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The Centrality of the Canada-US Border for Hemispheric Studies of the Americas

Abstract:

This article moves the Canada-US border from a position of latecomer to hemispheric studies toward a place of centrality for theories of boundary-making, migration, and border enforcement in the Americas. Nineteenth-century US attempts to control native mobility occurred simultaneously at both borders with Canada and Mexico, and turn-of-the twentieth century US efforts to enforce the Canadian boundary against Chinese immigrants preceded and influenced later changes at Mexico's northern border. Since that time, developments at the two national boundaries have become more explicitly interconnected. The comparative perspective developed in this article questions the differential construction of the two boundaries in hemispheric studies and moves beyond the singular focus on contemporary Mexico-US border developments that threatens to replicate the very notion of US exceptionalism which an interest in this border geography was originally meant to challenge.

Keywords: Canada-US border, Mexico-US border, boundary-making, border enforcement, migration



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Scholarship on the Canada-US boundary has come late to the study of global borders. In the 1980s and 1990s when geographers, economists, anthropologists, and social and political scientists examined the Mexico-US border as an exemplar for theories about globalization in the Americas, few scholars were studying the boundary between the United States and Canada. If they did so, they tended to focus on asymmetries in the relationship between the two countries (Konrad and Nicol 76). Social scientists, especially in political science, anthropology and geography, became interested in the national border between Canada and the United States after it became clear that the site would also be impacted by 1990s free trade initiatives (Konrad and Nicol 76). The border has come into even clearer focus since its enforcement after September 11, 2001, which invoked similarities to developments along the Mexico-US boundary. Peter Andreas has argued that reactions to the September 11, 2001 terrorist attacks initiated the "Mexicanization" of the Canada-US border after cross-border migration, smuggling, and the potential passage of terrorists across both US land boundaries became evaluated as major threats to US security.

But parallels among the two border locations have a much longer history. Indigenous mobility began to be controlled in the mid-nineteenth century at both North American boundaries, and the late nineteenth-century hardening of the Canada-US border against immigration preceded, modeled, and influenced much of the later developments at Mexico's northern border. Since the end of that century, changes at the two boundary sites have become even more explicitly interconnected.

A comparative perspective on the two land borders in North America challenges the persistent and singular focus on the Mexico-US boundary in US hemispheric scholarship that continues to largely ignore the US boundary with its northern neighbor. While the origins of hemispheric studies can be traced to nineteenth- and early twentieth century work by José Martí and Herbert Eugene Bolton, a host of inter-American scholarship emerged in the mid-1980s and early 1990s. [1] Produced mainly in Latin American studies, comparative literature, and Chicana/o studies, this work developed topographically comparative models of the Americas that sometimes also included the Caribbean or (marginally) Canada. [2] In the 1990s, several transnational models of study, such as the Black Atlantic, the trans-Pacific, New World studies, and inter-American studies emerged. [3] While most of these perspectives focus on diasporic connections between U.S. ethnic and racial groups and their areas of geographies of origin, New World and hemispheric studies are grounded in a more geographically-based perspective that explores historical and contemporary connections among events, people, communities, and geographies in the Americas, and that has largely neglected Canada. [4] The emphasis on the Southwest (often equated with the Mexico-US border) and its Latino-Chicana/o populations is indebted to Gloria Anzaldúa's influential book Borderlands/La Frontera (1986). In it, Anzaldúa employed the borderlands concept in order to symbolize Chicana



opposition to exclusion from the benefits of US citizenship and from 1950s-1970s Chicano cultural nationalism. Her notion of borderlands became one of the guiding metaphors of Chicana/o studies and also centrally shaped the emergence of transnational and hemispheric perspectives in US American Studies. [5]

While scholarship on the Mexico-US border was immensely influential for the re-emergence and consolidation of hemispheric studies in the 2000s, the persistent and singular focus on this location threatens to replicate the notion of US exceptionalism that an interest in this border geography was originally meant to challenge. The study of national borders more generally also continues to be shaped by the emphasis on the Mexico-US context despite the field's original orientation toward borders worldwide. [6] So far, the scale of scholarship about the border between Mexico and the United States does not have an equivalent in any other, equally as well-known or institutionalized approach to one specific national border anywhere in the world. [7]

Some practitioners of Mexico-US border studies have recently begun to acknowledge the importance of Canada's southern border. In her recent account of Western borderlands history Kelly Lytle Hernández, for example, writes that "[b]attles over migration, smuggling, and the environment also shaped everyday life in the northern borderlands. This new research pushes for a reconsideration of the region as a conflict zone, opens new avenues to examine how border struggles and foreign relations shaped the uneven development of the American West, sharpens our understanding of the U.S.-Mexico border as differently rather than uniquely contested, and forces more nuanced analyses of each border's evolution" ("Borderlands" 327). [8]

Rather than accepting the role of the Canada-US border as a latecomer to border studies, however, I want to move it to a place of centrality for theories of boundary-making, migration, and enforcement in the Americas that also pay attention to the US ascendance as an empire, notions of settler colonialism, and attendant processes of racialization. US border enforcement was closely linked to competing settler colonial projects in the nineteenth- and twentieth centuries (Chang 4), the United States' ascendance to empire status, and to the racialization of indigenous people as well as immigrants from Asia and Latin America. Such a comparative lens shifts beyond the singular focus on contemporary Mexico-US border developments or the view that they might serve as a model for the analysis of other national boundaries. At the same time, a comparative perspective also highlights how contemporary processes of border enforcement, exclusion, and racialization, which tend to be almost exclusively discussed with regards to the Mexico-US border, have affected Canada's southern boundary with the United States.



