The Border Network for Human Rights: From Community Organizing to Public Policy Action

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Abstract

The Border Network for Human Rights (BNHR) is a community-based organization in the United States-Mexico borderlands, focused on human rights in the domain of immigration law enforcement and comprehensive immigration reform. BNHR has three important features. First, it focuses on the U.S.-Mexico border region, the region of most intensive U.S. immigration enforcement. Second, the BNHR uses a base community organizing strategy, as opposed to external activist or service provider strategies. Third, the BNHR has brought the voices and perspectives of border and immigrant community members to the public policy process. In these ways, the BNHR is reformulating political agency in the borderlands and the U.S. [U.S.-Mexico border, immigration, community organizing, human rights, public policy]

Introduction

The Border Network for Human Rights (BNHR; see http://www.bnhr.org) is a community-based organization in the El Paso and southern New Mexico area of the United States borderlands with Mexico. Recently, they have engaged in organizing activities in other parts of the state of Texas. BNHR focuses on immigrant communities and migration-related issues, but they conceive of their work as centered on human rights as such (e.g., U.S. constitutional rights in the borderlands for all persons), rather than immigrant rights alone. They form part of a burgeoning movement for “human rights at home” in the supposedly free and democratic U.S.

Three important observations are made about BNHR. First, it focuses on the U.S.-Mexico border region, specifically on the U.S. side. This is the region of most intensive U.S. immigration enforcement, involving both long distance migration from Mexico and Central America to the U.S. interior, and also settled communities with substantial immigrant components. Second, the BNHR uses a base community organizing strategy, as opposed to external activist or service provider strategies, to create an enormous network of outreach into working class Latino (mostly Mexican-origin) communities in the borderlands. Third, the BNHR has accomplished the politically significant task of bringing the voices and perspectives of border and immigrant community members to the public policy process at various scales, local, state, and national. Professional advocates for immigrants operate—with considerable value—in all these arenas. What is notable about BNHR is that it
BNHR uses a community organizing approach to bring working class, heavily immigrant community members into these processes, not only in street events but in the corridors of power, where their voices are usually not heard or are heard indirectly.

Research methods

I started participating in 2006 with BNHR in community education events and public meetings and demonstrations. In 2007, I began participating in policy delineation and advocacy in conjunction with BNHR that has continued to the present. I became a member of the Board of Directors in 2008, and President of the Board of Directors of BNHR in 2010. Beyond a top-down role as a director, I participate in many grass-roots BNHR activities, in particular those focused on policy education. Meanwhile, I have lived in my “field site” for more than a decade and researched the border region for over 30 years, providing helpful contextual knowledge (Heyman 2011a; Heyman, Morales, and Núñez 2009). I can thus justifiably characterize my knowledge as based on participant-observation in and of BNHR for a period of over six years. Given my sustained solidarity with BNHR, the organization and its individual staff and members, I have relationships of mutual confidence, have engaged in numerous informal conversations, and have extensive observations recorded in fieldnotes. I certainly recognize, however, that as a U.S. citizen, Anglo American, and well-paid academic professional I have a different standpoint from the working class, Mexican-origin, and largely immigrant base of BNHR.

Here, I also utilize several interviews of BNHR members, including its founder/executive director and several people who joined in early years and continued to participate to the present. I have accumulated and consulted a substantial documentary record of BNHR, including all public reports and policy statements, many campaign documents, many event and public meeting records, and all the organizational records since I became president. The narrative in this article finished in early 2012; subsequent events and changes are, in the main, not addressed. Unquestionably, I am partial to the organization; however, I strive to exercise care in reporting observed evidence and applying social scientific analysis.

The U.S. borderlands with Mexico

The U.S. borderlands with Mexico have been a favored site for external corporate controlled industrial production and the mediation of commodity trade, due to the geographic advantage of highly unequal wages, benefits, conditions, and costs on the two sides of the boundary (Fernández-Kelly 1983; Heyman 2004, 2012a). This has resulted in rapid growth, in urban and informal peri-urban settlements (colonias) of a large working class in both nations, though with relatively low incomes, poor infrastructure, and poor public health conditions
The border is the setting for various forms of migration and non-migratory movement, both legal and extra-legal. This includes unauthorized migrants moving between the interior of Mexico and the interior of the U.S. through the border, but it also includes locally settled migrant populations in the U.S. borderlands of varied legal statuses, often mixed in the same household or community. The border is also the setting for various contraband flows, including guns and munitions going from the U.S. to Mexico, illegal drugs from Mexico to the U.S., and money (cash and electronic instruments) in both directions.

U.S. domestic politics treat the border with Mexico, and its various flows, as a source of risk and threat (see Andreas 2009; Heyman 2014; Nevins 2010). Immigration and race debates in the interior of the U.S. are readily displaced on to the border (Heyman 1999, 2012b), driving a massive concentration of enforcement in this region. Examples include 21,000 Border Patrol officers, a 350 mile fence-wall, vast numbers of motion sensors and infrared cameras/binoculars, and manned aircraft and helicopters and surveillance drones. These measures treat relatively peaceful and low threat unauthorized migration as part of the same geographic law enforcement problem as drug smuggling, banditry, and violence in Mexico, all justified under the vague banner of anti-terrorism, even if in fact these are quite different phenomena (Heyman and Ackleson 2009; Heyman 2011b).

