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## The Politics of Plan Frontera Sur: A Theoretical Approach to Mexico's Prosecution of Illegal Migrants

Ana Juliana Borja Armas  
*Bard College*

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# **The Politics of Plan Frontera Sur:**

A Theoretical Approach to Mexico's Prosecution of Illegal Migrants



Senior Project Submitted to  
The Division of Social Studies  
of Bard College

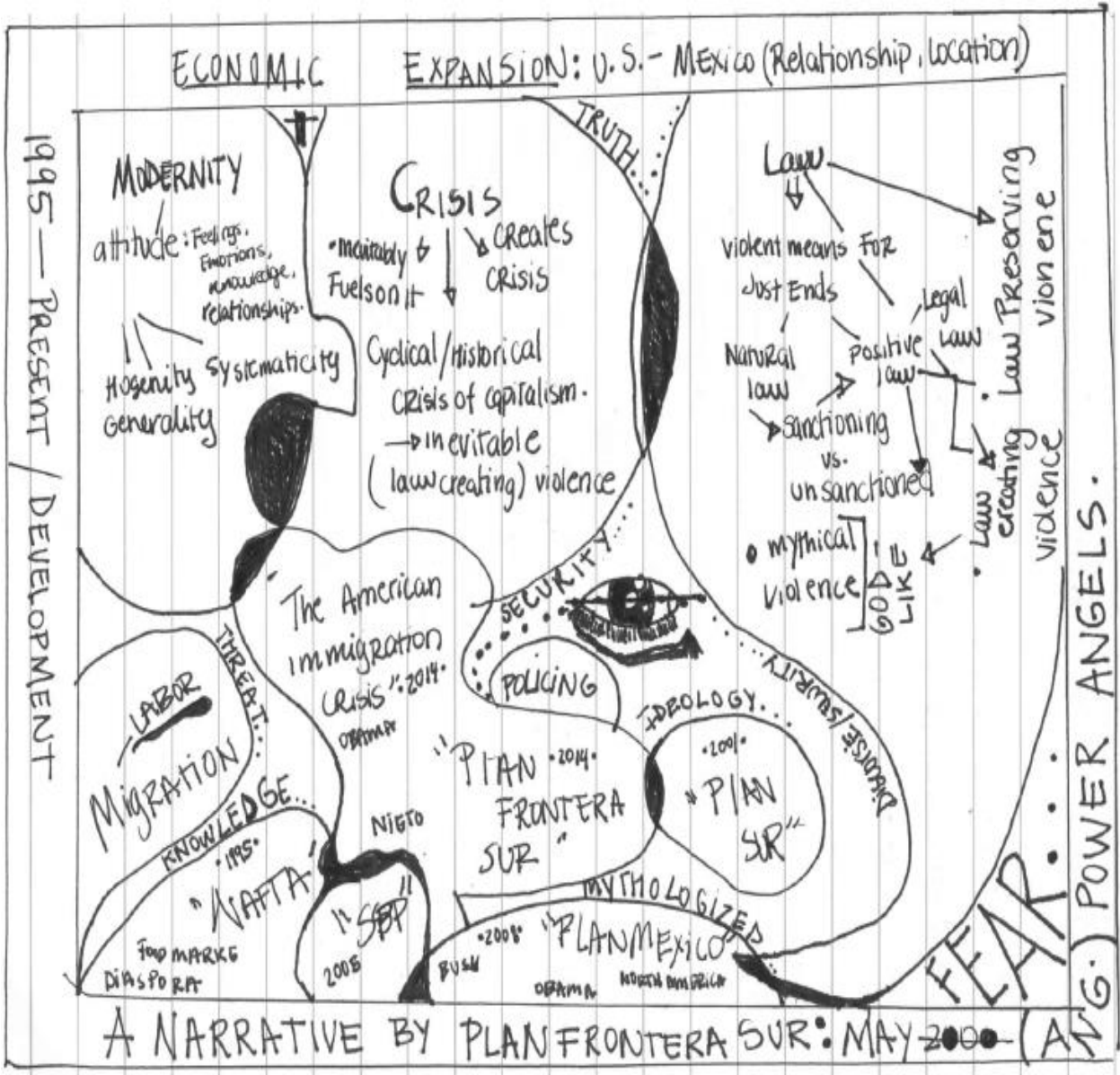
by  
Ana Juliana Borja Armas

Annandale-on-Hudson, New York

May 2016



# "Mosaic"



# Acknowledgements

This thesis is dedicated to my mother and father for their influence in my understanding of life. I wouldn't be here if it wasn't for their hard work and patience. They are the inspiration of my thought.

*Mis Viejos (Mami Negra y Papi Victor), los amo y extraño, siempre.*

*Salió de su país el 2 de enero, se despidió de sus dos hijas niñas y su esposa; atravesó la frontera mexicana el 4 y llegó a la 72 [en] tenosique el 5. Hoy 6 de enero le "pidió a los reyes magos" poder llegar a los EU para poder ayudar a su familia. El tren le arrancó una pierna y le quebró otra. Lo único que encontraron en su cartera fueron su "identidad", 15 Lempiras y 7 Quetzales. Qué significa decir feliz año? Cómo y dónde se alcanza la felicidad? Cuando pude platicar con él, dos hilos de lágrimas salían de sus ojos silenciosamente. "Yo tuve la culpa, dígame a mi familia que me perdone" me dijo. En otro enero otros revolucionarios nos enseñaron a cuestionar: "De qué tenemos que pedir perdón? De qué nos van a perdonar? \*Quién tiene que pedir perdón y quién puede otorgarlo?<sup>1</sup>*

*Friar Tomas Gonzalez, 2016*

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<sup>1</sup> Instagram, December 2016.

## PREFACE

“My dream is to get to the United States to be with my father.”

“My mother’s dream is to make it to Mexico City”

“My mothers dream is to be a nurse. I want to be a nurse too.”

“Look at this. I want to be an architect. I want to keep learning more. This can’t just be a dream. It has to become a reality”

“My dream is to make flowers out of aluminum cans, and to learn how to make cars, planes, limousines and ships.”

“My dream is to go to the United States, find my mom and work.”

“My dream is to get to the United States and see my family again. That’s where I’m going to be, with my family in the United States”

“I want to go to the U.S. so that my son can study. So he can be the best he can be. This is my dream”

“I want to be able to support my three children, and also move forward myself. I want to demonstrate to my parents that I can take care of them as well and take care of my children. That’s all I want.”

“My dream is to get to the United States and work to send money home.”<sup>2</sup>

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<sup>2</sup> <sup>2</sup> La 72 Casa de Migrantes. "Sueños | La 72" (YouTube: 2016 <https://www.youtube.com/watch?v=dwSvi-USLUY>).

These quotes come from a short film (“Sueños”) directed by a group of young adults in a migrant shelter in Tabasco for Martin Luther King Day. The question migrants responded to in an interview was “what are your dreams?” These quotes weren’t meant to produce a correct or supporting perspective to my thesis. They were simply another narrative of all the particulars in the mosaic of development: a subjective reflection of material reality.

Most of this work was an investigation of material conditions through legal institutions and state behaviors, however, the question of Plan Frontera Sur revealed so much more than that of legality and statehood. The expansion of policing and modernity across state borders involved endless smaller forms of subjugation that produced this particular example. The illusion of economic progress and modern developed society influenced the subjective aspirations of individuals. These ideals of life were conceptualized as an American Dream. I translated and transcribed colorful quote dreams of migrants in transit in Tenosique, Tabasco. This was a unique human entry to an analysis of the legality of power.

I spent Mexico’s hot July and June months in 2015 working in a Franciscan order migrant shelter: “La 72 – Hogar y Refugio para Migrantes.” It resides in Mexico’s southern border on the first stop of “el tren, la bestia.” La 72 is where I uncovered a new side of the question of Latin American migration. Mexico has become a hell where migrant dreams come to be made perverse. Migrant lives are untraceably lost in the cracks of “just” law. Life is continuously taken by the violence inflicted by justice. This is the story never told by modern development, a story of life, capital and violence.





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## Introduction

The U.S. has been successful in cooperating with the Mexican state to implement broad immigration law (intended to strengthen the rule of law). This particular example of collaboration materialized most concretely in 2014 with the enacting of Plan Frontera Sur, a program that allows the Mexican government to expand its policing institutions. Plan Frontera Sur was officially (but not publically) funded by US congressional (foreign) law: The Merida Initiative (Plan Mexico). Plan Mexico was a legal program that recognized crises and addressed it in 2008.<sup>3</sup> Prior to 2008, in 2004, The Security and Prosperity Program was also enacted by the U.S. as an attempt to address the issues of development.<sup>4</sup> These were different particular forms of law with the same shared objectives. These legal examples were predecessors to the 1995, North American Free Trade Agreement. NAFTA was a transnational economic agreement that decreased regulation on trade and market expansion. By creating legal programs with absurdly violent economic and social consequences, U.S. and Mexico strengthened their rule of law.

These are particular legal material examples of the fragments that make up my thesis on the history of economic expansion from the U.S to Mexico. The study I'm

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<sup>3</sup> Clare Ribando Seckle and Kristin Finklea. "U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond" (<http://fas.org/sgp/crs/row/R41349.pdf>).