Histories of US Border Enforcement

Established in the process of US imperial expansion, both US land borders initially developed in a

parallel yet indirect relationship to one another in the larger context of competition among colonial

empires and their nation-state successors in the Americas. The US desire for the acquisition of

territories held by other colonial powers played a major part in the establishment and enforcement

of both boundaries. Today's Canada-US border was created in the 1713 Treaty of Utrecht between

France and Britain. The treaty settled differences among two competing colonial empires by

designating a boundary at 49 degrees north latitude. Other treaties between the United States and

Britain, such as the 1818 Convention of Commerce and the 1846 Oregon Treaty, further

established, at the same latitude, the northern boundary of the Louisiana Purchase and the Oregon

territory. [9] The United States' border with Mexico was created as a result of the 1848 Mexico-US

war, which compelled Mexico to give up half of its territory to the United States. While historians

have examined how each boundary was delineated over long stretches of time, comparative

histories of border-making still remain to be written. [10]

Of the two boundaries, the Canada-US border was the first to become enforced by military means

during the 1775-6 US War of Independence and the War of 1812-1814 between the United States

and Britain when a variety of forts and war vessels were employed to militarize the border. In a

bloodless transfer of power from Great Britain, Canada became a dominion in 1867. After the 1871

Treaty of Washington initiated an era of peace between the United States and Canada, the border

became demilitarized. Financing for forts was converted to support for the transcontinental railway

(Stacey 12).

When colonial empires and nation-states laid claim to native territories that had become

borderlands, this process also involved attempts to contain the sovereignty of indigenous peoples

and limit their rights to freely cross the newly established national borders. Conflicts arose in the

1860s and 1870s when settlement on both sides of the Canada-US boundary expanded and the

US government intensified its efforts to confine native people to the international boundaries of

reservations.

In 1864, Shakopee and Wakanozhan, two prominent leaders of the Mdewakanton Dakota bands

that sought sanctuary from US troops after the 1862 Minnesota River valley uprisings by crossing

the forty-ninth parallel, were forcibly taken back across the border in a secret plot hatched by a US

official. On the US side, the two men were tried and eventually hanged in 1865. British officials did

not formally protest this act of extraordinary rendition even though they had earlier refused to give

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into settler demands to allow the US military to cross the border in pursuit of the Dakotas. This lack of official protest indicated the imminent transformation of the former Hudson Bay Company territories north of the 49th parallel into a new settler domain that required the dispossession of indigenous people (Hogue 2010).

When members of the Sioux, Nez Perce, and Métis crossed the border to seek refuge from repressive nation-state policies in United States a decade later, after Canada had officially become a Dominion, they were also not welcomed there (LaDow 28). Most famously, Sitting Bull, the leader of the Hunkpapa Sioux, found only temporary refuge in Canada after defeating General Custer's forces at the battle of Little Bighorn in 1876. Insufficient support by the Canadian government which instead urged him to return to the United States as well as failed alliances with other borderland tribes eventually forced the Sioux back into the United States where Sitting Bull surrendered to the US government in 1881 (LaDow 31-32).

Aside from failing to provide sanctuary to indigenous people, the existence of the national border allowed the division of native people into "US" and "Canadian" tribes and thus enabled settlers and governments to articulate demands to place limitations on native cross-border mobility (Seltz 93-4). As early as the mid-1870s, settlers in British Columbia joined some in the state of Washington to voice concerns about the bordercrossings of indigenous people who supposedly brought diseases across the border. Settlers demanded that native people, particularly "northern tribes" who were deemed especially unhealthy, should be excluded from entry into the United States (Seltz 95). While these demands remained local and never appealed to either country's government for support, the projection of diseases onto the bodies of native people resembled later discourses about immigrants that lead to the institution of medical inspections at Ellis Island in the 1890s, Angel Island in 1907, and along the Mexico-US border in the 1920s (Seltz 95). The existence of the border also allowed the exclusion of tribes like the Cree and the border-straddling Métis, whose mixed identity precluded them from gaining treaty rights and their own reserve in Canada, from US territory and US reservations. Marked as "foreign," these groups became subject to penalties by the Department of Indian Affairs or removal by the US army (Hogue 2010, 73). In the 1870s, the US army evicted Métis and Crees from northern Montana, and by the 1880s, the Cree had largely left the US borderlands (Hogue 2004, 89, 101). In 1896, the US army deported several Crees who had petitioned for US citizenship (Hogue 2006, 155).