Three sets of human rights issues emerge from this context. First, there is the arresting, detaining, and deporting of undocumented border crossers by officers of the U.S. state (Martínez, Slack, and Heyman 2013; Phillips, Hagan, and Rodríguez 2006; Phillips, Rodríguez, and Hagan 2003), combined with the horrific side effects of mass enforcement, such as crossing deaths in remote desert and mountain zones chosen to avoid U.S. authorities (Cornelius 2001; Eshbach et al. 1999; Eshbach, Hagan, and Rodríguez 2003). Second, there is the treatment of resident borderland populations by these enforcement authorities (Dunn 2009; Rubio Goldsmith and Romero 2008; Rubio Goldsmith et al. 2009), who, though ostensibly oriented toward interdicting unauthorized border crossing, actually operate throughout communities of the region, especially poor, geographically marginal, and heavily Mexican-origin ones (Heyman 2009a, 2010). This enforcement affects unauthorized persons, U.S. citizens and legal residents, and visitors, who are often mixed together in household and community settings (O’Leary and Sánchez 2011). Examples of the rights at stake are warrantless entry into houses and stops and questioning in public settings, roads, etc. Finally, treatment by officers of the U.S. state affects people coming through legally authorized ports of entry, having a complex mix of citizenship and immigration statuses, who are exposed to unrestrained state authority (Heyman 2009b). These issues have been exacerbated in the last three years by the advent of people fleeing persecution in Mexico and seeking asylum in the U.S. whose treatment in the U.S. has often been problematic from a human rights perspective.
All three domains have drawn attention and action from the BNHR. But the base of the organization, and its most often identified issues, come from the second domain, the heavily policed Mexican working-class communities of the U.S. borderlands. This is different from most (though not all) border immigration issue groups, that mainly focus on conditions of long-distance migrants (deaths in the desert, treatment in custody), and likewise have their base in non-working class activists. Furthermore, it also differs from and adds to the national political scene concerning immigration reform, in which comprehensive immigration reform is “sold” by promises to intensify further border enforcement. The BNHR is a voice for border communities in this wider setting, in which they otherwise would be marginalized as having little political presence, and treated as instruments of action rather than as human components of democratic and rights-based policy.

Developing an engaged community:
A brief history of BNHR

BNHR originated in 1998. Its antecedents were in the Border Rights Coalition, which emerged out of struggles in El Paso described by Timothy Dunn (2009). These issues involved both Border Patrol activity in local settled communities affecting both immigrants and U.S. citizens, and also escalation of border enforcement in the El Paso region. The Border Rights Coalition was persistent and energetic, and had significant accomplishments, such as documenting Patrol abuses. However, it mainly relied on outside activists visiting immigrant communities, teaching rights and collecting evidence of abuses. These important activities were done for working class immigrants, rather than by them.

The Border Rights Coalition gave birth to the BNHR when it hired Fernando Garcia, a journalist from Mexico, immigrated to California, as its Executive Director. The name change to BNHR signaled new modes of action, rooted in Latin American “base community” organizing, which continue as fundamental organizational characteristics to the present. First, BNHR used a “train the trainer” model to spread engagement and knowledge of rights. Garcia not only did trainings himself, but trained human rights promoters who came from the immigrant community. Experienced promoters could train yet more promoters. This has had the obvious benefit of amplifying the capacity to deliver the message. Equally importantly, it also meant that promoters increasingly came out of the Mexican-origin immigrant working class itself, unlike the previous outside activist model of the Border Rights Coalition. Rather than delivering the message to the community, the message was spread across the community, with an important increase in trust and involvement, and reduction in power distance.

Second, BNHR developed as a series of committees, based on residential areas, of at least ten families each. The committees meet weekly to discuss social and political issues—as one member said, like attending
church—and to review key elements of human rights. As the number of committees grew, they began to take a pyramidal, geographic form, with local sub-regions of three to seven committees clustered into larger regions. The regions meet together annually in the overall governing body, the Asemblea General (General Assembly), which has power over the Board of Directors. The General Assembly originally unified all members, but the organization is now so large that each sub-region now is represented by 12 persons. This enabled the BNHR to spread from a few initial classes and promoters in a scattering of key areas—in the colonias east of El Paso, the poor central city of El Paso, and the colonias of southern New Mexico—to cover the entire El Paso/southern New Mexico region. Numerically, this growth went from a few families in 1998 and 1999, to 4,000 families in 2012 (an estimated 7,000 persons).

Most promoters and staff are women, although men also participate. In the core leadership, as of 2012, two of four positions are held by local borderlanders who rose up from the membership ranks through human rights promoter training; the other two are from educated, activist backgrounds in Mexico. Two members of upper leadership are women and two are men.

The segmentary, pyramidal structure works along with the train-the-trainer model of education and promotion to produce powerful abilities to expand, as new units (committees, sub-regions, and regions) emerge from and in turn produce new promoters. The segmentary, pyramidal form allows space for both horizontal relations in committees and vertical mobilization when politically needed. There is a professional, paid staff in the central office, including an executive director, although almost all the office staff come out of the communities themselves. There is also a Board of Directors, but the majority of the board is made up of and selected by committee members.

