# Governing through Risk at the Canada/US Border: Liberty, Security, Technology

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## About the Border Policy Research Institute

The BPRI focuses on research that informs policy-makers on matters related to the Canada—U.S. border.  Policy areas of importance include transportation and mobility, security, immigration, energy, environment, economics, and trade.

## Acknowledgements

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*Imagination is not a gift usually associated with bureaucracies.*

The 9/11 Commission Report, 2002

*… nothing is a risk in itself; there is no risk in reality. But, on the other hand, anything* **can** *be a risk; it all depends on how one analyzes the danger, considers the event.*

François Ewald, "Insurance and Risk," 1991

*Risk is ambivalence.*

Ulrich Beck, "Living in the World Risk Society," 2006

## INTRODUCTION

The border is not where it is supposed to be; the border is getting thicker; the border "needs a fix." These are just a few of the sentiments one encounters with shocking regularity when discussing the Canada/US border in the Pacific Northwest, known as the Cascade Gateway, or sometimes referred to as "Cascadia".[1] Generally unsolicited, these comments and many others are often vain attempts to encapsulate the recent changes to this border, particularly in the post-9/11 epoch. A variety of factors, such as the demographics of those crossing the border in the Pacific Northwest, the current and potential economic impacts of increased border wait times, the potential decrease of cross border travel and commerce, the economic impact of the Western Hemisphere Travel Initiative (WHTI), the specific effect of increased wait times at the border on regional supply chains, shared transborder environmental and resource concerns, and many other issues have been relatively closely examined, particularly by leading researchers supported by the Border Policy Research Institute.[2] Much of this research is premised on the assumption that increased wait times, or what is referred to regularly as a "thickened border," is the result of intensified security measures at the Canada/US border by officials on both sides of this historically highly porous frontier. To put it as simply as possible, this working paper begins to unpack what is at the root of contemporary Canada/US border security: risk management. Specifically, the analysis highlights the characteristics of risk management itself and its near obsession with quantification, the ramifications of what has come to be a ubiquitous reliance on technology in current border security, and the correlating trend towards centralizing the management of border security leading to the disempowerment of robust stakeholders

[1]*Cascadia refers to a region generally surrounding the Cascade Mountain region, but is often defined more broadly as Washington, Oregon, Idaho, Montana and Alaska on the US side, and Alberta, British Columbia, and the Yukon on the Canadian side. The Pacific Northwest Economic Region (PNWER) is defined according to the same 5 US states, 2 Canadian Provinces and 1 Canadian Territory.*

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from the borderlands. As many of these stakeholders colloquially put it, the border needs fixing. As of 9/11, central government authorities in both Canada and the US, particularly those in the US Department of Homeland Security (DHS) agreed. Unfortunately, the mobilization of a particular notion of risk management, an increasing reliance on technology and the assumptions and provisions that accompany that, and moves to centralize the border security function, have led attempts by DHS and the Canadian counterparts to be at odds with those who are now lamenting over the mismanagement of the Canada/US border. Rather than provide a fix, I unpack and problematize contemporary border security strategies, specifically risk management, and highlight the extent to which they are at least partly responsible for contemporary problems and inefficiencies with the management of the Canada/US border, specifically in the Cascade Gateway.

This analysis begins from the assertion that contemporary Canada/US border security – led by the initiative of the US and generally closely followed by Canadian counterparts – is advanced by the Risk Management (RM) model. Drawing on contemporary literature, notably Aradau and van Munster's pivotal argument on "governing through risk" (Aradau and van Munster 2007), I contend that more than simply adopting RM as the principal strategy for managing border security,

officials have come to "govern through risk" at the Canada/US border. The paper considers the ramifications of this move, considering the (in)appropriateness of RM as a strategy for the provision of public security, and specifically border security, but also reflects on three noted trends directly associated with "governing through risk" at the Canada/US border: first, the quantification of security and risk and the subsequent "zero risk" approach; second, and intimately related to the first trend, the technologization of security; and finally, the third trend is the centralization of authority. However, for this analysis the disempowerment of robust stakeholders in the borderlands, which is the correlating outcome of this centralization, is what is of interest. These three trends in contemporary border security raise critical considerations regarding a range of issues akin to Brunet-Jailly and Dupeyron's fundamental two elements of security at/in borders and borderlands: "*human activities* (the agency and agent of power of individual ties and forces spanning the border); and second, the *broader social processes* that frame individual action, such as market forces, government activities, and regional culture and politics of a borderland" (Brunet-Jailly and Dupeyron 2007: 1).