Along the Mexico-US border, efforts to control the cross-border mobility of native people and confine them to reservations intensified somewhat later than at the Canada-US border in the 1870s and 1880s. In the context of declining Mexican diplomatic and military power and expanding US markets, by the 1830s and 1840s Comanches, Kiowas, Navajos and several Apache bands had



shifted their raiding patterns to Mexico's northern borderlands. As Brian DeLay has argued, these attacks devastated northern Mexico's economy and depopulated the countryside, helping to clear the way for the defeat of the Mexican forces in the war with the United States. In the 1848 Treaty of Guadalupe Hidalgo that created the border, the US government agreed to police the newly established international boundary in order to prevent cross-border raids by tribes that now resided in US territory. After several skirmishes with US government forces, the Comanches and their Kiowa allies surrendered in the 1870s.

But the US army continued to engage in border conflicts with Geronimo and his band of Chiricahua Apaches well into the 1880s. The band attempted to escape confinement at San Carlos after another Apache reservation at Chiricahua was dissolved in 1875 because its proximity to the border was believed to enable raids into Mexico (St. John 55-57). As early as 1850, an Indian agent had articulated the notion that "no Indian tribe should be located nearer than one hundred miles of the line of Mexico" (gtd. in St. John 57). The dissolution of the Chiricahua reservation because of its location near the border anticipated contemporary political constructions of US land boundaries as extended border zones, zones of exceptionality, rather than as clearly demarcated lines between two countries. Just as native people were to be largely cleared from border zones in the nineteenth century, today each US land boundary is regarded as a security radius of 35 to 100 miles, where immigration checkpoints can function as the equivalent of the international boundary and where Fourth Amendment Rights necessitating probable cause for arrest can be suspended in order to enforce US immigration legislation. This practice follows the statutory interpretation of section 287 (a) (3) of the Immigration Act of 1952, which authorizes officers to search vehicles "within a reasonable distance from any external boundary of the United States," with "reasonable" being interpreted to mean 100 miles (Mirandé 380).

As they resisted confinement to a reservation located far from the border, Geronimo's band outmaneuvered both the US military and Mexican forces by using the existence of the national boundary to its advantage. Only an 1882 reciprocal crossing agreement between Mexico and the United States that allowed troops to pursue native people into the neighboring country put an end to this practice (St. John 55-59). As in the earlier case of Sitting Bull and the Canada-US border, by the 1880s the Mexico-US border space thus only ended up offering temporary sanctuary for Geronimo and his band. [11]

The 1882 agreement between Mexico and the United States that enabled the US military to cross the border in pursuit of native people did not, however, also serve as a model for cooperation between the two countries when it came to controlling Chinese cross-border migration. The 1882 Chinese Exclusion Act banned virtually all ethnically Chinese immigrants from entering the United



States, created the Chinese Division inside the Immigration Service, and implemented a requirement that Chinese immigrants needed to produce certificates of return, residency or identity to document their exception from exclusion. While many immigrants subsequently arrived at official US ports with fraudulent documents, others used national differences in immigration law between the US and neighboring countries to enter via US land borders (Lee 196-7). As both US borders became enforced in response to the exclusion of Chinese immigrants, the new policies first affected the Canada-US boundary.

Whereas the two borders had until this time developed in parallel ways in response to attempts to control indigenous mobility in the face of new settlement, westward expansion, and resource extraction, the crossings by immigrants from Asia began to link the two boundary geographies more explicitly with each other. Policy-making at the Canada-US border shaped later developments at Mexico's northern boundary. Because Canada's 1885 Chinese Immigration Act made entry into Canada more difficult but not illegal, Chinese immigrants began traveling to Canada and then traversed the unsupervised boundary into the United States. Between the 1880s and the early 1900s a few thousand Chinese entered the country every year via this border (Lee 153). [12] These increases in Chinese immigration were accompanied by growing numbers of Japanese who also began to travel to Canada after the passage of the 1907 US Executive Order that excluded those involved in secondary migration from Hawaii. The order made it impossible for Japanese citizens who did not have passports for the United States to come directly from Hawaii to the US mainland (Geiger 208). In response, Japanese immigrants went to Canada, many with the ultimate goal of crossing the border into the United States (Geiger 215). Immigrants from South Asia soon also used this route after Canada passed its 1908 Continuous Journey Order, which was designed to prevent the immigration of South Asians who had to change steam ships in either Hong Kong or Shanghai (Chang 158).

