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Kimberly Collins

California State University, San Bernardino

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Globalization, Democracy, and Public Space: The Case of the U.S.- Mexican Border Region

Kimberly Collins
California State University, San Bernardino

The U.S.-Mexican border is a region discussed in public conversations; a place where vendors, disparate groups of people, public art, and many different levels of government converge; it is a place designed to be a gateway between countries. It is a public space, a place where substantive democracy should be paramount. This paper provides a theoretical overview of public space, democracy, and the main bureaucracy in charge, the Department of Homeland Security. It posits that democracy is limited in the border region, with the use of the public space and the functioning of the bureaucracy, and provides suggestions to improve democracy in the region. In order to improve lives, increase trust of government institutions, and improve domestic and economic security, a more democratic system needs to be developed.

The study of borders between nations provides a means to analyze the process of globalization. It is at the U.S.-Mexican border, in particular, that the global movement of goods and people is highly concentrated. The factors of globalization, including multiculturalism, economic exchanges, and the transport of people, goods, and ideas, all occur at the border every day. How the nation-state perceives and manages the impacts of globalization also occurs daily. In particular, the regional interaction among the bureaucratic representatives of each respective nation with the people, institutions, and each other creates an arena for democratic participation. This topic is particularly important as global security concerns increase in response to the threats of terrorism; anti-globalization/anti-migrants' movements have become stronger; and democracy becomes more precarious. This study of the U.S.-Mexican border provides a strong case, as it has extreme examples of what happens in an area where large flows of people and goods interact under national security regimes. It focuses on the border as a specific place, both in a physical and theoretical sense. Finally, this manuscript proposes to show the importance of borders as areas of analysis and works to resolve issues of democracy and bureaucracy in a time of the globalization.

As the world has become more connected through globalization, the study of borders has increased (Brunet-Jailly 2005). For a time, it seemed that the world was moving toward fewer borders and barriers among people, as seen in the case of the European Union. However, during this age of globalization, there has also been a hardening of borders, as security threats become more global and nationalist movements grow due to economic

pressures and perceived threats to levels of quality of life. Within this new age of security and nationalism, there are repercussions from these policies that are being played out on the border and in the country overall. In 2016, borders and globalization were ever more important in the popular political dialog. They were a large part of the political turmoil in the U.S. election year, the popular vote in Great Britain to exit the European Union, and the rise of right-wing parties in many nations. A great part of this discussion is that borders between countries can provide security by keeping those who might want to harm away from those living on the other side. What seems to rarely be considered is that borders can also increase insecurity, as they close people off from each other and decrease levels of trust and cooperation. The European Union and a reduction of borders came to be partly because of the two great wars during the first half of the 20th century. The hope was to improve economic growth by moving beyond war and increasing cooperation by creating economic bonds. This process was advancing well until a number of economic and migrant crises hit the region hard, and local residents became concerned about their economic and personal security.

Borders, especially closed borders, are undemocratic, as the nation-state sees its role of protection as the top priority, disregarding the interactions and relationships of people (O'Connor and de Lint 2009; Bajc and de Lint 2011). Decisions are centralized by the state and made with little input by local people. One of the repercussions is that abuses in the system can occur, with agents of the state working in the region not being held accountable to the local people, but to decision makers outside the region. There is a detachment between the decision makers and those living in the region. It has long been a complaint of those living in the U.S.-Mexican border, that individuals in the nation's capitals do not understand life in the border region. The interests of the region are put second to the interests of the nation, with a gap between those in the border region and those outside. This classic us-versus-them scenario leads to a lessening of democratic representation for the borderlanders, as power rests outside the area. The lack of democratic representation can lead to low levels of empowerment for those living in the border, which, in turn, can impact the strength of the local institutions and economic development.

Democracy connotes images of the public and representation by governments. Within the U.S.-Mexican border region, this type of democracy exists. There are local, state, and federal representatives that work with their constituents on both sides of the border. As we delve deeper into this case study, we note that this is not sufficient, as democratic participation needs to be much more. It needs to include equal access to public goods and spaces. This is not the case in the border region. Even though there are shared costs to manage the border by the taxpayers in both countries, access is denied depending on your country of birth and economic status. From this perspective, democracy is more than just procedural or voting, but should be substantive, in which people who are impacted by governance and the decisions made are able to participate in the decision-making process; their voices are heard, and the majority decides (Dahl 1990; McGrew 1999; Kaldor 2007; Abizadeh 2008). This is the other nuance within the discussion. Border regions are highly national or centralized in their nature, as the nation controls access to the region. This leaves the majority of the democratic participation outside the region—leaving the voice of the local people as a minority.

In working from the idea of substantive democracy as opposed to procedural democracy, how is it implemented in the context of a global world? What gives one the right to access the benefits and goods provided by the state? Is democracy left purely to the rights provided by your nation of birth? Many would say yes, sovereignty of the state and the rights of the

individual are defined by a nation-state's boundaries. In a highly connected world though, this argument seems insufficient and unrealistic. As we look toward local spaces that are shared by people—spaces, such as border regions, that are permeable, with movement across them, there is value in analyzing the response of the state to these areas. It provides a perspective on how the nation-state views the process of globalization and democracy. What does substantive democracy mean in a world that is impacted daily by the movement of goods and people—both legally and illegally? This question is important to people living and working in the region and for anyone interacting with the global economy.

This paper works to answer these questions through a theoretical overview of democracy and public space, and a review of the main bureaucracy in control of the U.S.-Mexican border, the Department of Homeland Security (DHS). This agency is charged with protecting national security, a dominant part of policy decisions in the United States since the attacks of September 2001. There is also a question of who benefits from the administrative state or bureaucratic control in the region. This security regime is impacting public space and democracy, which leads to the question, what are the implications for society overall?

The analysis begins with a review of the theories of democracy and place in the United States and Mexico, and their applications to the U.S.-Mexican border context. Next, the case study of the U.S.-Mexican border and the security bureaucracy is discussed. Both sides of the border are analyzed, as it is difficult to grasp the realities of the region without an understanding of the conditions in both countries. The actions and responses of the security bureaucracy are specific to the U.S. side, with an analysis of the U.S. Border Patrol and Customs and Border Patrol (CPB) within the Department of Homeland Security. These agencies are thoroughly reviewed with government documents, media reports, and nonprofit agency websites. The documents include the Annual Department of Homeland Security Financial and Performance Reviews, CBP Reports to Congress, and official reports certified by DHS committees regarding Custom and Border Protection's use of force policy. These documents were found through a review of the DHS website, general Google searches, and from reporting by media and nonprofit agencies, such as the American Civil Liberties Union. The methodology also consists of observations made working within the region for many years, which has proven to be a valid methodological approach for the border region (Staudt and Coronado 2002). It ends with recommendations for improving democratic governance in the region, which have a number of implications for the nation-states and their democratic order.

