



Producing-resisting national borders in the United States, France and the Netherlands

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ABSTRACT

Since the 1990s, governments in the United States, France, and the Netherlands have expanded their capacities to police their national borders against immigrants. The paper examines how such efforts have contributed to the growth of centralized policing agencies and the devolution of powers to individualized border enforcers (local police, service providers, nonprofit organizations, etc.). The paper argues that bordering strategies have closed some “holes” in national walls, but they have also introduced countless disagreements, disputes, and resistances by undocumented immigrants, legal permanent residents, national citizens, and frontline border enforcers. Many of these small resistances stay small and do not evolve into large contentious struggles. Others scale up and present more important challenges to government efforts. Rather than simply producing smooth governing machines that sharpen boundaries between the national citizen and the foreign Other, bordering strategies generate waves of small and big struggles that puncture and blur these facile boundaries.

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Introduction

In a number of northern countries, a growing consensus emerged during the 1990s that immigrants presented a threat to national communities and that states needed to “get tough” on this population (Berezin, 2013; Joppke, 2007, 2008). While there have certainly been differences in how governments (e.g. United States, France, and the Netherlands) have developed and enacted bordering strategies, there have also been similarities. This paper suggests that one similarity has been the concentration of power in central government agencies (law enforcement, courts, detention and deportation facilities) and the devolution of bordering powers to individualized border enforcers (local officials, service providers, private employers, ...). The paper maintains that this effort to construct more impermeable borders has not resulted in smooth governing machines to separate populations. Bordering strategies have instead politicized immigration as an issue and opened up governmental practices to disagreements, resistance, and contentious struggles (Strunk & Leitner, 2013; Vignesswaran, 2008). The paper therefore addresses two interlinked questions: How does the concentration–diffusion of bordering powers contribute to the proliferation of resistances, and how do some (but not all) small resistances grow into larger disruptive political forces?

This paper argues that more restrictions enacted in more locations produce small disagreements, doubts, and resistances among immigrants, supporters, and newly deputized border enforcers. Early resistances generate thousands of small debates across localities and institutional sites (local schools, police departments, state legislative bodies, and so on) over whether restrictive measures are legitimate, moral, and just. Some of these small seeds of resistance can fester, sharpen, and spread through complex networking processes. As certain seeds grow into potent mobilizations, they can present important disruptions and challenge to government policies and rationalities.

The paper illustrates the theoretical argument by drawing on secondary literature and the author’s long-term research. The author has performed extensive research on immigrant rights movements in the United States and France (Nicholls, 2013a, 2013b), and continues to perform research on the United States. The research in the United States and France depended on semi-structured interviews, archive analysis of key immigrant rights organizations, and the construction and analysis of large newspaper databases. The Dutch case relies more on secondary materials. The Amsterdam campaign discussed in the final section of the paper draws on ten semi-structured interviews with immigrant activists and nonprofit organizations, a newspaper analysis, and the informative insights provided by several students who participated in and studied the mobilization. This short discussion is not intended to be a definitive account of the campaign but only a brief illustration of how conflicts grow from small resistances into a big, complex, and tangled mobilization.

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While not wanting to do violence to the particularities of any single case, a three-country comparison provides a conceptual platform to make more general claims about the nature of state power and resistance. By highlighting commonalities, we gain a better understanding of the contradictions, holes, and inherent fragility of expansive government strategies. The paper begins with an outline of the basic theoretical argument. The second section describes the new bordering strategies in the U.S., France, and the Netherlands. The third section analyzes how these strategies trigger grievances, conflicts, and resistances among undocumented immigrants, legal permanent residents, national citizens, and newly deputized border enforcers. The final section uses a case in Amsterdam to describe how a small resistance took root in a specific geographical environment and scaled up into a messy and large mobilization.

Enforcing–resisting borders

Contentious immigrant rights politics

Scholars studying immigrant social movements have largely drawn from the theoretical toolkit provided by the social movement literature (Ireland, 1994; Koopmans, Statham, Giugni, & Passy, 2005; Voss & Bloemraad, 2011). While European scholars have drawn mostly from the “opportunity structure” tradition of the social movement literature, their U.S. counterparts have turned more to the “resource mobilization” tradition (Nicholls, 2013a; Voss & Bloemraad, 2011). For instance, Koopmans et al. (2005) focused on national level political and discursive opportunity structures to understand variations between large immigrant rights mobilizations in four countries. Voss and Bloemraad (2011) added to these insights in their study of the big 2006 immigrant rights mobilizations in the U.S. by suggesting that resources (economic, cultural, political capital) were essential for making these massive mobilizations possible. This literature says much about the factors that shape large-scale mobilizations, but less about how small resistances emerge in response to growing government repression, and how small conflicts evolve into system threatening mobilizations.