Third, the human rights training involves a distinctive educational model. It begins not with learning items of objective information about rights, but with a more personal, subjective, and introspective process of reflection on what the person—and the others in the training group—express as their “needs.” What do people need? This simple but powerful theme draws participants out, and leads them to discuss the Universal Declaration of Human Rights, the U.S. Constitution, and in recent years, the pillars of struggle of the Border Network. These pillars include labor rights, housing, healthcare, education, and similar social and economic values; immigration reform and human rights in border enforcement are then interpreted in promotion and committee discussions as part of a wider set of goals of struggle. Learning specific legal rights and recognizing abuses are an important part of the BNHR learning process, but this is not just presented (as in the previous, essentially lawyer-based model of educating the masses) as isolated or external lumps of information to be delivered and received, but is woven into a consciousness-raising process of critical examination of self and society. This, plus delivery by trusted community members, results in thorough internalization of rights and commitment to the cause.
The BNHR, importantly, does not provide concrete services to immigrants. What it offers its members is community, knowledge, values, and public engagement. It is striking that over 7,000 people offer tremendous levels of time, energy, and commitment on behalf of beliefs, not from a practical necessity or material benefit. Likewise, BNHR is not associated with any religious organization, though the networks that make it up include left Catholics, Latino evangelicals, and Latino mainstream Protestants. It likewise is not a labor organization, though it works closely with labor unions and advocates in the region. It is, essentially, a socially communicated and thus collective expression of shared values, centered on human rights, based on immigration but extending to all domains of life, embodied in public action, and coordinated via a small professional (non-governmental) organization.

The transition from top-down rights training and abuse case collection/documentation to promoter-based (horizontal) training and abuse collection/documentation started in 1998. In 2000 the first human rights committees were formed; some from that epoch have been meeting continuously to the present. Over its 15 years of existence, the organization has had exponential growth through the use of promoters training promoters and pyramids of committees.

In 2000, BNHR conducted the first of its annual abuse documentation campaigns. Promoters specifically go into community settings (churches, community centers) to collect any volunteered cases of possible legal rights violations or physical or verbal abuses. To this is added abuse cases reported to promoters during the rest of the year. Cases are analyzed for patterns of specific abuse types and geographic and chronological trends. Such information serves as a basis for combined tactics of protest and negotiation with public agencies. For example, in 2003, the BNHR undertook its first public action, a twenty mile march to draw attention to the case where the Border Patrol killed Juan Patricio Peraza Quezada outside a migrant shelter in El Paso. At the same time, BNHR began a dialogue about community and government concerns with the El Paso Border Patrol Sector, which continues to the present. This typifies its balanced strategy of outside pressure and inside dialogue, which has reduced rights abuses in residential settings over time.

In 2005, the BNHR shifted more clearly into the public policy domain, by internally consulting and formulating key guidelines for improved U.S. border policy. These guidelines, revised and expanded over time, remain a central policy document. Likewise, 2005 saw the first annual delegations of immigrant community members to visit Congressional and Executive staffs in Washington, D.C., and national level NGOs. These initiatives have continued to the present, discussed at greater length below.

In 2004, the Ford Foundation (2004) documented 13 organizations doing human rights work inside the U.S., including BNHR. Funding followed from the Ford Foundation, Open Society Foundations, the Four Freedoms Fund, the U.S. Human Rights Fund, the Catholic Campaign for Human Development, the Self Development of People fund of the
U.S. Presbyterian Church, and the New Society Fund. It is important to emphasize that funders came after the report on BNHR’s approach and accomplishments, strengthening its capacity but not bringing it into being. The funds allow for more paid staff positions for human rights promoters, more regional coordination as the organization has gotten bigger, and more travel by community members, staff, and allied experts to discuss public policy issues at the regional, state, and federal level. Funders inevitably shape organizations, but in at least one case (that should remain anonymous), the BNHR disagreed with a representative of an important funder, so it retains independence. Robust funding has allowed BNHR to extend its offices to southern New Mexico and to provide organizational training for other immigrant human rights groups across Texas. Its accomplishments come from a well-funded and staffed front office in combination with a continuously growing community base.

The BNHR in fields of power

The strategic fields of power (Wolf 1990) surrounding BNHR are complex, and required extensive, abstract analysis; here I present just a sketch of key points. The struggle for human rights, including immigrant rights, is broadly consistent with the individualism of capitalist, liberal democracy. Free mobility of labor is likewise. However, these implications of individualism are not actually promoted or valued in classist and racist societies. The immigrant rights movement takes more seriously the universal rights and dignity of all persons than the dominant liberal capitalist society does itself. It thus takes seriously the free mobility of all factors of production—including the working class—and not just capital investment, commodities, and the bourgeoisie. This specific struggle, then, pries open a contradiction with existing strategic power relations, without directly proposing an alternative political economy.

