

Sovereignty Discourse and Contemporary Immigration Politics

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Developing literature on late twentieth century U.S. immigration rhetoric has failed to attend adequately to the character of sovereignty claims in contemporary immigration politics. This essay demonstrates the centrality of sovereignty discourse by examining texts created by the state, specifically public affairs videos produced and distributed by a regional Media Services Office of the Immigration and Naturalization Service (INS) between 1992 and 2000. The author argues that border imagery featured in INS media functions metonymically as both a symbol and an index of U.S. sovereignty.

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At the 2004 Annual Conference for the National Council of La Raza (NCLR), a special mass was held in remembrance of Hispanic migrants who died in the last decade while attempting to cross the U.S.–Mexico border. The media advisory announcing the event attributed the over 2,600 border crossing-related deaths since 1994 to enforcement strategies initiated during Operation Blockade, a 1993 Border Patrol initiative that sought to control illegal immigration by closing off traditional ports of entry and “forcing migrants into more dangerous crossing areas.”¹ Although various faith-based organizations have long argued that punitive immigration policies such as Operation Blockade and California’s Proposition 187 constitute “a great wound to humanity,” elected officials and mainstream advocacy groups seldom publicly oppose such policies on the grounds that they treat undocumented immigrants unjustly.² In an exhaustive study of the 1994 debates over California’s Proposition 187, Linda Bosniak found that the reluctance “to argue affirmatively on behalf of undocumented immigrants (at least on behalf of undocumented adults)” results from:

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the near-sacred commitment in conventional political discourse to one of the cardinal norms of the system of state sovereignty—that countries have the rightful authority to control both the entry of foreigners into the national territory and (within certain limits) the terms of their membership once present.³

Indeed, sovereignty arguments not only justified the initial implementation of the border control measures protested by NCLR but also continue to form the basis for defending the enforcement initiatives today.⁴

Despite the presumptive authority of sovereignty appeals in immigration debates, developing literature on late twentieth century U.S. immigration rhetoric has failed to attend adequately to the character of sovereignty claims in contemporary immigration politics. This oversight likely stems from a critical emphasis on the news frames used to shape public opinions of undocumented immigrants. “Centering our analysis on the immigrant,” Robert Chang and Keith Aoki note, “tells us much about the political economies of race and nativistic racism, which operate to construct immigrant, racial, and national identities.”⁵ Scholarship that adopts this approach has well established not only the dominant modes of demonizing undocumented immigrants but also how dominant and vernacular media accounts undermine affirmative arguments. Leo Chavez’s 2001 book, *Covering Immigration*, which compares the language and images used to symbolize immigration on popular U.S. magazine covers from 1965 to 1999, overviews the lexicon of imagery used to demonize undocumented immigrants in media coverage of Mexican immigration since the mid-1970s.⁶ Print news coverage of the national and regional debates over California’s Proposition 187 has also received extended scholarly attention with studies by Kent Ono and John Sloop, Marouf Hasian and Fernando Delgado, as well as Otto Santa Ana.⁷ As a whole, these studies place particular emphasis on the role of economic arguments within the controversy by addressing how the news constructs undocumented immigrants as a drain on the state. Discourses of criminality, immorality, and disease, which form secondary themes in the literature, further animate economic arguments by scapegoating undocumented immigrants as sites of contagion, prone to criminal behavior.⁸ With few exceptions, the critical consensus has identified the image of a poor and unkempt young Mexican male worker as the icon of immigration news coverage from the 1970s forward.

While scholarship on contemporary U.S. immigration discourse has focused on the immigrant, the nation state also represents a pivotal object of inquiry. The most common modes of representing the nation-state cited in this literature include nationalist symbols such as the U.S. flag and border imagery. Constitutionality arguments, norms of citizenship, and law enforcement themes also form recurrent *topoi* in media debates over immigration and the changing status of the nation-state.⁹ The purpose of this essay is to show that such visual and verbal resources work collectively not only to advance particular immigration policies, such as Proposition 187, but also to reaffirm the erosion of U.S. sovereignty as the defining warrant of immigration restriction and border enforcement arguments. Thus, this essay serves as a counterpoint to the extant literature on contemporary immigration politics by

centering the analysis on the nation-state in general and sovereignty tropes in particular.

Changes in U.S. immigration policy throughout the twentieth century have been tied to evolving definitions of sovereignty. In a study of congressional debates over immigration policy from 1890 to 1990, political scientist Cheryl Shanks shows that immigration policy served as the primary means for renegotiating and reasserting sovereignty. Debates over the Quota Acts, for example, cast sovereignty in absolute terms that not only portrayed exclusion as the *sine qua non* of American authority, but also framed passports as an infringement of U.S. sovereignty and immigration as a threat to democratic institutions. In contrast, Cold War-era debates over what would become the Immigration Reform Act of 1965 established a more expansive conception of sovereignty that framed global interdependence as a source of American authority rather than a threat to national autonomy. Despite the prevalence in contemporary illegal immigration debates of direct references to state sovereignty as well as indirect sovereignty arguments (such as the right to territorial autonomy), sovereignty themes remain a minor point of focus within scholarship on immigration rhetoric.

In contrast to the overwhelming emphasis placed on news depictions of undocumented workers, this essay demonstrates the centrality of sovereignty discourse to contemporary immigration politics by examining texts created by the state. Between 1992 and 2000, the Media Services Office of the Western Region Office of the Immigration and Naturalization Service (INS) produced eight widely distributed videos to promote border enforcement funding and specific INS initiatives such as Operation Hold the Line (El Paso, TX) and Operation Gatekeeper (San Diego, CA).¹⁰ The public affairs videos examined herein range in airtime from thirteen minutes to over an hour and were distributed to Congress, the press, and borderland communities. According to Ron Rogers, the press officer responsible for media production, public affairs videos are produced upon the request of regional enforcement managers or special investigation units that require evidence to support funding increases.¹¹ The effectiveness of material produced by the INS Media Service Office is evaluated by Congressional support. Although Rogers cannot directly attribute the 261% increase in the INS budget between 1990 and 2000 to material produced by his office, political scientist Peter Andreas contends that “the border campaign has brought with it unprecedented organizational growth and political commitment to a long-neglected and much-maligned agency.”¹² In addition to such funding increases, excerpts from INS videos, which recirculated in Pete Wilson’s 1996 presidential campaign ads and on a 1996 CNN special, further underscore the videos’ authoritative value.

In this essay, I argue that the border imagery featured in INS media functions metonymically as both a symbol and index of U.S. sovereignty. Scenes of border neglect and lawlessness, as well as deterrence and the rule of law, provide the public with visual referents for abstract elements of sovereignty such as territorial autonomy. Such imagery, I conclude, contributes to U.S. national identity by normalizing a particular form of boundary-making as instrumental to contemporary statecraft.