It deserves mention that this working paper stands as the initial report upon research and investigation that will culminate in a forthcoming

[2]*See the Border Policy Research Institutes "Resources" webpage, which contains a range of up to date research publications into many of these matters. http://www.ac.wwu.edu/~bpri/resources.html. For a particularly cogent analysis of the Seattle-Vancouver corridor and the shared environmental, commercial, and cultural concerns, see James Loucky, Donald K. Alper and J. C. Day, eds., (2008) Transboundary Challenges in the Pacific Border Regions of North America Calgary: University of Calgary Press.*

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monograph, *Security, Risk, and the Biometric State: Governing Borders and Bodies*, to be published in the PRIO New Security Series with Routledge in 2009. This forthcoming text begins with much of the analysis provided in this working paper with regard to the application and implications of using RM strategies in contemporary border security, specifically in terms of the technologization of security that follows from it. The monograph takes greater pains to unpack the ramifications of the technologization of security at the border, in particular the reliance upon and almost fetishization of biometrics, and the related consequences to how borders and bodies are governed, understood, experienced, read, etc., and the general proliferation of borders and bordering practices throughout contemporary politics. Underlying the analysis throughout this working paper and the forthcoming monograph is the notion that the burgeoning reliance on a range of surveillance technologies is motivated by the reliance on RM and the general model of "governing through risk," and it contributes directly to a series of problems with and radical changes to how borders operate, are experienced, are assumed to be secure, as well as accompanying alterations to the manner in which the bodies crossing these borders are perceived, read, managed, and governed. Finally, the obvious point is that these transformations are not only significant at the border and throughout the borderlands, but are the source of ramifications that are far reaching. The forthcoming monograph frames these developments using three key insights about contemporary politics: the ubiquity of borders and bordering practices; the centrality of biometric technological thinking; and, the wide-scale adoption of the risk-governance mentality (termed 'governmentality' in the academic literature) within a framework of exceptional sovereignty and the global war on terror. Although clearly developing these insights is beyond the scope of a working paper, I nonetheless raise them here to emphasize and cast a light on this backdrop, as it is a milieu from which the assertions made in this working paper emerge.

On the efficacy of borders, the resilience and importance of borderlands, and the permeability of borders, there is a relatively sound literature. Although these issues are pertinent to the analysis at hand, a narrow focus on a specific sort of border security and/or border management and its broader ramifications to the aforementioned fields is of interest here. Furthermore, before engaging directly with the tripartite issues of quantification, technologization, and liberty/security, which follow from the move to "govern through risk" at the border, the argument requires some deliberation on a notion most prevalent in such discussion, and unfortunately so often misunderstood, that of "securitization."

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## SECURITIZATION AND GOVERNING THROUGH RISK AT THE BORDER: "ALL THAT IS FLUID SOLIDIFIES"

Since September 11th, references to "securitization" have proliferated. In what appears to be a never ending move towards the "securitization of everything," references to the *insecurity* of transportation, borders, financial institutions, a burgeoning "critical infrastructure," and a host of other critical portions of our modern liberal information society are made in the news media, by politicians and bureaucrats. As the potential, necessary, and/or long overdue "securitization" of various sectors is raised, it is a discourse of *insecurity* and *not* security that is invoked. To claim, for example, that a border is porous is on the one hand to accept the general operation and function of a border for time immemorial; as a line crossed, regularly by those in borderlands, and far less so by those from distant lands, and a signification of some form of authority, in some cases, state sovereignty. The alternative, however, is to express the permeability of the border as *not* integral to transboundary communities, international commerce and trade, the integrity of a borderland's cultural, political and socio-economic resiliency, but as something dangerous, threatening, and potentially risky. Drawing on the critical theory tradition, the first point to be gleaned is the absolute necessity of asking the "how possible" question of securitization. In other words, how is it possible that particular issues are labeled as security issues, by whom, and in whose interests? In the case of border security, a critical question becomes that of outsourcing of surveillance infrastructures, ID card systems, biometrics, and so on, and the extent to which the security professionals responsible for providing these systems – or what Bigo and others have termed "managers of unease" – construct the field of risk itself (see Salter 2008a, 2008b). In other words, once opened up, security professionals have the ability to not only provide security solutions, but also frame the necessity of certain solutions in such a way as to characterize and even define the risk itself. The use of biometrics, forms of CCTV surveillance, and ID Card systems, in presenting themselves as solutions or mitigation strategies, make powerful assumptions about risk: what/who the potential risks might be, and how these threats are likely to operate/behave.