Likewise, the political targets of the BNHR have remained inside the U.S., at the federal, state, and local levels, because these are arenas where tangible change is possible in both administration (enforcement, etc.) and legislation affecting immigrant rights. This follows the strategic frame of the nation-state, despite BNHR’s membership being heavily made up of immigrants from Mexico and its location on the U.S.-Mexico border. This differs from some other immigrant organizations (Portes, Escobar, and Radford 2011), but is not a failure or gap. It comes consciously from an assessment that the political framework for action is the U.S. nation-state and its subordinate entities, and tacitly from a stronger commitment to creating change in the U.S. rather than in Mexico. Members have critical things to say about human rights in Mexico, but everyday conversations with them are much more likely to focus on the U.S. Department of Homeland Security, its operational units, and its relations with state and local law enforcement. In this delimited struggle, universal human rights are an important component and nation-state (U.S.) specific constitutional rights also. BNHR emphasizes that rights in the U.S. constitution in most cases are accorded to “all persons,” which
includes visitors, legal residents, and the undocumented. BNHR thus straddles the two ideal-types of rights struggles outlined by Dunn (2009), the struggle for citizenship rights inside nation-states and the struggle for universal human rights.

At the level of tactical power (Wolf 1990), the BNHR has demonstrably shifted the regional political field toward pro-immigrant and human rights discourses and networks of influence; it has had some impact at the state and national level also. The visible civic engagement of immigrant community members has resulted in concrete achievements (e.g., an El Paso County Commission resolution requiring the County Sheriff to cease and desist immigration enforcement) and also the election of allies to major offices (the new El Paso County Sheriff, Richard Wiles, an important spokesperson for local police non-involvement; the new head of El Paso County government, Veronica Escobar, the former director of the 1990s Border Rights Coalition; José Rodríguez, the Texas state senator for El Paso, a long-standing ally; and Beto O’Rourke, the Congressman from El Paso) (see Figure 1). Other policy activities at state and federal levels, discussed below, have involved orchestrating diverse regional actors and sectors to constitute “the border” as a political subject rather than just a political object (Heyman 2013). Tactically, this involves forging novel networks that cut across political scales, from the El Paso-southern New Mexico region, through the entire border region, to Washington, D.C. congressional staffs and non-governmental advocacy organizations.

BNHR responds to and resists the sustained assault on immigrants and on border communities—ideologically and materially—described above. In a sense, even a negative situation is a power resource, since it summons up in the community allies and funders in search of an effective response. Of course, the dilemma faced by BNHR is how to maintain commitment and forward momentum in a situation that is objectively bad, and getting worse. Victories so far, such as the Texas case discussed below, remain defensive. Comprehensive immigration reform is a possibility, but often it is coupled with further intensification of enforcement at the border (indeed, border escalation without immigration reform remains a distinct possibility). In a defensive context, the idealistic vision of human rights can remain pure, and potential contradictions in strategic power (such as transnationality versus national membership) do not need to be confronted.

Internally, the BNHR balances membership democracy with leadership. Originally, the main organizational and policy decisions, and evaluation of the staff, were made by the entire membership in the annual general assembly. Around 2008, the growth of the membership necessitated the use of selected representatives from each of the committees as the composition of the general assembly. There is a board of directors with some fiduciary responsibilities, but policy directions are set by the general assembly, not the directors; a majority of directors are community members and a minority are external activists (most being part of other rights-oriented NGOs). Fernando Garcia, the Executive Director, is a
charismatic leader, visionary in his social analyses, and remarkably skilled and decisive in terms of political and organizational tactics. The membership, then, tends to follow his lead. However, the democratic potential in the organization has been expressed in several general assemblies I have attended. In 2009, the general assembly added driver’s licenses to its list of immediate points of struggle, an initiative that came from members impacted by fear of arrests for driving without licenses, not the leadership, and which has been a successful defensive focus in the New Mexico state legislature in 2011. In 2010, the general assembly voted not to support the DREAM Act, on the basis that it almost entirely did not address their working-class, mostly non-student aged membership. This collective decision was counter to the position of the Executive Director and the President of the Board, but it set organizational policy at the time (it has since changed). Charismatic leadership is crucial to mobilizing a working-class community, as opposed to middle-class activists, while democratic processes build base capacity over the long run.

Personal transformation

From interviews with BNHR base members, though ones who have become promoters, a striking theme emerges: the personal changes that members undergo as they learn, enter, and participate in the organization. Diana (a pseudonym) describes her transformation from being shy and quiet in the U.S. to being open with her positions and

Figure 1. A community forum on community safety and separating local law enforcement from federal immigration enforcement. Left to right: Fernando García, BNHR Executive Director; Richard Wiles, El Paso County Sheriff; José Rodríguez, Texas State Senator for El Paso; Ramiro Cordero, Border Patrol spokesperson; Josiah Heyman, BNHR Board President. Photo permission by Border Network for Human Rights.
strong as a leader. The context was that she had been relatively well educated in Mexico, though she felt reticent still as a young woman, and was even quieter as a non-English speaking migrant in the U.S. After one return to Mexico, she returned to the U.S., describing her determination to leave behind her old life; but in her new home she felt politically devalued and mistreated as an immigrant (eventually, she became a legal permanent resident) and disempowered by her own quietness and lack of knowledge. In the open-ended process that BNHR promoters use to make human rights meaningful to community members, the process of identifying the needs and lives of people with lived realities of rights, she discovered her own capacity to speak freely and act with leadership.