In what follows, I provide a rationale for analyzing contemporary border control debates through the lens of sovereignty discourse by briefly addressing the relationship between border integrity and concerns over state sovereignty. After establishing the longstanding priority given to border enforcement on the U.S.–Mexico border, I examine the visual politics of contemporary border policy by comparing the imagetexts typically employed by the INS and show how such imagery delimits public conceptions of sovereignty and the rule of law.¹³

Sovereignty Discourse

Much like the constructivist shift in nation studies inaugurated by Ernest Gellner, Eric Hobsbawm, and Benedict Anderson, recent scholarship on the social construction of sovereignty encourages critics to conceptualize sovereignty as the effect of particular discursive and cultural practices.¹⁴ As political scientist Roxanne Doty argues, “Thinking of sovereignty as an effect, a contingent political effect broadens our understanding of sovereignty and the situations that can be considered threats to a state’s sovereignty.”¹⁵ Such a shift recasts sovereignty from an “ontological problem” to a site of inquiry in which a primary task is “determining what issues, uncertainties, and transformations elicit discursive practices that attempt to fix meanings and social/political identities.”¹⁶ By examining how discursive practices produce a normative conception of sovereignty, constructivist accounts reveal not only the contingent identities constituted through sovereignty appeals but also the constructedness of other, seemingly fixed, components of sovereignty.

Reconceptions of sovereignty as a social construct and type of discourse draw from realist accounts of sovereignty and discourse theory. Up to a point, constructivist and realist studies of sovereignty share certain underlying principles. Consensus on the role of territory, population, authority, and recognition as key components of sovereignty wanes, however, with constructivist calls to consider how such components are constructed individually and collectively within specific historical contexts. Consensus on the notion that sovereignty requires stabilized boundaries dissolves when the boundaries in question are not territorial but discursive borders constructed to delimit who does and does not belong. Whereas realists examine the causal effect that assertions of internal supremacy (i.e. affirmations of legitimacy, self-government, and supreme authority) and displays of external independence (i.e. enactments of territorial autonomy) have on sovereign recognition (international and domestic), constructivists examine the constitutive relationship between sovereign recognition, assertions of internal supremacy, and displays of external independence.¹⁷ In order better to attend to this constitutive relationship, political scientists Joseph Camilleri and Jim Falk argue that constructivist analyses should also encompass “sovereignty discourse.” According to Camilleri and Falk, references to “sovereignty and the framework of ideas which surround it” provide the means “by which mainstream discussions of many of the most contentious issues in the world are advanced, arbitrated and resolved.”¹⁸ The force of sovereignty discourse, the authors conclude, results from the way it not only “obscures as much as it

illuminates” but also “mobilizes rules, codes and procedures (but also loyalties) which privilege (and in a sense legitimize) a particular understanding of reality.”¹⁹ Sovereignty discourse thus shapes assertions of internal supremacy as well as displays of external independence. This essay focuses on a particular form of sovereignty discourse: the border control imagery used to dramatize the exigencies of external independence (territorial autonomy) along the U.S.–Mexico border.

Sovereignty discourse always has been, in some way, defined by nation-state management of power and space. According to Camilleri and Falk, “The first and perhaps most obvious function of the sovereign state, first in its absolutist and later in its national form, was the organization of space.”²⁰ There is no more visible manifestation of this geographic expression of power than the national border. Attempts to “establish external borders as secure symbols of nation-states,” sociologist Víctor Zúñiga argues, date back to the eighteenth century.²¹ Borders function as an index of sovereignty because their very presence (real or imagined) symbolizes claims of authority over a territorial entity. Contemporary border control imagery thus functions as a form of sovereignty discourse because it seeks to recast the transnational economic and social conditions of contemporary border life as an erosion of national autonomy.

The notion of “border integrity,” an essential component of territorial autonomy, further illuminates two norms of sovereignty: the power to enforce laws and admit/exclude peoples. According to Camilleri and Falk:

[T]he legal sovereignty of the state, whether it is enshrined in a written or unwritten constitution, rests on the enforceability of the law, either directly by the exercise of supreme coercive power, or indirectly by the threat to exercise such power.²²

Enforceability is superseded only by the commensurate power to define the national citizenry through laws. Political theorist Joseph Carens affirms that “the power to admit or exclude aliens is inherent in sovereignty and essential for any political community.”²³ Contemporary challenges to these sovereignty norms include the U.S. market for cheap labor and an erratic Latin American economy, both of which foster widespread illegal immigration. As a result, there is no more instructive site for studying contemporary expressions of sovereignty than the U.S.–Mexico border.

The Southwest Border in U.S. Immigration Enforcement History

Border enforcement played only a minimal role in the early history of U.S. immigration policy. Until an 1875 Supreme Court ruling that affirmed the regulation of immigration as a federal responsibility, immigration control was considered a state matter. Although early federal immigration policies such as the Chinese Exclusion Act of 1882 regulated immigration by excluding immigration groups from citizenship, border enforcement was limited to a “token force of mounted inspectors” until Congress established the U.S. Border Patrol in 1924.²⁴ Support for formalizing a federal enforcement presence on U.S. borders increased after the Immigration Act of 1917, which required immigrants to pass a literacy test and pay a head tax of eight

dollars. Prior to its passage, Mexican and Canadian nationals could traverse U.S. borders without restrictions. In the period between 1924 and 1934, when Texas repealed its state dry law, the Border Patrol focused its efforts on liquor smuggling along the U.S.–Mexico border rather than illegal immigration. During World War II, the Border Patrol manned alien detention camps in addition to patrolling U.S. borders; however, the labor shortage caused by the war prompted a number of binational agreements that provided for the importation of Mexican nationals. While the Bracero programs instituted by these agreements allowed for the legal importation of Mexican nationals, illegal immigration along the U.S.–Mexico border increased dramatically between 1942 and 1950. As a result, the Border Patrol reassigned northern agents to the Mexican border in 1954 and, four years later, launched Operation Wetback, which was responsible for the forced deportations of over 100,000 Mexicans living in the U.S.²⁵ The sharp decline in the apprehensions of undocumented immigrants during the late 1950s as well as the 1964 termination of the Bracero Program led to what historian Timothy Dunn characterizes as a less “aggressive enforcement posture toward undocumented immigration.”²⁶ According to Dunn, the Border Patrol not only “adopted a much lower profile” but also “entered a period of waning influence within the U.S. governing apparatus until the mid-1970s.”²⁷

An initial buildup of border enforcement infrastructure late in the Carter administration led to an unprecedented expansion of the INS during the 1980s. The agency’s growth was limited, however, to southwest border enforcement efforts. During the Reagan administration, congressional funding for the Border Patrol increased 149% and the number of Border Patrol staff positions funded by Congress rose 90%, from 2,915 staff positions in 1980 to 5,530 in 1988.²⁸ Of all congressionally authorized Border Patrol positions in 1988, approximately 85% were assigned to sectors along the U.S.–Mexico border. In addition to these dramatic budget and staffing increases, the establishment of the Southwest Border Drug Task Force in 1986 further broadened the Border Patrol’s scope of legal jurisdiction to include drug enforcement. The buildup of enforcement resources along the U.S.–Mexico border during the 1980s further accelerated under the Clinton administration.

The enforcement strategy that became the centerpiece of border control policy under the Clinton and Bush administrations, as well as the focus of the public affairs videos produced by INS during the 1990s, was first initiated in 1993.²⁹ Under the direction of newly appointed Sector Chief Silvestre Reyes, the El Paso Border Patrol launched Operation Blockade (later renamed Operation Hold the Line), a high-visibility operation that deployed more than 400 agents along the central 20-mile segment of the U.S.–Mexican border on an around-the-clock basis. In contrast to the apprehension-based approach of the 1980s, Operation Blockade sought to control illegal immigration through strategies of deterrence. The logic underlying the deterrence strategy presumes that an infusion of “enforcement resources” such as Border Patrol agents, fencing, lighting, and surveillance technology (from infrared scopes to personal identification databases) will make illegal entry appear “futile” to would-be migrants. Characterizing the paradigm shift from apprehension to

deterrence in stark terms, Reyes avowed, “We’re not concerned with catching 1,000 or 10,000 aliens a day, we are concerned with discouraging them.”³⁰ Political and press response to Operation Blockade was immediate and enthusiastic. Since the deterrence strategy was first introduced in El Paso, border sectors in California, Arizona, and Texas have launched initiatives modeled after Operation Hold the Line.