<sup>4</sup> "Security and Prosperity Partnership of North America" (Wikipedia:

[https://en.wikipedia.org/wiki/Security\\_and\\_Prosperty\\_Partnership\\_of\\_North\\_America](https://en.wikipedia.org/wiki/Security_and_Prosperty_Partnership_of_North_America)).

posing is an investigation of power departing from Plan Frontera Sur. The dialectical materialist argument that I'm posing is as follows:

Plan Frontera Sur is partially a historical narrative of the expression of power through economic expansion. Economic expansion is the reproduction of domination. This economic expansion is the state recognized concept of development. The rhetoric around development is grounded on a one-dimensional view of humanism and history. Therefore, the normative historical narrative is centered on human rights, and its universal need for security through means of violence. These laws are all examples of this framework of economic expansion: "In [this] conceptual treatment they [laws/concepts] acquire the status of complementary forces, and history is seen as no more than the colored border to their crystallized simultaneity."<sup>5</sup> This is my conceptual redefinition of history.

My investigation departs from an acknowledgement of material reality and power. Therefore this becomes the work of Historical Materialism. In a simplified definition, Historical Materialism worries about the material unfolding of history that gives shape to the culture that shapes (as object) the individual (subject). "[I]deas come to life only when extremes are assembled around them."<sup>6</sup> In these cases historical materialism unfolds in the study of power I provide below. These laws are the unfolding of history as class war in Mexico and the United States. The question I'm posing problematizes the meaning of these efforts of development. This study is an attempt to prove the

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<sup>5</sup> Walter Benjamin, *The Origins of German Tragic Drama* (Berlin: Verso, 2003), 33

<sup>6</sup> Walter Benjamin, 35.

implications of power and domination within these legal programs by disrupting the narratives of history.

There's a specific attention I pay to concepts. Each one of the theoretical (re) definitions below possess a dialectical relationship to its normative definition. I've placed them separately, but juxtaposed to each other as an attempt to redeem the historicist examples, and allow the reader to synthesize between the two extremes. Walter Benjamin talks about concepts in his critique of historical narratives:

As ideas, however, such names perform a service they are not able to perform as concepts: they do not make the similar identical, but they affect a synthesis between extremes... Although it should be stated that conceptual analysis, too does not invariably encounter totally heterogeneous phenomena, and it can occasionally reveal the outlines of synthesis even if it is not able to confirm it.<sup>7</sup>

The first chapter focuses on my theoretical introduction as a set of fragmented definitions that provide a conceptual narrative to Plan Frontera Sur. This chapter will include three separate investigations of crisis, law, truth, knowledge and history. The second chapter will include a historical narrative of the material unfolding that led up to Plan Frontera sur, paying specific attention to objectives and concepts.

This study attempts to depart from convictions of a higher order than that provided by the perspective of historicism. It is driven by a question of methodology that is ignored by positivist<sup>8</sup> credos of history. The investigation of these problems led to the re-imagination of a mastering form of question. I can't be sure what exactly is my outcome since I do not have a particular intention. My goal is merely to provide different fragments of a specific illustration that reinterprets historicity.

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<sup>7</sup> Walter Benjamin, 41.

<sup>8</sup> Ibid.

What are at stake (or can be considered a contradiction) in my argument are the sources of my historical examples. I'm not focusing on elements of ideology or culture. I'm focused on the particular legality of what is creating material reality. My sources include official state recognized or produced public documents and studies. My attempt was to provide an opposing narrative that can be extracted from the official cannon. However Benjamin in his "Epistomo-Critical Prologue" said "The treatise also with the coercive proof of mathematics... Method is digression. Representation as digression – such is the methodological nature of the treatise."<sup>9</sup> My examples and facts contain scientific statistics of history. What is at stake in employing this forms of facts is the lack of representation of the complexities of reality that are excluded in these mathematical explanations of history. My attempt differs for two reasons: (i) Part two is an attempt to summarize the antithetical narrative of universalized history. The official statements, works and studies come from direct expressions of state apparatuses. The essays are congressional /government based and publicly official. (ii) All these particular works are examples that posses redeeming qualities:

Phenomena do not, however, enter into the realm of ideas whole, in their crude empirical state, adulterer by appearance, but only in their basic elements, redeemed. They are divested of their false unity so that, thus divided, they might partake of the genuine unity of truth. In this their division, phenomena are subordinate to concepts, for it is the latter which affects the resolution of objects into their constituent elements.<sup>10</sup>

These are my justifications for the use of the scientific records I am critical of.

There's an eminence in re-addressing the way we guide discourse and narratives around "humanitarian" questions. Efforts toward security are justified by humanitarian

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<sup>9</sup> Walter Benjamin, 28.

<sup>10</sup> Walter Benjamin, 33.

values. Crisis is also grounded in humanism. Law is about the protection of said humanism. My synthesis is to allow the reader, with these fragments of history, to piece together a re-analysis of development. This is a starting point to recounting an authentic Latin American history. History must be recounted by questioning our meaning of humanism.

The objective of my dialectic is to de-universalize specific historical aspects of Plan Frontera Sur. The narrative of migration and North American Economic Expansion is based on a universalized concept of humanism; this humanism is a set of universal collective human ideals that have imposed backwards progress since platonic thought. This essay is a critique of development structurally based (as I've exemplified above) on Benjamin's "Epistemo-Critical Prologue" in his book, *The Origins of German Tragic Drama*. Benjamin illuminates the failure of historicism by disrupting narratives with his syntheses on the process of recounting history. By employing this process of finding truth archaeologically grounded, I've redefined particulars of the narrative of Plan Frontera Sur. Plan Frontera Sur is part of endless efforts of violence and prosecution.

This study explores the puzzles and possibilities latent in how this extraordinary legal policy came into being, since in principle it entails outsourcing American immigration policy to a second party, Mexico. This core question opens a window into other questions related to Plan Frontera: such as what is the logic of the policy for the US, and what does Mexico traditionally gain from collaborating with a law that is now tainted with blood, and imperialist power.

## PART ONE: A Theoretical Introduction

### *I. Crisis*

The simplified definition of “crisis” that will be used throughout the duration of my study is based on Karl Marx’s understanding of the word and its implications. In his *Capital* and *The Communist Manifesto*, Marx refers to “crisis” in relation to economic systems. A theoretical claim I’m making is in the re-definition of this term based on a materialist Marxist dialectic.

In Volume I of *Capital*, Marx explains that:

If the interval in time between the two complementary phases of the complete metamorphosis of a commodity become too great, if the split between the sale and the purchase become too pronounced, the intimate connection between them, their oneness, asserts itself by producing - a crisis. The antithesis, use-value and value; the contradictions that private labour is bound to manifest itself as direct social labour, that a particularised concrete kind of labour has to pass for abstract human labour; the contradiction between the personification of objects and the representation of persons by things; all these antitheses and contradictions, which are immanent in commodities, assert themselves, and develop their modes of motion, in the antithetical phases of the metamorphosis of a commodity. These modes therefore imply the possibility, and no more than the possibility, of crises. The conversion of this mere possibility into a reality is the result of a long series of relations...<sup>11</sup>

Volume III continues:

... production relations are converted into entities and rendered independent in relation to the agents of production, ... the interrelations, due to the world-market, its conjunctures, movements of market-prices, periods of credit, industrial and commercial cycles, alternations of prosperity and

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<sup>11</sup> "Cr." *Glossary of Term* (Marxist.org: <https://www.marxists.org/glossary/terms/c/r.htm>).



crisis, appear to them as overwhelming natural laws that irresistibly enforce their will over them, and confront them as blind necessity.<sup>12</sup>

This “crises of capitalism” is broken down into three main forms. My thesis concerns itself with two of them; (i) Cyclical Crisis (or “Business cycle”) and (ii) Historical Crisis. Cyclical Crisis of Capitalism is defined by its relationship to progress (economic expansion = Progress). Marx explained this as the “inevitable Cyclical Crisis”. The over-production and inflation of commodities produce crashes in market systems. In other words:

The cyclical crisis of capitalism, or “business cycle” is the oscillation between boom and slump, between inflation and recession, which runs through the capitalist economy roughly every ten years. The business cycle arises from the “distance” that opens up between the production and the consumption of a commodity, bridged by debt, and the huge mass of fictitious capital which builds up on the basis of the credit system. As this mass of paper value and speculative capital grows, the system becomes more and more unstable, the recession more devastating. Tweaking the interest rates and money supply to stave off this crisis is like driving a Formula One racing car; the central bankers of the capitalist powers are very skilled at the art, but the task of avoiding a crash gets harder and harder and fictitious capital circulates around the world in greater and greater masses.<sup>13</sup>

I will apply the theory of Cyclical Crisis of Development within the framework of the conditions of Mexico post-NAFTA; taking into focus its economic effects and collateral damage.

The American food market crash occurred at the end of a slump for Mexico and a boom for the United States. However, the population that never benefited from either inflation or recession was the growing populations of the proletariat. The laborer is

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<sup>12</sup> Samezo Kuruna. "An Overview of Marx's Theory of Crisis" (Marxist. Org: <https://www.marxists.org/archive/kuruma/crisis-overview.htm>).

<sup>13</sup> Ibid.

displaced and thus leaves in search for his salvation. This cyclical crisis of capitalism is perpetuated consistently for centuries. The crises that arose during and after the various business cycles are Marx's understanding of the Historical Crisis of Capitalism. Most of his energy in was expended on deciphering the thesis of crisis and its history, based on acknowledgment of their relationship to power (capital).