Tomás (a pseudonym) expressed a different element of personal development, the opportunity and capacity to help others. A legal immigrant, he expressed the feeling of being unable to reach out of his own, relatively secure situation to help others with various problems—immigration status, economic challenges, etc.—in his communities of residence, in Los Angeles and then in a colonia outside of El Paso: “I wanted to do something, but I did not understand how the system worked. I was frustrated. With the Network, I discovered things I could do for people.” Being recruited to be a promoter brought this quality out of him.

The literature on immigrants in general, and the undocumented in particular points to various aspects of disempowerment, from explicit fear to caution and reluctance to engage in direct struggle (DeGenova 2002; Heyman 1998; Zolniski 2003), although there are also a number of cases of empowered migrants both as small networks and in formal organizations like labor unions (Delgado 1993; Gomberg-Múñoz 2010, 2011; Zolniski 2006). BNHR’s consciousness building and train-the-trainer approach, plus its direct involvement of community members in public policy activities, demonstrates how individuals can change from disempowerment to empowerment.

Public accomplishments

The BNHR has had a significant impact on public policy at state and local levels and a voice at the federal level, derived from its capacity for mass community representation and participation and its distinctive position speaking for borderlands experiences and interests. While delegations of border region elites and experts have visited Washington, D.C. under BNHR sponsorship, to discuss oversight and accountability in border enforcement, the BNHR is most known in political circles for bringing working class immigrant community representatives with policy messages.

Federally, the BNHR was the mainstay of the Border and Immigration Taskforce (see Heyman, Morales, and Núñez 2009). The Taskforce was a coalition of representatives of key borderlands sectors, political leaders, law enforcement leaders, religious leaders, academics, immigration lawyers and service providers, and immigrants. As such it had consider-
able legitimacy as a voice of the region in several visits to and communications with Washington, DC, which was reinforced by membership delegations from BNHR (the combination of elites and working classes was particularly notable). The Taskforce issued two reports (U.S.-Mexico Border and Immigration Task Force 2008, 2009). Substantial elements of the reports were included as language governing border enforcement in major comprehensive immigration reform legislation in 2007 (STRIVE Act), 2009 (CIR-ASAP), and 2010 (the Menendez CIR). Branching out of this, border region NGOs (see Heyman 2011a) have engaged in a slow, often frustrating, but necessary dialogue with Customs and Border Protection (CBP) over organizational policies, implementation, and officer behavior. Although the Taskforce has ended, similar policy formulation and networking has continued to the present. This puts forward politically the borderlands, a region that tends to be neglected in the immigration debate and is treated as a pawn in trading massive border enforcement for immigration reform.

At the same time, inside policy networking and dialogue run in parallel to wider struggles that shift the frame of discourse and balance of political power. Much of BNHR’s effort is devoted to this end. An example was a large (400 plus person) meeting at the El Paso Public Library in October 2011, filled with energetic and engaged community members, to give personal testimonies to and ask questions of three visiting Congressmen on comprehensive immigration reform. Covered heavily in English and Spanish language media, and subject to much discussion for days afterward, the event made the case—both locally and to politically attentive elected officials—that border-sensitive immigration reform matters to the political community. This is only one example of many hearings, marches, and membership visits that reflect BNHR’s influence on public policy at the federal level.

Regionally, BNHR has become a notable presence. Particularly telling examples come from BNHR’s enduring efforts to keep local law enforcement agencies from conducting immigration law enforcement, a federal responsibility (the issue at stake in Arizona’s debated S.B. 1070 law). In 2006, the then-El Paso County Sheriff Leo Samaniego implemented road checkpoints, ostensibly to check licenses, car safety items, etc., but in fact to identify undocumented people to be turned over to federal authorities. This was opposed by a range of individuals and groups, including the BNHR, which particularly focused on getting a resolution from the El Paso County Commissioners asking the Sheriff to stop the checkpoints (the Sheriff’s department is quasi-autonomous, however). Eventually, a court ordered the Sheriff’s department to cease the practice through a law suit by an ACLU activist, supported by the Paso del Norte Civil Rights Project (a more detailed account is Staudt 2008).

In 2007, the Otero County, New Mexico Sheriff’s office misused “Operation Stonegarden” monies, a federal grant fund to go after high level crime (e.g., major drug smuggling operations) to pay deputies for raids on homes in Chaparral, New Mexico, that often violated constitu-
tional rights limiting search and seizure. The deputies were exclusively going after people who were out of immigration status. Chaparral is a large colonia that is socially and geographically marginal. However, BNHR had a community presence that detected these raids—a notable characteristic of its operations, membership rooted in marginal areas that would otherwise have little or no voice about events affecting them. BNHR was able to collect information and transmit it to a public interest law center, the Paso del Norte Civil Rights Project. The victims of the raids then sued the Sheriff’s office, resulting in a strong, lasting settlement that ended the raids and trained Sheriff’s deputies in constitutional rights.

