

Framing Borders: Indigenous Difference at the Canada/US Border

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Abstract

This dissertation explores how the Canada/US border is experienced by both Mohawk residents of Akwesasne, a single Indigenous community straddling the geopolitical boundaries of Canada and the United States, and Border Services Officers (BSOs) charged with enforcing the border in and around the Akwesasne Mohawk Territory. Drawing on ethnographic and ethnomethodological approaches, this dissertation looks at the ways in which normative notions of law, tradition, the state, and citizenship are constructed through face to face interactions between BSOs and cross-border travellers. Erving Goffman's frame analysis is employed to examine the role of context at the border, and the ways in which decisions concerning border crossing, and interpretations of interactions are rooted in contextual logics. "The border" is a site for the construction and reification of Indigenous sovereignty and community, yet at the same time a constraining and often deleterious imposition on an Indigenous population which has long rejected its legitimacy.

Résumé

Cette thèse explore les expériences en rapport à la frontière Canada/États-Unis des résidents mohawks d'Akwesasne, une communauté autochtone chevauchant les frontières géopolitiques du Canada et des États-Unis, et des Agents des Services Frontaliers (ASF) en charge du respect et du maintien des frontières au sein même et autour du territoire mohawk d'Akwesasne. Reposant sur des approches ethnographique et ethnométhodologique, cette thèse se penche sur les manières par lesquelles les notions normatives de loi, de tradition, d'État et de citoyenneté sont construites à travers des interactions de face à face entre les ASF et les voyageurs traversant la frontière. L'analyse de cadre d'Erving Goffman est utilisée afin d'étudier le rôle du contexte à la frontière et les logiques contextuelles qui sous-tendent l'interprétation d'interactions et les décisions concernant les traversées frontalières. « La frontière » est à la fois un site de construction et de réification de souveraineté et de communauté autochtone, tout en étant une imposition contraignante et souvent sur une population autochtone qui rejette depuis longtemps sa légitimité.

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This project spanned several continents, four nations (Akwasasne, Canada, the United States, and Germany), and nearly a decade. Readers have my apologies for the length of these acknowledgements. They may find it helpful to press "Control F" to search for their own names.

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Prologue¹

20 June 2013

Today I've been given the opportunity to do a ride along with the Akwesasne Mohawk Ambulance Unit. A mutual colleague introduced me to the unit's director during one of the cross-border protests. He told me, "If you want to see what the border's like, you need to see what we have to deal with."

I leave my apartment in the city of Cornwall around 8am and start driving through the Kanonkwat'sheri:io Health Facility in Saint Regis Village. Even though the facility is technically in Canada, I'll have to drive through the United States to get there. I've been doing this commute from Cornwall to Saint Regis Village for nearly a year now, but this will be my first time at the health facility. I set out with enthusiasm and a light jacket on the cool summer morning.

¹ I have decided to introduce this text with an anecdote from my field notes. It describes one of several days I spent riding along with the Akwesasne Mohawk Ambulance (AMA) Unit. The entry was written in situ but has since been edited and expanded. It presents an exciting albeit not-atypical day roughly ten months into my year of fieldwork in Akwesasne.

Similar efforts at introductory thick description are popular, but they often focus on arriving in a research site, the Balinese cockfight being the archetypical example (Geertz 1977). In these instances, the ethnographer's framework for understanding is thus contrasted with the people and place she or he begins to examine. In doing so, such texts focus on the difference between the researcher's world and that of their study, and the borders that relate to "entering."

Here, however, I have chosen to depict a later juncture in fieldwork, at a time when my practices had already been shaped by my time spent within the community of Akwesasne. My goal then is to focus not on the metaphorical borders that relate to "entering" the complex social, political, and geographic space of Akwesasne, but rather the metaphorical and non-metaphorical borders that shape "being" within that space in the everyday.

Writing about everyday existence can be challenging. Though there are tensions in my story, and problems that required solving, there are no interpersonal conflicts, fights, or arguments. Rather than focus on a single "event" over the course of the day, I keep the narrative expansive to emphasize the totality of circulation over the course of a day in Akwesasne. I ask the reader to pay attention to the ways in which "the border" manifests - or fails to manifest - not in a shouting match or heartfelt reconciliation between border officers and Mohawk travellers (though those happen sometimes), but in the 'banal, but not benign' (Billig 1995; but see also Zureik and Salter 2005) experiences of Border Officers, Akwesasne residents, and me as ethnographer.