While the US and Canadian governments negotiated separate voluntary bans on the immigration of Japanese laborers in 1908, the two nations also began to coordinate their efforts to enforce US immigration law against Asian—and increasingly also European—immigrants. In the 1880s and 1890s, the Canada-US border became a popular route for Europeans wanting to avoid increasing restrictions at US ports of entry, especially the enforcement of the 1885 Foran Act, which barred all immigrants from entering the country if they were under contract or agreement to perform labor in the United States. A special congressional committee report in 1891 estimated that 50,000 Europeans were crossing the border in the second half of 1890, a number that equaled approximately 22 percent of all total immigrants admitted to the United States (Ramirez 41-42).



In 1894, Canada and the United States negotiated the so-called Canadian agreement, which made Canadian transportation companies responsible for returning immigrants who were excluded by US immigrant inspectors. These inspectors were stationed outside of US soil at Canadian seaports along the northern land border in order to enforce US law (Smith 129). In addition, between 1905 and 1910 the Canada-US border became further enforced by US customs agents and Canadian immigration officers. Chinese immigrants were treated most harshly. In 1910, the United States closed all northern land border ports to Chinese immigrants and routed them via Halifax to Boston, where they had to apply for admission to the United States (Smith 146). In 1920, the United States and Canada finally agreed upon a firm boundary line to be supervised by custom and immigration officials (McIlwraith 54). In 1923, Canada passed its own Chinese Exclusion law.

The gradual closure of the Canada-US border shifted undocumented immigration to the then largely unguarded border with Mexico, which in the early 1900s became the greatest trouble spot for Chinese undocumented movement (Lee 159). Because direct steamship travel between China and Mexico did not commence until 1902, Chinese immigrants first traveled to the United States, sailed to Mexico, and then crossed the border by themselves or with the help of local guides. Others came with fraudulent Mexican citizenship papers (Lee 161, Ryo 122). Estimates of Mexico-US border crossings range from several hundred Chinese each year to between 7,000 and 21,000 between 1910 and 1920 alone (Lee 158, Ryo 110). After the passage of the Gentlemen's Agreements in 1907, virtually all Japanese migration also moved to the Mexico-US border. Here immigrants invoked their transit privilege to Canada, but then left the trains in the United States. However, the 1908 implementation of Canada's Continuous Journey Order, which was designed to bar the immigration of South Asians who were seen as the most "inassimilable" group, eventually made it impossible for Japanese immigrants entering the Mexico-US border to continue invoking their transit privilege to Canada (Geiger 212).

After the US Congress passed the so-called Quota Acts in the 1920s, the number of Europeans who crossed US borders without the required visa far surpassed that of Chinese (and other Asian) immigrants. Estimates of unauthorized European entry across the Mexico-US border run from 40,000 to 175,000 a year (Hauser 45, Zolberg 266). [13] Because the business of smuggling Europeans supplanted the traffic in Chinese immigrants, the rise in European undocumented immigration shifted the focus of attention away from Chinese border crossers as the primary problem at the southern boundary (Garland 208). While Greek-, Italian- and Eastern European-assisted migration networks, in particular, facilitated the surreptitious entry of Europeans (Stern 65, Garland 208), smuggling rings that specialized in the transportation of co-ethnics also accepted other immigrants and collaborated with smugglers of various national and ethnic backgrounds. For example, although Jewish immigrants from various areas in Eastern Europe often used smugglers



who could speak their languages and were deemed more trustworthy, they also employed Mexican, Cuban, or Canadian guides, and found themselves in the company of Greek, Chinese, Irish, Italian, Syrian and other immigrants (Garland 208-210). Overstaying visitor visas was another path to unauthorized European immigration.

Even as Asian and European migration was increasing at the Mexico-US border, the Mexican government was initially reluctant to accommodate US requests for cooperation in the enforcement of US immigration laws. Mexico was more interested in attracting immigrants and did not want to violate international agreements with China or damage US economic investments in northern Mexico that, to an extent, also relied on Chinese labor. In the context of lacking binational cooperation, US immigration law became enforced by means of border policing. An independent Border Patrol was established as part of the second Quota Act of 1924, and the institution took over the duties of the former Customs Patrol and the Immigration Service officers in the Chinese division. The Border Patrol drew on US and Canadian law enforcement experiences of controlling Chinese and European immigration along the Canada-US boundary. The Border Patrol's original uniform was initially modeled after the Canadian Mounted Police, and their members were contacted to share their experiences in enforcing immigration legislation at the northern US boundary. Only three years after the creation of the Border Patrol, its operations were officially extended from the Mexico-US border to also cover Florida and the Canada-US border (Perkins 90-91).

More rigorously enforced immigration legislation, the interruption of transnational passenger service, and the onset of the Great Depression slowed immigration from Asia and Europe to a trickle in the late 1920s and 1930s. But throughout this time, a roughly equal number of Border Patrol agents remained stationed along both US land boundaries (Lytle Hernández 2006, 427). Their numbers increased during the war years and first fences were built. Rather than focus on undocumented immigration, however, these agents mostly enforced Prohibition at both US land borders (Nevins 29, Dunn 12).