Politicians of both parties running for city and county offices in El Paso and southern New Mexico, or currently occupying elective and appointive positions, eagerly participate in BNHR forums, where they are asked pointed questions about the local and state implications of immigration policy by community members. In fall 2010, for example, BNHR had a law enforcement forum in downtown El Paso, in an elegant theatre room, for 250 highly interested working class immigrant community members. The El Paso County Sheriff, an El Paso City police representative, the Doña Ana County (New Mexico) Sheriff, and two municipal police chiefs from southern New Mexico took turns energetically assuring the immigrant public that they would not use local law enforcement for immigration law enforcement (currently, BNHR is publicly pressuring the Doña Ana County Sheriff to comply with these promises). This event was not exceptional (Figure 2). Since approximately 2008, BNHR has been

![Figure 2](image-url)
treated as a publicly significant constituency by all elected and appointed officials in the region. This is cultivated power, built on widespread community presence, effective use of events and the media, civic education and voting, and in key instances, policy agreement.

Public policy: A case study of Texas

During the 2011 Texas state legislative session, many observers expected a repeat of the anti-immigrant legislation in Arizona and Oklahoma (and passed in the same year in Alabama and other states). Texas has a long history of racist discrimination toward Mexican-origin people, and in recent years a forceful reaction against new immigrants. The dominant political climate is very conservative, and the Republicans had supermajorities in both houses of the Texas legislature. Rick Perry, the governor, was strengthening his right wing credentials for the 2012 Republican presidential primaries. There were countervailing forces, including the substantial demographic and (with low voting rates) political presence of Latinos, and the elite economic and political connections to Mexico and the border economy. In previous legislative sessions, 2007 and 2009, inside politics drawing on these elements (with key allies in the Republican legislative leadership) was sufficient to frustrate right wing, anti-immigrant populism. Nevertheless, if state and local level de facto enforcement of federal immigration ever was to be mandated, it would be in the 2011 legislative session. The crucial legislation in 2011 ordered all state and local governments to allow (with no policy limitations) their officers to identify and detain possible unauthorized immigrants for turnover to federal immigration authorities.

Facing this scenario, BNHR funded and led an important public policy coalition, the Reform Immigration for Texas Alliance (RITA; see Border Network for Human Rights 2011), which had come into being to do civic education in advance of the 2010 elections, in conjunction with a failed attempt at comprehensive immigration reform at the national level. While Republicans did very well at the polls in 2010, in RITA targeted (new immigrant heavy) precincts, turn out increases were significantly better than in Democratic party targeted precincts.

RITA could easily have gone into abeyance after the election, as many voter education campaigns do. However, BNHR leadership conceptualized RITA as a means to educate the Texas legislature on immigration issues in the 2011 session. The first important lesson of the RITA experience was preparing before anti-immigrant bills were even introduced at the start of the session. The Texas landscape of immigrant-based organizations is patchy. Some organizations were small centers of immigrants and activists, but without community organizing training or mass membership bases. RITA needed not only to prepare in advance the issues, educate key spokespeople on them, but also rapidly transfer skills of community organizational capacity across the state, in a series of conventions and meetings funded and staffed by grants obtained by BNHR. This would pay off in the long run, however, in the ability to play...
an “outside game” vis-a-vis the legislature, to get large numbers of community delegates to meet with legislators and attend hearings, as well as the previously established “inside game” of Austin lobbyists.

The second important step, which also required investment in advance of the legislative session, was developing an alliance of opponents of the key bills described above. This alliance included almost all the law enforcement leaders from the major population centers of the state, diverse elected officials, religious leaders—not just the mainstream Catholic, Protestant, and Jewish congregations, but also Latino Evangelical Protestants—African-American leaders, civil liberties leaders, labor unions, students, and key business leaders (notably, the director of influential, conservative Texas Association of Business). This alliance was performed in a widely publicized press conference in front of the Texas capitol in advance of the legislative session. At this press conference, and throughout the session, RITA emphasized shared public values, such as family, economy, and public safety, thus indicating that immigrant rights was part of the wider good and not an isolated interest group. Many alliance members had connections to key legislators, while the symbolism of the allied whole, including relatively “establishment” sectors (e.g., law enforcement, business) communicated the discourse of shared public values.

The back and forth of the session, while exciting and fascinating, does not bear recounting here, but the RITA alliance repeatedly brought immigrant community mobilizations to the state capitol, which seems to have maintained effective pressure. Mobilizations included “outside” rallies and visits to individual legislators by immigrant group members. “Inside” conversations also continued, organized by the Mexican American Legal Defense and Education Fund (MALDEF). A key turning point with the repressive legislation at the verge of passing was to raise the issue of anti-Latino racism in major rallies and press conferences. Previously, this particular argument had not been used, because of the risk that it would isolate Latino and immigrant organizations from broader state constituencies, but it worked well when it was finally deployed, because it raised the concern among Republican political insiders that the legislation would be perceived negatively in future campaigns by the growing Latino electorate. Outside of RITA (but connected via the Texas Association of Business ally), there was a last minute intervention against the anti-immigrant legislation by two enormously rich funders of Republican candidates, Bob Perry (a Houston homebuilder) and Charles Butt (owner of a large grocery store chain catering substantially to Latinos). In the last hours of a special legislative session tacked onto the regular session, the anti-immigrant bill was allowed by a Republican committee chair to die without a vote, an extraordinary accomplishment. In this dramatic struggle, BNHR reached from its origins as a base-community organizing entity, rooted in the immigrant experience, to achieve a notable presence in a major public policy decision, thus encapsulating the core of the BNHR experience. The Texas legislature considered almost no anti-immigrant bills in 2013, and passed none, surely due to decisions inside
the Texas Republican leadership, but the statewide RITA coalition continues as a strong voice in favor of national comprehensive immigration reform with enforcement accountability and oversight.