This search for the essential contradictions inherent in capitalist modes of production was one of the themes Marx's work was grounded in. He identified a number of distinct thesis on historical crisis. I will focus on two: (i) "The growth of the proletariat," and (ii) "crisis realisation 'stagflation.'"<sup>14</sup> The former is concerned with the rise and boom of business cycles, while the latter deals with the State's economic concerns with sources of cheap labor. These are the two interrelated particulars that consist the relationship between the leitmotifs of power and economic expansion; themes developed by Marx in *Communist Manifesto*; themes the notion of development was founded on.

Marx expressed the growth of the proletariat as an inevitable cause of the expansion of commodity production (capital). In his fragments on the proletariat's revolutionary potential, he writes:

A similar movement is going on before our own eyes. Modern bourgeois society, with its relations of production, of exchange and of property, a society that has conjured up such gigantic means of production and of exchange, is like the sorcerer who is no longer able to control the powers of the nether world whom he has called up by his spells. For many a decade past, the history of industry and commerce is but the history of the revolt of modern productive forces against modern conditions of production, against the property relations that are the conditions for the existence of the bourgeois and of its rule. It is enough to mention the commercial crises that, by their periodical return, put the existence of the entire bourgeois society on its

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<sup>14</sup> "Cr." *Glossary of Terms*.

trial, each time more threateningly. In these crises, a great part not only of the existing products, but also of the previously created productive forces, are periodically destroyed. In these crises, there breaks out an epidemic that, in all earlier epochs, would have seemed an absurdity - the epidemic of overproduction. Society suddenly finds itself put back into a state of momentary barbarism; it appears as if a famine, a universal war of devastation, had cut off the supply of every means of subsistence; industry and commerce seem to be destroyed. And why? Because there is too much civilisation, too much means of subsistence, too much industry, too much commerce. The productive forces at the disposal of society no longer tend to further the development of the conditions of bourgeois property; on the contrary, they have become too powerful for these conditions, by which they are fettered, and so soon as they overcome these fetters, they bring disorder into the whole of bourgeois society, endanger the existence of bourgeois property. The conditions of bourgeois society are too narrow to comprise the wealth created by them. And how does the bourgeoisie get over these crises? On the one hand, by enforced destruction of a mass of productive forces; on the other, by the conquest of new markets, and by the more thorough exploitation of the old ones. That is to say, by paving the way for more extensive and more destructive crises, and by diminishing the means whereby crises are prevented.<sup>15</sup>

A “Historical Crisis”<sup>16</sup> is a crisis of capitalism extended over centuries or decades. This particular historical crisis played out in the history of American market expansion. NAFTA was an example of the rise of production in the expansion of markets, which produced a surplus in the market. This surplus implicitly relies on cheap labor in order to subsist. The modes of production change as the capitalism advanced. These effects on labor produce an even starker gap between classes, depleting the middle class and pushing society towards an even more antagonistic class structure.

This said, the more the working class expands, the more expendable their labor becomes. It comes down to a social conundrum: overproduction of labor versus the increasingly industrial and advanced modes of production. This unemployment makes competition unbearable. Marx argued that this was the point in which the working class

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<sup>15</sup> Ibid

<sup>16</sup> Ibid.

was made conscious of their subject-object relationship. For him, the rise in tension with the expansion of the working class was the call for the revolution. The example of the Historical Crisis of Plan Frontera Sur is archaeologically grounded in the history of American economic entrepreneurial expansion.

What Marx did not predict, however, was the evolution of the state tools and capitalism's resilience. The constellation of expressions of power that made up this particular Historical Crisis (Plan Frontera Sur) were as follows:

Renovation of the modes of production from NAFTA's economic expansion = rise in competition/unemployment (cyclical crisis). \* This unemployment = the growth of the working class in Mexico and the US. A growing displaced working class = a Diasporas (i.e. migration). Diaspora = the recognition of state crisis. Crisis + Discourses on Security (recognized power as knowledge of truth) = Law (e.i. SPP, Plan Mexico, etc). Law = violence. Violence (law enforcing/policing) = expansion of the rule of Law (e.i. Plan Merida: Pillar two). The rule of Law = Plan Sur, Plan Frontera Sur, INM, Grupo Beta, etc.

Each fragment of the above narrative could be equally understood on its own and as an entry point in this analysis of power. The understanding of history as a set of attitudes also makes each one of the particulars an assemblage with its respective relationships. This was the extension of governability (of subjects) with the expansion (or, development) of capitalism; an evolution of power that Marx could not foresee.

Power is centralized by hegemonizing violence in the rule of law. As modernity evolved, this emerging imperialist relationship added another layer to the investigation of power. The United States and Mexican proletariat grew more alienated from themselves, thus now, power is expressed everywhere and from a multitude of angles.

The following historical crisis is an extension of the contradictions above, but concerns itself with labor within this theory of surplus. Marx explains the “crisis of realisation ‘stagflation’” in Capital Volume II:

Contradiction in the capitalist mode of production: the labourers as buyers of commodities are important for the market. But as sellers of their own commodity – labour-power – capitalist society tends to keep them down to the minimum price... Further contradiction: the periods in which capitalist production exerts all its forces regularly turn out to be periods of overproduction, because production potentials can never be utilised to such an extent that more value may not only be produced but also realised; but the sale of commodities, the realisation of commodity-capital and thus of surplus-value, is limited, not by the consumer requirements of society in general, but by the consumer requirements of a society in which the vast majority are always poor and must always remain poor.<sup>17</sup>

Here he concerns himself with the inherent contradiction in the exploitation and dependency of capitalism to the masses. The laborer is the worker as well as the consumer; meaning he is necessary in both sustaining and perpetuating the economic system of capital. However, this legitimizes that there is an inherent disconnect between the value of the individual's labor and the consumption of commodities. Yet, the latter always loses to the necessity for cheap labor. This connects back to the Cyclical Crisis of Capitalism. Undocumented workers are sources for cheap labor. They expand the working class but also affect the consumer market. But, the stakes in the exploitation of their labor doesn't influence overall consumer markets; making migrant labor exploitation an ideal tool for capital. This is an extension of the crisis of the growing proletariat class; A contradiction of worker exploitation within the historical crisis of the fast growing laboring population.

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<sup>17</sup> Ibid.

In summation of this alternative definition of crisis, I will acknowledge that the crisis in Marxist theory is embedded in one central element; the idea that central contradiction of all crisis is its inherent relationship to capital (or power). There isn't one, or a collection of historical moments that led to the point of crisis, but rather a constellation of particulars within a frame of economic expansion. In other words, this definition of crisis genealogically grounded.

## ***II. History as Attitudes: Knowledge and Truth = Security and Development***

The recognition of crisis on behalf of the state requires a historically characterized condition of normality (order). This normality is grounded on a socially collective understanding produced by an established common knowledge of truth. Michel Foucault explains the reason for this in his critique of the Kantian view of subjectivity and humanity. He illuminates the logic that preserves and perpetuates the crises of capitalism in a dialectical fashion:

Thesis = modernity as an attitude. Modernity = set of emotions, knowledge, reactions, reasons, logic, etc. Modernity = ethos. Ethos = systems of truth.

Anthesis = modernity as historical moment that possesses a set of characteristics. Modernity ≠ a historical era that is a product of a free autonomous society. Modernity ≠ natural law (truth) that is reflected in positive law (knowledge). Modernity ≠ a “rational and objective” interpretation of history.

Foucault synthesizes on what is lost through a one dimensional investigation of modernity. He puts in question the works of modern thinkers for its (a) stakes, (b) homogeneity, (c) systematicity and (d) generality. Within these fragments, he critiques the evolution of reason and discourse by illustrating an axis:

[W]e have three axes whose specificity and whose interconnections have to be analyzed; the axis of knowledge, the axis of power, the axis of ethics. In other terms, the historical ontology of ourselves has to answer an open series of questions; it has to make an indefinite number of inquiries which may be multiplied and specified as much as we like, but which will address the questions systematized as follows: How are we constituted as subjects of our own knowledge? How are we constituted as subjects who exercise or submit to power relations? How are we constituted as subjects who exercise or submit to power relations? How are we constituted as moral subjects of our own actions?<sup>18</sup>

These are the questions of truth my study departs from. Critiques of the study of modernity provide a structural and methodological understanding to critique.

Truth is formulated in discourse of social ethos. It's is defined by power, in the recognition—or exclusion—of state particulars or subjects. Policing in a dialectical understanding requires the recognition of power on behalf of both agents. Authority interpolates the individual in their recognition and compliance to power. This positive law and policing (enforcement) is about the mythologizing of truth into knowledge. Thus, collective ethos is “grounded in truth” and respectively “produces knowledge.” Discourse is how power subjectivizes truth; knowledge translating into a social ethos determined by power relations.

In a Foucaultian understanding of material reality, all things are an inflection power. Power remains political, always. Material reality isn't merely one-dimensional politics; everything that exists in relation to the economic system is political. Therefore, subjects don't exist outside of power relations. Knowledge and truth are the controls over material reality. The expressions of power subjectivize knowledge into the

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<sup>18</sup> Michael Foucault, *The Politics of Truth* (: Semiotexte: Los Angeles, CA, 2007). Translated by Sylvère Lotringer and Lysa Hochroth, 117.

individual's subjectivity. Subjectivity is characterized by power to create (social) ethos. In other words, everything is political in the sense that material reality is an expression of (modern) power. Thus, the question of investigation becomes an archaeological study of power relations: How does policing and criminalizing migration acquire its sources of power?

