The border as archive:

Reframing the crisis mode of governance at the Canada-US border

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Starting in January 2017 there was a dramatic increase in the number of people crossing irregularly from the US to make a claim for refugee status in Canada. Officials declared a crisis and admonished those who, in the words of one official, were crossing 'in between the border.' It is important to pay close attention to these spaces in-between borders: those (un)intended and strategic openings left by the working out of nation-state policies (like the Canada-US Safe Third Country Agreement) and those paths that are opened through the transgressions of those borders by people on the move. Crisis is the necessary corollary of the 'politics of anticipatory governance' (Stockdale 2016) that scaffolds contemporary nation-statist border control policies and practices. Approaching the border as an archive means confronting the work that is done by such temporal and spatial manipulations, while placing contested border crossings at the centre of border formation. By examining a series of intersecting moments from the recent history of this border (1987-present), I seek to both 'inhabit' the crisis and understand what might remain once the crisis is declared over (Carastathis, Spathopoulou & Tsilimpounidi 2018; Nayak 2018). I argue that migration management regimes produce the border crises they anticipate while simultaneously masking and revealing contested histories and geographies of migration.

Keywords: Canada-US border; refugees; border control; crisis; governance; resistance

The contemporary 'crisis' at the Canada-US border

On a bitterly cold Christmas eve of 2016, people began to walk across the border from Minnesota into Emerson, Manitoba, to make claims for refugee status in Canada. While the

numbers were quite small, they were higher than usual for this area and the stories captured the public's attention: two men developed frostbite so severe as they journeyed across the border that they lost fingers and toes to amputation (CBC News 2017). A few months later, in May 2017, 57-year old Mavis Otuteye was found dead from exposure. She died trying to walk across the border to reunite with her daughter and new granddaughter. Mavis was found near the border between Minnesota and Manitoba, although her daughter lived in Toronto (Pauls 2017).

Her death marks not only the harsh toll that border policing exacts but also the at times specifically gendered impacts of the violences produced in between borders and by the crisis mode of governance (Wright 2006, 2011; Young et al. 2017). Moreover, it signals the relational and transnational linkages exemplified by border crossings and often thwarted by border control efforts. Although family ties are given a special place within some of Canada's immigration programs – through the priority assigned to family reunification, for example, or the close family ties included as exemptions in certain refugee deterrence programs – Mavis' body was found near the border as she sought to reunite with her new granddaughter in Toronto. In March 2019, a 25-year old woman was found in labour in a snowbank near the same border community where Mavis was found (Malone 2019), a set of circumstances that could have fed into related and overblown concerns about a crisis of so-called 'birth tourism' in Canada (Paradkhar 2019). What I want to encourage us to focus on is this death and this (potential) new life. For when/if this moment of crisis is declared over by Canadian officials, what will remain is this contrast: the heightened sense of risks to the nation-state and its integrity versus the scant attention paid to the bodily risks born by both of these parents seeking security of one form or another. Once we strip away what the state is encountering when it declares a crisis, what becomes clear is the actual cost borne by people on the move.

In what follows, I work through the stories of Mavis and two other people on the move caught in-between borders, José and Olivia, whose lives intersect through their encounters with the Canadian border in temporally and geographically distinctive moments of its recent history. Their stories are shared in the context of and as a way to interrogate the crisis mode of governance that characterizes contemporary border control practices and responses. I draw Mavis' tragically thwarted crossing of the Canada-US border into conversation with stories from two previous projects: the first, in which I encountered José's story, explored 'unofficial' archives of cross-border advocacy in the Detroit-Windsor border city during the 1980s Central American crisis (Young 2018); the second, where I came to know Olivia's story, worked through narratives of Central American migrant women navigating the contemporary Mexico-Guatemala border as they sought to provide for themselves and their families (Good Gingrich and Young 2019; Young et al. 2017). My aim here is not to report on the findings and methodologies of these projects. Instead, I outline a methodological approach that conceptualizes the border as an archive in order to reveal connections across these moments when the working out of Canadian policies produced a sense of crisis related to both attempted and pre-empted crossings of the border. This approach underscores that borders are produced through their crises as archival formations in and of themselves. These archives are dispersed across various sites and moments where the border materializes, and yet critical to understanding the shifting roles of borders in the contemporary world. I focus on the Canadian border across three seemingly unconnected moments of contested border crossings as a starting point in applying this methodological approach. These three lives, histories, and spaces intertwine and demonstrate how the border functions as an archive that activates previous histories and wider geographies even as state officials seek to downplay such a cross-temporal, spatial, and scalar approach. Focusing on

narratives, scales, and spaces that do not take the nation-state as their starting point contributes to feminist theorizations of and interventions in the intimate spaces where border politics and policies unfold.