Although the U.S.–Canadian border is over two times the size of the U.S.–Mexican border, extending nearly 4,000 miles from the Pacific to the Atlantic Ocean, northern border enforcement only emerged as an enforcement priority after the 2001 attacks on the Pentagon and World Trade Center. The principal that “a decisive level of resources” should be allocated to “areas of greatest illegal activity” guided border enforcement policy throughout the 1990s. As a result, priority was given to the San Diego and El Paso corridors, then the South Texas and Tucson corridors, and—only in the long term—to the northern border and coastlines. In 1995, for example, only 330 Border Patrol agents were permanently assigned to the northern border whereas the southwest border had 4,300 agents on full-time duty.³¹ Such disparities were justified on the basis that the average arrest rate of “aliens” along the Canadian border accounted for only 1% (12,000) of the 1.5 million apprehensions reported annually.³² In a statement on immigration enforcement along the northern border in 1999, Michael Pearson, the Executive Associate Commissioner for Field Operations at INS, reaffirmed that “our greatest need for enforcement is along the southwest border.”³³ Following the 9/11 attacks, however, the U.S.–Canadian border became a flashpoint for the war on terrorism. Within weeks of the attack, 100 agents were temporarily deployed to the northern border and anti-terrorism legislation passed in October 2001 tripled the number of agents that would be permanently deployed along the U.S.–Canadian border. Despite these initial correctives, findings published in a February 2002 Justice Department report concluded that “the northern border has received minimal Border Patrol agent enhancements” and “many stations still cannot operate 24 hours a day, 7 days a week.”³⁴ As of August 2004, the disparity in agents deployed to borders in the north (1,010) and southwest (9,900) has diminished; however, southwest border enforcement remains the top priority for U.S. Customs and Border Protection, the division of the U.S. Department of Homeland Security responsible for protecting U.S. borders.

Visual Statecraft: Representing Sovereignty

A practical entailment of the visual turn in rhetorical studies has been the necessary outgrowth from questions of form and function to what W. J. T. Mitchell describes as a “question of vitality.”³⁵ Instead of analyzing images in relation to their complex visual elements, genre, or meaning, Mitchell argues that, “With an image, we ask: Does X [the image] go anywhere? Does it flourish, reproduce itself, thrive and circulate?” Instead of evaluating images on the basis of their representational qualities, Mitchell suggests evaluating how images “change the way we think and see and dream. They re-function our memories and imaginations, bringing new criteria and new desires into the world.”³⁶ The analysis and evaluation of images thus requires

that critics consider how, through the circulation of images, ways of seeing are modified, normalized, and (eventually) eclipsed.

Traditional methods of analyzing discrete visual texts cannot adequately account for the recalcitrant images and sites featured in INS videos, particularly border architecture and surveillance imagery. Unlike an analysis of a visual text that draws attention to formal qualities (line, light, proportion, and scale), the INS imagetexts require attention to their role in the visual negotiation and reproduction of state power. The question that therefore motivates my analysis is not “What do we see?” but “What do the images want?”³⁷ Specifically, what vision of the state do INS images authorize, warrant, and legitimate?

The deployment and promotion of the deterrence strategy hinged on a new way of seeing the border. At the most basic level, INS accomplished this revision by contrasting images of the border both before and after the deterrence strategy was initiated. Scenes of unchecked illegal immigration, which blend mob and invasion imagery, portray the border (pre-Operation Hold the Line) as a site of neglect. Common nativist motifs, such as the association of crime and social chaos with immigration (depicted through images of crime and protest), create a view of the border as a site of lawlessness. The high-visibility tactics of Operations Blockade, Gatekeeper, and Safeguard, by contrast, produce persuasive counter-images to scenes of neglect and lawlessness. Drawing on surveillance imagery (human barricades and mile-long fencing), INS and Border Patrol rhetoric recast the border by fashioning a compelling image of effective deterrence. Symbols of community support, such as a green ribbon campaign and even barrio graffiti, signify a border placed under the rule of law. Such images not only constitute a defining representational vocabulary in the battle over the border but also dramatize claims of territorial sovereignty in the borderless context of a post-NAFTA economy and transnational migration patterns.

An Iconography of Sovereign Peril

Although the “look of deterrence” may have constituted the ultimate symbol of sovereignty, the geographic expression of sovereignty was secured through an iconography of sovereign peril. Enforcement failures by previous administrations served as the central motif in preliminary statements on the deterrence strategy. The overarching theme, “a history of neglect,” was featured in INS press briefings, websites, progress reports, as well as public affairs videos. The scope of neglect marred most, if not all, facets of border control including infrastructure, technology, staffing, and strategy. Despite recurrent references to undocumented immigrants, the primary scapegoat of preliminary INS statements was the federal government. The introductory paragraph of a 1997 progress report, *Operation Gatekeeper: 3 Years of Results*, encapsulates the portrait of neglect depicted by INS and Clinton administration officials:

The Federal Government is responsible for securing our nation’s borders. For too long, however, the Government stood by as illegal immigration swelled. There was

an understaffed and overwhelmed corp. of agents and port inspectors; inadequate infrastructure and equipment; and no coherent strategy to control immigration into San Diego. The porous, often violent border more closely resembled a crowded market than an international boundary.³⁸

According to this view, a “secure” border is well-resourced with sufficient infrastructure; and the nation’s illegal immigration problems (as the verb-tense construction suggests) are an inherited problem. During a 1995 press briefing, Janet Reno reinforced the legacy of neglect by spending nearly a third of her statement to the press outlining the range of illegal immigration enforcement problems she inherited as Attorney General. The portrait of neglect rendered by recurrent references to “backlog,” “inadequate resources,” and “masses of immigrants” not only provided the backdrop for justifying the massive infusion of resources but also minimized the role of work-site enforcement initiatives as a way to control/manage illegal immigration.

In the face of inadequate resources, border enforcement is cast as an “exercise in frustration.”³⁹ The climate of federal debility, cast as an effect of the “human tidal wave,” dramatizes the erosive effect of illegal immigration on U.S. sovereignty. From this perspective, the lack of federal support in the form of both resources and a coherent strategy for border enforcement is constituted as the source of agent ambivalence. An agent interviewed in *Border Under Siege*, for example, underscores the futility of the border control efforts (pre-Hold the Line) when noting:

It seems like it has really demoralized me. It makes you not even want to arrest anybody for that kind of stuff, because you are not getting anything out of it. He’s going and walking down the street before I am even done with the case.⁴⁰

Thus, the threat posed by a lack of federal support lies at the foundation of U.S. sovereignty: the capacity to enforce laws. That is, if those sworn to uphold the nation’s immigration laws consider their task an “impossible mandate,” then territorial autonomy becomes a casualty of global flows. The erosion of sovereignty norms dramatized in INS rhetoric is not limited to enforcement practices but includes a more generalized construction of disorder and lawlessness.