Theories of Democracy and Place

Both the United States and Mexico are democratic nations. The institutions that make up these democracies are at different levels of development based on the historical growth of the nations. Even though the United States and Mexico are both democratic and have elections, this does not mean there is true participation by the people. The limitations of the U.S. democratic system are based in the system itself. The concepts of liberalism, market capitalism, and the market economics of public administration, which do not put what is best for the public or citizens first, have led to a weakening of democracy in the United States. These concepts are inherent to all of the institutions developed to govern public spaces (Barber 1984; Box 2003, 2007; Box et al. 2001). Box (2003, 2007) and Box, Marshall, Reed, and Reed (2001) further these ideas by integrating the concepts of New Public Management and the National Performance Review from the Clinton presidential era, and how both limit democratic participation. Working from the theories of Marcuse, Box (2003) eloquently shows the reader that today's society, which is based on liberal democratic values and

capitalism, creates institutions that limit participation and convey the message that consumption and market capitalism are more important in society than social or environment concerns. These institutions educate children at a young age in schools, on television, and listening to political leaders. It is integrated into society and administration.

Democracy in Mexico is still developing (Eisenstadt 2003; Wuhs 2008; Morris 2009; Araujo 2009; Aguayo 2010a, 2010b; O'Toole 2010; Selee and Jacqueline Peschard 2010; Rubio 2013). It is a system that is burdened by informal institutions that control many of the governing agencies. The way things are “done” in politics and society has not completely changed, even though there has been a democratic turnover of parties in elections. Additionally, challenges of corruption in the system and to national security from the drug wars threaten Mexico’s weak democratic regime. It also cannot be ignored that the development of democracy and institutions in the country is highly influenced by interaction with U.S. institutions. As just noted, these U.S. institutions are not supporting a more democratic system, but one that weakens the participation of citizens.

These difficulties with democracy are exacerbated significantly for those living in the border region. Who are the people or residents of the region, and who represents them, are decided by their nationality; yet, this does not appropriately address the public interest. As Robert A. Dahl notes in his 1990 text *After the Revolution?*, “...in a world where we all have a joint interest in survival, the real absurdity is the absence of any system of government where that joint interest is effectively represented” (51). For isn’t it in the best interest of residents to have a shared say in development that will impact their quality of life? Decisions on land use, water supply and usage, transportation infrastructure, and new industries that affect the quality of life in the whole region are generally made on one side of the border, and there are few mechanisms by which a shared voice is heard. It is through representative democracy and bureaucracies that decisions are made with little input from the directly affected constituents. This is partially based in the political reality of two systems of governance, and the limitations of the democratic systems in both countries.

The systems of democracy are limited within the United States and Mexico, even though both nations officially have open elections of representatives. There is a need for a stronger form of representation—a system that promotes participation and interaction. Barber (1984) proposes that liberal democracy is more concerned with individual liberty than justice for the whole and divides individuals, as opposed to creating a cohesive social group. With individuals only acting for their best interests, a limited or weak democratic system is created. By contrast, “strong democracy is a distinctively modern form of participatory democracy. It rests on the idea of a self-governing community of citizens who are united less by homogeneous interests than by civic education and who are made capable of common purpose and mutual action by virtue of their civic attitudes and participatory institutions rather than their altruism or good nature” (Barber 1984, 117). In a binational region, the idea of shared civics education is a challenge. The U.S. and Mexico have different views on their shared history—one from the viewpoint of the conqueror, and the other who see that they were robbed of land and resources. This creates an additional division among the people in living here.

Looking at the literature on democracy across borders provides some insight, with shared civil society and the use of international laws. Seyla Benhabib (2009) provides a provocative analysis and argument, suggesting that the main limitation to human rights across borders is sovereignty. Sovereignty and the nationalism that generally accompanies it are described as being out of “touch with reality” (Benhabib 2009, 692). People and space are coming together

through the use of technologies, even if the nation-state looks to re-border. Therefore, the base of expanding democratic values across borders is to embrace liberalism fully—to appreciate the rights of individuals to succeed in the world. This entails bringing together the conflicting ideas of liberalism and equality for a world that is highly globalized. Since the founding of the United States, there has been an inherent conflict in the democratic values of liberalism and equality (Heineman *et al.* 2001). This conflict has continued to play out as neoliberalism spread with the global economy. New forms of democracy need to be explored, returning to a focus on local empowerment within a global world. One way to explore this is through the localized interaction of people in the realm of public spaces. The next section provides an overview of public space, and then we move on to an analysis of the region and one of the primary bureaucracies working in this public space, the U.S. Department of Homeland Security.

In analyzing the public space in the border region, we find a lack of democracy played out every day. Goodsell (2003) defines public space from three theoretical approaches: political philosophy, urban planning, and architecture. Beginning with political philosophy, Hannah Arendt's political theories of public space define it as a place where people can discuss the common good. It is an essential metaphorical place for democracy to flourish. Similar to this concept, we find Juergen Habermas (1989), who proposes the public sphere as the place where individuals can discuss public matters. Again, it needs to be based in democratic principles, so that anyone can enter and participate. For urban planners, such as Setha Low (2000), public space is a physical area where people can come together to interact, join forces, and participate in society. From an architectural perspective, public spaces or buildings that represent governing agencies are designed to evoke power. These spaces are open to the public, but might have limited access depending on the building's use, thereby providing visions of exclusivity and a limited democracy (Goodsell 2004).

The border is a public space in terms of political philosophy, urban planning, and architecture. It is an area of public conversation, a place that denotes a bifurcation of democracy, where your national citizenship dictates the treatment you receive by officials. People within and outside the region debate basic human rights and the ethical treatment of people versus real and perceived threats. As the role of the bureaucracy in this public space is analyzed, individuals can see how the agencies function to control the public conversation, and thereby, democracy.