Confronting the spaces and times of crisis

At its core, approaching the border as an archive considers how the histories of contested migration and the construction of borders are intertwined. By drawing three temporally and geographically dispersed moments of the Canadian border into the same analytical frame, I animate the border and recentre unwanted border crossers as its foundational subjects. This approach builds on a well-established feminist geopolitical epistemology that foregrounds the importance of lived experiences of policies and politics and the crucial insights to be gained from engaging with 'embodied geopolitical phenomena' (Hyndman 2019, 4). In particular, I take inspiration from Jennifer Hyndman's (2004, 175; emphasis added) encapsulation of what is at stake in discussions of national security, when she argued that 'security is implicitly a question of scale: security *for whom*?' She called for a 'rescaling of geopolitics': rather than defining security as based only at the scale of the nation-state and its preoccupations, she argued we could interpret security 'as protection from violence, freedom from fear and intimidation, and the right to a livelihood' (Hyndman 2004, 175). If we think about how security practices play out at the scale of the bodies of people crossing the border, for example, the implications of these securitized practices become visible and contestable.

In essence, Hyndman asked us to reconsider the subjects and objects of security – as the present discussion engages with the subjects and objects of crisis. The key question I want to centre as I contemplate the invocation of a 'crisis' at the border is: a 'crisis for whom?' In the

context of the contemporary moment that saw 54,000 people walk across the Canada-US border to make refugee claims between January 2017 and December 2019, Canadian officials, policymakers, and media reports framed these movements as a crisis requiring a decisive response from the state (Immigration and Refugee Board [IRB] 2019). In this vein, two recent feminist interventions into the Mediterranean refugee crisis raise productive points of entry: the first argues that our task is not to resolve the crisis – i.e. 'not to figure out what it is and propose a solution – but rather to *inhabit* [it]' (Nayak 2018; my emphasis). The second is in the form of a question that asks, 'What might remain when the crisis is declared over?' (Carastathis, Spathopoulou and Tsilimpounidi 2018). Both of these reflections on crisis invite us to think beyond/through the contemporary moment and to draw connections with previous histories and histories yet to come; in the present discussion, this allows us to consider a fuller range of the relationships and dynamics involved in the operation and transgression of a given border. Moreover, they reframe the geopolitics engaged by contested border crossings and direct our attention to the lived experiences of crises, raising the question of who is asked to inhabit a particular crisis and its implications as well as how this reverberates through past and future instantiations of a particular border. Considering the border as archive helps us to see how the ways in which nation-state borders work in fact contribute to and perpetuate the crisis that people on the move inhabit. In this piece, I focus specifically on the borders of what is called Canada and their connections across a range of times/histories and spaces/geographies. A key point is that what happens now, here, is not separate from what has happened previously in this and/or other sites where the Canadian border plays out. The definition of 'crisis' delineates an aberration; with border as archive, we see that the nation-state is always in crisis as demonstrated through its anticipatory governance of unwanted migration as a threat across time and space.

There is a 'spatiotemporal logic' to crisis, in the words of Alison Mountz and Nancy Hiemstra (2014), but there is also a scalar logic to it, in that naming something a crisis simultaneously foregrounds and forecloses particular scales and subjects. The mobilization of crisis influences our ability to respond and the ways in which we respond. As Anna Carastathis, Natalie Kouri-Towe, Gada Mahrouse, and Leila Whitley (2018, 5; emphasis in original) articulate it:

> The language of crisis…shifts the focus from the *experience of displacement as a crisis for refugees*, to the *perception of their entry as a crisis for nation-states*. The shift from crisis as the *cause* of forced migration to the construction of crisis as an *effect* of human mobility has a number of important political effects, not least of which is that it enables accelerated border militarization…and the closure of paths to safety.

These moments of 'crisis' at the border – at their most obvious – are a diversion from understanding the broader contexts at play. The sense of emergency authorizes and justifies an emergency response, with devastating impacts on people seeking safety. Reliance on the notion of 'crisis' suggests an unanticipated and short-term situation, which authorizes and even invites a sort of amnesia and erasure of these longer histories and wider geopolitics of migrant deterrence practices across the region. Sara Ahmed (2004, 132) has articulated how the 'production of a crisis is crucial' to authorizing enhanced measures of control and surveillance of borders. Similarly, Mountz and Hiemstra (2014, 383) suggest that discourses of chaos and crisis offer ways to 'analyze sovereign powers and practices' and refer to the mobilization of these discourses as 'a blunt tool of migration governance' (388). In this sense, sovereign states deploy crisis as a strategic and deliberate approach to the governance of migration: governance *through* crisis.