Political geographers (Coleman, 2007; Strunk & Leitner, 2013; Vigneswaran, 2008; Walker & Leitner, 2011) have shown that national governments have created more powerful, totalizing, and sophisticated bordering regimes. These regimes have presented limited political opportunities for many immigrant activists and undermined their legitimacy, but they also spur small resistances in different localities and institutional settings (Strunk & Leitner, 2013; Walker & Leitner, 2011). Other geographers have shown why and how smaller conflicts *scale* up into larger mobilizations (Miller, 2000; Nicholls, 2009; Routledge, 2005). Mobilizations emerge in localities, but political barriers and challenges at these scales may precipitate leaders to switch to more fortuitous geopolitical scales (Miller, 2000). While some scholars help explain *why* activists “shift” scale, others have spent more time analyzing *how* scale shifts occur (Nicholls, 2009; Routledge, 2005; Tarrow & McAdam, 2005). Networks make it possible for activists in a locale to reach out to distant others, obtain information concerning opportunities and constraints, access a broader variety of resources, expand organizational infrastructures, and increase the number and diversity of possible allies.

The sociological literature therefore helps us identify the political and organizational conditions that favor *large* social movements, but it is less useful for understanding how small resistances proliferate in response to growing state power. Political geographers have helped fill the gap by showing that people resist state power, and why and how small resistances shift scale and become larger mobilizations.

Growing seeds into entangled, disruptive mobilizations

We still lack theoretical tools to understand the links between more state power, small resistances, and upscaling small resistances into larger disruptive mobilizations. To address the connection between these links, the paper draws inspiration from Michel Foucault and James Scott. Taken together, their work provides insights into how modern governments create bounded categories to separate licit from illicit populations, how modern state power is deeply fragmented, how governing powers become diffused across space through localized relays, and how the enactment of power (against illicit populations/conduct) in specific places generates a plurality of resistances that undermine the bordering capacities of the state.

The subsection outlines four interlinked processes to address how the expansion of a repressive governing apparatus (a bordering regime, in this instance) multiplies resistances, and how these resistances sometimes grow into large and disruptive political forces.

1. *Illegality and bordering*

State power in the 19th century, as Foucault famously noted, focused on producing and managing life. It was “a power bent on generating forces, making them grow, and ordering them, rather than one dedicated to impeding them, making them submit” (Foucault, 1978, p. 136). Discourses arose concerning what constituted a good, moral, and healthy population, and such discourses differentiated this population from deficient and polluting others. This resulted in constructing a collective “norm” around which to distinguish normal from abnormal populations (Foucault, 1978, p. 144).

While certain deviants (people veering from socially constructed norms) could be disciplined and normalized, others could not. They were banished through symbolic and institutional sanctions that rendered their activities *illegal* and turned those engaging in them into criminals. The process of making certain populations *illegal* (illegalized) was therefore a political project to ensure the wellbeing of the normal, licit, and *legal* population:

At the point of departure, then, one may place the political project of rooting out illegalities, generalizing the punitive function and delimiting, in order to control it [...] *The criminal designated as the enemy of all, whom it is in the interest of all to track down, falls outside the pact, disqualifies himself as citizen and emerges, bearing within him as it were, a wild fragment of nature; he appears as a villain, a monster, a madman, perhaps, a sick and, before long, “abnormal” individuals* (Foucault, 1979, p. 101, emphasis added).

Fostering normal life in modern society required disallowing irreducibly abnormal lives (“wild fragment of nature”) from taking root in society, “often to the point of death” (Foucault, 1978, p. 138). This stimulated the production of categorical and institutional boundaries to exclude the threat from good society.

Bordering, as used in this paper, has been a central normative rationality and technology to territorialize boundaries between good and bad, legal and illegal populations (Fassin, 2011). “The b/order,” as critical border scholars have long claimed, “is an active verb” (Van Houtum et al., 2005, p. 3). It entails developing discourses for why the Other is a threat, the construction of legal codes and administrative categories to translate subjective norms into formal criteria and metrics, and the creation of repressive agencies, materials, and institutions dividing desirable and undesirable populations. Those on the other side of borders are rendered outside the law, making it virtually *impossible* for citizens to recognize them as subjects of solidarity and as beings with the “right to have rights” in the country (Arendt, 1973; Ngai, 2004).

2. *Concentrating–individualizing bordering powers*

Protecting good and licit populations precipitates governments to block the threatening Other from entering and settling within

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