This brief comment picks up on a particular notion of "securitization" that has emerged among scholars in the field of critical security studies. The breadth of "securitization" approaches is too grand to fully engage here; however, it is worth noting that in many cases, and indeed in this working paper, references to "securitization" connote far more than what the early theorists of this approach referred to as "speech acts." That is to say, when considering

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the securitization of the Canada/US border, for example, the analysis that follows reflects on deeper questions of constructing the issue of security, taking note of the actors involved, and the broader social processes that frame and are affected by this move, as opposed to simply noting how a particular issue area comes to be referred to as a security issue. This particular understanding of securitization, referred to by some as the Paris School (C.A.S.E. Collective 2006), fits well with the notion of "Governing through Risk."

In their article on "Governing through Risk," Aradau and van Munster (2007) develop a notion of "precautionary risk." Drawing from the work of Ulrich Beck and others, the notion that certain risks ("manufactured risks") do not come from outside, as external risks do, but are "manufactured by the very impact of our developing knowledge about the world" (Ceyhan 2008: 105). Unlike simple external risks, manufactured risks, such as environmental, health, nuclear, etc., are not tied to our ability to calculate them, since we cannot and do not know the *real* level of risk (Ceyhan 2008: 105). As the quotation from François Ewald that headed this paper asserts, nothing is a risk in and of itself, but rather, it depends on how the evaluation of danger and the context and circumstances is made (see Ewald 1991). Similarly, Beck and others refer to such risks as incalculable risks; risks that are uncertain or even considered to be "intentional catastrophes," like

terrorism (see Beck 2006). Aradau and van Munster's notion of "precautionary risk" is precisely getting at this limitation of risk thinking, and thus represents an attempt at prevention, taming the limit, monitoring, managing, and governing the ungovernable and the uncertain (Aradau and van Munster 2007: 107). Still others have connected this to a preemptory logic that is embedded in such attempts to "manage uncertainty" and "govern the ungovernable" (De Goede 2008a, 2008b), which is precisely how the task of contemporary border security has been framed: mobility itself becomes potentially threatening (see Packer 2006) as the porosity of borders is assumed away in a reversal of the Marxian dictum, "all that is solid melts into air" and all that is fluid and porous solidifies.

To simply note that "governing through risk" is an influential force behind the institutions charged with securing the border tells us very little. The prevalence of RM strategies in contemporary border security is ubiquitous. Just months after 9/11, the signing of the "Smart Border Declaration" in December 2001, and the subsequent Smart Border Accord, which is responsible for inspiring many of the current border security strategies such as NEXUS and WHTI, expressed a strong commitment to RM. Similarly, "Secure Flight" and "Passenger Protect," the respective American and Canadian "no fly list" programs, are heavily motivated by the logic of

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RM. Indeed, even the thinking behind the more substantial Security and Prosperity Partnership (SPP) is clearly not untouched by the logic of RM. Moving towards specifics, the Canadian government is itself not totally happy with the performance of the relatively newly created Canada Border Services Agency (CBSA), citing that it "lacks an integrated risk management framework" (Standing Committee on Public Accounts 2008). Although the statement suggests the CBSA has not successfully integrated a risk management framework, it underscores the commitment to "governing through risk" by their political masters. The account forwarded here does not engage in the specific instances of applied RM in contemporary border security, nor is there an attempt in this analysis to provide a scale or continuum upon which one can judge more or less effective applications of RM. The general logic of governance that accompanies the employment of RM is of interest, as is the extent to which its efficacy can or cannot actually be measured. Rather than critique RM as a strategy in general, the focus here is to critically question its application in Canada/US border security. RM may indeed be sound as an approach to governance for a whole range of reasons, however, in dealing with so-called "incalculable risks" or uncertainties, or what Aradau and van Munster label "taming the limit," its strategy, method, and utility are in question. If, as Beck contends, "risk is ambivalence," one would never know it from the ubiquitous calculations, measurements, and numbers that are literally hemorrhaging from contemporary security professionals to rationalize their tactics, justify their costs, and valorize their efforts.