The border fence is a public space. It is a meeting place for people to come together. Families that are separated by the border meet to share some time together. Groups, such as anarchists, meet to protest against the government. At the Mexicali, Baja California border crossing, migrants camped at the border raised money for those deported at night from unknown cities and created awareness of a human rights issue. Activists install crosses with the names of those who died crossing the border to give this human rights issue a public venue. Artists display their works on the border fence for people to see as they wait to cross. Merchants come to sell their goods to a captured public, waiting to cross the border. People write reviews of the space on Yelp.com, similar to other places to go. It is not a public space idealized by urban planners as they work to create areas for people to come together to discuss issues of common interest, but it is a place that brings disparate people together and binds them with common goals.

The architecture of the border is the ultimate vision of the political culture of a nation and the political power behind it. It is exclusivity as some do not have access to cross to the north, while others are forced across it to the south. The border fence is formative in its design. The administrative buildings are primarily bureaucratic in nature, not serving to

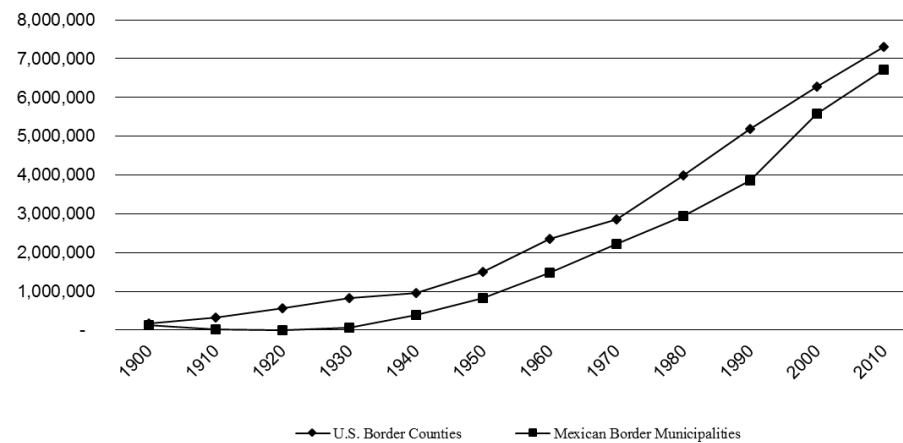
welcome people, but as administrative offices that are closed to those without approved access. The position of the administrators is above those crossing the region. They look down upon the crossers, displaying their position of power architecturally in comparison to these individuals. Of course, the rationality of this construction is to have an advantage and view the activity at the border to catch any illegal or threatening action. Generally, these spaces are off limits to ordinary people, with restrictions on photographing the buildings and installations. The American Civil Liberties Union (ACLU 2012) filed a lawsuit arguing this limitation is contrary to freedoms found in the U.S. democratic system, providing another example of the undemocratic nature of the border.

From each of these definitions, we encounter the limitations to democracy through the construction of the border space along the U.S.-Mexican border. This is further reinforced by the agencies that create the political culture and enforce the political power in the region. The next section reviews the everyday realities of the global market along the border, and the reactions of the main security bureaucracy, the Department of Homeland Security.

The Case of the U.S.-Mexican Border: The Place and the Security Bureaucracy

The U.S.-Mexican borderlands are approximately 2000 miles long. The region was demarcated at 100 km wide by the 1983 La Paz Agreement between the United States and Mexico. Some contest this arbitrary demarcation and look toward other measurements, such as watersheds, county and municipality boundaries, air sheds, population movements, etc.

Chart 1. U.S. and Mexican Border Countries Population, 1900-2010

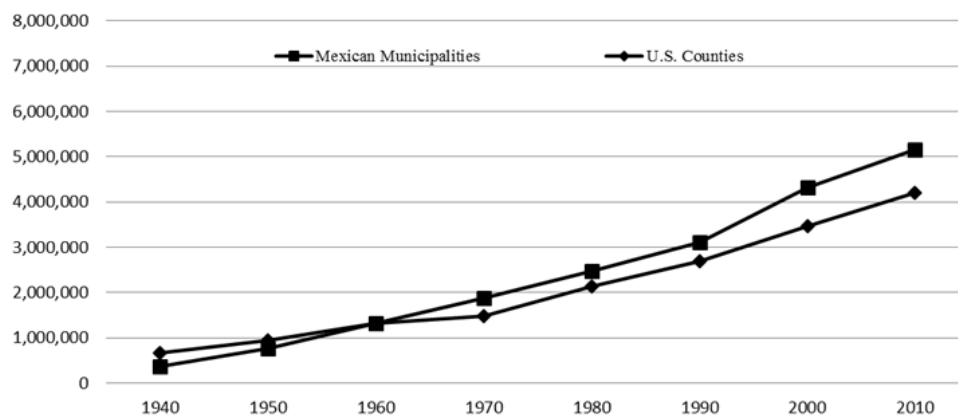


Source: United States Census Bureau, Population by Counties by Decennial Census, 1900-2010, access at www.census.gov; Instituto Nacional de Estadística y Geografía (INEGI), *Anuario Estadístico, Censo 1900, 1910, 1930, 1990, 2000 y 2010*, accessed at www.inegi.gob.mx.

With approximately 14 million people living in the region, it is one of the poorest areas in the United States but one of the richer regions in Mexico (INEGI 2014; U.S. Census 2014). The population is fairly evenly divided between the U.S. counties and Mexican municipalities. But this hasn't always been the case, as seen in Chart 1. It is also important to mention that San Diego County, California contains most of the population on the U.S. side, as noted in Chart 2. On the whole, the U.S. and Mexican communities along the border are small and rural, with scattered, larger urban areas located in California, Arizona, and

Texas. An important aspect of the border is the number of people living on the boundary—a legacy of the bifurcation of cities and towns with the establishment of the border (Kearny and Knopp 1995).

Chart 2. U.S. and Mexican Border Counties Population Excluding San Diego and Tijuana, 1940-2010



source: United States Census Bureau, Population by Counties by Decennial Census, 1900-2010, access at www.census.gov; Instituto Nacional de Estadística y Geografía (INEGI), *Anuario Estadístico, Censo 1900, 1910, 1930, 1990, 2000 y 2010*, accessed at www.inegi.gob.mx.

There are stereotypes about the region from residents in both countries. As with most stereotypes, the majority about the border are negative, as played out in the U.S. media (Shifter and Schwartz 2011). The border region (and Mexico) is rarely discussed in a positive light in the U.S. media or political arenas, and the general public opinion of the border is negative (Corchado 2016). This differs greatly from the perspectives of those living in the region (Collins 2013). Overall, people living in the region are happy with their lives and their communities. This dichotomy contributes to the characteristics and perceptions of the region (Collins 2013; Corchado 2016).