In work on the Idle No More (INM) movement that emerged across the country in late 2012, Jarrett Martineau (2015, 241) argues there is a particular significance to how the Canadian state deploys crisis. He identifies a 'crisis-based mode of governance,' which he argues is a 'colonial modality of governance in response and reaction to crisis' that maintains the status quo. Martineau argues that INM – an Indigenous-led movement for Indigenous sovereignty and rights – drew attention to this mode of governance through crisis in how they responded to the Canadian state's actions against their protests, which included blockades of rail lines, hunger strikes, and round dances in public places, and the movement more broadly. INM reframed the Canadian state's response by articulating what the crisis was *for them* and 'by confronting multiple colonial temporalities and contexts simultaneously' (241). Martineau's analysis lays bare the intersecting and simultaneous contexts at play in INM's interventions into the status quo of colonial governance through crisis, which is instructive for making sense of contestations over border crossings that are governed in a similar fashion. His work highlights the importance of a cross-temporal analysis of these moments.

On the subject of time in relation to border crises, Carastathis, Spathopoulou, and Tsilimpounidi (2018, 31) note: 'What needs further unpacking, then, is the interdependency between the dominant understanding of crisis and the implied return to normativity. In most debates about the current [European] crisis, questions about the future are limited to asking when things will return to "normal"' that rests in a sort of 'nostalgia' and 'an uncritical acceptance of the conditions before the crisis.' In answering their question about what might remain when the crisis is declared over, this includes understanding borders as tools of ongoing settler colonialism (van Beek 2019) and their impacts on the 'lost and missing subjects of history' (Espiritu 2014, 19). Moreover, crisis is the necessary corollary of the 'politics of anticipatory governance'

(Stockdale 2016) – the strategic use of time (and, I would add, space) – that scaffolds contemporary border control policies and practices. When applied specifically to the context of unwanted migration, this refers to the ways in which states have increasingly put their borders on the move through time and space to pre-empt and deter migration. Border control increasingly relies on anticipating patterns and routes and on intervening before movement takes place in order to prevent it from happening. These state strategies of deterrence and pre-emption only widen the inequities – racialized, classed, gendered – around movement and containment globally (Loyd and Mountz 2018). Indeed, Anna Pratt (2016) argues that states have turned jurisdiction and authority into a 'mobile resource,' which speaks to the ways in which mobility has been integrated into the border itself in order to affect not only the present but the future. Mavis' attempt to cross the border was meant to be prevented and yet was entirely predictable – as was her death – in this space in between the border.

Border as archive

Approaching the border as an archive opens a way to consider the work that is done by such temporal and spatial manipulations and to animate the various histories and geographies that comprise the Canadian border. In this sense, the border as archive responds to and pushes back at the crisis mode of governance and politics of anticipatory governance that characterize contemporary border control practices and logics. It helps us to consider the implications of these practices while revealing connections that these interconnected modes of governance attempt to hide. Moreover, it places histories of resistance to and reframing of contested border crossings at the centre of how the border is – and ought to be – understood. Mavis' intimate act of border transgression reveals a space in between the border: a 'loophole' deliberately left open by

Canadian policies but also a battleground over which the terms and meanings of mobility, security, and safety are contested.

One of the key details that is ignored and in fact denied by the crisis mode of governance is the spaces and dynamics produced by bordering practices over time and how one moment of crisis is not separate from the next. It is these dynamics and interconnections across and in between borders with which I am grappling when I talk about the border as an archive. Border control practices have uneven impacts: they open spaces in between borders for tactical mobility and the entrenchment of structural violence simultaneously (Young et al. 2017). It is important to keep these spaces in-between borders in view: i.e. those (un)intended and strategic spaces left and/or produced by the working out of nation-state policies (like the *Canada-US Safe Third Country Agreement* discussed below) and those spaces that are opened through the transgressions of those borders by people on the move. As such, the border as archive is also an attempt to grapple with the mobile borders of migration management and refugee deterrence in order to account for the ripple effects of interdiction and deterrence practices. It unmasks the contemporary crisis at the border in that, rather than a deviation from the norm, we see that the nation-state is always anticipating unwanted arrivals, always operating from a position of crisis. Finally, it shifts our attention to the stories and perspectives of people whose border crossings have been contested and to the border communities where the effects of deterrence policies and practices unfold and are enfolded into articulations of the crisis mode of governance.

Such an approach responds to the early and ongoing feminist geopolitical emphasis on how bordering policies work out in practice and examining their unintended and/or strategic consequences at a range of scales beyond the nation-state (Dixon 2015; Hyndman 2004, 2019; Hiemstra 2019; Loyd & Mountz 2018). This means paying attention to the work that the border

does and what work is done in the name of the border. In this sense, it relates to Espiritu's (2014, 23) insistence on inhabiting 'the space between countries from which we can articulate the tensions, irresolutions, and contradictions of the promise of citizenship…for those on the margins' and 'interrupt existing notions of "rescue and liberation" as it calls attention to the discarded who emerge from the brutal dislocations caused by war, colonization, and globalization.' In considering who inhabits crisis and how, it is crucial to examine the spaces between borders/countries – some of which are opened strategically through the policies and practices of nation-states, some of which are revealed through individual or collective transgressions and refusals of those stark lines.