The expansion of the rule of law (policing) acquires its power from the attitude produced by post-enlightenment modernity. This new individualized understanding of humanity produces a subjectivity (consciousness) of which self-projection and perception are composed of a web of social relations. This is the fabrication of the social construction of subjectivity which portrays individuals as "autonomous, free people."<sup>19</sup> The engagement of the axis of power is necessary to contest this metaphysical idea.

Within the study of the axis of power, I am invested in society's governability. Going back to "pre-modern" political thought, there is a naturalized notion that if there aren't subjects, there is no governance. Subjectivizing *is* governance. We are instituted as citizens through our subjectivity. Our citizenship, or lack thereof, is the expression of power that produces and reflects subjective identities. So, the creation of the citizens lies in the state power (of domination). Power is expressed in all.

My material examples concern themselves with law. I am posing an archeological and genealogical study of power relations, and its composition of particulars that make up the totality that is economic expansion. This is the expansion of the Rule of law in Mexico rationalized by the common ethos (modernity attitudes).

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<sup>19</sup> Michel Foucault, 109.



This study will repeatedly employ this concept of the “modern.” The purpose is to make a claim to Modernity’s essential definition. My definition of the concept is grounded on Foucault's synthesis in his essay, “What is Enlightenment?” This theory of modernism accepts the distinction (antithetical relationship) between the “historico-critical investigation” of modernity and the investigation of history as a set of attitudes. Foucault attributes the attitude of modernity to the subjectivity that enlightenment thinkers helped mythologize. In the search for truth, my point of departure is the relationship between power and the particular expressions of this modern attitude, which illuminates the systematized common logic that is universalized to rationalize these evolving forms (examples) of economic expansion.

This is the attitude that fuels, subsists and reproduces crisis. Crisis is publically expressed as discourses of security. These discourses are the mythologizing force in the axis of power. Power is what poses the possibility to determine truth. In this particular example, power is economic expansion (NAFTA) since it is the forces (capital) that determined the conditions for the possibility for truth. Truth becomes knowledge when it is mythologized in these transnational dialogues of crisis and security plans. It turns into law, which then mythologizes truth; i.e. the “natural” need for security. Law is discursive action through policing (enforcement via violence); the recognition of state authority and constitutional law. It creates a form of inclusion, unity and universal values, which systematize the modern ideas of subjectivity. This allows for exclusion to easily manifest itself as the “great criminal” threat. It produces conditions, which hegemonize an ideal subjectivity, and all those who fall outside of it are qualified as a threat to security (not recognized as human). This exclusion is discrete, deceitful and ideological; it is the

condition that allows for labor exploitation. Within this attitude of modernity, crisis manifests itself into exclusion. That is the experience of the Mexico and U.S. proletariat population (illegal migrants); their exclusion generating displacement.

### ***III. Law***

Walter Benjamin, in his *Critique of Violence*, defines legality as violent means to just ends. He concerns this with the definition of law and its different forms. Law imposes an inextricable relationship between violence and power. Benjamin defines the particular aspects in the ethos produces by law itself. His critique relates to Foucault's argument in that they both deal with limits of power. Foucault writes: "This means: this legal system tries to erect, in all areas where individual ends could be usefully pursued by violence, legal ends that can only be realized by legal power. Indeed, it strives to limit by legal ends even those areas in which natural ends are admitted in principle within wide boundaries..."<sup>20</sup>

Benjamin argues that cause becomes violent when it bears or is grounded on moral values. Law and justice define the sphere of moral issues, and the elementary relationship to any legal scheme is that of means to an end. Benjamin breaks these means down into two forms: Natural law and Positive law, and defines their relationship as opposite but interdependent:

This thesis of natural law that regards violence as a natural datum is diametrically opposed to that of positive law, which sees violence as a product of history... To sum up: if criterion established by positive law to assess the legality of violence can be analyzed with regards to its mean, then the sphere of its application must be criticized with regard to its

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<sup>20</sup> Michel Foucault, 295-296.

value. For this critique a standpoint outside positive legal philosophy but also outside natural law must be found.<sup>21</sup>

To put it in Foucaultian terms, natural law was the truth behind knowledge. Benjamin describes it as the justification for just ends. Knowledge is positive law that is born in the wake of natural law. Truth is mythologized into knowledge through state recognition (constitutional law); Positive law recognizes and defines violence, while morally or legally sanctioning and repressing the possibility of the expression of natural violence that threatens the hegemony of power; Power is the ability to control the conditions of material reality through means of violence; And the state expresses its power by making the distinction between sanctioned and unsanctioned forms of violence.

It reproduces in the natural law that harm is avoidable, making security a life necessity. The preservation of the individual was a set of attitudes that justified violence as a means for justice. The state in positive law is the hegemony of the means of violence by inhibiting the violence possible by natural law. Thus, law becomes fascist when it bears on the universalization of moral ideals. Consequentially, these ideals form the ethos that produces the great criminal. In this study, the analysis of power is based on the criminalization of security threats (migration, etc.), which is based on the logic of the modernity:

It explains the above mentioned tendency of modern law to divest the individual at least as a legal subject, of all violence even that directed only to natural ends. In the great criminal, this violence confronts the law with the threat of declaring a new threat that even today, despite its impotence, in the important instances horrifies the public as it did in primeval times.<sup>22</sup>

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<sup>21</sup> Walter Benjamin, *Reflections* (Schocken Books: New York, 1986), 278

<sup>22</sup> Walter Benjamin, 283.

The fragments of these three ideals in relation to each other place the pieces of history in relation to power. Marx provides us an economic understanding of the relationships of power. He addresses crisis as a crusade for capital, cheap labor and market expansion. For this crisis to be possible, it requires a set of subjective and ideological structures to rationalize it. The rationalization of crisis in Foucaultian terms is the subjectivization (mythologization) of truth into knowledge. Foucault's theories provide a thesis of subjectivity that can help us understand another fragment of the mosaic of economic expansion. The elements of expansion in this archeological investigation of truth depart from the study of law based on an idea of Benjamin's. These three perspectives of the totality illuminate different sides of power (capital): economic, legal and subjective. My investigation of Law—departing from Plan Frontera Sur— is my narrative of to my thesis of economic expansion.



## PART TWO: Plan Frontera Sur

### *I. Historical Plan Sur and Grupo Beta*

An earlier proposal was passed in Mexico (with the collaboration of Guatemala) in 2001. The program was called “Frontera Sur”. It was a weaker effort than the one that took place in 2014. Frontera Sur shows an earlier rendition of Mexican policing; incrementing measurements of containment and mass deportation of unwanted migrant populations. From 1995 to September of 2001, state institutions only detained and deported 453,995 undocumented foreigners. Roughly 85% of state expulsions (or deportations) were effected in the state of Chiapas; more than 10% were around Tabasco, the rest near or in the state of Quintana Roo. This state collected data alone provides a broad sense of the seriousness of the immigration issue and the growing helplessness of migrants in 2001. In an interview published by “Reforma” on October 5, 2001<sup>23</sup>, the Commissioner stated that he predicted the participation of nearly a thousand migration agents in the area and a reinforcement of 350 more for the next year; not to mention the increasing strength of the police forces of the three levels of Government and military institutions. By as early as 2001, it was evident that the material reality of Mexico’s southern border was already leading up to Plan Frontera Sur. <sup>24</sup>

Simultaneous to this unfolding, Grupo Beta, the social/medical services for “immigrants at risk”, was founded in 1995. The protection and security of foreign

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<sup>23</sup> Rodolfo Castillas. "Semblanza De La Frontera Sur De México" (<http://bibliotecadigital.conevyt.org.mx/2001>), 6.

<sup>24</sup> Rodolfo Castillas, 22.

migrants was the rationalization for the creation of this institution organized by the Mexican government. These worsening conditions for undocumented migrants incentivized the creation of more BETA groups. In contradiction with their ideological mission—according to their own official records— after 2001, agents of public authority, who were operating under the guise of social service and aid, committed 51% of the violations against immigrants that occurred. Officials of Group Beta were causing violence, enforcing violence and sanctioning violence, with the ironic mission of preventing violence.<sup>25</sup>

## *II. The American Migration Crisis*

Looking more broadly at the Central American and Mexican Diasporas, we find the manifestation of destruction that is inherent in these crusades for expansion. It is a form of destruction that has been rationalized by modern society's logic of development. Migration law is the implementation of violence that claims to be a means to the protection of just law and order. Expansion, progress, and justice all signify a forward motion into a better world. Yet the forms of destruction (a crisis) inherent to these processes of development are what pulls us farther away from our acknowledgement of different possibilities for the future.

In 2014, a wave of migration became known as the American Immigration Crisis. It was a massive surge in unaccompanied minors from Central America seeking refuge in

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<sup>25</sup> Rodolfo Castillas, 28-31

the United States.<sup>26</sup> According to the Migration Policy Institute, the number of unaccompanied minors rose 90% between 2013 and 2014. Immigration and Customs Enforcement (I.C.E.) facilities were unequipped to house this influx of bodies. Hundreds of thousands of unaccompanied minors were released into the surrounding communities.<sup>27</sup>

State officials took on public blame for this crisis. Obama grew infamous for apprehending approximately one million Salvadoran, Guatemalan, and Honduran migrants since 2010. He'd allegedly deported more than 800,000 migrants, including over 40,000 children, by 2014.<sup>28</sup> Under the Obama administration, deportation rates grew significantly higher than existed under Bush's term. Activists gave him the name "deporter-in-chief." In this way, state violence was projected as isolated event enacted by a single figure; namely the president. The public assigned the blame to a select few, rather than understanding the broader systemic functioning of this form of violence.