A reality of the border region that has contributed to the response by the nation-state is the number of people, both documented and undocumented, and the amount of goods that cross the border every day. Crossings and other activity at the U.S.-Mexican border are very high. Table 1 provides a look at the total border crossings by different modes into the United States from Mexico. Unfortunately, data does not exist on traffic going south into Mexico. The number of people crossing per year has decreased significantly between 2000 and 2015, while the number of truck crossings has increased.

Apprehensions along the U.S.-Mexican border during this same time were also going down. In 2005, the first year data are available on the DHS website, over 1 million people were caught crossing the border without documentation. This number fell to less than half a million in 2010, and about 300,000 in 2015 (U.S. DHS/ CBP n.d.). In addition to monitoring people and goods, DHS also collects all of the import tariffs, duties, and fees of approximately \$300 million (USITC n.d.). These data tell a story of a tremendous amount of legal crossings, few undocumented crossings today, and a significant amount of fees and tariffs collected,

even though there is the North American Free Trade Agreement. The areas are connected and with lots movement of goods and people.

Table 1: Border Crossings into the United States from Mexico, 2000-2015, Five Year Increments

	2000	2005	2010	2015
Trucks	4,525,579	4,675,897	4,742,925	5,535,371
Loaded Truck Containers	2,350,100	3,031,474	3,174,135	3,927,187
Empty Truck Containers	1,850,581	1,646,088	1,535,002	1,609,678
Trains	7,108	9,458	7,667	9,991
Loaded Rail Containers	266,235	335,611	318,022	482,383
Empty Rail Containers	305,590	392,948	388,045	456,157
Train Passengers	18,254	17,833	3,283	9,669
Buses	270,792	256,396	218,754	202,682
Bus Passengers	3,465,916	3,169,779	2,679,707	2,554,064
Personal Vehicles	92,287,520	91,556,319	64,044,852	74,158,801
Personal Vehicle Passengers	239,794,552	186,067,448	125,749,521	137,537,486
Pedestrians	47,089,642	45,829,612	39,914,981	41,172,960
Total Individuals Crossing per Year	279,626,996	231,897,060	165,664,502	178,710,446
Average per Day	766,101	635,334	453,875	489,618

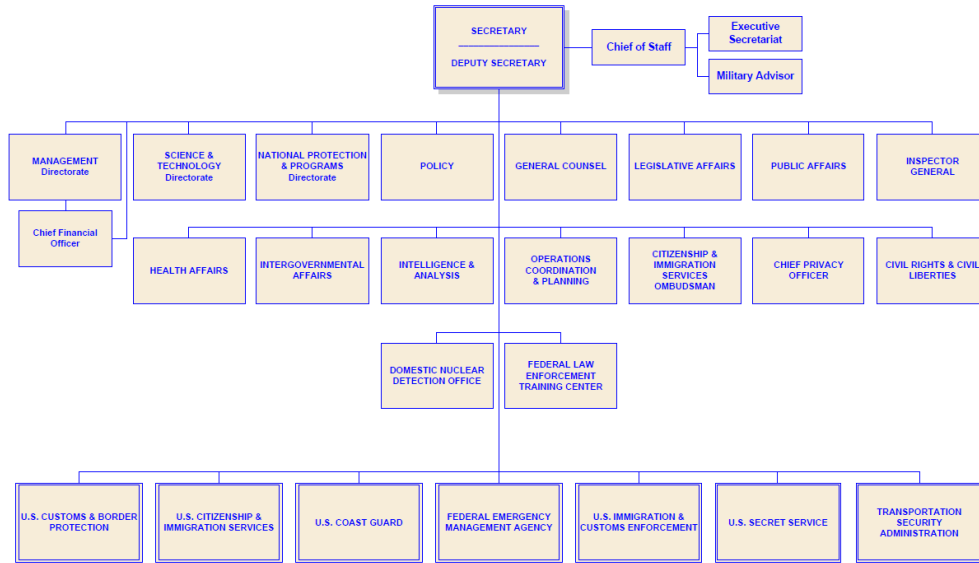
Source: U.S. Department of Transportation, Bureau of Transportation Statistics, 2016.

Security in the region is an important topic for both nations and is primarily controlled by the U.S. agencies. Of course, Mexico also has a strong role in the management of the border, including monitoring the border region and the entries into the country (Bersin and Huston 2016), but the strength and pull of the U.S. economy in the relationship drives the role of the bureaucracies at the border. It is recognized that there are many federal, state, and local agencies that work in and across the region, and the substantive democracy could be analyzed through their work in the region. For the basis of this case study, the focus is on the security agencies found in the U.S. Department of Homeland Security.

The Department of Homeland Security (DHS), created after the 9/11 attacks in 2001, has more than 240,000 employees within seven operational agencies and administrations and 22 directorates/offices. See Figure 1 for more detail. It is the main bureaucratic organization on the U.S. side of the border. The DHS manages all entries into the United States, both formal and informal, through the Citizenship and Immigration Services (USCIS), Coast Guard (USCG), Immigration and Custom Enforcement (ICE), and Customs and Border Protection (CBP). USCG, ICE, and CBP monitor exits from the country, drug enforcement, and the illegal movement of goods, such as money or guns. They do this by working on both sides of the border with their counterparts in Mexico (Bersin and Huston 2016). The Border Patrol, which is related to but separate from CBP, works along the border to stop any informal crossings. It also has stations located varying distances (up to 100 miles) from the border to check all cars moving north. At some of these checkpoints, the agency publicizes the quantity of drugs interdicted and the number of immigrants apprehended. It is an effort to show a

purpose to those inconvenienced by a wait at the checkpoint, which can be quite lengthy at times, of the benefits of being stopped within U.S. territory.

Figure 1: DHS Organizational Chart



Source: DHS, 2015

In 2015, DHS had an operating budget of \$89.1 billion. This was an increase of \$3.8 billion from FY 2014 (U.S. DHS 2015) and a little less than double the FY 2009 budget (U.S. DHS 2009). The budget is not broken down by individual agency within the department, but a set of broad mission statements is included that are further tied to specific missions in the report. The following is a listing of these missions and their percentage of the budget allocation:

- Fostering a Safe and Secure Homeland – 59%
- Ensuring Resilience to Disasters – 21%
- Providing Essential Support to National, Economic, and Homeland Security – 7%
- Enforcing and Administering Our Immigration Laws – 13%

The DHS Financial and Performance Report of 2015 describes an agency that is fiscally responsible with strong financial management, and transparency and accountability in its finances. The agency has a number of management systems in place to deal with illegal apprehensions, while allowing the movement of goods through the borders. The report recognizes that the United States is part of a global economy. What is not mentioned in the annual financial and performance report is respect for individuals and public service values, such as democracy. The report presents an agency that is meeting efficiencies under a system of New Public Management. Yet, with all of this discussion of efficiencies, there are still real problems in the management of systems within the agencies. Over the past couple of years, with the high level of review of the agency, there have been a number of responses. These

will be explored further below.