The portrait of neglect and federal irresponsibility depicted in INS videos is rendered even more troubling by metaphors of natural destruction used to signify immigrants.⁴¹ Verbal references to “freeways teeming with illegals,” the “onslaught of aliens,” and “large and unruly groups” that “charge,” “surge,” and “swell” over the border recur in INS discourse. In his study of colonial tropes in travel writing, David Spurr notes the prevalence with which third world peoples are “reduced and magnified into the equivalent of natural disaster: influx, epidemic, inundation, the flooding of borders.”⁴² During the 1996 INS video, *Challenge on the Border*, such destruction metaphors are visually expressed through shots of a polluted riverbank in the McAllen Sector—a secondary illegal entry corridor in East Texas. By depicting the border as a dumping ground, the video not only magnifies the scale of illegal immigration in the sector but also creates an implied visual association between undocumented immigrants and waste. In addition, the ecological damage dramatized

by scenes of threadbare border paths worn down and polluted by “alien” traffic effectively offsets concerns over the ecological effects of the new border enforcement infrastructure.

Scenes of border crime and violence in INS videos also draw from the representational vocabularies of frontier lawlessness and U.S. nativism to cultivate the view of a nation imperiled. Associations between immigration, crime, and social chaos date back as far as the colonial period.⁴³ In a study of presidential immigration discourse from 1885 to 1990, Vanessa Bowles Beasley argues that constructions of immigrants as lawless and dangerous are enduring themes in presidential rhetoric.⁴⁴ For example, in his 1889 inaugural address Benjamin Harrison not only attributed the culture of lawlessness to lax naturalization laws but also warned of the threat posed by the shifting “character” of the U.S. citizenry.⁴⁵ Calvin Coolidge’s 1923 State of the Union Address reiterated Harrison’s admonition by warning of the dangers that unassimilated immigrants posed to the nation’s vitality.⁴⁶ Contemporary INS and Border Patrol images function as a natural extension of such rhetoric by portraying undocumented immigrants only in relation to criminal activity and a mob mentality. As a result, the forms of representation used to depict undocumented immigrants not only emphasize their unlawful entry into the U.S. but in many cases mark them as pathologically lawless. These associations proved to be instrumental to Border Patrol and INS justifications of the “blockade” style strategies that defined Operations Hold the Line and Gatekeeper.

The most explicit expressions of the relationship between ill-enforced borders and “soaring” crime rates invoke cause–effect logic.⁴⁷ In the 1993 video produced by the El Paso Border Patrol, *Operation Hold the Line: Changing the Face of the Border*, Sector Chief Reyes cites community complaints as the catalyst for Operation Hold the Line: “We were seeing a number of complaints coming in about transvestites, prostitutes, pickpockets—a lot of undesirable elements particularly in the downtown area.”⁴⁸ In fact, over one-third of the narrative text for *Changing the Face of the Border* deals with crime. References to “runaway crime”—ranging from “murder, rape, robbery and drugs” to “loitering”—and increased “congestion” dramatize the nation’s sovereign right to delimit the character and scope of the nation’s citizenry.⁴⁹ Such commentary also not only depicts the border as a site of unlawful entry but also introduces themes of individual lawlessness and social pathology. By framing undocumented immigrants as “undesirable” or “criminal,” the video ascribes the social ills of border life to a particular population rather than to the socioeconomic effects of a global market. That is, by representing the immigrant population as “transvestites,” “prostitutes,” “gang members,” “drug smugglers,” and “border bandits,” INS portraits offer a ready-scapegoat for social problems that plague many urban areas.⁵⁰ The equivalence between illegal entry and lawlessness breeds what border rights advocates Michael Huspek, Roberto Martinez, and Leticia Jimenez argue is “the criminalization of the immigrant population.”⁵¹ This construction of essential lawlessness underlies comments made by the Tuscan Sector border agent interviewed in *Border Under Siege*:

You get hundreds of people coming across illegally, you know, by the hour, okay, 90% of these people are either people looking for trouble, or shoplifters, whatever the case may be, they are either involved with some kind of narcotics smuggling or some type of crime and unfortunately this problem is growing and growing everyday.⁵²

The vision of the immigrant bandit and borderland “wild west,” is, however, more “myth than reality.”⁵³ According to a U.S. Commission on Immigration Reform report, “crime is lower on average in border areas than in other U.S. cities where the characteristics of urban populations are held constant.”⁵⁴ Yet by casting undocumented immigrants as an essentially lawless group, the rhetoric of Operations Hold the Line and Gatekeeper generate added license to defend the sovereignty and virtue of a national community through border control and admissions policies.

The 1996 video produced by the Border Patrol, *Challenge on the Border*, demonstrates how images of neglect and lawlessness work together to form a mosaic of sovereign peril. During the first minute of the film, twelve black-and-white scenes construct a visual argument for border fortification. Scenes one through five depict images of migrants fleeing apprehension; scenes six and seven show both a long shot and a close-up of migrants loitering; scenes eight and nine display inadequate and deteriorating border fences; and the final shots reinforce associations between violence, crime, and an ill-enforced border. As these images appear, the male voice-over states:

This was the scene along the southern border during the late 1980s and early 1990s. Fencing, where it existed, hung in tatters. Drug and alien smugglers plied their trade openly. Almost every night crime and violence took a tragic toll.⁵⁵

The arrangement of images moves from the problem (illegal immigrant influx) to blame (inadequate border fortification) and effects (border violence). This progression dramatizes the solution offered by scene fourteen, which depicts a long shot of an enforcement vehicle policing a border reinforced by steel barricades. During this scene, a male voice-over states, “Today’s landscape looks dramatically different,” suggesting that order can be restored to the border.⁵⁶ By implication, according to the larger symbolic meaning of these visual tropes, so too can sovereignty be restored to the nation.

The juxtaposition of fleeing migrants, dilapidated fencing, and influx imagery in *Challenge on the Border* provides a visual referent to claims about the porous U.S.–Mexico border. Scenes of migrants transgressing the border by land (desert terrain and urban highway) and water (swimming across the Rio Grande) establish the extent of the problem: the apprehension approach is not working on any level, in any terrain. The shots of fencing highlight federal culpability by equating fortification with territorial autonomy. The deteriorated fencing, and ease with which migrants transgress the border, underscores the irresponsibility of federal governments past. If border integrity is an index of sovereignty, then juxtaposing images of federal neglect and immigrant lawlessness in the rhetoric of Operations Hold the Line and Gatekeeper reveals a nation in crisis. Scenes of illegal entry and inadequate fencing

depict an unsecured and ill-enforced border that calls into question claims of territorial autonomy. Visions of border violence warn of what the nation can expect if the border remains unsecured.

Although these images document an erosion of state autonomy, they also function as a form of sovereignty discourse. First, by positioning the federal government as both the primary scapegoat and agent of change, a rhetoric of neglect reinforces the role of nation-states as “the principle actors, principle centers of power, and principle objects of interest.”⁵⁷ Language and camera angles position viewers to identify with national rather than migrant interests. Second, images of neglect and lawlessness dramatize the sovereign norm of enforceability. That is, the very absence of enforceability calls attention to a nation’s sovereign right both to determine and to regulate “the entrance of foreigners within its dominions.”⁵⁸ Finally, the equation between resources (staff, infrastructure, and equipment) and border integrity emphasized throughout contemporary immigration policy discourse naturalizes the need to mark the international boundary between the United States and Mexico with barriers and surveillance technology. For in the rhetoric of INS initiatives, territorial autonomy is defined not by the established commitments of international treaties but by the resources, technology, and infrastructure making the U.S.–Mexico border a visible (at some points impenetrable) line of division. As a result, the contemporary notion of sovereignty is reduced to the geographic expression of power.