Thinking about the border as an archive makes use of a metaphor that draws from archival research methods but also emphasizes that border crossings are always contested. Archival methods tell us about the important role played by 'reconstruction' (Moore 2010), in the sense that archival records are always, inevitably, partial and incomplete: what is not there is equally as important as what is included and recorded, and details that seem not to fit often turn out to be crucial. My approach is also informed by Espiritu's (2014) articulation of critical refugee studies as revealing 'refuge' and 'refugees' as co-constitutive – in her case, recognizing the refuge claimed by Vietnamese refugees in the United States as a (by)product of US militarism; in the present analysis, I examine how migration management regimes produce the border crises they anticipate while simultaneously masking and revealing contested and intersecting histories of migration. Moreover, archival analysis is iterative, reminding us to read documents and histories together, and to return to previous stories to help us make sense of what is at stake, for whom, in the stories that are told in the present. Ann Marie Murnaghan (2010, 11) has underscored the need to 'animate' the archive through a methodology that 'renders fleeting

historical subjects more visible' with attention to 'embodiments and materialities.' This also means animating the border: thinking about the border as an archive brings the lives, and deaths, of the border and of border control policies and practices into view. In this sense, border as archive is as much a methodology as it is a conceptual tool.

Moments of crisis open a political and theoretical space for broader discussions about displacement and borders, and present analytical opportunities to expose underlying logics and discourses. Moreover, as Mary Layoun (2001, 12) argues: 'instead of maintaining…normative positions, crises can generate radical or exceptional insights into social and cultural organization and possibility.' The narratives that are mobilized in moments of crisis offer insights into alternative conceptualizations and practices of the past, present, and future of – in this case – the border. This framing offers a way of thinking about how the crisis is revelatory in other ways. In previous archival research, I focused on how advocates in the Detroit-Windsor border community organized across the boundary line in solidarity with Central American refugees throughout the 1980s. Documenting alternative narratives is integral to uncovering imaginings of borders that differ from current understandings and practices (Young 2018). These perhaps 'unofficial' archives illuminate the ways in which communities have always contested borders. Crucial to this earlier time of crisis at the Canada-US border was the emergence and prominence of organizing and advocacy against the policies of both states. This is an element of why thinking through the border as an archive is crucial: i.e. reading what are presented as discrete moments of the border together. In talking about something like 'the border as archive,' I want to connect these contested border crossings across the region as a repudiation of the crisis and anticipatory modes of governance deployed by the Canadian state. This approach makes us see

'crisis' differently by forcing us to see these temporalities of the border simultaneously across space and time.

The crisis of the space 'in between the border'

Let's return to the contemporary scene at the Canada-US border. As the weather improved in 2017, the location of these unexpectedly large numbers of people crossing the border moved east from where Mavis Otuteye's body had been found in Manitoba to Roxham Road, which dead-ends at the boundary line near the Plattsburgh (New York)-Lacolle (Quebec) port of entry. Over the summer of 2017, the growing sense of a crisis at the border was underscored by the movement of thousands of US residents of Haitian descent – many of whom had been living in the US for many years – into Quebec: 18,000 people walked across the border to make a refugee claim in 2017 and nearly half of those were Haitian (Raphelson 2018).

The Canadian military was called in to support border communities overwhelmed by the scale of the cross-border movements. Images of soldiers, humvees, and tents began to fill media pages and screens. Montreal's Olympic Stadium was briefly repurposed to be used as a refugee shelter (Ballingall 2017). It is crucial to underscore that almost as much attention was directed at the potential of future border crossers as was directed at those who had already arrived to make claims for asylum in Canada. Of particular concern was the large population of people originally from El Salvador living in the US with precarious legal status and the announcement in January 2018 that the Temporary Protected Status (TPS) for people in this community would not be renewed. At that time, there were 195,000 people of Salvadoran descent living in the US with TPS. Their TPS was set to expire in September 2019 but at time of writing changes to the TPS program are on hold in relation to a series of legal challenges (Cohn, Passel, and Bialik 2019).