Staffing levels for the CBP and the Border Patrol increased significantly in the 2000s. Over a ten-year span (2005-2015), growth in the CBP was exponential with approximately 17,000 to 23,000, and from 12,000 to over 20,000 agents at Border Patrol (U.S. DHS/CBP 2009; U.S. Border Patrol 2015). This quick growth in employees has led to concerns about the level of professionalism in the agency and the ability to appropriately train new agents (Kolb 2014). However, the 2013 review of the CBP by the Office of the Inspector General (OIG) did not find the quick increase in staff contributing to the agency's current challenges (U.S. DHS/OIG 2013). Yet, there were definitely concerns within CBP and the Border Patrol. So much so, that members of Congress have made multiple requests to review operations in the agency. In 2015, CBP responded to a congressional request to review hiring practices and staff professionalism, and published a number of documents with their response to these concerns (U.S. DHS/CBP 2015a, 2015b).

The CBP has had a number of violent incidents and corruption cases in recent years, which have led to reviews of its use of force policy. The OIG of DHS conducted its first review in 2013 after media reports in 2012 of the death of an undocumented migrant in CBP's custody in 2010. The request was made by Senator Robert Menendez from New Jersey, along with 15 other members of Congress (U.S. DHS/OIG 2013). Abusive incidents have not stopped since the initial review in 2013 and are being recorded by media outlets and civil society. The ACLU of San Diego and Imperial Counties, the American Immigration Council, the National Immigration Project of the National Lawyers Guild, and the Northwest Immigrant Rights Project have developed a website, holdcbpaccountable.org, to record abuses and lawsuits against DHS. There are cases throughout the nation, in 10 different states. Cases of abuse have been recorded in border and non-border states: Arizona, California, Ohio, Florida, Indiana, Montana, Minnesota, Nebraska, New York, Texas, and Washington. This shows how the issues that start at the border are important for the whole nation. The Center for Investigative Reporting has also created a website that provides data on the number of corruption cases in CBP, including photos of the agents, the number of cases by year, and a type of cases. In 2008 and 2009, the highest numbers of cases of corruption were reported, 29 and 22 respectively. None of the cases reported here were for the excessive use of force. They had to do more with criminal acts by CBP agents (Center for Investigative Reporting n.d.). Known abuses by CBP agents include:

- 20 registered deaths of Mexican nationals or Mexican Americans by U.S. authorities (Martinez et al. 2013; Becker and Schulz 2014; Hold CBP Accountable n.d.);
- the improper use of force policies and a lack of transparency at DHS (Becker and Schulz 2014; U.S. DHS/OIG 2013);
- claims of abuse ignored by officials in DHS (Bennett 2014);
- deporting people at night to unfamiliar border cities (Washington Office of Latin America 2014);
- corruption and graft by agents (Shifter and Schwartz 2011);
- and Border Patrol agents destroying water placed in the desert by humanitarian groups for migrants (Frey 2012).

Other issues that are experienced on an everyday basis, but with little documentation except heard in conversations, is the overall disrespect for people by agents, slowing the

border wait for those who cannot pay, and holding people in secondary inspection centers for long periods with no regard for their time. These varying abuses depict an uncaring agency that does not value human life, a basic tenet of democracy and support for the people. The abuses raise concerns about the professionalization of federal employees—individuals who are paid by taxpayers in the United States, residents with and without legal status.

The problems and abuses related to DHS led to the introduction of legislation in the U.S. House of Representatives. This bill was titled H.R. 4303: Border Enforcement Accountability, Oversight, and Community Engagement Act of 2014. It was given a 3% chance by GovTrack of passing through Congress and being enacted. The lack of political support is due to the overall political climate in the United States today, which again is based primarily on security with little concern for democracy and other public service values, such as ethics and justice.

Concerns about the use of force policy came to a head with official reports from the Police Executive Research Forum in 2013 and the Homeland Security Advisory Council in 2016. These reports further detailed the overuse of force by agents and abuse claims being ignored by officials. Secretary Jeh Johnson of DHS set out to change how the agency was perceived with a public relations campaign on the DHS website. The agency was working to improve its image and working relationship with the community it serves. This is a long term project, particularly on the perceptions of people living in the region, but it should be noted as encouraging.

In addition to the larger use of force problems, there have been reports by the U.S. Government Accountability Office (GAO) that look at issues within the management of the security bureaucracy at the border. In a report from March of 2009, coordination between the Drug Enforcement Agency (DEA) in the U.S. Department of Justice and the DHS agencies was stated as poor. The interagency agreements are out of date and lack cohesiveness. For example, any drugs seized outside of the official border zone are handled by the DEA, and any drugs found at the border are investigated by ICE. In a contradiction though, ICE only has limited access to the Special Operations Center on Drug Trafficking and is not part of the Organized Crime Drug Enforcement Task Force (U.S. GAO 2009). DHS was formed in 2002 to provide greater cohesiveness among agencies, yet this report shows there are still problems with interagency coordination.

In February 2014, the GAO released a report on problems with implementation of a new database system used to share information on people deemed to pose a threat to national security who are not allowed to enter. The previous system was outdated, as it was implemented in the 1980s and based on obsolete technology. For example, the algorithms to search the databases do not match names with non-English alphabets. Additionally, there are recognized gaps in the information, and inspectors do not have the ability to update information at their terminals. The implementation of the new technology has had many challenges. Timelines have not been met, with millions already spent, and the programs are being reworked as of January 2014 (Powner 2014).

Another interesting aspect of the security regime in the United States is the influence of the private sector in the provision of goods to help the agency meet its mission. As with other U.S. agencies, management of the border is based on the framework of New Public Management (NPM). The basic tenets of NPM in the borderlands include, but are not limited to, privatization, contracting out, freedom to manage user charges, performance measurement and accounting, use of informational technology, and rationalization of jurisdictions (Gruening 2001). This is a topic for additional research, but the work of Box (2001, 2003, 2007) and others clearly shows that the focus on efficiencies, individualism, and security

moves the conversation away from public space and democracy. NPM may impede the rights of the people to access spaces paid for by taxpayers on both sides of the border, with implications for democracy.