Policy as Spectacle

The centerpiece of both the operational and symbolic reimaging of the border under Operations Hold the Line the Line and Gatekeeper is a “look of deterrence.” The tactical foundation for the deterrence approach originates from Border Patrol adaptations of the “Low-Intensity Conflict” (LIC) doctrine, which is a framework developed by the U.S. military-security establishment. In his exhaustive study of the militarization of the U.S.–Mexico border, Timothy Dunn traced the increased role of LIC equipment, operations, and strategy on the border. From surveillance activities enhanced by night-vision equipment and electronic intrusion sensors to the increased coordination and integration of distinct enforcement branches (police/Border Patrol/military), Dunn found that the “piecemeal” adoption of LIC doctrine between 1978 and 1992 resulted in a “de facto militarization of the U.S.–Mexico border.”⁵⁹ Although Dunn’s study offers only a brief discussion of Operations Hold the Line and Gatekeeper, the framework established by his analysis clearly situates the deterrence approach as a manifestation of LIC doctrine.⁶⁰ In fact, the planners who formulated the *Border Patrol Strategic Plan: 1994 and Beyond* included experts from the Department of Defense Center for Low Intensity Conflict as well as regional Sector Chief Agents and selected headquarters staff.⁶¹ According to Dunn, “The approach currently being pursued seems to involve a much expanded and more militarized Border Patrol, as well as the construction of more elaborate border barriers by the military.”⁶²

The “look of deterrence,” engineered by a structural and technological facelift of sorts, symbolizes sovereignty by producing order out of chaos. The militarized orderliness of INS and Border Patrol rhetoric and imagery (post-Hold the Line) normalizes the role of fencing, high-intensity lighting, surveillance technology, and terrain denial exercises (the blockade-style line-watch of Operation Hold the Line) as *the* solution to U.S. illegal immigration problems. If a principle goal of sovereignty is, as Camilleri and Falk argue, to “establish order and clarity in an otherwise turbulent and incoherent world” by distinguishing “order and anarchy, security and danger, identity and difference,” then the rhetoric and imagery of deterrence exemplifies a reassertion of sovereignty norms in the extreme.⁶³ When juxtaposed with images of neglect and lawlessness even the most militaristic strategies of deterrence, such as line-watches and landing-mat barricades, appear to be basic, almost benign, efforts. In addition to this contrast, however, the visual rhetoric of deterrence frames the U.S.–Mexico border in ways that equate border fortification with social order and sovereignty. The most iconic images of deterrence, those featured in INS and Border Patrol discourse as epitomizing the “new face of the border,” depict a multi-tiered perimeter. San Diego Sector Chief Guy De La Vina explains:

The plan was, if they enter into this particular area, they’re going to meet the fence, they’re going to meet the lights, they’re going to meet the first tier of officers. Should they be successful, they’ll go to the second tier and the third tier.⁶⁴

That the Border Patrol successfully executed this extensive structural and symbolic transformation of the border is confirmed by press accounts that re-envision the nation’s southwest entrance into America through the imagery of the deterrence: “The entrance to the land of the free is delineated by a corrugated metal fence, lit up much like football field and patrolled by an increased number of agents with more high-tech gear than ever.”⁶⁵ Although the deterrence look appears almost “a-rhetorical” in the context of its utility and functionality, images of deterrence create a form of visibility (a way of seeing) that normalizes particular organizations of power.

Fencing and surveillance technologies imaged by the deterrence strategy not only mark “in” from “out” but also distinguish order from chaos. Framing techniques feature these contrasts to make the border seem *a priori* natural and immutable. For example, long shots used throughout *Challenge on the Border* foreground the two nations’ distinct landscapes. In comparison to the urban sprawl that extends almost to the edge of the Mexican border, the U.S. side reveals an uncluttered, even unpopulated, landscape marked only by tiered fencing, unpaved roads and parked Border Patrol vehicles that dot the scene. Such images create an almost sterilized landscape that stands in stark comparison to pre-deterrence border scenes of loitering, unlawful entry, and violence. In addition, deterrence imagery further naturalizes the American/other distinction by imaging undocumented immigrants only in custody through surveillance photography or behind fencing. Such images are, as cultural studies scholar John Hartley would argue, “neither scientific data nor historical documents, but they are, literally, *forensic* evidence. . . . *things* that are

coaxed into *telling a story*.⁶⁶ The story enacted by such images signifies order (by dramatizing the results of controlled borders) and reinforces the association between undocumented immigrants and lawlessness established in neglect imagery. Most importantly, however, the imagery dehumanizes the undocumented. This tactic even seeps into Border Patrol vernacular, which identifies illegal immigrants by terms such as “traffic” or “hits.” According to one agent, such vocabulary “depersonalizes it.”⁶⁷

Even as the “look of deterrence” is defined by blockades and fencing, border imagery rarely constrains U.S. fields of vision. INS and Border Patrol images almost always depict the border in a way that allows viewers to see over the barriers and fencing. Scenes of a “secured border” visualize the shared landscape with only a slim division that recedes into the horizon. From this point of view, border fencing appears unobtrusive. The rare photographs and stills that do picture the border head-on (as an obstacle) are defined by an almost geometric symmetry and balance. These imaging techniques induce a way of seeing border fortifications as a reassertion of territorial autonomy that neither scars the landscape nor restrains U.S. freedom of movement. In other words, the border is visually transformed into a natural geo-political feature, which further informs contemporary U.S. notions of the rule of law.

Symmetries of the “Rule of Law”

Although some have proclaimed the “rule of law” as a now “meaningless phrase” in political theory, its power as a cultural “god-term” endures.⁶⁸ Within U.S. jurisprudence, the “rule of law” promises “predictability in social life by placing constitutional limits on the type of powers that governments may legitimately exercise, as well as on the extent of those governmental powers.”⁶⁹ In dramatic contrast, INS and Border Patrol rhetoric adopts what political theorist Russell Hardin would argue is a Hobbesian view of the principle. From this perspective, the “rule of law” signifies assent to the state as a “sanctioning power as better for each of us than disorder.”⁷⁰ Two key components both implied in this formulation and evident in INS rhetoric proved to be the most instrumental in legitimizing the deterrence strategy: the construction of social order and assent.

Within border control discourse, the “rule of law” functions as a highly charged synonym for social order. This equivalence structures both the expression of enforcement goals as well as text/image juxtapositions in INS films produced to promote the strategy. The primary objective for initiating Operation Gatekeeper in 1994, as outlined in the summary report *Operation Gatekeeper: 3 Years of Results*, was “to restore the rule of law and improve the quality of life in the San Diego border area.”⁷¹ From this perspective, the “rule of law” is defined in direct relation to the border fencing and surveillance technology that distinguished Operation Gatekeeper. The 1996 INS video, *Challenge on the Border*, makes this relationship between the “rule of law” and border buildup even more explicit. Images used as visual evidence of the “rule of law” further reinforce associations between social order and border enforcement through both form and subject matter. Scenes of agents on patrol

provide a literal translation of the “rule of law.” The visual symmetry that often typifies images paired with narrative references to the “rule of law” signifies social order by standing in dramatic relief to the chaotic disorder of the border under the apprehension approach. In addition, by depicting agents either alone or in pairs, these images minimize community fears regarding the formation of a standing army of border guards. As a result, the “seamless web of enforcement” enveloping the southwest appears an accoutrement of social order rather than evidence of border militarization.