This provides a sense of both the geography and the scale of the border crossings under contestation during the contemporary moment in Canada. In response, Canadian officials initiated a Task Force on Irregular Border Crossings, established a temporary structure for processing arrivals at the busiest unofficial crossing point near Roxham Road between Champlain, New York, and Hemmingford, Quebec, and engaged their US counterparts in discussions on the need to 'modernize' the *Canada-US Safe Third Country Agreement* that governs asylum seeking between these countries (to be discussed in greater detail below). Operating in 'crisis' mode, Canadian officials and politicians depicted these border crossings as unruly, improper, and in need of containment. On 8 September 2017, Member of Parliament (MP) Pablo Rodriguez (Liberal – Honoré-Mercier) was sent to Los Angeles to dissuade additional arrivals of US residents who might become asylum seekers at the Canada-US border. While in Los Angeles, Rodriguez met with Spanish-language media outlets, members of the Salvadoran and Honduran communities, and local officials. In his words at the time, 'I'll be able to communicate with them and tell them exactly how things are in Canada. … We have a system in place, a system that works and that has to be respected' (cited in Levitz [2017]). The messaging was clear: '"in order to immigrate to Canada, the proper rules and processes had to be followed"' (cited in Zilio [2017]). Additional delegations of MPs have since visited other major US cities including Miami, Houston, New York, and Washington DC to meet with local officials and community organizations.

These delegations are part of a wider information campaign organized by the Canadian government, whose stated goal was, in the words of MP Emmanuel Dubourg (Liberal – Bourassa): 'to try to dissuade asylum seekers from Haiti, Africa, Central America and elsewhere' (cited in Thomson [2017]) – in other words, this was anticipatory governance of migration at

work. He argued further: 'they should use the right channels to come to Canada instead of crossing *in between the borders*' (emphasis added). Dubourg's comments allude to an intriguing geography: a space *in between* borders, which – from the perspective of the nation-state – is a space that should not exist, a seemingly impossible geography. And yet, feminist political geographers and a range of critical theorists will not be surprised at the existence of such a space. Indeed, Gloria Anzaldúa (1987) named it many years ago in her seminal work, *Borderlands/La frontera*, where she spoke about the border as an 'open wound' and insisted that the border functions in a dual rather than binary way. Crucially, she argued for the ways in which claiming a borderlands identity could be a place of resistance against colonial borders. Borders are regularly ignored, subverted, and refused. Indeed, William Walters (2006, 153; emphasis in original) suggests that 'resistance is already *inside* the border' because the border is not a fixed, static entity – it is responsive and dynamic. Border control, then, becomes a 'site of struggle *over* the forms, means, and terms of international mobility' (156). In the case of Indigenous nations whose territories were literally mapped over by the borders of settler colonial states, refusal of these borders and of the practices that sustain them is ongoing as Audra Simpson's (2014) work on Mohawk refusals of the Canada-US border demonstrates.

This unsettled – and unsettling aspect – of borders is apparent in the experiences of people who live in border communities and who have had to cross borders (or had borders cross them), which is where I situate my work at both the Canada-US and Mexico-Guatemala borders: grounded in negotiations of borders that are, in Glen Elder's (2009) words, 'woven into the fabric of everyday life.' These borderlands spaces are a significant aspect motivating the methodology and conceptualization of the border as archive. Indeed, as the contemporary crisis emerged at the Canada-US border, I was reminded of an earlier scene.

Border re/iterations

The contemporary moment is reminiscent of the Central American refugee 'crisis' of the late 1980s that also unfolded around the Canada-US border (in addition to other spaces across the continent). At that time, the US government was reluctant to recognize as refugees the Salvadoran and Guatemalan citizens who had been displaced by conflicts that the US was supporting politically, economically, and militarily. While the Canadian government had initially taken a different stance vis-à-vis refugees from these conflicts, the implementation of the US *Immigration Reform and Control Act* (IRCA) in November of 1986 shifted the landscape. IRCA offered amnesty to people who had entered the US without authorization before 1982 but promised to deport anyone who had arrived after that year. Most Central Americans had arrived post-1982 and were at risk of detention and deportation (Menjívar 2000).

In this context, Catherine Nolin (2006, 106) describes a movement of 'asylum demand at the border,' which saw 10,000 people arrive at Canada-US border crossings between December 1986 and February 1987 to make claims for refugee status. The Canadian government mobilized this moment of perceived crisis at the border to justify a series of policy changes, which it implemented on 20 February 1987: 1) the removal of El Salvador and Guatemala from the moratorium on deportations list; 2) the imposition of a visa requirement on both countries; and, 3) the implementation of a direct-back policy that saw people sent back to the US while awaiting their refugee hearings in Canada, where they remained at risk of deportation in the interim (Young 2018).

The policy moves implemented by Canada made getting across the border to make a claim much more challenging. The difficulty of this position was alluded to at the time by a

young Guatemalan man named José who framed it thus: '"This is where we are. There's a place in the tunnel you know, where there's the [American] flag and the Canadian flag. We are *in between*, standing on that line"' (Gutschi 1987; emphasis added). José's words refer to his situation of being caught up in these policy shifts around the Canada-US border. Not accepted for asylum in the US because of that government's role in the conflict in his country, further endangered by the introduction of IRCA, he arrived at the border with unfortunate timing, appearing one day after the Canadian government had implemented that new suite of policies. He was directed back to the US to await his refugee hearing in Canada. The line José describes with the two flags lies in the Detroit-Windsor Tunnel that runs under the Detroit River and demarcates the boundary in this border city.