## THE "RISK" OF QUANTIFICATION

The alleged necessity of enhancing border security verges on prosaic in the post-9/11 context. Although a number of issues were flagged by, among others, *The 9/11 Commission Report*, border security seemed to progress to the head of the class overnight. Bolstered by catastrophic thinking often forwarded in popular accounts such as Stephen Flynn's *America the Vulnerable*, the securitization of the Canada/US border was quickly underway. Specifically, as part of the institutional restructuring under the newly formulated DHS, the institutional management of the border followed suit, and Customs and Border Protection (CBP) was created. As with many other post-9/11 developments particularly (and for some obvious reasons in the case of border security, being that the border itself is shared), Canada followed the US lead, creating the CBSA. In both cases, the management of the border shifted from one focused on customs collections to an obsession with security. Charged with securing the border, these new institutions quickly

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found themselves at odds with massive amounts of commercial, leisure, and tourist traffic that crosses the Canada/US border on a daily basis. The US Department of Transportation regularly finds itself in a difficult position, a department of the government and thus interested in state security by definition, and yet it is charged with enhancing the flow of goods, services, people, etc., *even* across borders and through airports. These contrasting ambitions are yet unresolved. The extent to which border agencies need likewise be concerned with more than simply securing the border is abundantly apparent on a daily basis across the length of the Canada/US border. How then can the security of the border be enhanced while maintaining the imperatives of relatively efficient and timely border crossing for goods and services? 'Properly executed' RM techniques are believed to be the answer to this dilemma.[3] Unfortunately, the nature of RM presents some problems when applied to border security, both in terms of the underlying logic and its method.

Since its origins are in the insurance industry, RM continues to be commonplace throughout that arena. Risks such as potential flooding, fires, and vandalism, to name a few, are quantified and measured in terms of low to high risk, primarily on the basis of the assessed potential frequency and impact of such risks. There are statistics on fires, it is clear that certain materials

are more flammable than others, low lying areas are more prone to flooding, etc. When applied to so-called "acts of God" natural disasters, or in the case of this analysis, potential terrorism, there is clearly a deep problem associated with quantifying the risk. As Salter has eloquently put it, we are in the space of "imaginary numbers" at this point. The importance of "imagination" cannot be over-emphasized, as preparation for the risks that fall into the category of the ungovernable or uncertain have little if any data upon which the quantification can be based, and thus are premised to a much greater degree on what is often referred to as "catastrophic thinking." The Pacific Northwest Economic Region, for example, conducts a program called "Blue Cascades," in which a potential catastrophe is imagined, and scenarios and simulations are worked out as a mode of preparation. Once imagined, one must then engage in a "risk assessment," wherein the frequency and impact of the risk is measured.

The potential problems associated with the use of RM in border security can be divided into two categories: the first is associated with the use of RM itself in terms of its strategies and assessment techniques; the second is linked to creating resiliency through redundancy, and what is termed here as "The redundancy problematic." The analysis begins with an overview of RM, considering briefly its genealogy. As a part of new public management

[3]*The paradoxical relationship between security and the imperatives of mobility is most obvious in the case of the virtual border(s) at the airport. Although airport security has been dramatically heightened in the post-9/11 environment, and as a point of entry it acts as a "virtual border," with regards to passenger prescreening in airports, one of the primary measures of success for both the Transportation Security Administration (TSA) and the Canadian Transport Security Authority (CATSA) is how quickly passengers are processed through security checks.*

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techniques, RM has emerged as a ubiquitous strategy across much of the contemporary public and private sectors. Much of the attraction of RM strategies relates to their seeming utility as a method for rationalizing increased resource allocation to particular sectors under conditions of resource scarcity and increased demands on government. A significant problem with this is the reliance on quantification in RM, and the extent to which success and/or failure is quantified. In the case of border security, as Table 1 from Salter's (2008b) analysis of RM and quantification indicates, measuring false positives is difficult if not impossible unless these errors result in a catastrophic failure, such as Richard Reid ("The Shoe Bomber"), or the death of Robert Dziekanski at Vancouver airport (discussed later), which causes subsequent institutional changes and adaptations to the risk assessment. In other words, one has no way of knowing how many people are crossing the border with contraband, weapons, etc., unless they are used in such a way that it results in some sort of catastrophe. Similarly, no records are kept of how many false negatives occur, which in security terms may be of little relevance, yet in terms of the efficiency and effectiveness of