An example of this relationship between the public and private sector and the influences on the functioning of the bureaucracy can be seen in a large annual tradeshow. The Border Security Expo provides DHS employees the opportunity to view all of the newest security technologies (Carcamo 2014). Many of these were developed for the military, and their application has been modified for domestic use. This connection between the public and private sector is good for American business, but further prioritizes security in American society and culture.

Privatization has also been implemented at the border crossing itself. The Global Entry programs, including Sentri and Ready programs at the border, allow individuals to obtain a pre-clearance, pay a fee, and cross in a special lane that has a smaller wait time than found in the “free” lanes. These are great for those who have clearance and do improve efficiencies at the border, but this raises concerns about equal access and moving a public good into a more private good. There have also been rumors, clearly not proven, that the inspectors in the “free” lanes have slowed down inspections, creating an even greater need for those who cross frequently to enroll in Sentri or Ready programs.

It is unsurprising that these cases exist, as the bureaucracy has been designed to keep the area under control—control those who have a right to pass the border and control the illegal transport of people and contraband. All of these controls have a limiting effect on democracy for those living in the region. The story told here does not have to end with this negative note. Solutions can be developed that improve the mission of the agencies working the region and the conditions of those living and working in the region.

How Do We Move Toward A More Positive Future?

As presented here, problems exist in the management of the U.S.-Mexican border. The challenge is directly related to the levels of democracy in the region and respect for the individual. The lack of respect for individuals is based in the ideologies of sovereignty and nationalism. Which, if this problem is further broken down, is related to the competing values of individualism and equality. In a global society, there is much more competition among people, and, therefore, a stronger pushback on equality. This creates further tension in society that needs to be addressed through the political system and administrative system supporting democracy. Unfortunately, democracy seems to be receding in many countries, as civics education has been weakened and voters are detached and untrusting of their governments. One answer to this problem is to reexamine how to reinsert democratic values within a global world.

What does substantive democracy mean in a highly connected world with threats of terrorism looming? What is occurring in the U.S.-Mexican border provides some insight, as seen in this manuscript. As enumerated a number of times here, there is a lack of democracy and representative institutions in the U.S.-Mexican border region. It is here that one can clearly note the notion of representation, which is limited by geopolitical boundaries. With representation, access to institutions and the system are delimited, yet, as society progresses, it is important to question what does this really mean for people’s lives? New paradigms and models for administering society in a global world are needed. The backlash against the current system was obvious in 2016 with the move toward populist candidates and issues that sound and feel good, but have little proof of actually making people’s lives better.

These are not new ideas, as Robert Dahl was questioning the same concept 20 plus years ago. All that has changed since this time is that terrorism is more global and the world's economy is more connected. These two ideas are not discussed here in length, but are well-known to any observer of society. Again, current methods are not working, and it is questionable if they are making us any safer. Moving forward, we need to learn from the past, and think about how institutions and administration can change.

Place and its administration is an important aspect of participatory democracy. If you have bifurcated areas, such as the communities along the U.S.-Mexican border, it is difficult to think how a system of participatory democracy can be developed. There are different political systems and agendas, and a U.S. federal agency whose role is make the region and the nation safe, but which has been creating additional challenges through its actions. The next steps are to understand and develop programs that support a participatory system. Joint education programs should be created in the region, presenting both Mexican and U.S. perspectives. Binational workshops on civics should be developed and presented—creating a system of understanding. This initiative could be supported by non-profits and universities in the region. This would create a common framework and public goals that are formed in the communities. The goals need to expand beyond the government priorities of security and shared use of resources.

Closely related to creating an education program is for the administrative state to improve the public space of the border. Reviewing Goodsell's schematic on the democracy of place, we can see that, from many different perspectives, the U.S.-Mexican border is inherently undemocratic based on the public space. Improvements need to include changing the tone of the conversation around the border. It is highly politicized and generally discussed with negative terminology. A more positive construction is needed in the ideal public space of Habermas. There is new construction and improvements in the physical space, along with some local initiatives, but these need more support and innovation for continued improvement.

The people living in the region can influence change through the democratic system. This is a slow and difficult process that usually depends largely on the judicial system. Through the systems of checks and balances, it is hoped that the system corrects itself where abuses arise. We are seeing this happen currently. In fact, during the writing of this manuscript, the situation has changed. DHS, under the leadership of Secretary Jeh Johnson, was working to be much more proactive in their messaging and responding to the requests of Congress. Lawsuits are making their way through the courts. The use of force policy has been changed. New protocols for training and professionalization have been implemented. The ultimate result is not clear at this point, particularly with a change in the U.S. presidential administration in 2016. The political will in society to make change is difficult, but in a democracy, people have the right to speak, and many times, patience is needed to see any positive movement. This is where it becomes important to decide who is included in the democratic process—leading us again to the need to reinsert the rights of the individual and equality into the conversation on the border.

Along with changes to the public space that creates the border, there also needs to be a change in the goals of the agencies working in the region. This is partially occurring as the Department of Homeland Security, as noted, and, in particular, CBP are working to be more transparent and provide a greater level of customer service. CBP has been working with e-governance tools to remake their image and operation. Though image and internal operational rules are important, what still seems to be missing is a change in perspective on the goals for the agencies. This will drive the vision on the ground. If the conversation is only about

security and maintaining flows of goods, how to improve people's lives is lost. The concept of basic humanity in how we treat each other is absent from the administration. This cannot lead to productive outcomes that improve the situation as people come to disrespect the agents and the agencies put there to protect and serve the public's interest. Trust needs to be reestablish through mutual respect and shared goals.

Concluding Thoughts

The U.S.-Mexican border is a complex public space with high flows of people and goods creating an area that is perceived to be a risk to national concerns. There is a conflict between the national security politics and those living in the region, who live their lives and work to create all of the benefits the area has to provide. This conflict is seen directly through the actions of the main security bureaucracy, the U.S. Department of Homeland Security, specifically, Customs and Border Protection and Border Patrol.