Future directions and challenges

BNHR membership has always seen its immediate public agenda, of comprehensive immigration reform and human rights in immigration enforcement, as part of a wider set of social justice values (see endnote 2). In recent years, Fernando Garcia has expressed a vision in which immigrant rights are not a separate agenda but a cutting-edge part of a wider set of values, including broader respect for human rights and promoting public policies for people to live healthy and dignified lives (e.g., community-oriented public safety). BNHR is currently participating in the Human Rights at Home Campaign of the U.S. Human Rights Network. Likewise, BNHR’s participation in a vigorous campaign against wage theft in El Paso (most commonly, from immigrants) offers an example of reaching past immigration enforcement issues per se (Paso del Norte Civil Rights Project 2011).

Nevertheless, it is fair to say that BNHR is mainly focused on its two core areas, immigration enforcement and comprehensive immigration reform. Its organized community capacity is not yet directed at other issues, and thus not making tangible progress on those community concerns. While the civil and constitutional definition of human rights is a narrow focus even in terms of human rights (let alone wider concepts of social justice), the overwhelming community experience of arrests and deportations makes this focus unavoidably primary. This focus directs the policy energy of BNHR to the long road toward comprehensive immigration reform combined with specific rights-oriented improvements in border enforcement. BNHR members are motivated by values and hopes for this reform, and not short-term practical benefits. The BNHR model channels those values into an enduring organizational form, rather than momentary surges of feeling, thus going beyond the 2006 and 2007 immigration marches. The failure of reform in 2007, 2009, and 2013 did not discourage immigrant community members—the BNHR has grown during this period—but it certainly put member motivation at risk. This combines with the broadly defensive nature of the immigration struggle during a hostile political period. The most notable BNHR successes have been halting enforcement attacks on settled immigrant communities—such as Texas state legislation and Otero and El Paso county law enforcement—while affirmative policy accomplishments have not yet occurred as of early 2014. Current (late 2013/early 2014) struggles focus on defensive actions—resisting massive escalation of enforcement at the border—combined with an affirmative agenda of increasing accountability and oversight for Customs and Border Protection at the border.

BNHR faces a complex geographic challenge. It is entrenched in, and indeed continues to grow, in its core region in El Paso county, Texas, and southern New Mexico. But the sorts of issues BNHR tackles involve...
state-level politics in the two states, congressional delegations from the two states for national comprehensive immigration reform, and shared border-region concerns with rights in the face of massive enforcement across the southern tier of four states, California, Arizona, New Mexico, and Texas (within that state, divided between core regions of El Paso and south Texas). In addition to the lengthy border region, BNHR has invested significant human and financial resources across the whole state of Texas, cultivating base community organizing strategies in areas such as south Texas (a border area), and Austin and Dallas-Fort Worth (not border areas). Local base community organization and translocal leadership networking have distinctive logics. Immigrant organizing thus faces a quantum jump in conceptualization, social relations, and costs when shifting to wider geographic scales.

Another organizational challenge faced by BNHR is persistence over the long run after a time of sustained rapid growth, based on previously untapped community hope, in the face of a difficult policy environment. Certainly, there are many more immigrants and non-immigrants in the region who can be engaged, but such organizations often encounter maturation and flattening out in growth. Maturation and consolidation require different strategies from growth. BNHR is shaped by charismatic leadership from Fernando Garcia. Expanding staff and assigning clear functional responsibilities, such as having an assistant executive director for management, an assistant executive director for public policy, and director for membership and field organizing, has helped reduce dependence on charismatic leadership, as does the presence of independent authority in the General Assembly. Charismatic authority, above all, tends to erode over time, and BNHR will ultimately face this challenge.

Issues raised by the BNHR study

Alvarez, Dagnino, and Escobar (1998:5–10) discuss how social movements engage in the reworking of cultural politics. By this phrase, they mean both changing the means of politics and changing who is considered to be a political subject, a legitimate actor in the political process and member of the polity. While BNHR largely does not change the methods of political action in the U.S., it does have an effective method for recruiting and training participants for action in the political domain. More importantly, it challenges several reigning frames for political inclusion in the country. It brings directly into political action (e.g., meeting with legislators) immigrants, in some cases unauthorized ones, people who are secondary members or even non-persons (see Bosniak 2006). Such people are otherwise treated as the objects and not the subjects of policy, not only by immigration-restrictionists but even in some ways by sympathetic outsiders. It also brings residents of a marginalized, feared region, the U.S. borderlands with Mexico—a region that tends to be handled as a empty zone of enforcement and security rhetoric—into legitimate political debate. BNHR explicitly strives to rework the symbolically degraded place of the border in U.S. political
culture, to insist on its human communities and complex security realities (Heyman 2013). The assertion of civil rights is likewise significant for populations (immigrants, documented and undocumented, borderlanders) that in theory have such rights but that often are violated or curtailed (ACLU 2008). Working with a marginalized population in a stigmatized region, BNHR shows how to conduct effectively new cultural politics.