border security are of great import. In the case of the Canada/US border in the Cascade Gateway, for example, vehicles and passengers are regularly subject to more in-depth checks by both Canadian and American officials, often to no end. The argument can be made that such random interrogation acts as a deterrence, but the counter-argument that this is simply inconveniencing honest travelers who are without contraband and who do not pose any serious security threat is equally valid, as neither argument can be proven with any certainty or statistical measure. Providing meaningless measurements of such matters, or simply failing to compile such statistics, is precisely what Salter refers to as "imaginary numbers." In order to underscore the problem with RM in terms of its reliance on quantification for rationalizing increased resource allocation and specifically measuring success or failure of the security approaches used, the anecdote of Robert Dziekanski in Vancouver International Airport in October 2007 is particularly instructive.

On 13 October 2007, a flight arrived at Vancouver International Airport (YVR) at approximately 3:15 pm. A middle-aged construction worker from Poland,

### Table 1 – Security Screening

| | |
|---|---|
| **POSITIVE:** presence of prohibited item, detection, "stop" decision | **FALSE POSITIVE:** presence of prohibited item, no detection, "go decision" |
| **NEGATIVE:** no presence of prohibited item, no detection, "go" decision | **FALSE NEGATIVE:** no presence of prohibited item, detection, "stop" decision |

(Salter 2008b: 256).

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Robert Dziekanski, was aboard this flight, with the intent of immigrating from Poland to live with his mother in Kamloops, British Columbia. Upon completing initial customs clearance, Mr. Dziekanski was referred to secondary immigration processing. It was already clear that Mr. Dziekanski was unable to speak English, as he required assistance in the initial processing. It was also obvious that he was under some duress, noted by airport staff, as he was pale and sweating. Between 4:00 pm and 10:45 pm, Mr. Dziekanski's precise whereabouts are unclear. However, he was in a secure area of the airport, which he could not leave without proper documentation, and interviews done after the fact indicate that he was milling around the luggage carousels during this period. It should be noted that this is a secure area of the airport. During this period, Mr. Dziekanski's mother, who was waiting in the public arrivals area of the airport, asked about the whereabouts of her son, but without appropriate flight information, she received little information and was told he had not arrived. Assuming he missed the flight, his mother left for Kamloops. At approximately 10:45 pm, Mr. Dziekanski attempted to leave the secure customs hall area and was again referred to secondary immigration for processing. After finding some missing bags that contained necessary immigration information and finally completing secondary processing, Mr. Dziekanski was free to go at 12:15 am.

After sitting for another 30 minutes in the customs hall, Mr. Dziekanski was asked by airport officials to leave the secure area and move to the international arrivals reception area at YVR. Mr. Dziekanski became increasingly agitated, propped the doors between the secure customs hall and the arrivals reception area open with a chair, and threw a small table and computer to the ground. The Royal Canadian Mounted Police (RCMP) were called by airport officials at this point, and upon arriving asked an agitated Mr. Dziekanksi to move up against a wall in the secure customs hall area where Mr. Dziekanski was waiting. Approximately 25-30 seconds after arrival, the RCMP officers decided to deploy the use of the Taser, an electroshock weapon,[4] and after tackling Mr. Dziekanski to the ground officers chose to Taser Mr. Dziekanski once more. As a result of the Taser, Mr. Dziekanski tragically died at the scene. There is a reasonable amount of precision regarding the timeline and facts of this incident, in part because the event has been the subject of a public inquiry into the use of Tasers by law enforcement, and in part because a member of the public captured the final moments of Mr. Dziekanski's life, including the Tasering by RCMP, on video which was subsequently shown on the internet and the national and international news media.