It takes only a few minutes of driving past Cornwall's innumerable strip malls and fast food eateries before I make my way to the foot of the Three Nations Bridge, connecting Akwesasne, the United States, and Canada. After paying the \$3.00 bridge toll, I head across the long and rickety Northern span of the bridge, driving south onto Cornwall Island. The thumping of my car against the bridge's many potholes has become the soundtrack to my morning commute. After a few more minutes of rattling, I'm on the Island. I am now in the Akwesasne Mohawk Territory.

I'm only on the Island for the blink of an eye, passing the old Canadian port facilities, abandoned nearly half a decade ago. Their heavily fortified structure stands in contrast to the otherwise bucolic landscape of the Island. Even the Peace Tree mall, standing across from the port, seems designed with a lot of browns and greens. It looks like the Mall has seen better days, many of its shops are closed or closing now that it is illegal for cross-border traffic to stop on the Island before heading into mainland Canada [I discuss this in greater detail in Chapter 5].

Before I know it, I've traversed the Island and am taking the much smoother southern bridge into mainland New York State. By reflex, my foot leaves the gas pedal when I see the sign notifying me I've reached the US port of entry. I get ready for my daily shell game – trying to determine which lane will get me across the fastest. I look for trucks with a purple Six Nations flag, lacrosse or clan bumper stickers. Those travellers will likely be old pros from Akwesasne, and tend to get processed a lot faster. Plus, the trucks take up a bit more space, making the lines seem longer when really they're not. I go for my old standard – the last lane in service. If they open up a new one next to it, I can move over and be the first in line. Fortunately, I choose a good one, and it moves quickly.

When I pull up to the booth, I notice Kathy, an officer I'd met several times previously in my daily commute. "What are you up to today, Ian?" she asks jovially as I hand over my passport. "I'm doing a ride along with the ambulance unit," I tell her with a smile. She asks me to let her know how it goes, and hands the passport back to me. "Have a nice day" she says, as the arm of the booth lifts and I drive forward into New York State.

I hang a left turn at the port facility and am now back in the Akwesasne Mohawk territory (south of the borderline). I continue along route 37, Akwesasne's main thoroughfare, past recently renovated gas stations, now expanded into restaurants and convenience stores. "Twin Leaf," and "the Bear's Den," the two largest, sell discount petrol, cigarettes, and all-you-can-eat Spaghetti or turkey dinner to residents or people passing through. A few of these places have started selling handmade baskets and novelty lacrosse sticks. There are a few cows grazing behind the Tim Horton's where I usually get my breakfast. I continue past closed-down casinos with torn up parking lots, chip stands, the offices of the Saint Regis Mohawk Tribe, and the Akwesasne Public Library. There are a few houses along the way, some are ramshackle, a few palatial, but most are indistinguishable from the wooden homes I grew up seeing every summer in upstate New York.

I reach "the four corners," the intersection of St. Regis Road and Route 37, and turn left again, heading back up North. This is the part of Akwesasne few outsiders see. It's not as commercial as 37, with a convenience store here and there selling soda and whatever soup is in the slow cooker for the day (probably hamburger or corn soup), but it's mostly large houses with larger yards. I keep my eyes open for "rez dogs," border patrol officers, or the occasional deer. I'm

also making sure I don't go over the speed limit (local traffic police have a reputation for preferring to stop non-natives), or too slowly to annoy the car behind me.

At some point I cross the border back into Canada. There are no ports of entry, no check points no signs. A border post was torn up a few years ago by a resident with some heavy machinery. I notice "the border" (when I notice it at all) when the roadwork changes from concrete to asphalt, sidewalks appear on the side of the road, my mobile phone buzzes "welcome to Canada." I know I'm north of the line when a sign gives me the speed limit in kilometers rather than miles per hour.

This will be my first time in the health facility, but I know where it is, just a few blocks away from my Office at the Mohawk Council building.

It's a slow morning for the Ambulance Unit. I'm introduced to the four EMTs (Emergency Medical Technicians) on shift. John grew up between the reserve and Syracuse, New York, but he came back to raise a family. His wife is also an EMT, working part time. As he heats up a cup of tea (he quit drinking coffee), his friendly demeanor exudes quiet confidence and measured responsibility. Paul is the newest member of the unit, transitioning out of a lucrative career in the cigarette trade. He seems, like me, eager to learn anything new that's put in front of him. George grew up in Kahnawake but decided to stay in Akwesasne after doing a stint as a medic in the armed forces. We spend a couple of minutes trying to figure out if we know some of the same people in Kahnawake (we do). Linda is also from Kahnawake, and commutes from there every morning. She says she can make it from her home to the office in around half an hour, and I try not to think about how fast she must drive to accomplish that. I'm relieved to hear that I'll be riding with John and Paul for the day, and not Linda. The crew, on the

whole, reminds me of Anthony Bourdain's description of the cooking underground – tattooed, foul tongued, crude-humored, and eminently competent.