Involved in its new nation-building project after the 1917 Revolution, Mexico's government also initiated a gradual alignment with US policies toward Chinese migrants. Because Chinese cross-border migration had already slowed, this alignment was not so much manifested in the exclusion of Chinese immigrants at the border or in the passage of a Chinese exclusion law, but in deportations, expulsion campaigns, and anti-Chinese violence in Mexico's northern borderlands as well as in the passage of anti-Chinese laws in several municipalities in the 1920s and 1930s. In addition, as Julian Lim has argued, while Mexico had been welcoming to African Americans, having banned slavery and allowing colonization schemes after Reconstruction, in the early 1920s



the federal Mexican government sent confidential circulars to border officials asking them to bar the admission of "members of the Negro race." This policy interpreted Article 33 of Mexico's new Constitution, which provided for the possibility of removing "inconvenient" foreigners, as allowing the wholesale denial of admission of all African Americans, whether they attempted to come on a permanent or temporary basis, as colonists, workers, students, or tourists.

Just as US experiences with the enforcement of the Canada-US border were applied to the southern border, nationality- and ethnicity-driven US immigration restrictions that were first instituted with regards to Chinese immigrants were expanded to Mexican nationals after the increase of immigration following upheavals in the context of the Mexican Revolution. Even though the 1920s Quota Acts that restricted immigration from eastern and southern Europe continued to exempt residents of Mexico and Canada, migrants from Mexico began to be selectively excluded from US entry between 1917 and 1930 by enforcing immigration laws that had been originally passed to control European movement (primarily the 1885 Foran Act and the 1917 Literacy Law) and by building quarantine stations at the Mexico-US border. Immigrants who wanted to avoid medical examinations and the enforcement of legislation began to cross along other parts of the border and thus set a precedent for the immanent rise in the numbers of unauthorized Mexican border crossings.

The surge in immigration from Mexico as a result of the Bracero Program instituted by the US government in 1943 further shifted Border Patrol attention away from the Canada-US boundary and toward the Mexico's northern border (Lytle Hernández 2006, 427). In 1943, more Border Patrol agents were stationed along the southern than at the northern US land border. Among all apprehended immigrants, the percentage of Mexican nationals increased from an average of 17 to 56 percent between 1924 and 1940 to a steady average of 90 percent between 1943 and 1954 (Lytle Hernández 2006, 429). At this time, US policy-making moved to an almost exclusive focus on Mexican unauthorized immigration along the Mexico-US border, which became viewed as the single most important transit point for illegal movement.

When the US state shifted its attention to controlling the migration of Mexican nationals across the Mexico-US border in the 1910s and especially the 1940s, Mexico began to coordinate its emigration-control efforts more closely with the United States and thus contributed to the further hardening of the border (Lytle Hernández 2010, 9-11). The Mexican government more explicitly cooperated with US border enforcement because it wanted to keep its citizens at home in order to participate in the industrialization of Mexico's agriculture. Starting in 1945, US Border Patrol agents even delivered unauthorized immigrants who resided in Mexico's interior into the custody of



Mexican officials, who would forcibly relocate them to points south of the border, particularly to areas experiencing labor shortages (Lytle Hernández 2006, 431-432).

Border Enforcement since the 1970s

A comparative history of the two borders highlights the simultaneity of efforts to control and limit bordercrossings by native people starting in the 1860s, and the hardening of the Canada-US border against Chinese and European immigrants in the 1880s which resulted in the "Canadianization" of the Mexico-US boundary well before the Canadian border became, in the words of Peter Andreas, "Mexicanized" in the contemporary period. Since the 1970s the temporality of enforcement at both borders has become reversed, with the Mexico-US border leading the way for changes at the northern border. The southern US border was first systematically re-enforced with a ten-foot-high chain-link fence in the 1970s in the context of an economic downturn and energy crises in the United States that shifted attention to issues of immigration (Dunn 38). Border enforcement accelerated throughout the 1990s and was further sped up under the 2005 Real ID Act, which suspended in their entirety 37 federal laws as well as several state, local, and tribal laws, including the Coastal Zone Management Act, the National Environmental Policy Act, the Endangered Species Act, the Migratory Bird Treaty Act, the Clean Water Act, the Clean Air Act, and the National Historic Preservation Act. [14] In contrast, the Canada-US border was only enforced after the events of September 11, 2001 led to an evaluation of both boundaries through the same counter-terrorism lens. The Canadian government has cooperated in the hardening of its border just as it supported the enforcement of nineteenthcentury US immigration law.

