

***The Closing of the American Border: Terrorism, Immigration, and Security Since 9/11* by Edward Alden**

(Harper, 2008)

Reviewed by Randy Beardsworth and Theophilos Gemelas

No one should be surprised with the current state of the U.S. border security system. After all, it reflects a neglected effort on behalf of the U.S. government to manage its border prior to the events of September 11, 2001 and scrambled efforts to patch programs and implement new ones shortly after 9/11. It shows what can happen if a government does not have a vision for the future. It shows how the government may make it harder for terrorists to enter the country but makes it harder for everyone else as well. It reflects a government that desperately needs to come to some decision about the kind of border security system that is necessary to help it manage the overall harmful risks to the nation's security. And it reflects the tensions between government efforts to enforce immigration laws and implement counterterrorism policies, two very distinct efforts that need to be separated.

These conclusions are fairly evident in *The Closing of the American Border: Terrorism, Immigration, and Security Since 9/11*, by Edward Alden, Bernard L. Schwartz senior fellow at the Council on Foreign Relations. A journalist by profession (Alden has held several positions at the *Financial Times*), Alden has captured all of the issues pertaining to border security through interviews with senior government officials and immigrants that have fallen victim to an imperfect and at times dysfunctional system. Alden nicely weaves together debates among the departments of State, Justice, and Homeland Security on how to secure borders, effect visa policy, and use immigration law to counter terrorists. The book goes on to expose shortcomings in the enforcement efforts of the old Immigration and Naturalization Service (INS), and highlights the relationship between the U.S. and Canada and the U.S. and Mexico on border control and trade. Amazingly, it is the first book, since that of the 9/11 Commission, to attempt to examine comprehensively the set of issues and problems confronting border security.

Alden brilliantly frames for the reader the struggles between what he calls the "Technocrats" (Chapter 3) and the "Cops" (Chapter 4). The technocrats are those who champion the position of taking a risk management approach to border security, adhering to constitutional principles and the rule of law, and the appropriate use of technology, information, and intelligence for security purposes so that restrictions or controls do not impede the free flow of people and commerce. These advocates included Tom Ridge, the first assistant to the president for homeland security and the first secretary of homeland security. They also included Admiral James Loy, former deputy secretary of homeland security, and to some extent former Customs and Border Protection Commissioner Robert Bonner.

On the other side of the debate are the "Cops." The cops are those who champion the use of laws and regulations to potentially head off any terrorist attacks. They include former Attorney General John Ashcroft, who advocated for aggressive use of immigration laws. For Ashcroft, "If a terrorism suspect committed any legal infraction at all, regardless how minor, we would apprehend and charge him" (p. 81). Ashcroft and

others interpreted immigration law not as a constitutional protection but as a regulation that allowed the government to charge someone suspected of an immigration violation and detain him or her without charge almost indefinitely without bond. They believed detentions would “help to prevent another attack,” help to intimidate a detainee into “cooperating with the government,” or cause a disruption in terrorist plans (p. 84).

But other cops, most notably Jim Ziglar, former commissioner of the INS, pushed back against Ashcroft. They believed that “the aggressive and often indiscriminate use of immigration laws and visa rules to keep out foreigners or to punish others on technical violations was self-defeating” because it would alienate those groups willing to cooperate, anger foreign governments, and waste government resources by trying to find the “needle in a haystack” (p. 88). In the end, as Alden notes, the cops’ approach blurs the distinction between anti-terrorism enforcement and immigration enforcement.

For those readers who follow bureaucratic politics, dynamics in organizational change, the recent history of immigration and visa policy, or the experiences of immigrants and ordinary people traveling to or hoping to work in the United States, Alden’s book will not disappoint. Alden gets the insider debates just about right. His painstaking interviews and ability to create a broad mosaic from those interviews is uncanny. *The Closing of the American Border* is a superb text for policy makers who must wrestle with the challenges of border security and immigration policy.

If there are shortcomings in the book, they might be with the limited conclusions offered by the author. After reading this book, one properly cries out for policy prescriptions that start with the need to create a vision for border security. The author shares with us the attempt by Tom Ridge and Richard Falkenrath, former deputy homeland security advisor to the president, to craft a vision for the future, called “The Border of the Future” (p. 137). It was a vision that embraced a “risk-based decision making” (pp. 138-139) approach, distinguished between “high-risk and low-risk traffic” (p. 139) based on intelligence, cooperation with other governments in developing standards and procedures, intelligence information organized and managed to get to front-line inspectors in a timely manner, and constant threat assessments.

As discussed in Alden’s book, we know that vision was criticized and rejected by the Cabinet. But this is where the president should have taken a leadership role to push his administration to think through a border security strategy rather than just haphazardly realigning all of the border security and relevant law enforcement agencies into the Department of Homeland Security with responsibilities for disaster planning and response, protecting the president through the Secret Service and other missions. Alden’s book should be required reading for U.S. presidential candidates and those eventually charged with executing the border security enterprise. Alden shows what happened without a common vision. Alden’s book can show the next president and his team that they have an opportunity to learn from history and craft a common vision.

Randy Beardsworth is a principal at Olive, Edwards and Cooper and former assistant secretary of strategic plans at the Department of Homeland Security. Theophilos Gemelas is senior advisor to the director at the Homeland Security Institute, a federally-funded research and development center and former associate director of studies at the Council on Foreign Relations. They can be reached at rbeardsworth@olive-edwards.com and tgemelas@yahoo.com, respectively.