The "isolated crisis", by June of 2014, consisted of an unprecedented 50,000 unaccompanied Central American minors that had begun traveling toward the U.S. border in October 2013.<sup>29</sup> The government was put in the global spotlight for its

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<sup>26</sup> "Rising Child Migration to the United States" (Migrationpolicy.org: 2014 <http://www.migrationpolicy.org/programs/us-immigration-policy-program/rising-child-migration-united-states>).

<sup>27</sup> "Migrant Crisis: More than 10,000 Children 'missing'" (BBC News: January 31, 2016, <http://www.bbc.com/news/world-europe-35453589>).

<sup>28</sup> "Rising Child Migration to the United States" (Migrationpolicy.org: 2014).

<sup>29</sup> Joseph Sorentino, "How the U.S. 'Solved' the Central American Migrant Crisis" (In These Times: May 12, 2015, <http://inthesetimes.com/article/17916/how-the-u.s.-solved-the-central-american-migrant-crisis>).



inherently violent deportations. White house officials released public statements declaring it an “urgent humanitarian situation.”<sup>30</sup> The crisis was viewed as an isolated historical event.

### *III. On Mexican Sovereignty*

By the later years of the Obama administration, the discourses of security were re-mythologized and further disseminated into Mexico. In June, Obama met with Mexican President, Peña Nieto. The purpose of their conversation was “to develop a concrete proposals to address the root causes of unlawful migration from Central America.”<sup>31</sup> By July, the plan Frontera Sur was publicly proposed. Their solution avoided controversial, legislative, democratic processes. It was a subtle loophole in the United States’ constitutional law that allowed Plan Frontera Sur to pass nearly invisible. Materially, the Americans further expanded their policing and surveillance to Mexico. Plan Frontera Sur became a symbolic and material particular in the United States’ subjugation of Mexico’s citizens, institutions, and sovereignty. Mexico was contracted by the American government to do I.C.E.’s dirty work. With regard to Mexico's sovereignty, it is important to note the relationship between all these particulars of development (i.e. the interests of capital). Mexico’s complicity is also reflected in the material traces of the

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<sup>30</sup> Ibid.

<sup>31</sup> Ana Lagner, "Buscan Renovar Atención Consular" (El Economista: July 21, 2014 <http://eleconomista.com.mx/sociedad/2014/07/21/buscan-renovar-atencion-consular>).

funneled capital that was allocated to influence its institutions and territory for the purpose of national security.

To preserve the illusion of sovereignty, Mexican officials attempted—initially—to deny that the United States Government was the source of funding for Plan Frontera Sur. Mexico publically declared this immigration reform as an autonomous decision, made independent of United States’ influence. According to journalist Ana Langer in *El Economista*, Sergio Alcocer—the vice secretary of the North American secretariat of external relations (SRE)—confirmed in 2014 that the Mexican government implemented Programa Frontera Sur without pressures on the part of the US authorities. Similarly, the American state maintained the stance that the program was “developed by Mexico and not a result of the meeting with President Obama in June.”<sup>32</sup> This idea of state autonomy is preserved in the discourse of security.

Unsurprisingly, once the Mexican government proposed the policy, the Obama administration publicly issued its official endorsement and support to Pena Nieto's effort to regulate the 2014 migrant crisis. This was an imperialist state recognition and support of bourgeois domination. Mexico’s INM was militarized with the guidance of U.S. police forces. Plan Frontera Sur lead to unprecedented levels of U.S.-Mexico shared intelligence, resources and capital. Migrants became the puppets of American imperialism.

#### ***IV. Mexican State: Plan Frontera Sur***

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<sup>32</sup> Joseph Sorentino, “How the U.S. ‘Solved’ the Central American Crisis”

The State's response to crisis was officially proposed by the Mexican State as an effort to assume accountability for the chaos in Guatemala and Mexico's shared borderlands. Both the Guatemalan and the Mexican governments were publically making themselves responsible for the crisis. The Mexican state proposed Plan Frontera Sur with the rhetoric of implementing order and human rights in their southern border. The plan was signed and enacted by Peña Nieto in the presence of Calderon on July 14, 2014. It included a Mexican immigration reform that granted indefinite visas to Guatemalan and Belizean citizens who transited to and from Mexico for work. The visas gave visitors seventy-two hours since the moment of entry to carry out their business and exit Mexican territory. The program also included institutional efforts to protect the increasing waves of Central American refugees (i.e. via law enforcement). The legal reform claimed to allocate funds to state and civil institutions that provided humanitarian assistance to migrants.

In 2015, the Mexican Secretariat of International Relations, Claudia Ruiz Massieu Salina's, curated a conference in the Woodrow Wilson Center on the topic of migration. The conference was meant to discuss the progress of Plan Frontera Sur. According to Claudia's official records, by December of 2015, there had been around 200,000 detentions that year; three times more than what had been calculated two years ago.<sup>33</sup> This American solution was cloaked by illusions of sovereignty, progress, development and order disseminated by the Mexican state. Massieu Salinas publically professed:

Pero necesitamos leer este número en un contexto más amplio: también renovamos infraestructura en casi 12 puntos de entrada entre México y

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<sup>33</sup> Ana Lagner. "Canciller Defiende El Programa Frontera Sur" (El Economista: December 14, 2015. <http://eleconomista.com.mx/sociedad/2015/12/14/canciller-defiende-programa-frontera-sur>)

Guatemala y Belice. Hemos detenido a mas de 5,00 personas y 50 vehículos asociados a crímenes como tráfico de personas y contrabando y hemos emitido 800,000 visas para trabajadores regionales y visitantes.<sup>34</sup>

This new law is an example of this mosaic of development.

Plan Frontera Sur was a legal program established by the INM (Instituto Nacional de Inmigración) in the Month of July of 2014. The following legal breakdown of Plan Frontera Sur draws from Rodolfo Casillas' study of the 2001 program. Though the enforcement and funding sources changed, the objectives from 2001 still remain the same. The central focus was on increasing the ability to police ("rule of law"). The state institutional objectives of Plan Frontera Sur are succinctly explained below:

Plan Frontera Sur:

**General Objective:**

Strengthen surveillance and control of migration flows from the southern border.

**Particular Objectives:**

1. Strengthen inspection and control activities of migrants
2. Develop interagency efforts to combat trafficking
3. Optimize resources available for regional delegations regarding inspection and control
4. Emphasize interagency effort supported by state and municipal governments, policing institutions, and U.S. resources
5. Deter migration Northern on La Bestia.

**Strategy:**

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<sup>34</sup> Ibid.

1. Build strong and effective interagency coordination between SEGOB, SRE, PGR, SSP, CISEN and the governments of the state (Plan Sur limited to: Chiapas, Tabasco, Yucatán, Veracruz, Oaxaca and border municipalities).
2. Provide a plan for effective control of migrant flows—particularly in the southern border—in areas where nature restricts state policing.
3. Enact INM coordinated: interagency intelligence collaboration (domestically and transnationally); information exchange; unification and official information dissemination; prevention, relief and rescue of migrants; joint (US-Mexico) inspections and surveillance; joint operations.

**The Law enforcing programs:**

- Established immigration inspection points, “Retenes”:  
INM detention and service centers were built in different key points of Transit, north from Mexico’s Southern Border to its US border. (Here I have to add the specific locations that is in the other source I have printed) The goal of the program was to create a containment filter covering the main routes taken by undocumented migrants.
- Strengthened Grupo Beta:  
Specifically Beta Groups in central areas of migrant transit. Beta was co-opted to benefit INM’s agenda. It served as a watchdog for policing operatives.
- Renovated and Modernized (with U.S. resources) offices of the INM:  
This included the refurbishment and maintenance of the offices of the INM throughout the country; as well as the construction of new centers.

- Developed the central system of transportation that relocated migrants back to their countries of origin:

Mexico hands Guatemalan foreigners to the Guatemalan authorities at the border; then they are transferred to their home communities. In the case of nationals of Honduras and El Salvador, INM agents drive them to their respective borders.<sup>35</sup>

The enforcement and enactment on behalf of these institutions resulted in explicitly negative effects on Mexico, as well as its migrating citizens. The family owned restaurateur and hotel sectors along the borders and migrant routes were impacted by INM's activity; specifically affecting the local economies of towns on the path of the cargo train (La Bestia) routes. The Mexican state professed the necessity for effective control over borders, especially where geographically nature does not allow. Plan Frontera Sur obstructed current routes causing the need for invisible routes, which resulted in higher levels of abuse. Simultaneously, the quality of support granted by Grupo BETA reduced tangibly. BETA's humanitarian services were co-opted as INM enforcement.<sup>36</sup>

Efforts toward security and expansion fail in appearance, but not objective, the interests of U.S. capital defined conditions that were causing excruciating spikes in violence and reactionary mass migration. The efforts to increase policing normalized into culture. It built the capacity of surveillance and control of migration through the concentration of resources (capital) in areas heavily transited by migrants.