The twenty-first century has witnessed the further extension of contemporary US policies of enforcement, first directed at the Mexico-US border, toward the Canada-US boundary. The first US legislation to do so, the 2006 Secure Fence Act, called for the installation of *virtual* fencing along *both* U.S. boundaries. This surveillance equipment consists of networked cameras, sensors, radar, heat and motion detectors and communications gear technology (Caldwell 2007). Nine towers equipped with such technology that had been erected along the Arizona-Sonora border by 2007 served as the prototype for similar towers in Detroit and Buffalo that monitor water traffic along Lake St. Clair and the Niagara River (Cubbison 2009). In addition to virtual fencing, especially sensitive portions of the border, such as that between Derby, Vermont, and Stanstead, Québec, which traditionally shared a sewer system, emergency services, snowplowing duties, and the



border-straddling Haskell Free Library and Opera House, have since 2009 become enforced by five-foot steel gates. Remote-controlled, the gates prevents the crossing of civilian cars, but can be opened to emergency vehicles, border agents and snowplows. Worried about increases in illegal crossings and crime, in 2012 the Royal Canadian Mounted Police closed the last unguarded border station and fenced it off with a row of flower pots. This temporary solution is designed to win approval from Stanstead for a more permanent blockade similar to the other steel gates in town (Flagg 2012).

Passed in 2012, House Bill HR 1505 aims to expand the Real ID Act, which has exempted the Department of Homeland Security from abiding by environmental protections at the Mexico-US border to Canada's southern boundary. HR 1505 asks that Customs and Border Patrol be exempted from adhering to more than a dozen environmental laws on federal lands within 100 miles of both US land borders to order to construct roads, fences, operating bases, and surveillance equipment. This bill thus once again reinforces the notion of a 100-mile border zone where US law does not fully apply, this time with regards to environmental protections.

Decades of border militarization have already negatively affected Mexico-US boundary ecologies. The 2010 report of the Good Neighbor Environmental Board (GNEB), which has advised the US President and Congress on environmental and infrastructure practices, found that enforcement has led to increased flooding, soil erosion, the depopulation of migratory species, and damaged wilderness areas as well as cultural resources. In Arizona, border militarization has exacerbated seasonal flooding on both sides of the border; accelerated erosion in the Organ Pipe Cactus National Monument; destroyed Native American burials on Tohono O'odham ancestral lands; fragmented critical wildlife corridors of several species, and damaged the desert habitats of bird species. Enforcement threatens the cross-border movement of bighorn sheep, which is necessary to prevent the isolation of populations on the Arizona side. In New Mexico's Playa Valley, border walls block the movement of one of the last wild herds of bison, whose range straddles the Mexico-US border. In Texas, border structures in the Lower Rio Grande Valley National Wildlife Refuge have fragmented habitat critical for the survival of the endangered ocelots. Because so few are left in the United States, they must have access to mates in Mexico to avoid inbreeding, gene isolation, and eventual extinction. In California, 53 acres of rare coastal wildlife habitat were lost to fencing construction in the Border Field State Park; the Otay Mountain Wilderness in Southern California now contains roads and fences in areas that previously only boasted natural vegetation on steep mountain slopes.

In addition, the enforcement of the most popular crossing points near urban areas in California and Texas has transformed public lands, especially in Arizona, into main sites for the trafficking of



humans and drugs, and thus contributed to further ecological degradation (Reyes et. al. 2002). As along the Mexico-US border where the camera-mounted towers first appeared, plans to expand the use of surveillance towers and aircraft to the Canada-US boundary would disproportionately affect publically-held protected land west of the Rocky Mountains, including the North Cascades and Glacier national parks. These changes could disrupt migration routes for animals and harm cultural resources as well as viewsheds (Taylor 2006).

New border policing protocols as well as random highway stops and surprise checkpoints on buses and trains within the 100-mile Canada-US border perimeter have affected what Jane Helleiner calls the "ordinary transnationalism" of cross-border shopping, recreation, education, employment, cross-border kinship and friendship. Customs officials engage in more intense questioning and probing at the border that has resulted in making the other side appear more distant (Helleiner 95). Besides affecting immigrants and bordercrossers, the hardening of the two national boundaries has further undermined the bordercrossing rights of native people, especially those whose ancestral or reservation lands straddle the border, including the Iroquois Confederacy, the Blackfoot/Blackfeet, and the Tohono O'odham. [15] While their tribal enrollment cards sufficed for crossings in the past, tribal members are increasingly required to carry government-issued identification documents to be able to move freely within aboriginal territories. [16]

The Future of US Land Borders

Just as the confinement of indigenous people to US reservations and the limitation of their cross-border mobility were central to nineteenth-century processes of US boundary-making, the ongoing securitization of both US boundaries harshly affects native people and particularly border tribes. The recognition of interlinkages among indigenous inhabitants of both boundaries has shaped activist struggles. Tribes of the Mexico-US border have asked for treaty rights similar to those accorded to tribes at the Canada-US boundary. Once again, historical developments along the Canada-US border constitute an important historical antecedent. The Tohono O'odham of Arizona, whose borderstraddling reservation was forged in the Treaty of Guadalupe Hidalgo, have several times attempted to sponsor legislation to reaffirm their bordercrossing rights in the context of an increasingly militarized Mexico-US border. The original draft of a 1998 bill advocating that federal land of religious and cultural significance be restored to the nation suggested adding indigenous peoples on the southern border to those on the northern border who have the legal right to free passage under the 1794 Jay Treaty between the United States and Britain.