The rhetoric of INS initiatives portrays border enforcement efforts as an exercise of state power not only commensurate with contemporary immigration patterns but also generative of social stability. As a result, symbols of community support and citizen endorsements play a significant role in discrediting claims that the high visibility tactics of the deterrence strategy are either an excessive and misplaced response to illegal immigration or deleterious to the day-to-day activities of U.S. citizens. In the 1993 INS video, *Changing the Face of the Border*, the emphasis on community support for the initiative (measured in both the running time and word count devoted to citizen reaction) is second only to the video’s focus on crime. The range of public support depicted includes polling data cited by both Chief Reyes and the El Paso Mayor, testimonials from Anglo and Hispanic civic groups such as Citizens for a Safer Border and the Chihuahueta Improvement Association, and clips featuring local radio personalities taking calls on community reaction to the “blockade.” In sum, the video portrays the initiative as receiving nearly unanimous public support.

The only portrait of dissent depicted in INS initiative rhetoric is cast as anti-American backlash. Footage of a protest on the Mexican side of the border in *Changing the Face of the Border*, for example, associates criticism of the initiative not only with a “foreigner’s” perspective but also explicitly anti-American imagery such as flag burning. In dramatic contrast, public displays of community support, such as a green ribbon campaign featured in both *Challenge on the Border* and *Changing the Face of the Border*, dramatize the civic stability and cohesiveness constructed as an effect of the border tamed. In other words, the images dramatize the border placed under the “rule of law.” In addition, such images offer further credibility to the more militaristic tactics of the deterrence approach to border control such as line-watches and barricade fencing. Ultimately, the construction of the “rule of law” formed against imagery of lawlessness and neglect renders U.S. sovereignty dependent on enforcement and fortification efforts. The view of the nation engendered by such renderings not only reveals a landscape marked by barricades but a public suspicious of difference.

Conclusion

Benedict Anderson’s influential work, *Imagined Communities*, defines the nation as “an imagined political community B and imagined as inherently limited and sovereign.”⁷² Although most scholarship on the subject features Anderson’s insight

into the “imagined” nature of the nation, this essay examined how the relationship between the imagined “limitedness” and “sovereignty” shapes national identity. Symbolically, border enforcement formalizes the relationship between citizens, outsiders, and the state. This expression of national sovereignty is not limited to the physical barriers and checkpoints that most directly determine those who have the right to enter, remain, and identify themselves as U.S. citizens. Rather, the modes used to represent national borders also play a significant role in both cultivating a view of the nation and legitimating state designations and practices that delimit the space of belonging.

The “border looks” fashioned in INS initiative rhetoric, along with legitimating the deterrence strategy, constitute the visual referents for public imaginings of the nation as a limited space. Scenes of border neglect, represented by immigrant influx and tattered fencing, dramatize the social disorder engendered by federal negligence. Portraits of immigrant lawlessness and border violence reveal the physical and economic threats posed by ill-enforced borders. In dramatic contrast, the look of deterrence highlights the security and order offered by the implementation of Low Intensity Conflict doctrine on our nation’s borders. Visual expressions of the “rule of law” minimize claims of border militarization by both dramatizing community support and associating those critical of the operation with un-American interests and conduct. Taken together, this imagery contrasts two competing visions of the nation that render deterrence tactics a legitimate, even mundane, exercise of state power and the U.S.–Mexico border immutable.

Ultimately, more than any other view of the border, the look of deterrence epitomizes how border imagery shapes national identity. As an expression of sovereignty, images of the border deterred both symbolize and legitimate the exercise of state power. At the most general level, the look of deterrence reconstitutes the spatial context within which U.S. national identity is defined. The fences and barricades that certify border integrity also provide a referent through which a public is constituted as national subjects. In addition, deterrence imagery institutionalizes particular ways of speaking about, seeing, and acting on the contemporary immigration context. The fences, barricades, and surveillance technology that define the look of deterrence are presented “as if they belonged to the natural order of things.”⁷³ As a result, border militarization functions as an unproblematic exercise of state independence, security, and strength.

Studies of the U.S.–Mexico border are no longer limited to the realm of geopolitics but include the figurative boundaries that separate citizen and other. This essay contributes to the growing literature on contemporary immigration politics by explicating the contemporary relationship between the U.S.–Mexico border and American national identity. My analysis of the spectrum of borders imaged and imagined in dominant discourse emphasizes the significance of visual rhetoric in the formation of a dominant view of the border and, thus, the nation as well. As a rhetorical study of national identity formation, the analysis demonstrates how dominant modes of talking about and visualizing borders function as the means by which political, social, and cultural norms are redefined. For it is the boundaries

formed through such modes that determine how our increasingly diverse polity imagines and thereby experiences state sovereignty.

Notes

- [1] National Council of La Raza, *Mass to Commemorate Immigrants Who Have Died Crossing the Border*, June 24, 2004, <http://www.nclr.org/content/news/detail/25234/> (accessed August 23, 2005).
- [2] Archbishop Quinn cited in “Archbishop Urges Circumventing Prop. 187,” *The San Francisco Chronicle*, December 2, 1994. On the absence of affirmative arguments for undocumented immigrants, see Linda Bosniak, “Opposing Prop. 187: Undocumented Immigrants and the National Imagination,” *Connecticut Law Review* 28 (1996): 555–619; and Ruben Martinez, “Fighting 187: The Different Opposition Strategies,” *NACLA: Report on the Americas* (November/December 1995): 32.
- [3] Bosniak, “Opposing Prop. 187,” 567.
- [4] On the salience of sovereignty to congressional debates over immigration policy from 1890 to 1990, see Cheryl Shanks, *Immigration and the Politics of American Sovereignty, 1890–1990* (Ann Arbor: The University of Michigan Press, 2001). On the importance of sovereignty to immigration control generally, see James Hathaway, “Three Critical Questions about the Study of Immigration Control,” in *Controlling Immigration: A Global Perspective*, eds. Wayne Cornelius, Philip Martin, and James Hollifield (Stanford: Stanford University Press, 1994), 49–51.
- [5] Robert Chang and Keith Aoki, “Centering the Immigrant in the Inter/National Imagination,” *California Law Review* 85 (1997): 1398.
- [6] The most common alarmist motifs addressed by Chavez include (1) directing the movement within an image towards the reader and (2) the use of infinitylines, which Chavez defines as “a line of immigrants with at least one end emerging or disappearing, usually at the edge of the [magazine] cover’s border.” Leo Chavez, *Covering Immigration: Popular Images and the Politics of the Nation* (Berkeley: University of California Press, 2001), 69. For a summary of both the alarmist modes of depicting immigrants as well as the affirmative modes used to humanize refugees, see Anne Demo, “Policy and Media in Immigration Studies,” *Rhetoric and Public Affairs* 7 (2004): 215–29.
- [7] The prolonged debate over Proposition 187 prompted numerous popular critiques and interdisciplinary analyses. Although not an exhaustive list, the following provide a systematic analysis of Proposition 187: Kent Ono and John Sloop, *Shifting Borders: Rhetoric, Immigration, and California’s Proposition 187* (Philadelphia: Temple University Press, 2002); Otto Santa Ana, *Brown Tide Rising: Metaphors of Latinos in Contemporary American Public Discourse* (Austin: University of Texas Press, 2002); Marouf Hasian and Fernando Delgado, “The Trials and Tribulations of Racialized Critical Rhetorical Theory: Understanding the Rhetorical Ambiguities of Proposition 187,” *Communication Theory* 8 (1998): 245–70; K. Johnson, “An Essay on Immigration Politics, Popular Democracy, and California’s Proposition 187: The Political Relevance and Legal Irrelevance of Race,” *Washington Law Review* 70 (1995): 629–73; J. Park, “Race and Discourse and Proposition 187,” *Michigan Journal of Race and Law* 2 (1996): 175–204; George Sanchez, “Face the Nation: Race, Immigration, and the Rise of Nativism in Late Twentieth Century America,” *The International Migration Review* 31 (1997): 1009–30; Kitty Calavita, “The New Politics of Immigration: ‘Balanced-Budget Conservatism’ and the Symbolism of Proposition 187,” *Social Problems* 43 (1996): 284–305; and Dorothee Schneider, “‘I Know All about Emma Lazarus’: Nationalism and Its Contradictions in Congressional Rhetoric of Immigration Restriction,” *Cultural Anthropology* 13 (1998): 82–99.