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<sup>35</sup> Rodolfo Castillos, 26-31

<sup>36</sup> Ibid.

### *V. Plan Frontera Sur as a Casualty*

As obtaining an entry visa to Mexico became more difficult through the years, the migrant community grew dissatisfied with the country's police violence. In response, migration routes were expanded outside the control and records of the government. The traditional route of transit was once through Chiapas and Oaxaca, to end in the border states of Tijuana and California. However, because of government intervention on the great route, flows were reoriented towards Tabasco, Veracruz and Nuevo Leon to reach Tamaulipas and Texas. Thus, it prompted the diversification of routes, which entailed coastal areas, highlands, mountains, forests, trafficked sidewalks, roads, rail routes, cities and towns. These variations in routes produced increased risks of natural, institutional and human violence. For example, in Tabasco migrants were vulnerable to nature's wet distant lands, while in Chiapas the common culture and linguistic background made it hard for the foreign migrant to find some degree of solidarity among the locals. In addition, there was a higher level of involvement on behalf of the Mexican army in the work of detection and detention of migrant populations. Unpredictable migrant waves—specifically with their present need for invisibility—made them relatively easy targets of violence. The conditions of life for laborers in transit became even more dissatisfying as law enforcement grew worst.<sup>37</sup>

Mexico effectively contained its migration flows in a fashion that intercalated and affected Mexican citizens and those excluded from it. The participation of the army and police in migration tasks further criminalized migration and generated a negative atmosphere in Mexican society towards migrants. These reforms, legally (ideologically

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<sup>37</sup> Ibid.

and institutionally) ticketed and associated them with crime, rendering them a threat to national security. It put migrants at greater risk and stimulated the development of discriminatory and xenophobic attitudes. The functioning (abuse) of these institutions in multiple instances revealed that it was left unknown if its agents were properly trained. Their mechanisms of coordination and supervision were not transparent. This legal ticketing<sup>38</sup> did not grant migrants the legal right to due process (specifically post-plan Frontera Sur, abusing the right to ask for political asylum). It nurtured an environment conducive to corruption and impunity. It generated social environments hostile to people and organizations that promote the rights of persons who migrate and offer humanitarian assistance. The diversion of flows to more inhospitable zones produced consequent risks to the dignity and safety of migrants. It increased the difficulty of autonomous migration. While simultaneously diminishing the support granted by community organization, these developments made migrants prey to international networks of trafficking and abuse. Such legal programs also damaged Central American and Caribbean nations by strengthening the tensions inherent in capitalist production and its necessity for mass unemployment. The Mexican state ideologically dominated its laborers by inflicting violence and order to promote its exclusive, state reified nationality. Migrants experience a brutal condition of existence.

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<sup>38</sup> Max Horkheimer and Theodor W. Adorno, *The Dialectic of Enlightenment* (Stanford University Press: Stanford, California, 2002 ), 172.



## PART THREE: Different Elements of this Development

### *I. The North American Free Trade Agreement of 1995*

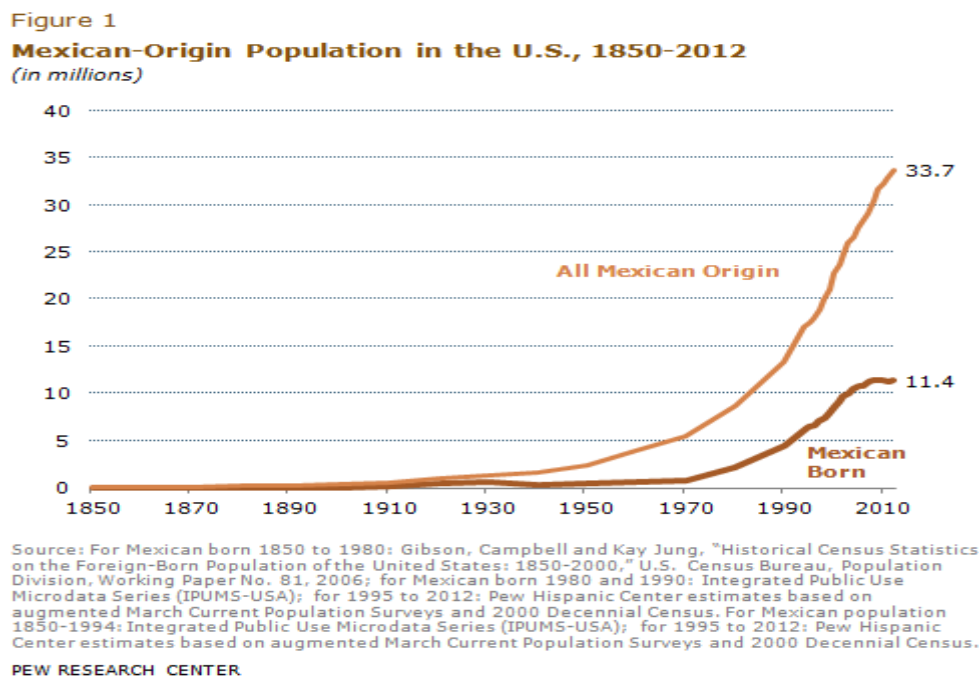
The point of departure for my thesis (or first example) embraces the material changes to Mexico's infrastructure for the strengthening of Mexico's repressive state apparatuses. NAFTA contributed to a disguise by which the United States enacted and enforced this law without much scrutiny from the U.S. Congress or liberal political movements. Since its creation in 1994, NAFTA has multiplied its functions from a trade agreement to a state vehicle for dealing with a wide array of issues affecting production of almost any nature. The new market system's monopoly of capital expanded the U.S. permanent control over the exertion and use of legitimate force within Mexican territory. This economic cooperation especially influenced the spread of U.S. power over issues including the legality of migration, state borders, public policy, ideology and military strengthening in Mexico.

NAFTA is an example of economic development. The government rhetorically proposed it as a shared effort to develop Mexico's economy; positivist neglect to question the different particular incentives behind development, taking them for granted. The United States' bourgeois needed to expand their markets. They subjugated Mexico into becoming their number one consumers of various raw goods. The United States advised the Mexicans to redirect their production from raw, agricultural goods, to advanced industrial production. They enticed Mexico by selling them food at a price lower than the cost of production. Mexico's food producers—especially the local ones—couldn't compete. Food production resulting in zero profit inevitably crashed the market within a

couple of years. This Cyclical Process of Development and its failures further poisoned Mexican society. Stark drops in unemployment created mass Diasporas to the U.S.

In social scientists' records of history as statistics, the patterns of fluctuation in Mexico's GDP and unemployment correlate with the waves in migration northward. Unsurprisingly, they are rarely studied in relation to each other. The following quantitative graphs are placed together to bring to surface their neglected relationship to each other as individual pieces of development (NAFTA)

FIGURE 1<sup>39</sup>



<sup>39</sup> Ana Gonzalez-Barrera, and Mark Hugo Lopez, "A Demographic Portrait of Mexican-Origin Hispanics in the United States" (Pew Research Centers Hispanic Trends Project RSS: May 01, 2013, <http://www.pewhispanic.org/2013/05/01/a-demographic-portrait-of-mexican-origin-hispanics-in-the-united-states/> ).

FIGURE 2<sup>40</sup>

RATES	1991	1992	1993	1994	1995	1996	1997	1998	1999
GDP	4.2	3.6	2.0	4.5	-6.2	5.1	6.8	4.8	3.7
Unemployment	3.0	3.10	3.2	4.2	6.9	5.2	4.1	3.6	2.5

FIGURE 3<sup>41</sup>


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"Mexico Unemployment Rate Mexico Unemployment Rate (Yearly, NSA, Percent of Labor Force)," (Ycharts.com: April 1, 2016  
[https://ycharts.com/indicators/mexico\\_unemployment\\_rate\\_annual](https://ycharts.com/indicators/mexico_unemployment_rate_annual))

<sup>41</sup> Jeanne Batalova, "Mexican Immigrants in the United States" (Migrationpolicy.org: March 17, 2016, <http://www.migrationpolicy.org/article/mexican-immigrants-united-states/>.)