Even though it failed to become law because the US and Mexican governments opposed a provision asking that existing informal crossing points be respected, the Tohono O'odham bill (and other similar proposals) was supported by several border tribes that came together in the Indigenous Alliance Without Borders, whose annual regional summits have included the Tohono O'odham and other border tribes like the Kickapoo, the Cocopah, the Kumeyaay as well as the Gila River and Yavapai Apache and the Yaqui. The Alliance has also endorsed a Tohono O'odham proposal to grant US citizenship to native people in Mexico who are enrolled members of recognized US tribes (Taliman 12), addressing the fact that, differently from indigenous peoples in Canada, the tribal sovereignty of Indians in Mexico has not been honored since they have been considered citizens of Mexico.

Because of differences in the interpretation of the Jay Treaty, US tribes are probably most interested in the extension of rights inscribed in the law. US legislation has adhered more closely to the Treaty than Canadian law. In the United States, Jay Treaty provisions were incorporated into Section 289 of the 1952 Immigration and Naturalization Act that provide permanent residency to Canadian Indians. In contrast, in the last ten years Canadian courts have restricted Jay Treaty rights to the tribal land that particular indigenous people used to cross historically, asking that native people demonstrate a cultural or historical "nexus" to these areas.

However, indigenous people at both US land borders have been engaged in similar struggles for crossing rights. Members of the Blackfoot Confederacy who today live on reservations in Alberta and Montana have repeatedly called for the establishment of separate border crossings. Similarly, the Mohawk who are governed by the Council of Akwesasne just asked again for the introduction of a new border crossing system. After a standoff over the introduction of armed guards at the customs checkpoint on Cornwall Island shut down the international bridge between Cornwall and Massena in 2009, residents coming from the St Regis reservation in the United States are required to check in with Canada Customs and Immigration and then cross back over the bridge at penalty of having their car impounded and a fine of a thousand dollars levied ("Akwesasne" 2013). In addition, Mohawk representatives have condemned US authorities for entering Mohawk land in pursuit of immigrants and smugglers, despite an agreement that prohibits police from patrolling the river's shoreline and the many islands that lie within tribal territory (Gibbins 160, Luna Firebaugh 345).

Very similarly to the tightening of crossings on the Mohawk reserve, informal gates and holes that the transnational Tohono O'odham have used to access health services, visit friends and relatives, and attend religious ceremonies are now viewed as a violation of US federal law (Taliman 12). The Border Patrol often stops and searches tribal members and in some cases returns them to Mexico



(Luna-Firebaugh 347). Since the hardening of border crossing points in Texas and California, the transnational territory of the Tohono O'odham has become a major gateway for people and drugs. The Tohono O'odham have had to take on a large portion of the border enforcement cost, having to pay for law enforcement and health care for undocumented immigrants crossing the inhospitable desert landscape of the Mexico-US border. The building of roads on tribal land has also led to environmental degradation, and a traffic checkpoint on tribal land has been installed in the absence of consultations with the nation (Luna-Firebaugh 349).

Given the sovereignty of each indigenous nation, they have tended to proceed independently in their attempts at resolving the bordercrossing issues that have arisen as a result of militarization (Luna-Firebaugh 362). But because of similarities in their exposure to enforcement along both US borders, native people have also tried to establish joint initiatives. Even though this collaboration has been somewhat limited, its transnational nature promises success. Native people in Canada and the United States have come together to pass the 1999 "Declaration of Kinship and Cooperation among the Indigenous Peoples and Nations of North America," that identified the maintenance of border crossing rights and the full recognition of indigenous cultures as concerns common. [17] In the 2006 Border Summit of the Americas, native people assembled to protest the Secure Fence Act, arguing that further enforcement would divide the ancestral lands of many indigenous tribes at the Mexico-US border.

In order to justify continued border enforcement, US policymaking has recently shifted beyond the almost exclusive attention to terrorism and toward a renewed emphasis on undocumented migration and other cross-border activity, such as drugs and weapons smuggling. This shift can only be adequately understood—and its future adequately evaluated—through an attention to the long and interrelated histories of the two US land borders and their relationship to settler colonialism, imperialism, and processes of racialization. Currently, recognition of these interrelationships can perhaps gain the most political traction in indigenous struggles for bordercrossing rights that are grounded in laws governing the treatment of native people at the Canada-US border. But other initiatives against border enforcement also need to take into account developments at both boundaries and their relationship to border populations as well as border ecologies and wildlife rather than remain focused on discourses of terrorism, drug smuggling, and undocumented immigration along the Mexico-US border.