This case study of the U.S.-Mexican border region shows the lack of democracy in the region, based on the administrative systems, and because it is a border. Both countries are democratic, yet the shared place between them is undemocratic. In order to improve lives, increase trust of government institutions, and improve domestic and economic security, a more democratic system needs to be developed. Individual empowerment through knowledge of how both systems operate will allow greater involvement. Additionally, governments should work to support shared systems of governance in the region, providing additional spaces for people to interact and resolve challenges. As a global society, we can learn much from the experiment of the U.S. government founded so many years ago. With this, I leave you with a couple of quotes that support constructing a new system based on old values. The first is from Albert Einstein, who once stated, "We cannot solve our problems with the same thinking we use when we created them." The second, and final, thought is from James Madison, "It is a universal truth that the loss of liberty at home is to be charged to the provisions against danger, real or pretended, from abroad." We need to change our communal thinking on liberalism and equality to see how we can work across borders to improve lives, as opposed to destroying liberty and democracy in response to perceived or real threats.

Kimberly Collins, Ph.D., is the Executive Director of the Barbara and William Leonard Transportation Center (LTC) at California State University, San Bernardino. The LTC is a regional transportation center focused on improving transportation public policy through data driven decision making. The three main themes are transportation related issues, technology, and transborder studies. Collins' current research focuses on social networks and democracy in communities, particularly borderlands. Additional research interests include: understanding individual's perceptions of quality of life, in order to improve public sector decision making and resource allocation; comparative local governance and federalism in the United States and Mexico; environmental policy at the federal, state, and local level; environmental behavior of residents; and issues with sustainability, democracy, and public goods. She currently is an Associate Professor of Public Administration at CSUSB. Email: Kimberly@csusb.edu.

References

Abizadeh, Arash. 2008. Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders. *Political Theory*, 36(1): 37-65.

- Aguayo, Sergio. 2010a. *La transición en México. Una historia documental, 1910–2010*. México City: El Colegio de México/Fondo de Cultura Económica.
- Aguayo, Sergio. 2010b, *Vuelta en U. Guía para entender y reactivar la democracia estancada*. Mexico City: Taurus.
- American Civil Liberties Union (ACLU). 2012. ACLU Sues Over Abuse Of Photographers By Border Patrol Agents. October 25. Retrieved October 26, 2016 from www.aclu.org/blog/free-speech-immigrants-rights-criminal-law-reform/aclu-sues-over-abuse-photographers-border
- Bajc, Vida and Willem de Lint, eds. 2011. *Security and Everyday Life*. New York and London: Routledge.
- Barber, Benjamin, 1984. *Strong Democracy: Participatory Politics for a New Age*. Berkeley: University of California Press.
- Becker, Andrew and G.W. Schulz. 2014. Border agency watchdog censors recommendations to curb deadly force. *Washington Post and Center for Investigative Reporting*, (January 29). Retrieved October 25, 2016 from cironline.org/reports/border-agency-watchdog-censors-recommendations-curb-deadly-force-5761.
- Benhabib, Seyla. 2009. Claiming Rights across Borders: International Human Rights and Democratic Sovereignty. *American Political Science Review*, 103(4): 691-704.
- Bennett, Brian. 2014. Border Abuse Claims Often Ignored. *Los Angeles Times* (May 10) A1.
- Bersin, Alan D. and Michael D. Huston. 2016. Homeland Security as a Theory of Action: The Impact on U.S.-Mexico Border Management. In Christopher Wilson, ed. *The Anatomy of a Relationship: A Collection of Essays on the Evolution of U.S.-Mexico Cooperation on Border Management*. Washington DC: Wilson Center. Retrieved December 8, 2016 from www.wilsoncenter.org/publication/the-anatomy-relationship-collection-essays-the-evolution-us-mexico-cooperation-border
- Box, Richard C. 2003. Contradiction, Utopia, and Public Administration. *Administrative Theory & Praxis* 25(2): 243-260.
- Box, Richard C. 2007, Redescribing the Public Interest. *The Social Science Journal* 44:585-598.
- Box, Richard C., Gary S. Marshall, B.J. Reed, and Christine M. Reed. 2001. New Public Management and Substantive Democracy. *Public Administration Review* (September/October) 61(5): 608-619.
- Brunet-Jailly, Emmanuel. 2005. Theorizing Borders: An Interdisciplinary Perspective. *Geopolitics*, 10: 633-649.
- Carcamo, Cindy. 2014. Border Security Outlay a Boon to Business. *Los Angeles Times* (March 20) A1. Center for Investigative Reporting. n.d. Crossing the Line: Corruption at the Border. Retrieved October 25, 2016 from bordercorruption.apps.cironline.org/.
- Collins, Kimberly. 2013. Insights Provided by U.S.-Mexican Border Quality of Life Indicators. *Eurasia Border Review* (Spring) 4(1): 43-61.
- Corchado, Alfredo. 2016, July 18. Common Ground. Dallas Morning News. Retrieved October 26, 2016 From interactives.dallasnews.com/2016/border-poll/
- Dahl, Robert A. 1990. *After the Revolution? Authority In a Good Society*. New Haven: Yale University Press.
- Denhardt, Robert and Janet Denhardt. 2002. The New Public Service: Serving Rather than Steering. *Public Administration Review* (60)6: 549-559.
- Eisenstadt, Todd A. 2003. *Courting Democracy in Mexico: Party Strategies and Electoral Institutions*. Cambridge, UK: Cambridge University Press.