- [8] For overviews of contemporary restrictionist arguments, see Ono and Sloop, Chavez, Hasian and Delgado, and Santa Ana. Lisa Flores introduces an antecedent to contemporary media narratives of illegal immigration in her analysis of press coverage on the U.S. campaign to repatriate Mexicans during the 1930s: see Lisa Flores, "Constructing Rhetorical Borders: Peons, Illegal Aliens, and Competing Narratives of Immigration," *Critical Studies in Media Communication* 20 (2003): 362–87.
- [9] Chavez's discussion of nation-state motifs emphasizes the visual elements, narrative themes, and tropes commonly used to signify the nation in magazine coverage including montage, the Statue of Liberty, the U.S. flag, and border images; see Chavez, *Covering Immigration*, 53–81. In addition to border and flag imagery, Ono and Sloop also address constitutionality arguments, norms of citizenship, and law enforcement themes; see Ono and Sloop, *Shifting Borders*, 43–112.
- [10] On March 1, 2003, the INS became part of the U.S. Department of Homeland Security (DHS). U.S. Customs and Border Protection (CBP), a unified border agency within DHS, now manages the Border Patrol, which is described "the mobile uniformed law enforcement arm of the Department of Homeland Security (DHS)." U.S. Citizenship and Immigration Services (USCIS) was also established on March 1, 2003 as part of DHS and is responsible for processing immigration applications. CBP, *U.S. Border Patrol Overview*, February 21, 2003, http://www.cbp.gov/xp/cgov/enforcement/border_patrol/overview.xml (accessed August 23, 2005). The dates and titles of the video examined herein are *Border Under Siege* (1992), *Operation Hold the Line: Changing the Face of the Border* (1993), *Taking Back the Border* (1996), *Operation Gatekeeper* (1994), *Challenge on the Border* (1996), *14 Miles on the Brink* (1996), *Honor on the Line: Border Patrol History* (1999), and *Inside The Cocaine Corridor* (2000).
- [11] Ron Rogers, Western Region Media Production Specialist, Immigration and Naturalization Service, telephone conversation, November 27, 2002.
- [12] Peter Andreas cites two of the video produced by the Media Service Office (*Border Under Siege* and *Challenge on the Border*) as evidence of the INS image campaign. Peter Andreas, *Border Games* (Ithaca: Cornell University Press, 2000), 110, 112. For statistical data on INS budget, see The U.S. Department of Justice, *Immigration and Naturalization Service Budget: 1975–2000*, http://www.usdoj.gov/jmd/budgetsummary/btd/1975_2002/btd01ins.htm (accessed May 24, 2003).
- [13] W. J. T. Mitchell coined the term "image-text" to denote "composite, synthetic works (or concepts) that combine image and text." W. J. T. Mitchell, *Picture Theory* (Chicago: University of Chicago Press, 1995), 89. See also W. J. T. Mitchell, "Essays into the Image-text: An Interview with W.J.T. Mitchell," *Mosaic* 33 (2000): 1–23.
- [14] Thomas Biersteker and Cynthia Weber, "The Social Construction of State Sovereignty," in *State Sovereignty as Social Construct*, eds. Thomas Biersteker and Cynthia Weber (Cambridge: Cambridge University Press, 1996), 1–21.
- [15] Roxanne Doty, "Sovereignty and the Nation: Constructing the Boundaries of National Identity," in *State Sovereignty as Social Construct*, 142.
- [16] Doty, "Sovereignty and the Nation," 142.
- [17] Michael Ross Fowler and Julie Marie Bunck, *Law, Power, and the Sovereign State: The Evolution and Application of the Concept of Sovereignty* (State College: Pennsylvania State University Press, 1995).
- [18] Joseph Camilleri and Jim Falk, *The End of Sovereignty: The Politics of a Shrinking and Fragmenting World* (Aldershot: Edward Elgar, 1992), 2.
- [19] Camilleri and Falk, *The End of Sovereignty*, 236.
- [20] Camilleri and Falk, *The End of Sovereignty*, 24.
- [21] Víctor Zúñiga, "Nations and Borders: Romantic Nationalism and the Project of Modernity," in *The U.S.–Mexico Border: Transcending Divisions, Contesting Identities*, eds. David Spener and Kathleen Staudt (Boulder: Lynne Rienner Publishers, 1998), 35.