Aside from the obvious tragic death of Mr. Dziekanski, and some serious questions regarding the use of Tasers by law enforcement officers, there are a series

[4]*The use of the Taser is premised on the argument that it is considered to be a non-lethal form of restraint that is to be used by special trained police officers in place of lethal force. The Taser is an electroshock weapon that is intended to incapacitate the neuromuscular system through involuntary contractions and stimulations. Tasers use approximately 50,000 to 100,000 volts to incapacitate the victim. While marketed as non-lethal, the number of lethal incidents and proliferation of inquiries into its use and moratoriums suggest its lethality remains open to debate.*

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of critically important issues regarding the use of RM in border security, as well as some complications associated with the management of virtual borders in the modern airport. As a point of entry, the airport is by definition a virtual (or biometric) border (also see Muller 2008b). While this particular incident ended in tragedy, there is no real way of knowing how often people are able to loiter unaccounted for in the secure customs hall in the airport, since such figures are not kept and would indeed be incredibly difficult to obtain. This situation also underscores some of the problems associated with the strategy RM provides, when applied to areas of public security, or in this case, specifically border security. While RM provides four options when faced with risk – accept, mitigate, avoid, transfer – the reality is that one, and at best two of these strategies, are not only the sole desirable options when confronted with risks in public security, but they are indeed the only possible options. The incident involving Mr. Dziekanski highlights not only the extent to which the complexity of overlapping and unclear lines of authority at the virtual border makes the *transfer* of risk possible – that is, let's say from the CBSA in this instance to the RCMP – but also the extent to which *accepting* the risk and possibly *mitigating* it, are in fact the only real options. Avoiding it is simply not rational for the provision of public security, and even transferring the risk only contributes to institutional and

inter-departmental power struggles, uncertainties, and incongruities, thus not providing increased public security. As this specific case indicates, those lines of authority and authorization are unclear. Although the management of the border has changed vis-à-vis institutional transformation from one of simply customs, excise, and to a lesser extent, an immigration and visa regime, towards a far greater emphasis on security (including, even, arming the CBSA at great cost to the Canadian taxpayer), the efficacy of this decision is unclear in light of this particular case. When confronted with what was assessed at the time as a security risk, or one might even say a security breach, the new and reinvigorated CBSA, designed to manage and most importantly *secure* "the border," was shown to be rather impotent and relied on traditional institutional arrangements to deal with the situation.[5] Thus, the mismanagement and subsequent death of Robert Dziekanski highlights not only the general impossibility of quantifying certain failures with border security – and subsequently indicates that claims of success are speculative – but also raises serious doubts about the efficacy of the RM approach itself when applied in the realm of public security, and specifically, border security. The close relationship and even correlative association between the reliance on RM and the subsequent technologization of contemporary border security is also worth noting.

[5]*Not only was the creation of the CBSA scrutinized, but the decision to arm CBSA staff was highly contentious, both in terms of objections rooted in Canadian political culture and identity and the perspective on firearms, but arguably more importantly from the RCMP itself, which is most clearly evident in the Canadian Customs and Excise Union (CEUDA) Submission to the Standing Committee on National Security and Defense discussion of Bill C-26: An Act to Establish the Canadian Border Services Agency.*

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## TECHNOLOGIZATION: THE EMERGING BIOMETRIC BORDER

As RM emerges as the dominant model of security, the thirst for quantification that accompanies it contributes directly to the technologization of border security. Put simply, technology has itself become the centerpiece of contemporary security systems (see Ceyhan 2008). As Salter notes, by imposing biometric passports on foreigners who seek entry into the United States, the US administration contributed directly to the transformation of biometrics into a global security norm (Salter 2006; also see Ceyhan 2008). Both institutional changes to the border agencies in Canada and the US, as well as the increasing reliance on surveillance and technological means of prescreening – which is presented as an effective means for pre-assessing risk – have dramatically changed how the border functions and is experienced by those crossing it, and have likewise dramatically altered the landscape of influential stakeholders involved in the management of the border. The material design of the border itself is significant, insofar as it contributes to freer movement for those voluntarily enrolled in trusted or registered traveler schemes, such as NEXUS.[6] Together with the institutional transition from customs enforcement towards a security function, the border moves away from a visa/passport/immigration regime towards

a surveillance regime that is less tied to geography. Although these changes are considered to a far greater extent elsewhere,[7] some brief commentary is needed here, as it is a crucial part of the puzzle in terms of the transformation of the Canada/US Border, materially, institutionally, and "bodily."

