

## **Short Series on US Migration Topics (I)**

### **Vigilante Activism contra Irregular Migration along the US-Mexico Border**

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**Abstract:** The failure of the current US immigration regime is most evident when studying the US-Mexican border region. Due to heightened efforts to control the border, and due to increasingly restrictive legal gates of entry for immigrants, the traditional cyclical migration flows of the region have been greatly disturbed. Irregular transit has become more dangerous for migrants, resulting in an increasing number of deaths. One recent danger factor comes from a grass-roots vigilante movement. Organizations of this movement work through direct action to eliminate irregular migration via the US-Mexican border. The activities of these organizations are only aiding to the already-existing fundamental rights disaster along the US-Mexican border. This short article aims to provide an overview of this development, including a short introduction into the civil society and political response to these vigilante groups and their politics.

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Every day, thousands of irregular migrants move northwards across the over 3,000 kilometre-long border between Mexico and the United States. In the last decade, these crossings have become more difficult, dangerous and expensive, especially since the implementation of restrictive changes in the US border regime in the early 1990s and in the wake of 11 September 2001. Increased border security efforts, primarily in areas around the numerous 'twin' border cities along the southern US-Mexican border, has caused a shift in migrant routes across the border to more remote areas.<sup>1</sup> The reliance on, and costs of, so-called *coyotes*, or organized 'guides' for migrants in transit, have increased as well, as have the hazards involved in transit. Furthermore, deaths of migrants in transit in the desert region have also increased greatly along the border.<sup>2</sup> Intertwined in these developments is

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<sup>1</sup> See: National Immigration Forum. Border Enforcement: Control of Illegal Immigration has Proven Elusive, 12/2001. <http://www.immigrationforum.org/DesktopDefault.aspx?tabid=188>, accessed 08.09.2005.

<sup>2</sup> See: National Geographic Online. Meek, Miki. Life and Death on the Southwest Border, 11/2003. [http://magma.nationalgeographic.com/ngm/0311/feature1/online\\_extra.html](http://magma.nationalgeographic.com/ngm/0311/feature1/online_extra.html), accessed 30.09.2005. See also: Eschbach,

also the continuing US War on Drugs, which has intensified the drug smuggling trade and the state enforcement policies against this trade along the US-Mexico border, thus intensifying the danger of border crossings for irregular labour migrants even more.<sup>3</sup>

Despite all of this, the common pull factors for immigration to the US, most notably employment opportunities in the US, coupled with the push factors leading to emigration out of Mexico, continue to dictate the uninterrupted flows northward across the seemingly uncontrollable border between Mexico and the US. As the legal gates of entry into the US have become more restrictive in the last years, migrants have been increasingly forced into irregular gates of entry. The number of irregular migrants even surpassed that of regular migrants every year since 1999. These developments have been overshadowed in part by a cyclical decrease in overall migration since its peak in 2002. The rebounding of the US economy since 2003, though, has once again caused an increase in the number of migrants to the US, according to a report recently published by the PEW Hispanic Center. Especially the number of irregular migrants has increased dramatically.<sup>4</sup> With this, it has perhaps become even clearer that immigration reform, including the creation of new and more open legal gates of entry, has become long overdue. This is most certainly the case for the region along the US-Mexico border, where concomitant factors of this irregular migration have caused serious societal problems,<sup>5</sup> including the formation of anti-immigrant, and oftentimes paramilitary, vigilante groups on the US side of the border region.

### *Grass-Roots Activism Contra Irregular Migration*

Anti-immigrant vigilante movements have a long history along the US-Mexican border region. In the last half decade, a number of grass-roots organisations have taken up this tradition by forming to 'patrol' the border. In the process, they either report on, or apprehend, irregular migrants in transit. These militia-like networks aim to actively halt the 'invasion' of irregular migrants, often using paramilitary tactics in the process. According to a declaration signed by Roger Barnett, an early leader of the vigilante movement, and 20

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Karl, Hagan, Jacqueline and Rodríguez, Nestor. Deaths during Undocumented Migration: Trends and Policy Implications in the New Era of Homeland Security, 2003. [http://www.uh.edu/cir/Deaths\\_during\\_migration.pdf](http://www.uh.edu/cir/Deaths_during_migration.pdf), accessed 05.10.2005.

<sup>3</sup> For a good account, see: Barry, Tom, Browne Harry and Sims, Beth. Crossing the Line. Immigrants, Economic Integration, and Drug Enforcement on the U.S.-Mexico Border. Albuquerque, 1994.

<sup>4</sup> Passel, Jeffrey S. and Suro, Roberto. Rise, Peak, and Decline. Trends in U.S. Immigration 1992-2004. Pew Hispanic Center, 2005. <http://pewhispanic.org/files/reports/53.pdf>, accessed 06.10.2005.