We head back down to 37 to grab lunch and return to the office for equipment checks. I start to think we won't receive any calls, when the phone suddenly rings. A man in Snye (another part of the reserve which, like St. Regis Village, is ostensibly in Quebec), fell and dislocated his shoulder while doing housework. Concerned, his wife called for an ambulance. I feel fortunate we've received the call, and then immediately guilty for doing so.

John, Paul, and I get into the ambulance and are gone in a matter of minutes. Riding in the ambulance is one of the few times in Akwesasne I don't feel like I'm in the smallest vehicle on the road. The ambulance is a big white metal box with state of the art lifesaving technologies, checked and rechecked at the end of each shift. There's a spot on the dash where a GPS would go, but John tells me that they aren't reliable in the territory – people don't like giving information that would make it easier for unwelcome outsiders, especially US or Canadian law enforcement officers, to get around. I get to sit in the front, while Paul sits in the back with the stretcher.

In order to drive from our headquarters in St. Regis, Quebec to Snye, Quebec, we must first drive back through New York State. We head back down St. Regis road, back into New York State, but only for a couple of minutes.

We return to 37 and turn left yet again a few kilometers down the road. This time, we're going to Snye. Snye is a lot more rural than the other parts of the community – large farmsteads, much of it swampy and right along the water. Mosquitos like helicopters are especially

aggressive this time of year. It's an easy place to get lost, and I rarely drive to Snyc on my own. John points out the border's location as we drive along borderline road. Fortunately, he spent time here growing up and has an idea where the man's house is. We briefly stop to ask for directions at a house doubling as a convenience store, but get there quickly.

What looks like three generations of women are sitting in the living room attending the injured man, as he sits on a white sofa covered in blankets. Some crime scene investigation show I've never seen plays muted on the back wall in faux HD. It's a spacious house, but cramped with the addition of me, John, Paul, and mementos from what seems to be a large extended family.

Randy, the injured man is of wiry build, wearing work clothes, and a Toronto Blue Jays cap and what could be described as a "NASCAR" moustache. He's visibly in pain, but grimacing quietly. He tells us he doesn't want to go to the hospital because he hasn't picked up his health card. "We have to call this in," John tells me, stepping outside, while Paul remains in the house bandaging Randy's arm.

John explains that even though they are based in Quebec and funded by the Canadian government, the Akwesasne Mohawk Ambulance Service is licensed out of New York State. Most drivers don't speak French, and New York's licensing gives them a greater liberty for cross-border service. However, as a consequence, they must follow New York State protocols, which require getting a doctor to sign off on any patient's decision not to be admitted to the hospital. Even though Randy is a Canadian citizen, and we are ostensibly in Quebec, we have to call the nearest New York State hospital in order to get approval for releasing him. This is standard procedure, I'm told, though John looks chagrined when the doctor tells him we have to send the patient to the hospital for treatment. "This hasn't happened before," John tells me.

He explains that had we been in New York State, the police would have had the authority to escort an unwilling Randy to the hospital. But we can't do that in Canada, and we certainly can't do that in Snye. Legally, we're in a bind. If we don't bring Randy to the hospital, the ambulance unit would be violating its licensing, but we have no way to force him to go to the hospital if he chooses not to. John calls his boss for advice, while Paul, now finished bandaging the injury, heads back inside to beg Randy to change his mind. He suggests that the hospital may be flexible in waiting for him to get his health card before they charge him. Fortunately, Randy decides to take the chance. Though he had been sitting and walking around, we load him into the stretcher and radio dispatch.

Dispatch first lets the hospital know that we're on our way, and then calls the Canada Border Services Agency (CBSA) to tell them the same. At some point we cross back into New York State, but this time round John doesn't bother pointing it out.

We drive back down route 37, past US customs, over the southern bridge, across Cornwall Island, over the Northern Bridge, banging up and down against potholes while Randy sweats in the back of the ambulance. Now that we're driving into the city of Cornwall, we have to go through Canadian customs at the end of the bridge. I've waited up to an hour in line to get to the foot of the bridge in the past. Today however, since we're answering an emergency call, the bridge corporation closes one lane of the bridge transforming it into an Ambulance-only express lane. We breeze along the road. The tollbooth opens and we slow down just enough for a uniformed CBSA officer to wave us to an empty lane, give us a thumbs up and letting us pass. I'm back in Canada.