The Canadian government's introduction of these policy measures is indicative of the crisis mode of governance: although making a refugee claim at a Canadian port of entry was permitted, the provision had been little used until this point. Prior to this, most of Canada's efforts with refugees had involved a high degree of control and pre-selection from refugee camps and through embassies and consulates abroad. Indeed, Nolin (2006, 107) notes that this was 'the first time in which the Canada-US border became a contested zone of refuge': 'refugees dissolved the spatial boundaries that confined asylum procedures to embassies and consulates and inscribed their presence at the border where they could not be turned away.' These arrivals were represented as a threat to the integrity of the refugee determination system and to the borders of the state and the nation. It is in this context of perceived crisis for Canada's refugee policies that the potential of the border as archive is situated because it urges us to seek out an 'alternative temporality' that surfaces the 'living effects of what seems to be over and done with' (Espiritu 2014, 174). This earlier moment in the life of the Canada-US border is not separate

from the contemporary one, despite the separation enacted by the crisis mode of governance that authorizes emergency measures.

In recent years, the non-renewal of Temporary Protected Status (TPS) has been a key factor motivating the movements of people who have been living with precarious status in the US for years – and even decades – towards the border to make claims for refugee status in Canada. The longer history of the TPS policy is crucial. Part of why TPS renewal (or non-renewal) is at the centre of the contemporary crisis is that it underscores the struggle over the terms and meanings of mobility, safety, and the border itself. TPS is framed as a benevolent act of the US government, whereby it bestowed legal status in the face of circumstances in various countries – due to, e.g., civil unrest, violence, natural disasters – that meant people could not return in the short-term. But the longer history of TPS is that status in the US has been repeatedly fought for – and won, albeit temporarily, precariously. The TPS program was first enacted by Congress in 1990 but this was prompted by advocacy efforts led by the Sanctuary Movement and legal action that unfolded through the *American Baptist Churches* case, a national class action lawsuit filed in May 1985 by more than 80 religious and refugee organizations. It 'charged that the Reagan administration's policy of routinely denying Salvadoran and Guatemalan requests for asylum was in violation of the US Refugee Act of 1980' (Cunningham 1995, 205) – in other words, that this practice was in violation of US law. The 1991 decision on the case found 'biased adjudication of Salvadoran and Guatemalan asylum applications' and ordered their 'reconsideration [for] approximately 250,000 class members' (Gzesh 2006). One of the legal remedies offered to those whose asylum claims had been denied was TPS. In a sense TPS exists due to the advocacy work undertaken by groups related to the Sanctuary Movement of the 1980s and the mobilization of Salvadoran and Guatemalan communities across the US. And so, José

feeling caught 'in between, standing on that line' in 1987 is not separate from the contemporary moment of crisis at the Canada-US border that has MP Dubourg insisting that it is not acceptable for people to cross 'in between the border.' José's story – and that earlier moment of crisis – is present in the contemporary scene at the border influenced by the anticipated or pending expiry of TPS. When framed as a crisis, the contemporary moment is unmoored; when these moments are brought into conversation, the contemporary moment is revealed as an iteration of that previous one and both are grounded in the web of relationships that connect the times and spaces of the border. The crisis at/of the border is ongoing but the question remains, whose crisis?

Note that Dubourg's phrasing also calls attention to the where of the border: when he talks about the space 'in-between borders,' he is referencing the unusual geography produced by the *Canada-US Safe Third Country Agreement* (STCA) that came into effect on 29 December 2004 and reshaped the landscape of claiming refuge in Canada. Under the bilateral agreement, people seeking asylum must make their claims in the first 'safe' country of arrival; if they have passed through the US on their way to Canada, they will be directed back to the US to file their claim and vice versa. It was part of the Smart Border Declaration negotiated between the two countries in the months following the events of September 2001 and announced in December of that year, which reorganized the Canada-US border around a 30-point action plan that aimed to reinforce a North American 'Zone of Confidence' (DFAIT 2003). The agreement rests in a presumption that the US meets international standards of refugee protection, which was successfully challenged before the Federal Court, whose July 2020 ruling found that the STCA contravenes the Canadian Charter of Rights and Freedoms (Tunney 2020). The Canadian government filed an appeal of this ruling in August 2020. What is most noteworthy to the present

discussion, however, is that the policy only applies at land ports of entry or to those people crossing the border by train.

