order to engage with the nature of political power that is specially activated by the present. For the forces of destruction have already taken on this task: the border guard donning the face of the natural, technological, and humanitarian to accomplish its policing program sounds this alarm, and we must heed its warning.

The vision of the coming end of the border catastrophe, even if cast a generation in the distance, begs the question of remembrance: how will others look back upon the events on the border? Will the system of family detention centers be recounted as the internment camps of our day? Will the borderlands themselves be mourned as former killing fields? Will the hospitality, safe passage, and survival provided by those on the
ground be celebrated as the underground railroad of our time? Or will the desert take the place of sovereignty in the future, offering the figure of a retrograde form of domination, from which others will have to struggle to untie themselves, in order to properly think that present anew?
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Biography

Sophie Smith was born September 17, 1985 and raised in Portland, Oregon. She completed her bachelor’s degree in English and Humanities, Media, and Culture Studies at Macalester College in Saint Paul, Minnesota. She lives in Arivaca, Arizona.