We drop Randy off at the hospital, while making small talk with the police officers and other emergency medical technicians. Randy's family is on the way, but they had to take the slow route, waiting in line to go through customs along with all the other cars. Once Randy is admitted, John and Paul look at their watches – it's a bit after 5pm and their shifts have ended. It's time to head back to the office and head home.

They tell me I have to report to the Canadian port of entry now that we've dealt with the emergency. A non-native colleague had failed to do so after joining them on a similar call and got harangued the next time he went through customs. We park the ambulance by the port facility, and as I walk to the Canadian port, Paul heads across the street to pick up St. Hubert's Rotisserie Chicken dinner for his wife and children. They're looking forward to the treat, as the dining options are much more limited south of the border, and no one wants to wait in line to get to Cornwall for dinner this time of day.

Walking into the port office, I'm surprised to see Louis, an officer who usually works commercial customs in the back office. I'd gotten to know him after conducting a few interviews in the building he usually works in. He tells me he's filling in for someone today, and I tell him I just came from the hospital. He asks me the same standard questions – whether I stopped anywhere in Canada besides the hospital (no), what I've been up to (research), whether I bought anything (no), and then says thanks for checking in.

I get back into the ambulance and it smells like warm chicken. We start heading back to the station. As we drive along the bridge towards Cornwall Island, I notice that the line of cars heading into the city of Cornwall has grown. I dread having to wait on that line in a half hour

or so when I return from headquarters at the end of the day. I contemplate grabbing dinner in Massena or visiting some friends until later to avoid the wait.

We drive once again over the rickety bridge, and once again across Cornwall Island, again across the smoother bridge, and stop in line at US customs. We're not answering any emergency calls, and we wait in line with everyone else. It's not a long line, and when we arrive at the booth, I notice Kathy is still working. She looks into the ambulance and sees me in the passenger's seat. She's laughing when I hand her my passport, "I guess you got to go on your ride along." I agree, also laughing, and she returns the passport. She says, "have a nice day," and we're back along route 37, back along route 37, back along Saint Regis road, and back at the health center.

John and Paul park the ambulance and sign off for the day. I get back into my own car for one last stop before heading home. As a non-native, I'm obligated to drive, without stopping (for gas, cigarettes, food, the library, to visit a friend, etc.) to the US port of entry as soon as I've left the northern, "Canadian" portion of Akwesasne. After driving back down St. Regis road, across the border, wherever it is, I get back on Route 37 and park my car when I reach the US port of Entry facility. Shutting off my car and phone, I grab my passport and walk inside. A border officer is sitting eating out of a Tupperware container—her dinner I suppose. I wait for her to look up, "just checking in?" She asks me between bites. "Yup," I tell her. "Did you stop anywhere along the way." "Nope." "You're good to go" she says, not even bothering to look at my passport.

I could spend a bit more time in New York, but decide against it – wanting to start writing up my notes at home. I head back into my car and back towards Cornwall Island. I cross the

Island for the fourth time that day, hoping the line at the bridge won't be so bad. It's not. I pay another \$3.00 at the tollbooth and get funneled into the Cornwall port of entry. Choosing the lane that seems shortest, when I get to the booth, I see Louis. Apparently, he's been moved to yet another position today. "You're everywhere," I tell him with a smile as I hand over my passport. He replies, "Some days I get to do everything." I know how he feels, as he returns my passport and I start heading home. Tired and hungry, I pick up some chicken just across the street.

Chapter One: Introduction

All sorts of borders

By the end of a single day's fieldwork, I had traversed the Canada/US borderline a dozen times and visited American and Canadian Ports of Entry (POE) four times – both in a vehicle at a Primary Inspection Lane (PIL) booth, and on foot within the facilities. And this was only answering one call. In order to travel from our headquarters to a patient to a hospital, all of which are ostensibly located in Canada, we had to cross the borderline four times, go through customs, and navigate American, Canadian, and Mohawk laws. Though eventful, my afternoon with the Akwesasne Mohawk Ambulance Unit was by no means extraordinary.