The geographical variability of the STCA's application pushes people away from official ports of entry. The words and actions of Canadian officials focus on the so-called 'wrong way' of crossing the border and seeking asylum, when in fact this route was produced by the STCA; not simply made possible but in fact encouraged by this policy. By pushing people on the move away from official ports of entry, it opened pathways that promote unauthorized crossings – just as with the hardening of the US-Mexico border over the past two decades, which has pushed people to more dangerous routes (Cornelius 2001; De León 2015; Doty 2011). Mavis Otuteye's death is one such example from the Canada-US border and, tragically, 'immigration experts say [she] would have qualified to enter Canada…at an official border crossing under the family member exception of the Safe Third Country Agreement. The baby granddaughter she was trying to visit is a Canadian citizen, which would have allowed her to meet that qualification' (Pauls 2017). And so, MP Dubourg's words reveal that there is, in fact, a space in between borders – which is also frequently referred to as a 'loophole' – a space in-between or within the law. This creation of a space within the border is strategic on the part of the Canadian state since it is in Canada's 'interests' to maintain the STCA. For example, between 1990 and 2004 the northward route (US to Canada) averaged 8,750 people crossing to make refugee claims annually, while the southward route (Canada to US) saw approximately 200 per year (Canadian Council for Refugees 2005, 2). Beyond this numerical disparity in attempted border crossings the STCA aims to prevent, there is a well-established pattern of the criminalization of border crossings and crossers being used to justify harsher policies (Andersson 2014; Macklin 2005; Pickering and Weber 2006; Pratt 2005).

The STCA is part of the architecture and infrastructure of the 'politics of anticipatory governance' (Stockdale 2016) whereby, in the case of migration and border management policies, states put their borders on the move across time and space to pre-empt unwanted movements of people. What is crucial to contemplate regarding this form of governance is that it anticipates what has not yet and may never happen; indeed, it is premised in a desire to prevent something from happening. In this sense, its subjects are absent and difficult to locate or name. As Espiritu (2014, 19) argues, however, 'looking for and calling attention to the lost and missing subjects of history are critical to any political project.' Working through the border as an archive compels us to make these absences present by drawing connections through the spaces between borders. In addition to the ways in which the contemporary scene at the Canada-US land border reverberate with the earlier scene of José – and others – feeling caught in-between the boundary line, contemplating the border as an archive compels us to consider spaces that are contemporaneous though geographically removed. The Canadian border is at work in places far beyond the 49th parallel as well as in a range of anticipated futures: spaces and times that we might productively consider as the archive of this border.

So now let us move to the Frontera Comalapa region of the Mexico-Guatemala border, where I will tell you a little bit about Olivia. (Note: this is a pseudonym.) Originally from Honduras, for more than a decade she has been living in a small town near Mexico's southern border, where she navigates various identities as a *fichera* (a woman who is paid to drink beer with men), sex worker, bar owner, mother. Over the years, she has frequently travelled between Honduras and Mexico and faced the threat of deportation:

> They [local immigration officials] came to talk to me and I told them, 'I'm sorry, I am not going to tell you that I'm Mexican. I am Honduran and tomorrow I will come back. I will be in front of you; that is how fast I will return. Why don't you give me a chance to live here a year or two, I

> don't know? I will try to arrange my paperwork, but I will not leave this place. My son is buried here and the other son is in therapy. I am not doing any harm and furthermore I have my gravesite. I am going to stay here with my tomb.' This comment made them laugh because they thought it was funny that I have a grave ready for when I die here.

Olivia's words capture the dual nature of the border (Anzaldúa 1987): her precarious status in this borderzone makes her vulnerable to exploitation and violence even as she navigates the border space in ways that make it possible for her to provide for her family and herself. Her refusal of the border's control takes place from a position of necessity.

In relation to approaching the border as an archive, Olivia also lives in a zone 'in between the borders.' By this I am referring to the geography of this borderzone: rather than being enforced at the international boundary line, the border is instead policed at checkpoints further into Mexico. These internal checkpoints mean that the immediate border zone becomes a space that is literally in-between borders. Referred to as a 'tolerance zone,' it is a place where people without Mexican documents can live and come and go relatively freely. The stretching of the material space of the border opens possibilities for people to engage in activities that mix the nefarious (e.g. extortion, trafficking, etc.) with basic survival. The agency that Olivia and others exhibit, practice, and claim mingles alongside the stark vulnerability and violence that women in particular confront in this borderzone (Good Gingrich and Young 2019).

Olivia tactically works with the simultaneous openness and closure of this border and the spaces it creates. Approaching the border as an archive underscores that the contemporary moment of crisis at the Canada-US border is not separate from this border where Olivia makes her life and organizes her livelihood – and where she anticipates her death. Indeed, what happens around the Mexico-Guatemala border implicates Canada and the US, because both countries have invested significantly in Mexican border security. Under the Mérida Initiative, reinforced

by the *Programa Frontera Sur* (Southern Border Plan), the US has invested more than USD $2.3 billion since 2008. Over the same period, Canada actively contributed to these efforts by designating Mexico a 'safe country of origin' in 2013 and, since 2009, via the Anti-Crime Capacity Building Program through which Canada deploys police and security personnel, equipment, and other resources within Mexico's boundaries. These investments and resources are anticipatory, aimed at the pre-emption and deterrence of Central American (and other) migration further north; moreover, they demonstrate both states operating in crisis mode with respect to the borders to their south.