The transformation and/or securitization of the Canada/US border, in this case specifically in the Cascade Gateway, owe much to the increasing reliance on technology. The increasing use of surveillance techniques, biometrics vis-à-vis both the US VISIT system and NEXUS, as well as the relatively less secure and more controversial Radio Frequency Identification (RFID) technology in the enhanced BC/Washington State driver's license pilot (which is also present in NEXUS), has changed how the border functions, as well as how it is experienced by those crossing.[8] In much the same way as "no fly lists" function, NEXUS (and the commercial equivalent, FAST) and other such programs extend the border outwards, (i.e., cause a proliferation of borders, as opposed to a thickening of the sovereign border), enabling a pre-assessment of risk far before one physically crosses the border. In the case of virtual borders in airports, pre-assessment is far easier, due to the necessary reliance on travel agencies or online ticket booking services, and commercial airlines. In sharp contrast, aside from registered

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traveler programs, there is currently no method to pre-assess risk at the land border, as those wishing to cross it are by in large relying on personal modes of transportation, and thus not entering any existing transportation networks which might facilitate screening, other than bus or train travel. Unfortunately, as the experience with the commercial registered traveler program, FAST, has shown, due in large part to the desire to securitize the entire supply chain, registration and pre-assessing risk can force almost crippling administrative burdens on to the users, making such measures relatively ineffective, due to the complexity of the pre-assessment and the ensuing cost and inconvenience. On the subject of cost, there is little if any public consultation regarding the use of certain technologies. Aside from privacy concerns and the like, the monetary costs deserve debate. The lack of discussion over such matters raises serious concern over what Didier Bigo and others have referred to as "managers of unease" (Bigo 2002; Leander 2005). As with the use of private contractors in Iraq, or the decision to use particular ID card schemes in various national contexts (see Bennett and Lyon 2008), the relationship between the providers of the technology and related commercial interests and the decision makers themselves is often far too close for comfort, which raises serious concerns about what or whose "security" these schemes actually serve.

As Leander has effectively noted in the case of private security contractors, these actors gain the capacity to construct specific articulations of security and insecurity to their own advantage. In the case of border security, similar issues of concern arise when security technology providers gain prominence. Certainly the lack of information surrounding specifics about the pilot program for a joint BC-Washington enhanced driver's license does not leave even the most casually curious observer void of suspicion.[9] Together, these issues further underscore the extent to which the capacity, control, and effective authority/authorization over the contemporary management of the Canada/US border by the borderlands has been continuously eroded.

## LIBERTY, SECURITY, AND THE DISEMPOWERMENT OF THE BORDERLANDS

Although skeptical of Brunet-Jailly's claim that in both North America and the European Union borders and borderlands are not unique, many of my findings echo his specific assertions regarding borderlands and border security. In particular, the relative failure of border security strategies premised on a specific articulation of the relationship between liberty and security that has been employed vis-à-vis RM in a top-down manner follows Brunet-Jailly's argument. Although in the specific case of the Cascade Gateway,

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and indeed in the majority of Canada/US border security, there is a reasonable amount of transnational institutional awareness and cooperation, there yet remains a severe lack of awareness and/or underestimation of the efficacy of borderlands, the stakeholders therein, and the import of cultural, economic, social, and political exchange that constitutes the borderlands. Staying momentarily with Brunet-Jailly's analysis of border security, it would seem that in the Cascade Gateway border region, in addition to the cited problems with operationalizing border security, Brunet-Jailly's two hypotheses of borderland security are currently at odds with one another:

> Hypothesis (1): the MORE culture, political clout, and market forces are INTEGRATED, the MORE POROUS THE BORDERLAND

> Hypothesis (2): the MORE the policy activities of multiple governments are INTEGRATED, the LESS POROUS THE BORDERLAND

> *(Brunet-Jailly 2007: 355)*

Although Hypothesis 1 provides a reasonable representation of borderlands in the Cascade Gateway pre-9/11, subsequent securitization and even militarization[10] of the border has definitely attempted to decrease the porosity of the border in the Pacific Northwest. In the case of the Cascade Gateway, the deep integration of market, culture, and political forces is uncontestable. However, particularly since 9/11, the integration (or at times policy isomorphism, at times under pressure) between Canadian and American border policy has increased. Therefore, to continue with Brunet-Jailly's dual hypotheses, it would seem that in the contemporary context of the Canada/US border in the Pacific Northwest, the integration of policy is rising while the already well integrated cultural, political, and market forces resist the resulting securitization of/at the border.