The border appeared, disappeared, and reappeared in a variety of permutations over the course of my day with the Ambulance Unit. It hardly mattered at all when we crossed the invisible line distinguishing “American” parts of Akwesasne from “Canadian” ones. Yet the border suddenly mattered when an American doctor told us that we had to bring our patient to the hospital, when we knew we couldn't ask the police for help, and when we had to convince the patient to change his mind and come with us. Crossing the borderline on my way home did not affect me until I had to “report in” to border officers in Canada and the United States, long after I had physically traversed the line.

In these ways, the border was arguably located as much “in people” and “between people” as it was “in places” or between them. This is to say, we often experienced borders not in terms of traversal of a physical space, but in interactions with others. The border came into being not only through material, built form – fences, roadways, port facilities, but also through the exchanges of EMTs, a doctor, a patient, a toll booth operator, border officers, and an anthropologist. “The border” simultaneously meant something different to each of us based on

our own histories, motivations, and understandings yet at the same time, was a shared facet—tacit but everpresent— of our interaction.

Akwesasne is a single Indigenous Mohawk community straddling the borderlines of Canada and the United States. It is a “jurisdictional nightmare” (“She:kon/Greetings: The Mohawk Council of Akwesasne” 2015), overlapping the jurisdictional boundaries of provincial, state, federal, local, and traditional governments. There is something about “the border” in Akwesasne that demands the definite article – and the attentions of anyone trying to get a sense of how national borders can manifest, or fail to manifest, in everyday life. If we proceed from the assumption that scientific enquiry benefits from looking at extreme or exceptional cases, then there are few instantiations of “the border” more exceptional than Akwesasne.

In the following pages, I want to study the diverse ways the Canada/US border is experienced in Akwesasne. I want to study the borders that matter in a place where they often do not. As much as borders may become a part of the landscape, they come from people. “The border” is often built, affirmed, enforced, carried, contested, or discarded by people. People may bring “the border” to work and take it home with them at the end of the day. In this context, the border is not so much in the maps, but in ourselves.

Borders as interaction

My concerns are organized according to a simple supposition: the experiences of borders and border crossing are, among other things, defined (later, I will employ the term “framed”) by an interaction between two or more actors. The most common of these interactions is the exchange between a border officer and a traveller.

A brief thought exercise supports this assertion:

Imagine you are driving from the United States into Canada. A friend asks you to call them when you've crossed the border. When do you call? When you have reached an invisible line? When a sign reading "welcome to Canada" is in sight? Or when you have finished waiting in line and a border officer has returned your passport and told you "have a nice day, welcome to Canada"? Any answer is possible, though in my personal experience, the third is the most common. This is what I mean when I suggest that the experience of borders, or at the very least border crossing, can be defined by an interaction. Often crossing a border is more about which side of a conversation someone finds themselves as it is about which side of a line.

Thus, my dissertation looks at the intersection of borders, experience, and interaction. In doing so, I demonstrate that the three terms are not as discreet as they may initially seem. Experiences are frequently organized by their borders – with a beginning, an end, an inside, and an outside. Here I draw upon Erving Goffman's suggestion that it is the "frames," borders, or boundaries of an experience which define "what is going on" (1974). Similarly, it is through interaction that those frames are discovered, contested, and reconciled. This is always the case when more than one actor is involved, though it is especially true at "the border" in Akwesasne, where "what is going on" frequently a matter of contestation. It is through interaction in and around Akwesasne that experiential and political borders take on a multitude of forms and come to be experienced as such.

Broadly, I try to answer three questions. (1) What sorts of assumptions do people bring into these interactions? (2) What takes place in these interactions? (3) What sorts of assumptions do people take away from these interactions?

To unpack those questions:

Firstly, I am interested in how “the border” is understood by the diverse actors who engage with it in and around the Akwesasne Mohawk territory, predominantly border officers, and Mohawk residents of Akwesasne. What is the border to them? What assumptions, assertions, and strategies do they bring into their engagement with the border?

Secondly, I want to get a sense of what happens when these understandings of the border meet, as they often do, in the regulatory practices of state border enforcement. How is processing conceptualized, and how does it work on the ground? What roles do law, policy, and technology play in that exchange? How are exchanges between border officers and travellers produced by normative understandings of borders, understandings (and actors) that are regularly at tension with each other?

Finally, I ask how exchanges between border officers and travellers are productive of normative understandings of borders. How have interactions fed back into the ways in which borders, border actors, and the state, are defined?

An Ethnographic Approach to Borders: Borders as Interaction

Studying borders in terms of interaction requires an ethnographic approach. By focusing on what borders mean to different people at different times, I depart from other studies that draw upon their own operational definition of borders (such as borders as nationally recognized lines demarcated in space, or borders as physical features upon a landscape, or borders as experiences of difference) and explore accordingly. In a research context in which conflicting

definitions of borders proliferate, rather than embrace one as “correct”, I look to the ways in which the meeting of those definitions re-defines “the border” for all involved.