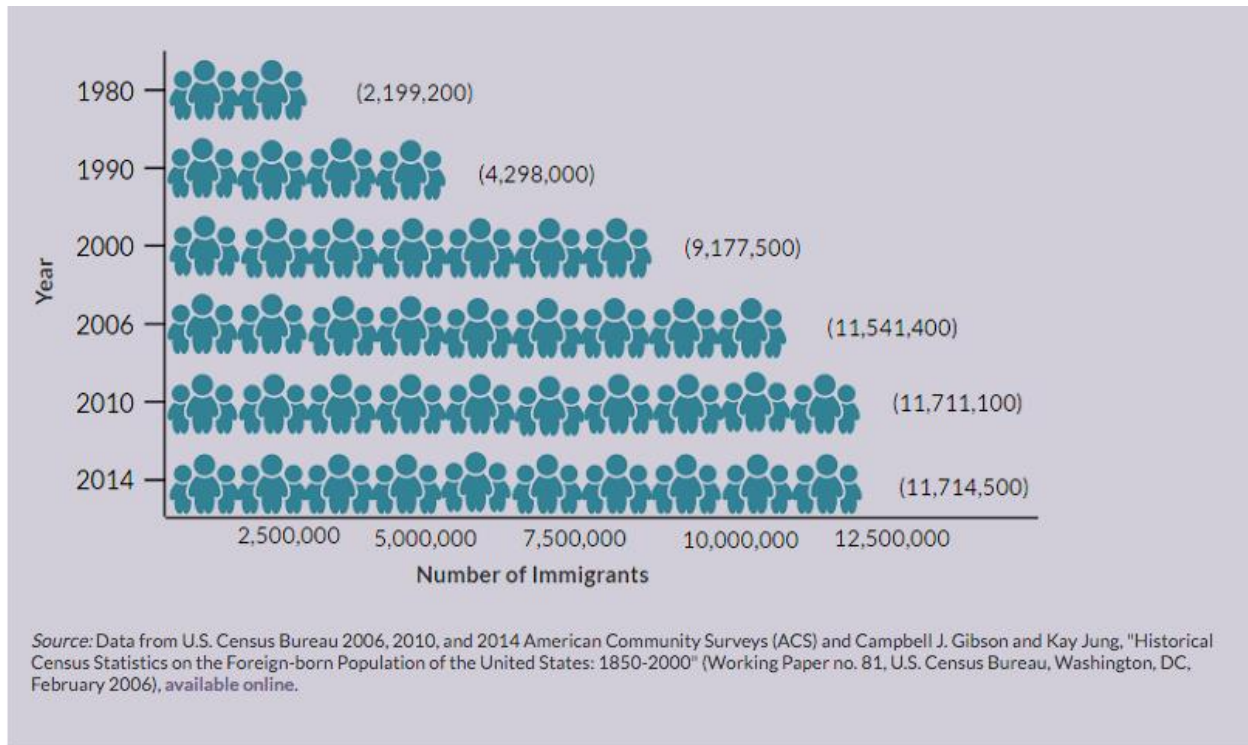


Figure 1 shows a state certified census of Mexican populations in the U.S. Political Scientist Ana Gonzalez-Barrera and Mark Hugo Lopez from the Pew Research center explained these rates in their article “A Demographic portrait of Mexican-Origin Hispanics in the United States”, positing that “[i]n 1970, fewer than 1 million Mexican immigrants lived in the U.S. By 2000, that number had grown to 9.8 million, and by 2007 it reached a peak of 12.5 million.” (Pew Hispanic Center, 2011)<sup>42</sup>

Figure three—made by the Migration Policy Institute—further explains the timeline in quantities of Mexican immigrant population in the U.S. from 1980 to 2014. The highest increase of fast growing opportunity for employment in the north (with the expansion of forms of production) and the decline of Mexico’s economy (with NAFTA's

<sup>42</sup> Ibid.

crusade for development) contributed to the cause of migration. Migration serves an example of tensions that the advancement of capitalist entrepreneurship sharpened. However, migration doesn't only account for scientific numbers. It accounts for thousands of lives lost by displaced laborers that become nomadic in the search for their one god; Capital. They put their life on the line in the search for an "American" dream. This alliance was what it helped the cause after. The perplexity as to how contradictions still isn't an optimal query. Migration is a projection and reflection of the particular reality crafted by development.

This was a particular example of the effects of this form of alliance. It took part in the creation of Diasporas. The market's liberalization had material effects on Mexican society. This unemployment made the proletariat incredibly vulnerable to exploitation for the mere usage of bodies to fill jobs. The unfolding of this history was also one of the causes of undocumented migrants' exploitation. These stateless individuals were criminalized by the State they now reside in. Their dependency on labor in order to provide for themselves and their families forced them to accept invisibility and domination.

The invisibility of those excluded for state reified life is how inclusion perpetuated itself. The excluded provide a source of cheap labor. Powerless migrants were subjugated to the most inhumane conditions of life, and displaced populations were succumbed to exploitation by the sheer act of existing in the modern world.

## ***II. On Economic Expansion***

This techno-rational system of production depends on crisis to keep on crafting and strengthening itself. NAFTA contributed to the production of this unemployment

crisis in Mexico that transformed into a diaspora. This displacement now made up a new population of the working class in United States. Undocumented workers are laborers, which are severely subjugated by state oppression; just law abuses laborers. The recognition of their humanity lies in the grasp of the state, thus undocumented workers are treated as laboring beasts instead of human beings.

Economic expansion was the illustration of this form of law creating violence; a form of violence that is specific to its point in the present. This present that existed in Mexico was the creation of the past. In this particular historical moment, the U.S.-Mexican bourgeois subjugated the masses through the expansion of the free market (NAFTA). They liberalized labor and increased competition—i.e. unemployment. Labor became incredibly competitive and expendable post-1995. Conditions for the proletariat worsened; suppressive violence was enforced as a crusade for just cause.

Other examples of the same (development) ideology were “The Security and Prosperity Program” (SPP) and “The Merida Initiative” (Plan Mexico). This study is an attempt to consciously decipher the puzzle with these example as the pieces to the mosaic. Thus, it pegs crucial to think of this as a specific separate counter-narrative to economic expansion. The violence (inherent in law) are cemented in individuals’ consciousness as (ideological) need for security. This is framed as Economic expansion or development. Plan Frontera Sur officially allocated the capital necessary to increase Mexico’s state policing through the newest addition—by the Obama administration—to U.S. international law (the Merida Initiative). Development is the story that should be told in general. Examples of legal reforms are the particulars that make up the frame; this dialogue of security and prosperity is what binds the pieces together. The last fragment

of the mosaic is this most recent North American state alliance. The Merida initiative is an example of how ‘economic cooperation’ translates into territorial subjugation; its material will contain layers of subjective and material structures of exclusion.

By concerning myself with NAFTA’s later manifestation, I reflect on Mexico’s imperial subjugation to a U.S. agenda. Whether the Mexican bourgeois benefit from Plan Frontera Sur, I do not question. However, the question of sovereignty—again—is at stake here. They continue to produce more neo-colonial laws for the purpose of class domination, which unremittingly undermines their autonomy. The inevitable (yet unpredictable) violence post-NAFTA incentivized Mexico’s efforts for Security. NAFTA helped the state to reconfigure its form of domination. Plan Mexico and NAFTA is consolidated within the public logic and the subjective consciousness through material forms of policing. The politics of Plan Frontera Sur lies in the relationship between each of these different imperialist crusades.

### ***III. The Security and Prosperity Program of North America***

Economic expansion contributed to the sharpening of bloody poverty and migration. This crisis was influenced by a rise in drug trafficking and violence with open markets. The latter was officially made a state issue, while the poverty and migration were left as an inevitable (criminal) consequence to the underdevelopment. Benjamin wrote “Its purpose is not to punish the infringement of law but to establish new law. For in the exercise of violence over life and death more than in any other legal act, law reaffirms itself.”<sup>43</sup> This state recognized chaos was a call to create new forms of laws.

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<sup>43</sup> Walter Benjamin, *Reflections*, 286.

The violence of economic expansion perpetuated itself in legal congressional predecessors to the 1995 program; these discourses around laws claimed to enforce policing and prevention of terrorism, as well as “narco” (narcotics) trafficking. It was security allied by the prosperity of capital. The Security and Prosperity Program of North America was a partnership founded in 2005. Their objectives were similar to those being enforced in Plan Frontera Sur. The United States, Mexico and Canada wanted to militarize borders, share intelligence, distribute resources and allocate capital. This decision was mythologized by the rationality that came post 9/11’s terrorist threat. President Bush officially spearheaded the legal alliance. It was an alliance formed between all three North American nations. The partnership also included representatives of thirty of North America’s largest companies. By August of 2009, the ‘dialogue’ was dismantled.<sup>44</sup>

#### ***IV. The Merida Initiative: Plan Mexico***

A few years after, President Bush reinvented this imperialist alliance. The Woodrow Wilson International Center for Scholars published an “Overview of the Merida Initiative” when it was the proposal in 2008. Social Scientist Andrew Selee recorded of the state’s incentives in the following six main points:

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<sup>44</sup> Bennett, Drake (2007-11-25). "The amero conspiracy". *International Herald Tribune*. [https://en.wikipedia.org/wiki/Security\\_and\\_Prosperty\\_Partnership\\_of\\_North\\_America#cite\\_note-TACiht-1](https://en.wikipedia.org/wiki/Security_and_Prosperty_Partnership_of_North_America#cite_note-TACiht-1)



- Congress is currently considering a proposal to provide \$1.4 billion in equipment, software, and technical assistance to Mexico over three years as well as a smaller but still unspecified amount to Central America over the same period. The first year of the initiative is part of the Iraq Supplemental, while the second and third years will be discussed as part of the regular FY09 and FY10 appropriations process.
- The Merida Initiative is actually more than an assistance package—rather it is one element in a broader strategy of growing cooperation between the U.S. and Mexico to address a shared threat presented by organized crime involved in drug trafficking. The U.S. and Mexican governments have increased joint efforts significantly in recent years in order to protect communities on both sides of the border. Moreover, both countries recognize the need to engage Central America in broader regional efforts.
- The Mexican government has made addressing organized crime its top priority and has succeeded in making inroads against the drug cartels. They have also approved a sweeping judicial reform and thoroughly overhauled the federal police. There are, however, still legitimate concerns about civilian oversight of the military's role in law enforcement operations and the effectiveness of state and local police, including the absence of a national police database. There are also real concerns about the trafficking of arms, bulk cash, and precursor chemicals for synthetic drugs from the United States to Mexico, and the continued demand for narcotics in the U.S. along with rising demand in Mexico.
- Some in Congress are skeptical of the Merida Initiative because the proposal was developed in negotiations between the administration and the Mexican government without prior consultation with Congress. As a result, Congress will almost certainly reshape the initiative. Members have indicated that they will assess tradeoffs between short-term law enforcement and longer-term institution building objectives, and they will also demand benchmarks for progress. These discussions can help produce an even stronger proposal.
- Some Members of Congress have also indicated they want to find ways to hold the administration accountable for its responsibilities for the flow of arms, financial resources, and precursor chemicals from the U.S. to Mexico.
- A well-crafted bill could serve to reaffirm the commitment of the U.S. government to improving cooperation with the Mexican government and build confidence between the two countries, while helping to modernize Mexico's police and judicial institutions.