<sup>5</sup> See: Rodríguez, Néstor. The Social Construction of the U.S.-Mexico Border. In: Perea, Juan F. (ed.). The New Nativism and the Anti-Immigrant Impulse in the United States. New York and London, 1997, pp. 223-243.

like-minded ranchers in Arizona, the impetus behind the movement is quite clear: “if the government refuses to provide security [against illegals], then the only recourse is to provide it ourselves.”<sup>6</sup> In a nutshell, the organizations hope to achieve three aims: to forcibly reduce irregular immigration to the US; to lobby for restrictive changes in the US immigration laws, especially geared towards a stricter, more militarized control of the US-Mexican border; and to protect of citizen and land-owner rights in the border region.<sup>7</sup>

Probably the most prominent grass-roots vigilante organization today calls itself the Minutemen, or the Civil Homeland Defense. This organization, founded in 2002 by a newspaper editor and California native living in the border state of Arizona, Chris Simcox,<sup>8</sup> uses decidedly less paramilitary tactics when patrolling the border than other groups, most prominently the now-defunct Ranch Rescue. Instead, it claims to take a more non-violent approach. In lieu of physically apprehending irregular migrants in transit, its vigilantes mainly report such transgressions via mobile telephone to the US Border Patrol and other state authorities. Politically, the organization’s message against irregular immigration appears to be less nativist and anti-immigrant in character than is the case with other such organizations. It seems to use a more formal definition of the perceived problem (irregular vs. regular migrants, instead of Americans vs. immigrants) However, Simcox has often referred to the irregular migrants in a derogatory manner, such as likening them to “a swarm of uncontrolled refugees” that needs to be stopped.<sup>9</sup> Nonetheless, it appears as if the group’s message is more directed towards the US government to implement restrictions to this end, than it is to terrorize irregular migrants in transit. Simcox even argues for more legal immigration, albeit with a price: a completely militarized US-Mexican border, aimed towards keeping all irregular migrants out.

Another prominent organization vigilante group calls itself the American Border Patrol (ABP). This organization, founded in 2002 by an anti-immigrant activist, Glenn Spencer, seems to be most interested in documenting transgressions and happenings in the border region itself, and subsequently making this information available to the public. It also

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<sup>6</sup> Cit. Hammer-Tomizuka, Zoe and Allen, Jennifer (Border Action Network). Hate or Heroism. Vigilantes on the Arizona-Mexico Border, 2002, p. 3. <http://www.borderaction.org/PDFs/BAN-Vigilante%20Report.pdf>, accessed 15.09.2005.

<sup>7</sup> Ibid. See also: Anti-Defamation League: 2003. Border Disputes. Armed Vigilantes in Arizona. <http://www.adl.org/extremism/arizona/arizonaborder.pdf>, accessed 03.10.2005.

<sup>8</sup> On Simcox, see: Slate, 11.05.2005, <http://www.salon.com/news/feature/2005/05/11/minuteman/>, accessed 08.09.2005.

For Simcox’s newspaper and political mouthpiece, see: <http://www.tombstonetumbleweed.com/>.

<sup>9</sup> Cit. Hammer-Tomizuka, et al., p. 6.

reports sightings of irregular migrants in transit, but claims to maintain a “strict hands off policy”, opting instead to “observe and report”.<sup>10</sup> Unlike the Minutemen, connections have been drawn between this organization and other anti-immigrant hate groups. Spencer himself is head of the California-based American Patrol, which according to a civil society organization in Arizona, the Border Action Network (BAN), is a “white-nationalist, anti-immigrant organization” that, for example, has called for English language-only legislation, supported Proposition 187 in California and broadcasts “virulent anti-Mexican/anti-immigrant messages” via the media.<sup>11</sup> The Southern Poverty Law Center (SPLC), another civil society organization active in the border region, openly refers to the American Patrol as “hate group”.<sup>12</sup>

These vigilante groups have received a large amount of criticism on part of civil society organizations. These include the Anti-Defamation League, the SPLC and BAN. Especially active in the field is an Arizona-based NGO, Humane Borders. This organization provides humanitarian aid for irregular migrants in transit, such as maintaining a system of water stations in the desert-like region. It also works towards raising awareness on the widespread violation of the fundamental rights of migrants in the border region, including meticulously reporting on the rising number of non-violent, and violent, deaths of irregular migrants in transit. Humane Borders also proposes changes in the US immigration regime, including the legalization of irregular migrants already living and working in the US, the development of a “responsible guest worker program by issuing work visas directly to migrants”, so that they are “not tied to any one employer or sector of the economy”, the granting of further immigrant workers’ rights, a demilitarization of the US-Mexican border and support for the economic development in Mexico.<sup>13</sup>

One major success against such vigilante groups can be seen in the dismantling of the openly paramilitary and violent organisation Ranch Rescue. Often referred to as the most virulent of the anti-immigrant vigilante organizations, in March 2003 members of this organization were caught going too far. In Texas, two irregular migrants were forcibly

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<sup>10</sup> See the American Border Patrol’s website: <http://www.americanborderpatrol.com/abpstory.html>, accessed 03.10.2005.