Endnotes

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- [1] For a more comprehensive historical account of inter-American scholarship since the 1940s, see Sophia McClennen (2005).
- [2] Gustavo Pérez-Firmat (1990), Earl Fitz (1991), José David Saldívar (1991), and Hortense Spillers (1991) produced influential examples of mid-1980s and early 1990s inter-American research. Only Fitz included texts from the United States, Spanish America, Brazil, and English and French Canada, and Spiller's collection included an attention on Spanish America, the Caribbean, and Québécois Canada.
- [3] The trans-Pacific foregrounds links between Asian America and various Asian countries. Paul Gilroy's (1993) notion of the Black Atlantic forged a trans-Atlantic focus on the legacies of the slave trade. Joseph Roach's(1996) scholarship on the Circum-Atlantic stresses links between New Orleans, the Antilles, West Africa, and London, and is one of the founding works of New World studies. The term New World Studies is often simply used as a synonym for inter-American studies.
- [4] For a more in-detail analysis of hemispheric, (inter-) American studies perspectives, see Claudia Sadowski-Smith and Claire F. Fox (2004). For examples of recent hemispheric scholarship, see Anna Brickhouse (2004), Kirsten Silva Gruez (2002), and José David Saldívar (2007). An exception of hemispheric work that includes Canada in literary studies is Rachel Adams' work (2009).
- [5] On the importance of scholarship about the Mexico-US border for transnational perspectives in American Studies, see Amy Kaplan and Donald Pease (1993), Carolyn Porter (1994), Priscilla Wald (1998)), Paul Jay (1998), and John Carlos Rowe (2000).
- [6] As early as the nineteenth century, scholars in physical and human geography examined boundaries created in the aftermaths of war, conflict, or imperial territorial expansion, particularly post-war state borders in Europe and the delineation of colonial possessions in Africa and Asia (Kolossov 608).
- [7] While the attention to the Mexico-US border in the US academy has led to the formation of institutes and centers that focus on this geography, such as the Trans-Border Institute at the University of San Diego or the Center for Inter-American and *Border Studies* at the University of Texas at El Paso, there are fewer institutions that similarly study a single national border territory and its population. They include the Centre for Cross-Border Studies in Armagh and Dublin, the Border Policy Research Institute at Western Washington University that explores the Canada-US border, and the Barents Institute at the University of Tromsø, Norway, that examines the Russia-Norway boundary. Other institutions, like the Nijmegen Centre for Border Research, Netherlands, or the Department of Border Region Studies at the University of Southern Denmark, focus on the study of national boundaries worldwide.
- [8] See also the immensely influential comparative collection of historical essays on the Mexico-US and Canada-US borders, *Bridging National Borders in North America* (Ed. Andrew R. Graybill and Benjamin H. Johnson, 2010), from which I often draw in this article.
- [9] The Anglo-Russian Convention of 1825, between Russia and Britain, also defined the Pacific-Arctic boundary.
- [10] For recent account of the delineation of the Canada-US border, see Sheila McManus (2005) and Tony Rees (2007). On the delineation of the Mexico-US border, see Rachel St. John (2011).
- [11] However, even after the confinement of most Apaches to reservations located at a distance from the border, cross-border raiding continued. In the late 1880s a number of Tohono O'odham raided Mexican settlements for livestock and fled back across the border into Arizona. In 1896, a group of Yaqui attacked a customs house at Nogales, Sonora and then fled from Mexican troops into the United States (St. Johns 62).
- [12] Lawrence Douglas Taylor Hansen estimates, however, that no more than 300 Chinese per year crossed the Canada-US border (48).



[13] Figures provided by the US consul general in Havana in 1932 suggest that approximately 31,200 Europeans may have entered the United States from Cuba alone; they would have most likely crossed via US borders (Garland 204).

[14] In 2007, Secretary Chertoff again waived several regulations, including the Endangered Species Act and a host of other federal laws, to allow for construction of border fencing through Arizona's San Pedro Riparian National Monument and the Barry M. Goldwater Range, home to the endangered Sonoran Pronghorn. Fencing was also erected in the Organ Pipe Cactus National Monument and in the Cabeza Prieta National Monument, which house rare birds such as the Cactus Ferruginous Pygmy Owl and the Thick-billed Parrot. In 2008 the administration evoked the Real ID Act one more time to allow the construction of another approximately 500 miles of border fence.

[15] Other tribes that share a border with Canada include the Red Lake Band of Chippewa, the Aroostook Band of Micmac, and the Houlton Band Maliseet.

[16] Indigenous people wanting to cross the Canada-US border are now asked to apply for the new Secure Certificate of Indian Status (SCIS) that is compliant with the Western Hemisphere Travel Initiative (WHTI) process. On the Mexico-US border, US authorities have issued members of the Tohono OʻOdham who are citizens or residents of Mexico and who have been identified as requiring medical attention in the Nation's Health Center so-called "laser" visas or B1/B2 Border Crossing Cards.

[17] The declaration states that indigenous peoples in the Americas are "bound by common origin and history, aspiration and experience" and that "arbitrary lines [between Canada and the United States] have not severed, and n and never will, the ties of kinship among our peoples."



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