Bureaucrats' skepticism was a reflection of the lack of transparent politics the law was founded on. This narrative was an internal war (and allegiance) of the ruling class.

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<sup>45</sup> Pedro Valenzuela, "Mexico's Southern Border Strategy: Programa Frontera Sur" (Wilson Center: July 11, 2014 <https://www.wilsoncenter.org/publication/mexicos-southern-border-strategy-programa-frontera-sur>).

Beyond that, it was the perpetual war against those who were criminalized, and “ticketed”. This plan increased the enforcement of just law, which expanded state intervention into public life. Policing and bureaucratic institutions were crafted, strengthened and supplemented. The constant official dialogue around security and criminality was reproduced in the policing of ticketed populations; eventually Congress approved the plan.

The Merida initiative was enacted by congress in May of 2008. The U.S. department of state released a public record by David T Johnson, in which he stated:

Thank you for the opportunity to discuss the Merida Initiative, which is a security cooperation partnership to combat transnational narcotics trafficking and organized crime in Mexico, Central America, and Caribbean.

Our partners in Mexico, Central America, Haiti and Dominican Republic have already made considerable progress in their own efforts to fight these transnational criminals, and they appreciate our help, which will enable them to greatly expand on this progress. Through bilateral and multilateral initiatives, these governments are demonstrating unprecedented will to work with us and each other to address these issues. This is a compelling opportunity to advance our common national security interests.

Roughly 90 percent of all the cocaine consumed in the United States transits Mexico. The country is also the largest foreign supplier of marijuana and methamphetamine to the United States. Central American officials have identified gangs, drug trafficking, and trafficking of arms as the most pressing security concerns in that region.<sup>46</sup>

This statement was made on March 10, 2009. He outlined how law (justice) was being implemented in these Latin American countries. The address outlined the US state recognized problems in Mexico and Central America. Johnson broke down the Merida

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<sup>46</sup> David T Johnson, "The Merida Initiative." (U.S. Department of State: March 10, 2009 <http://www.state.gov/j/inl/rls/rm/120225.htm>).

initiative's response to these issues in the following sectors: Corruption, Judicial Reform, Prisons, Anti-Money Laundry, Interdiction and Border Security, Demand Reduction.

The contradiction here is in the fact that the state as the creator of these abnormalities in the delusional of national security was also claiming to stop them. This was the enforcement of the Merida Initiative post 2008.

By May 2015, the Congressional Research Service released a draft of Plan Mexico. It was written by Specialist in Domestic Security Specialist in Latin American Affairs, Clare Ribando Seelke and Specialist in Domestic Security, Kristin Finklea. Their essay deals with the legal structure of the program and how it was being enforced. Their "U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond" included Obama's 2014 amendment, which allocated funds to secure Mexico's southern border. In order to rationalize this cooperation the American state officially recognized a crisis. The congressional Research Service summarized Merida Initiative as follows:

Violence perpetrated by a range of criminal groups continues to threaten citizen security and governance in some parts of Mexico, a country with which the United States shares a nearly 2,000-mile border and more than \$530 billion in annual trade. Although organized crime-related violence in Mexico generally declined since 2011, analysts estimate that it may have claimed more than 100,000 lives since December 2006. High-profile cases—particularly the enforced disappearance of 43 students in Guerrero, Mexico, in September 2014—have drawn attention to the problems of corruption and impunity for human rights abuses in Mexico. Supporting Mexico's efforts to reform its criminal justice system is widely regarded as crucial for combating criminality and better protecting citizen security in the country. U.S. support for those efforts has increased significantly as a result of the development and implementation of the Mérida Initiative, a bilateral partnership launched in 2007 for which Congress appropriated nearly \$2.5 billion from FY2008 to FY2015. U.S. assistance to Mexico focuses on:<sup>47</sup>

1. Pillar One: Disrupting the Operational Capacity of Organized crime

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<sup>47</sup> Clare Ribando Seelke and Kristin Finklea, 9-17.

2. Pillar Two: Institutionalizing Reforms to Sustain in the Rule of Law and Respect for Human Rights in Mexico
  - a. Reforming the Police
  - b. Reforming the Judicial and Penal
  - c. Northbound and Southbound Inspection
  - d. Preventing Border Enforcement Corruption
  - e. Mexico's Southern Borders
3. Pillar Three: Creating a "21st Century Borders"

The Merida Initiative was one of the primary donors for Plan Frontera Sur in Mexico. Mexico's southern border plan was the effort addressed in the last element of Pillar Two. The Obama administration recognized the security crisis in Guatemala and Mexico's border. The concern with Mexico's Southern border (security) was a rationalization for the following Material allocations:

The State Department has provided \$15 million in equipment and training assistance, including NII equipment, mobile kiosks, canine teams, and training for INAMI officials in the southern border region. It plans to spend at least \$75 million in that area. The Department of Defense has provided training and equipment to Mexican military forces as well.<sup>48</sup>

Plan Mexico was one of the main sources of resources, capital and support for Plan Frontera Sur; its logic of crisis fueled by discourse of security. The US department of states graphed the dissemination of funds since 2008 as follows:

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<sup>48</sup> Clare Ribando Seckle and Kristin Finklea, 15-16.



**Source:** CRS graphics.

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Pillar two is the primary focus of the two state effort. The remaining issues (addressed in other Pillars: crime, state violence, drug trafficking, etc.) are merely ideological recognitions of crisis. The expansion of rule of Law was the essence of the legal program. The other initiatives mentioned were the rationalization (with fear) for the expansion of poling. Pillar two was one of the primary objective of the Merida Initiative. This effort was the American state supporting the Mexican's states expansion (of power).

<sup>49</sup> Clare Ribando Seekle and Kristin Finklea, 7.

## *CONCLUSION*

This web of material allocations and legal objectives are the elements of Economic Expansion between U.S. and Mexico. Plan Merida and Plan Frontera Sur are the most recent examples of this crusade for crisis and security. Within this contradiction of development there were a series of relationships this study has outlined:

1. Crisis of capitalism vs. state recognized crisis
  - a. Historical and Cyclical crisis of capitalism
  - b. Crisis as an “Issues” addressed by legal programs of security and humanitarian protection.
2. Necessity for Security (Truth) vs. Security
  - a. The acknowledgment of crisis and threats to nationalism is the production of the discursive necessity for security
  - b. Security as defined by state official public statements
3. Natural and Positive Law vs. Law
  - a. Truth and Knowledge as/from law
  - b. Law as the protection of free autonomous society
4. Historical eras vs. historical attitude
  - a. Historical periods possessing natural inherent characteristics that was intrinsic and defined it.
  - b. A historical ethos particular to its material reality

These are the fragments of the re-definition of development as economic expansion. This is opposed to a positivist narrative of history in which Plan Frontera Sur is a mere

culmination (climax) of a series of inevitable isolated events that all coincide. However the acknowledgment of the possibilities of the future is the acknowledgment of the avoidable possibilities of tomorrow. The purpose of disrupting the narratives of history is to de-universalize and re-define our truths and approaches to questions of life and politics. The abolition of a systematized existence lies in the abolition of the modes of production. This abolition has to be based on the re-interpretation of history as the war (for capital) waged on life. The despair of life does not come from the existence of crisis, but rather from the perpetual state of crisis that has produced the distinct conditions for the possibility of life, love and humanism. We have been alienated from our own history. We impose our knowledge and truths on older material examples and expect to get a solution for what is to come. My attempt is to tell you that the possibility for the future is in the recognition of the unpredictability of history. The possibilities are in the recognition of the outcomes of violence that are avoidable within a history that isn't to be mastered. This is only possible once we beginning to recount history as attitudes determined by power within a set time periods. This capital and resources are an expression of this attitude of development within the U.S. and Mexico example.

Therefore my synthesis is that the expansion of economic interests was the just ends to the means violence (the rule of law). The study of history should be driven by the investigation of truth. There's an immense in re-interpreting the way discourse and discursive action is framed around "humanitarian crises." Crisis is also grounded on a truth of humanism. Law is for protection of said humanism. I'm simply placing these different material realities together to illuminate how truth is archeologically grounded. This conclusion isn't an answer, but rather the initiation to further question (Then what

does that mean for x, y, z?). These are particular subjective questions that will allow us to restore a human (social) acknowledgement of our history. History wants to be restored to its human essence:

The solution of these problems will generally lead to the reformulation of the whole mode of questioning along the following lines: how is the question, 'What was it really like?' susceptible, not just of being scientifically answered, but of actually being put.<sup>50</sup>

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<sup>50</sup> Walter Benjamin, *Origins of German Tragic Drama*, 41.



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