- [22] Camilleri and Falk, *The End of Sovereignty*, 17.
- [23] Joseph H. Carens, "Aliens and Citizens: The Case for Open Borders," in *Theorizing Citizenship*, ed. Ronald Beiner (New York: State University of New York Press, 1995), 229. Also, see Michael Walzer, "Membership," in *Spheres of Justice: A Defense of Pluralism and Equality* (Basic Books, 1983), 31–61.
- [24] A description of Border Patrol efforts in early 1900s featured on the USCBP website, *U.S. Border Patrol – Protecting Our Sovereign Borders*, http://www.cbp.gov/xp/cgov/toolbox/about/history/bp_historcut.xml (accessed August 23, 2005).
- [25] For an exhaustive history of the Bracero Program, see Kitty Calavita, *Inside the State: The Bracero Program, Immigration, and the INS* (New York: Routledge, 1992).
- [26] Timothy J. Dunn, *The Militarization of the U.S.–Mexico Border, 1978–1992: Low-Intensity Conflict Doctrine Comes Home* (Austin: The Center for Mexican American Studies at the University of Texas, Austin, 1996), 17.
- [27] Dunn, *Militarization*, 17.
- [28] Dunn, *Militarization*, 49.
- [29] U.S. Department of Justice, Immigration and Naturalization Service, *Building a Comprehensive Southwest Border Enforcement Strategy* (Washington, DC: INS Public Affairs, June 1996), 3.
- [30] Associated Press, "Border Crackdown is Hailed," *Dallas Morning News*, September 21, 1993.
- [31] Maggie Myers, CBP Press Officer, email correspondence, August 2, 2004.
- [32] Department of Justice, Office of the Inspector General, *Follow-Up Report on Border Patrol's Efforts to Improve Northern Border Security*, OIG Report No. 1-2002-004, <http://www.usdoj.gov/oig/inspection/ins/0204/index.htm> (accessed August 3, 2004).
- [33] *Testimony of Michael A. Pearson, Executive Associate Commissioner for Field Operations, Immigration and Naturalization Service, Before the House Judiciary Committee, Subcommittee on Immigration and Claims Regarding Immigration Enforcement along the Northern Border*, April 14, 1999. <http://uscis.gov/graphics/aboutus/congress/testimonies/1999/990414b.pdf> (accessed August 23, 2005).
- [34] Department of Justice, *Follow up Report*, <http://www.usdoj.gov/oig/inspection/ins/0204/index.htm> (accessed August 3, 2004).
- [35] W. J. T. Mitchell, "The Surplus Value of Images," *Mosaic* 35 (2002): 8.
- [36] Mitchell, "Surplus Value," 7, 9.
- [37] W. J. T. Mitchell, "Interdisciplinarity and Visual Culture," *The Art Bulletin* 77 (1995): 544.
- [38] Immigration and Naturalization Service, "A History of Neglect, Part B," *Operation Gatekeeper Progress Report*, 17 October 1997, http://www.ins.usdoj.gov/public_affairs/progress_reports/Gatekeeper/170.htm (accessed November 28, 1998).
- [39] *Border Under Siege*. VHS. Produced by Ron Rogers and Virginia Kice (San Diego: Immigration and Naturalization Service Western Region Congressional and Public Affairs Office, 1992).
- [40] *Border Under Siege*.
- [41] H. M. Hintjens, "Immigration and Citizenship Debates: Reflecting on Ten Common Themes," *International Migration* 30 (1992): 13.
- [42] David Spurr, *The Rhetoric of Empire: Colonial Discourse in Journalism, Travel Writing, and Imperial Administration* (Durham, NC: Duke University Press, 1994), 91.
- [43] On the association between immigration, crime, and social chaos, see Roger Daniels, *Coming to America: A History of Immigration and Ethnicity in American Life* (New York: Harper Collins Publishers, 1990) and Hintjens, "Immigration and Citizenship Debates," 5–18.
- [44] Vanessa Bowles Beasley, *You, the People: American National Identity in Presidential Rhetoric* (College Station: Texas A&M University Press, 2004), 68–92.
- [45] Beasley, *You, the People*, 74–78.
- [46] Beasley, *You, the People*, 80–82.

- [47] The 1993 INS video, *Operational Hold the Line: Changing the Face of the Border*, opens by establishing the association between crime and illegal immigration as: "A surge of undocumented immigrants and crime along the border has prompted the U.S. Border Patrol in El Paso to take action." *Operation Hold the Line: Changing the Face of the Border*. VHS. Produced by Charles Reed (El Paso: Immigration and Naturalization Service, El Paso Sector Public Information Office, 1993).
- [48] *Operation Hold the Line: Changing the Face of the Border*.
- [49] *Operation Hold the Line: Changing the Face of the Border*.
- [50] *Operation Hold the Line: Changing the Face of the Border*.
- [51] See Michael Huspek, Roberto Martinez, and Leticia Jimenez, "Violations of Human and Civil Rights on the U.S.–Mexico Border, 1995–1997: A Report," *Social Justice* 25 (1998): 110–30.
- [52] *Border Under Siege*.
- [53] According to a 1994 study of the effects of Operation Hold the Line on El Paso and Juarez, "The city's high crime rates are more myth than reality. The city's rates for serious, especially violent crime are relatively low compared to cities of comparable size. El Paso's total crime rate ranks thirtieth among the forty U.S. cities of comparable size in 1992. El Paso ranks thirty-five among the forty cities in motor vehicle theft, and is above the mean for the forty cities only on larceny-theft (ranking thirteenth but within 10 percent of the mean for all cities). The murder rate is little more than one-third of that for all the cities and 12 percent lower than the national average." Frank Bean, Roland Chanove, Robert Cushing, Rodolfo de la Garza, Gary Freeman, Charles Haynes, and David Spener, *Illegal Mexican Migration and the United States/Mexico Border: The Effects of Operation Hold-the-Line on El Paso/Juarez* (Austin: Population Research Center, University of Texas at Austin, 1994), 69.
- [54] The Bean report further concluded, "If there is anything particularly criminogenic about the border, it is not reflected in the data, and that tells us a great deal about the difficulty of basing understanding purely on local perceptions, myths and impressions, which necessarily have a limited bases for comparisons spatially, if not temporally"; Bean et al., 73.
- [55] *Challenge on the Border*. VHS. Produced by Michael Flynn (San Diego: Immigration and Naturalization Service Western Region Congressional and Public Affairs Office, 1996). *Operation Hold the Line: Changing the Face of the Border*. VHS. Produced by Charles Reed (El Paso: Immigration and Naturalization Service, El Paso Sector Public Information Office, 1993).
- [56] *Challenge on the Border*.
- [57] Camilleri and Faulk, *The End of Sovereignty*, 2.
- [58] *Nishimura Ekiu v. United States*, 142 U.S. 651, 659 (1892). Quoted in Robert Chang, "A Meditation on Borders," in *Immigrants Out! The New Nativism and the Anti-Immigrant Impulse in the United States*, ed. Juan F. Perea (New York: New York University Press, 1997), 246.
- [59] Dunn, *Militarization*, 73.
- [60] Dunn, *Militarization*, 3.
- [61] Immigration and Naturalization Service, *U.S. Border Patrol, Border Patrol Strategic Plan: 1994 and Beyond* (Washington, DC: 1994).
- [62] Dunn, *Militarization*, 177.
- [63] Camilleri and Falk, *The End of Sovereignty*, 11.
- [64] Gustavo De La Vina, Western Sector Border Patrol Chief, press briefing, February 7, 1995.
- [65] Karen Brandon, "For U.S., Controlling the Border with Mexico Remains Perplexing" *Chicago Tribune*, May 29, 1995, 4.
- [66] John Hartley, *The Politics of Pictures: The Creation of the Public in the Age of Popular Media* (London: Routledge, 1992), 30.
- [67] Quoted in William Booth, "One Nation, Indivisible: Is it History? Soon, No Single Group Will Comprise Majority," *Washington Post*, February 22, 1998, A1.

- [68] Judith Shklar, "Political Theory and the Rule of Law," in *The Rule of Law: Ideal or Ideology*, eds. Allan Hutchinson and Patrick Monahan (Toronto: Carswell, 1987), 1.
- [69] Historically, the rule of law "evolved out of a seventeenth-century idea of limited government and was buttressed by the eighteenth-century republican commitment to the separation of powers among different governmental agencies." An ideal emerged in the American political system through the 1803 Supreme Court case of *Marbury v. Madison* that assured the "Court's power to review the constitutional validity of actions taken by other branches of the national government." Ian Shapiro, "Introduction," in *The Rule of Law*, ed. Ian Shapiro (New York: New York University Press, 1994), 1–2.
- [70] Russell Hardin, "My University's Yacht: Morality and the Rule of Law," in *The Rule of Law*, ed. Ian Shapiro (New York: New York University Press, 1994), 209. This view resonates with the theoretical intersections of sovereignty and the rule of law in Thomas Hobbes's theory of political order. On this point, see Russell Hardin, "Hobbesian Political Order," *Political Theory* 19 (1991): 156–81.
- [71] Immigration and Naturalization Service, "Operation Gatekeeper: Three Years of Results At-a-Glance," 7 October 1997, http://www.ins.usdoj.gov/public_affairs/news_releases/gkbr.html (accessed November 28, 1998).
- [72] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983), 6.
- [73] Camilleri and Falk, *The End of Sovereignty*, 11.

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