A signal observation about BNHR is that the members are not driven by immediate, practical rewards, but rather by their values and understandings surrounding the notion of basic human rights, including U.S. constitutional rights. It would be patronizing not to recognize that even quite poor and practically challenged communities can be driven by general and long-term ideals. While this is cultivated and channeled by BNHR’s base community, conscientization, and promoter methods, it would hardly have worked had people not fundamentally been receptive to enduring struggle based on value aspirations. This is captured in this paper by the personal narratives of seeking justice and finding it in BNHR. Notably, interviewees report having had these reactions previously to injustice and rights violations in Mexico, but they have shifted to focusing on struggles inside the U.S.. They seem to have gone through a process of leaving behind Mexico, confronting oppressive realities in the U.S., and deciding to commit to the U.S. precisely in the process of changing it (see Figure 3).

A useful phrasing is Albert Hirschman’s (1970) “exit” and “voice.” BNHR members have largely exited their value-based change commitment in Mexico, but see themselves as committed value-actors inside the U.S.. Yet they experience the U.S. as rejecting their presence, which they resist; that is their claim to “voice.” While the superficial role of U.S. patriotic symbols (e.g., U.S. flags) in BNHR events is unquestionably instrumental, a practical defense against accusations of lack of loyalty, I have come to learn over time that there is in fact a deep, sincere, and intense U.S. patriotism among BNHR members, typically focused on the U.S. Constitution, especially the Bill of Rights, and the injustice of deportation of family members and otherwise morally deserving persons. In the frame of cultural politics, they are demanding to be participants in the process of realization of justice and rights, to have “voice” in the nation of their new commitment. This comes out in a complex mix of sharply critical and idealistically affirmative analyses of the U.S. among rank-and-file BNHR members.

Modestly contributing to the literature summarized by Mark Goodale (2009:9–11) as the “ethnography of human rights practices,” BNHR has interesting relationships to human rights practice, especially in the U.S. It is part of an important movement in the wealthy democracies, such as that country, to bring human rights “home,” as discussed above. BNHR is reworking the cultural politics of rights to demonstrate that considerable segments of the U.S. population are incompletely included in the liberal rights regime, and to demand and enact inclusion. Within this context, BNHR extends human rights practice beyond
experts (lawyers, documentation experts, inner circle lobbyists and advocates) and sites like Washington, D.C. and Manhattan, to relatively uneducated masses, who actually are the immediate witnesses, advocates, and experts on rights violations and claims. As Theda Skocpol (2003) has argued, political change struggles in Washington (and internationally) have been vitiated by lack of grass-roots pressure and knowledge. BNHR and its wider border policy allies have sought to rectify this.

Conclusion

The extreme enforcement measures at the U.S.-Mexico border, set against the presence of millions of transient migrants and settled immigrants, has resulted in a series of human rights crises. While BNHR partakes of the wider national immigrant rights and comprehensive reform movements, it also draws on and addresses the specifics of the borderlands setting, which give it a particular emphasis on human rights and a leadership position in the national immigration enforcement reform movement. BNHR’s methods are notable. It turned away from relying on a small cadre of activists, often from outside the immigrant working class. Rather, members of the community are themselves human

Figure 3. Art work depicting the U.S. Constitution and Amendments 1, 4, 5, 6, and 14, with an extensive text in Spanish. Produced by a Border Network for Human Rights committee for strategic planning meeting, possession of Josiah Heyman. Photo by Josiah Heyman.
rights promoters, expanding within the community through a train-the-trainer methodology. Their similarity to the committees they train and guide means that learning and commitment becomes deep, rather than superficial.

The human rights promoter, train-the-trainer methods of community organizing have resulted in a pyramidal organization made up of individual committees, then local area subregions and regions, and finally the Network as a whole. This organizational form allows individual members (actually, families) to participate in an active, palpable way, with friends and members in weekly meetings of committees, while permitting effective mass mobilizations through the spreading out of plans via the pyramidal structure. The community mobilization dynamic has proven to be effective in public policy engagement, as seen with Texas state and national legislation, because the barriers between working class community members and inside politicians and advocates are overcome, as seen in visits to legislative offices and energetic public meetings. The overall political climate for immigration reform and human rights is difficult, and the BNHR and allies’ main successes have been defensive, but the learning and organizing processes provide potential for genuine, affirmative change. I have been honored to be part of this.

Notes

¹Formal interviews were done by Christine Sanchez, then a BA student in Anthropology and Geology at the University of Texas at El Paso, and Robert Heyman, then a BA student in Geography at Macalester College. All responsibility for errors of fact or interpretation remains my own.

²The full list is Access to Education, Peace and Justice, Healthy Communities, Nutrition, Political Participation, Permanent Residency (Comprehensive Immigration Reform), Drivers’ Licenses, Dignified Housing, Public Service, Human Mobility, Labor Rights, Dignity and Respect, Constitutional Rights, and Culture and Language. Human Rights is the overarching rubric.


⁴Such discourses of moral worth have ambiguities, but it is important because it helps BNHR members to think out their sense of current injustice in the U.S. and their claim to potential justice. They deserve exploration beyond the present article.

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