The primary focus of the analysis presented here is on the employment of RM in the contemporary securitization of the Canada/US border, and the subsequent technologization of security that follows. However, having spent a number of months at the Border Policy Research Institute (BPRI) at Western Washington University in Bellingham, Washington, has made me acutely aware of the plethora of active and capable local stakeholders in this rich borderland region. Taking part in the International Mobility and Trade Corridor Project (IMTC) hosted by the Whatcom Council of Governments, or being made more aware of the work of the Pacific Northwest Economic Region, not to mention the close collaboration and support the BPRI receives from and provides to these coalitions of actors, underscores the effectiveness, capacity, and increasing frustration of these

[10]*It should be noted that the use of "militarization" can simply connote the use of military equipment such as unmanned aerial drones, apache helicopters, etc. in border security, but it also suggests that actual definition of security and insecurity at the border becomes articulated in military terms by the military. The latter portion of this term is debatable in this specific case, however, the increased use of military hardware and (para) military tactics in the management of the border is far more evident.*

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key stakeholders in the borderlands. Victim of a rather narrow set of political objectives, contemporary US homeland security, and border security specifically, has succumbed to the securitizing and centralizing post-9/11 trends. The interests of cultural, political and market factors with long standing histories of cross border collaboration and cooperation in borderlands have been neglected, ignored, or in the most nefarious reading of the situation, intentionally disempowered. The reliance on RM strategies in border security leads almost inevitably to a "zero risk" approach to border security. While the ramifications of such an approach are widespread, it acts most acutely to the detriment of the long standing trans-border cultural, political, and market relations that make the borderland so robust.

## CONCLUSIONS

In conclusion, I wish to underscore the extent to which this working paper is intended to set the groundwork for further investigation and research in a range of areas, some of which I explicitly engage in my forthcoming monograph. The intention is to raise a series of issues associated with the situation at the Canada/US border in the Cascade Gateway, particularly in terms of post-9/11 security enhancements. By disassembling the contemporary securitization of the Canada/US border, the reliance on RM

as an approach to border security and to increased institutional funding and redesign is clear, and the correlating technologization of security is evident. My particular interest here is to critically question the appropriateness of the RM model for border security, and the extent to which, as a package, the centralization of authority, reliance on RM, and technologization of contemporary border security has failed to tap into, or indeed maligned, the resources, knowledge, expertise, and experience of the borderlands, which in the Pacific Northwest have a proven track record. As a result, I conclude with a series of summary points and modest recommendations:

- There is a serious need to critically assess both the utility and appropriateness of the RM approach in the area of border security. The methods it provides are not necessarily compatible with the specifics of border security, and public security more generally, and as a way of measuring success or failure in the actual security function it is flawed. Not least among reservations one might have towards the use of RM for border security, is the propensity – in part vis-à-vis the centrality of quantification – towards a "zero risk" tolerance.
- Although the use of a range of technologies is indeed appropriate in various aspects of border

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security, such as biometrics in trusted traveler programs like NEXUS, the extent to which it has been treated as a panacea and an end in itself requires increased scrutiny. In particular, not only does the extent to which certain technologies are perceived as security ends in themselves deserve critical reflection, but two further issues require serious consideration: the extent to which the introduction of and subsequent reliance on technology leads to the creation of an additional critical infrastructure which itself needs securing, and thus is the source of increased *in*security; and, the specific role of technology providers and their capacity to frame, construct, and/or articulate security and insecurity (i.e. the assessed risk and/or threat) in contemporary border security.

- Finally, an increased acknowledgement of, and one would hope, a subsequent (re) empowerment of the borderlands and the range of active stakeholders therein is an absolute necessity for any truly successful long term strategy at Canada/US border security. Perhaps most importantly, the decision to pursue this strategy would not only reframe the relationship between liberty and security as it

is represented by federal agencies such as the DHS, but would also open up the opportunity for novel solutions to contemporary border security problems, for which there is precedent, and the potential for a more effective and far reaching public relations/education campaign in order to educate citizens, particularly those in the borderlands, of current changes to the border, the uses of technology, and so on. Enabling and empowering these stakeholders holds promise in dealing constructively with the dilemma of increasing security without decreasing the beneficial porosity of the border. A further desirable move would require opening up the management of the Canada/US border, particularly in regions like the Cascade Gateway, to interested citizens and stakeholders for public consultation, in order that those whose lives, livelihood, and indeed identities are most affected by the border have a direct say in the management of that border. Unfortunately, all trends since 9/11 have been in the opposite direction, centralizing control and authority and disempowering the borderlands.

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