Approaching the border as an archive allows us to make the connections between these borders and see how the mobilization of crisis in fact reveals the broader contexts at work, even as it attempts to obscure them. It is clear that Canada is also operating at the other 'end' of the present crisis of its border. This approach demonstrates how the legacies of earlier conflicts and displacements reverberate into the present – especially the ongoing impacts of the Central American refugee crisis that came to a head in the 1980s. José's story of feeling caught in between, standing on that line, is part of Olivia's story too. The impacts of those displacements on the present include precarious legal status (TPS and otherwise), organized crime, and family separation – all of which factor into contemporary migrations and connections within and across the borders of the region. In other words, the crisis – and its archive – is not limited to one spatial or temporal site.

Concluding thoughts: what would an archive of the border look like?

Taken together, these three stories – and the connections between them – highlight the productiveness of a methodological approach that reframes the crisis mode of governance at the

Canadian border; an approach that seeks to bring the border to life by keeping longer histories and wider geographies in view and attending to the refusals and resistances that exist in the spaces within and between borders. I see the border as archive as a repudiation of the crisis and anticipatory modes of governance because it draws connections between discrete crises around the border that are not actually separate and that are instructive for understanding what is at stake, for whom, when a particular instantiation of the border in crisis is declared over. We can trace out the connections between Mavis' death at the Manitoba-Minnesota border as she sought to meet her granddaughter and Olivia's struggle to secure a life for her one remaining child, even as she anticipates her own death with her tomb ready in southern Mexico. Along with José's story, they each reveal a productive and precarious space that exists 'in-between' the Canadian border that compels us to engage with the broader archive of this border. Their stories reveal that the borders of the nation-state are always in crisis, the implications of which are highly uneven for people whose attempted border crossings are targeted.

Understanding the border as archive takes us away from the ahistorical accounts of border crossings that the declaration of crisis authorizes but, more importantly, it reveals the contestations that are always at work in unwanted movements across boundary lines. When state officials talk of crisis, emergency, and 'spontaneous arrivals' at their borders, they downplay and divert our attention from the other times, spaces, and relationships that are present in a given scene from that border. The methodological approach presented here reframes the formation of crisis in relation to the border: rather than accept the ahistorical but nostalgic yearning for a return to normalcy evident in the crisis mode of governance (Carastathis et al 2018), border as archive forces us to rethink the temporality of the border and its construction through crisis. When states rely on anticipatory strategies to prevent unwanted movements of people, they

reveal that crisis is the norm. Moreover, this approach reminds us of the ongoing histories of resistance and refusal to the governance of borders and movement through crisis. At its core, encountering the border as an archive centres these histories of contested border crossings as foundational to understanding the ongoing construction of the Canadian border. Building on Espiritu's (2014, 174) insistence on presenting an 'alternative temporality' to reveal the hidden subjects of history, we can start to elaborate an archive of this border through its temporally and geographically dispersed formations.

In thinking about the border as an archive, there are two key challenges: first, nation-states are more conscientious archivers than are others. This raises questions of voice and volume: whose stories are told and by whom, and what is heard. As opposed to the seamless narrative presented via the crisis mode of governance, the approach considered here engages across space and time to contemplate discrete moments of crisis as iterations of the border that must be understood in relation to one another. It draws our attention to 'the bodies of those at the "sharp end" of various forms of international activity' (Dixon and Marston 2011, 445) through a cross-temporal and cross-spatial/scalar lens. Moreover, it includes those subjects 'that are seemingly not there' (Espiritu 2014, 19), those made absent by anticipatory and deterrent border control policies. This relates to the second challenge of archiving the border, which is that nation-state borders are increasingly mobile: states have put their borders on the move through time and space to pre-empt and deter potential and unwanted border crossings. So, in the present example, we also need to ask, where is the Canadian border? Where do its impacts materialize? And for whom? If we consider that it is at work in all of these moments and spaces, what does it mean for how we understand the border itself and the relationships that are possible in between the borders of nation-states? Because the crisis is not over for people on the move within this

region. When we look from the scale of the bodies of people crossing the border, we can see the uneven impacts of the violences produced in between borders and by the crisis mode of governance, just as we can see refusal and resistance to those practices. And it is these people on the move, including those whose movements are only anticipated, who are inhabiting the impacts of the nation-state's perpetual crisis.

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