- Frey, John Carlos. 2012 A hidden camera shows Border Patrol agents destroying water jugs left for migrants, and the abuse gets worse. Retrieved July 9, 2016 from www.theinvestigativiefund.org/reporters/johncarlosfrey
- Goodsell, Charles T. 2003. The concept of public space and its democratic manifestations *The American Review of Public Administration* 33(4): 361-383.
- Gruening, Gernod. 2001. Origin and theoretical basis of New Public Management. *International Public Management Journal* 4: 1-25.
- Habermas, Juergen. 1989. The public sphere: An encyclopedia article. In S. Bronner and D. Kellner (Eds.), *Critical theory and society: A reader*. New York: Routledge.
- Heineman, Robert A., William T. Bluhm, Steven A. Peterson, and Edward N. Kearny. 2001. *The World of the Policy Analyst: Rationality, Values, and Politics*. New York: Seven Bridges Press, LLC, Chatham House Publishers.
- HoldCBPAccountable.org. n.d. Hold CBP Accountable. Retrieved October 25, 2016 from Holdcbpaccountable.org
- Homeland Security Advisory Council. 2016, March 15. Homeland Security Advisory Council Task Force on Secure Communities Findings and Recommendations. Retrieved October 26, 2016 from [www.dhs.gov/sites/default/files/publications/HSAC%20CBP%20IAP_Final%20Report_FINAL%20\(accessible\)_0.pdf](http://www.dhs.gov/sites/default/files/publications/HSAC%20CBP%20IAP_Final%20Report_FINAL%20(accessible)_0.pdf)
- INEGI - Instituto Nacional de Estadísticas Geografía e Informática, 2014, *Información Nacional, Por Entidad Federativa y Municipios*. Retrieved December 8, 2016 from www.inegi.gob.mx
- Kaldor, Mary. 2007. Democracy and Globalisation. Retrieved July 8, 2016 from www.gcsknowledgebase.org/wp-content/uploads/0708-04-ch2-red.pdf
- Kearny, Milo, and Knopp, Anthony. 1995. *Border Cuates*. Austin, Texas: Eakin Press.
- Kolb, Joseph J. 2014. Customs and Border Protection announces a hiring surge of 2000. Thomson Reuters. (May 1). Retrieved July 8, 2016 from www.reuters.com
- Low, Setha M. 2000. *On the plaza: The politics of public space and culture*. Austin: University of Texas Press.
- Martinez, Daniel E. and Jeremy Slack, 2013. *Bordering on Criminal: The Routine Abuse of Migrants in the Removal System*. Immigration Policy Center. Retrieved July 7, 2016 from www.americanimmigrationcouncil.org/research/bordering-criminal-routine-abuse-migrants-removal-system
- McGrew, Anthony G. 1999. Democratising Global Governance: Democratic Theory and Democracy beyond Borders. *Theoria: A Journal of Social and Political Theory* 94: 1-29.
- Morris, Stephen D. 2009. *Political Corruption in Mexico: The Impact of Democratization*. Boulder: Lynne Rienner.
- O'Connor and de Lint. 2009. Frontier Government: The Folding of the Canada-US Border. *Studies in Social Justice* 3(1): 39-66.
- O'Toole, Gavin. 2010. *The Reinvention of Mexico: National Ideology in a Neoliberal Era*. Liverpool: Liverpool University Press.
- Powner, David A. 2014. *BORDER SECURITY: DHS Needs to Strengthen Its Efforts to Modernize Key Enforcement Systems*. Testimony before the Subcommittee on Oversight and Management Efficiency, Committee on Homeland Security, House of Representatives. U.S. Government Accountability Office, GAO-14-342T. (February 6). Retrieved July 6, 2016 from www.gao.gov
- Rodríguez Araujo, O., ed. 2009, *México. Un nuevo régimen político?* México D.F.: Siglo

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- Rubio, Luis. 2013. *In the Lurch Between Government and Chaos: Unconsolidated Democracy in Mexico*. Washington DC: Woodrow Wilson International Center for Scholars. Retrieved July 9, 2016 from www.wilsoncenter.org/publication/the-lurch-between-government-and-chaos-unconsolidated-democracy-mexico
- Selee, Andrew and Jacqueline Peschard, eds. 2010. *Mexico's Democratic Challenges. Politics, Government, and Society*. Washington/Stanford: Woodrow Wilson Center Press/Stanford University Press.
- Shifter, Michael and Rachel Schwartz. 2011. Balance on the Border? Evaluating US News Media Portrayals of Mexico. *Inter-American Dialogue*. Retrieved July 6, 2016 from www.thedialogue.org/publicationfiles/temasarticledraftfinalversion2.pdf
- Staudt, Kathleen A, and Irasema Coronado. 2002. *Fronteras No Más : Toward Social Justice at the U.S.-Mexico Border*. New York: Palgrave Macmillan.
- The Police Executive Research Forum. (2013, February). U.S. Customs and Border Protection, Use of Force Review: Cases and Policies. Retrieved July 8, 2016 from www.cbp.gov/sites/default/files/documents/PERFReport.pdf
- U.S. Border Patrol. 2015. Border Patrol Agent Staffing by Fiscal Year (as of September 19, 2015). Retrieved July 8, 2016 from www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2015.pdf
- U.S. Census Bureau. 2014. State and County QuickFacts. Retrieved from www.census.gov.
- U.S. Department of Homeland Security (DHS). 2015. Agency Financial Report. Retrieved July 8, 2016 from www.dhs.gov.
- U.S. Department of Homeland Security, Customs and Border Protection (DHS/CBP). n.d. Stats and Summaries. Retrieved July 8, 2016 from www.cbp.gov/newsroom/media-resources/stats?title=&page=2
- U.S. Department of Homeland Security, Customs and Border Protection (DHS/CBP). 2009. Securing American's Borders: CBP Fiscal Year 2009 in Review Fact Sheet. Retrieved July 8, 2016 from www.cbp.gov/newsroom/local-media-release/2009-11-24-050000/securing-americas-borders-cbp-fiscal-year-2009-review
- U.S. Department of Homeland Security, Customs and Border Protection (DHS/CBP). 2015a. CBP Staff Professionalism. Retrieved July 8, 2016 from www.dhs.gov/sites/default/files/publications/CBP%20Staff%20Professionalism%20-%20FY%202015.pdf
- U.S. Department of Homeland Security, Customs and Border Protection (DHS/CBP). 2015b. Expedited Hiring Plan, Retrieved July 8, 2016 from www.dhs.gov/sites/default/files/publications/Customs%20and%20Border%20Protection%20%28CBP%29%20%20Expedited%20Hiring%20Plan_0.pdf
- U.S. Department of Homeland Security, Office of Inspector General (DHS/OIG). 2013. September, CBP Use of Force Training and Actions to Address Use of Force Incidents (Redacted). OIG-13-114 (Revised). Retrieved July 8, 2016 from www.documentcloud.org/documents/798751-oig-use-of-force-report.html
- U.S. Department of Transportation, Bureau of Transportation Statistics. 2016. Retrieved July 8, 2016 from transborder.bts.gov/programs/international/transborder/TBDR_BC/TBDR_BCQ.html
- U.S. Government Accountability Office (GAO). 2009. March, DRUG CONTROL: Better Coordination with the Department of Homeland Security and an Updated Accountability Framework Can Further Enhance DEA's Efforts to Meet Post-9/11

- Responsibilities, GAO-09-63. Retrieved July 8, 2016 from www.gao.gov
- U.S. International Trade Commission (USITC). n.d. Interactive Tariff and Trade DataWeb. Retrieved July 8, 2016 from dataweb.usitc.gov
- Washington Office on Latin America (WOLA). 2014. March 2, Multimedia Package: Five Ways to Stop Unsafe Deportations. Retrieved December 8, 2016 from www.wola.org
- Wuhs, Steven T. 2008. *Savage Democracy. Institutional Change and Party Development in Mexico*. University Park, PA: The Pennsylvania State University Press.