<sup>11</sup> Hammer-Tomizuka, et al., p. 11. Proposition 187 passed in referendum in California in 1994, but was subsequently overturned by the courts. It intended to restrict irregular immigrants to all social welfare benefits, including health care and public education.

<sup>12</sup> See: Southern Poverty Law Center. Active Hate Groups in 2004. <http://www.splcenter.org/intel/map/hate.jsp?T=22&m=3>, accessed 27.09.2005.

<sup>13</sup> See: <http://www.humaneborders.org>, accessed 17.08.2005.

apprehended and terrorized by a group of prominent Ranch Rescue members. The state cracked down on the organization, and the migrants themselves were rewarded the property of one Ranch Rescue member, Casey Nethercott, in a civil court case filed by the victims against him in August 2005. Nethercott was also tried for, but not convicted of, pistol-whipping one of the victims. Instead, he was convicted of firearms violations and is currently serving prison time.<sup>14</sup> Although this and other legal problems have caused the organization to practically fold, widespread activities continue involving other groups. A number of operations are planned for the fall of 2005.<sup>15</sup>

### *Immigration Reform and the Southern Border Region*

It appears as if the grass-roots vigilante movement has some political support. The current Governor of California, Arnold Schwarzenegger, has, for example, expressed his support for the Minutemen. In summer of 2005, a Republican representative in Congress from Texas, John Culberson, introduced legislation on the creation of a state-sanctioned and armed citizens' network along the US-Mexican border.<sup>16</sup> As the president of the League of United Latin American Citizens (LULAC), Hector Flores, has stated: "[t]he immigration system in this country is extremely convoluted, and we cannot simply equip untrained American citizens with arms to patrol our borders. If this bill is passed, it would likely result in the official sanction of dangerous and uncontrolled activity by weekend warriors along the U.S.-Mexican border."<sup>17</sup> On the positive side, President George W. Bush has expressed disregard for such vigilante groups, opting instead for sticking to his proposal on opening new legal gates of entry into the US through a guest worker programme.<sup>18</sup> It also appears as if the recent retirement of the commissioner for US Customs and Border Protection, Robert C. Bonner, in September 2005 has to do with his support for vigilante groups, in contrast to Bush's rejection of them.<sup>19</sup>

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<sup>14</sup> Washington Post.com, 21.08.2005. [http://www.washingtonpost.com/wp-dyn/content/article/2005/08/20/AR2005082000922\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2005/08/20/AR2005082000922_pf.html), accessed 22.08.2005.

<sup>15</sup> For example, the Minutemen are currently carrying out a series of rallies. See: <http://www.minutemanhq.com/hq/>, accessed 09.10.2005.

<sup>16</sup> Saint, Steven. Border Justice. In: Hispanic Online, 10/2005. <http://www.hispaniconline.com/magazine/2005/October/Special%20Report/Border.htm>, accessed 06.10.2005.

<sup>17</sup> LULAC (ed.): 2005. Press Release. <http://www.lulac.org/advocacy/press/2005/armedmilitia.html>, accessed 30.09.2005.

<sup>18</sup> See: <http://www.whitehouse.gov/infocus/immigration/>, accessed 06.10.2005. See also: Washington Post.com, 08.01.2005. <http://www.washingtonpost.com/ac2/wp-dyn/A63428-2004Jan7>, accessed 08.01.2005. For early criticism on this proposal, see: Washington Post.com, 09.01.2004. <http://www.washingtonpost.com/ac2/wp-dyn/A1482-2004Jan8>, accessed 09.01.2004.

<sup>19</sup> See: CNN.com, 28.09.2005. <http://www.cnn.com/2005/POLITICS/09/28/bonner.retirement/index.html>, accessed 29.09.2005.

The scary idea of institutionalized vigilante border patrols aside, the formation of anti-immigrant vigilante grass-roots organizations appears to have only made a bad situation worse. Together with the heightened control efforts on part of the state, the border is thus experiencing both a militarization and a paramilitarization, both of which only serve to victimize irregular migrants. At the same time, though, it is clear that the communities along the border are taking the brunt of the failed US immigration policy. Nonetheless, civil society organizations in the region continue to provide clear, humanitarian-based messages for a healthy and realistic immigration reform.

*Further Reading*

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