Researchers have long employed a wide range of definitions when studying borders. Borders have been studied through language, biography, and metaphor (Ex Anzaldúa 1999), as the territorial embodiment of a bundle of ideas (Johnson and Graybill 2010), as an ideal type representing the limits of national sovereignty (Weber 1958; but see Gellner 1983, 1), as an essential facet of statecraft (Torpey 2000), as not an object, but a “process” (See for example van Houtum, Kramsch, and Zierhofer 2005) and so on. The emergent field of border studies has produced a meta-narrative of these accounts, observing the ways in which different disciplinary approaches to borders engender different sorts of studies (Van Houtum 2005).

Borders and borderland studies have reached that critical mass within a research field upon which it possible, and salient, to study the study of borders. As is usually the case, the way one studies an object, and the conclusions they draw are often contingent upon the way they define that object.

In this text, I propose another way of thinking about borders. Rather than beginning with a definition of borders and then looking at the way in which that definition operates in a particular case study, I look at borders *ethnographically*. By this I mean to say that I look at the diverse meanings of borders held by a variety of actors in a variety of contexts. This is by no means the first ethnography of borders, which have been a popular field for anthropological inquiry as early as Barth (1969). Here though, I try to explore the dialectic between the ways in which different subjectivities emerge from these things people call borders, and the ways in which these things we call borders emerge from those subjectivities. In other words, the intersection

of how borders make people and how people make borders. The emphasis here is on the latter, as I ask, “what do borders mean to different “border actors,” and at different times?”

The Akwesasne Mohawk territory and its surroundings offer a productive venue for such a study. As a border community, engagements with the border are frequent and multifaceted there. As an Indigenous community, attitudes towards what the border means, and should mean, are equally multifaceted.

Amongst Akwesasronon (people of Akwesasne), there is a long history of resisting the border’s imposition. Many suggest that the border does not, or should not, exist for Indigenous North Americans, that “the white man put that there” (Simpson 2003). At the same time, Akwesasronon literally inhabit the border, having to deal with many of its consequences in everyday life. For many in Akwesasne, the border is simultaneously “refused” (Simpson 2014) and ubiquitous. There is no border, and it is everywhere.

We can contrast this perspective with that of predominantly non-native Border Services Officers (BSOs) working in and around the Akwesasne Mohawk territory. Though the border is their job, most live well within the territorial boundaries of Canada or the United States. “The border” is a place they go to work, rather than inhabit. Their regulatory and policing responsibilities are contingent upon a different sort of relationship with the border, albeit one as intimate as it is for Akwesasronon. The border is readily accepted, but it is defined and limited. There is a border, and it is right over there.

“The border”, if and when it exists, in and around the Akwesasne Mohawk territory appears and disappears over the course of one’s time there. It is frequently rendered innocuous, like a

background noise ignored by people who have heard it for so long. That noise comes into focus in financial transactions, access to resources and services, and the stories people tell. Many of these stories focus on the most salient way in which the border manifests, through interactions between Mohawk residents of the territory and border services officers. In these interactions, the sound of the border is often overpowering, and cacophonous, with different framings of “what is going on” forced into contact, and demanding some sort of resolution. Interactions with officers are produced by the expectations of border actors, the geopolitical history of the area, and the legal demands of the state – those interactions often “make” the border, but they are a part of, and not separate from those expectations, histories, and legal demands.

Origins of this study

In this section, I present a genealogy (or perhaps a cosmology) of the questions and answers that led me to my current research concerns. My motivations for doing so are twofold: Firstly I account for the changing perspectives that brought me to the problems I address in this dissertation, and in doing so explicate the scholastic literature concerned with my project. This makes the section a sort of low-calorie lit-review. Secondly, I briefly discuss my methods and observations, and the ways in which they re-shaped my perspectives.

Audra Simpson has suggested that anthropology, particularly the study of Haudenosaunee peoples, has long been about desire (2014, chap. 3). Towards this end, this section may illuminate the conflicting and changing desires that moved me towards this dissertation. In doing so, I also demonstrate that my own desire, like that of border actors, is often multifaceted and contextual rather than monolithic. In writing this section, I provide one account, of many possible accounts, of my research objectives, and how they grew from personal experience.

Preliminary Questions

This project grew out of a throw away observation made by a Professor and TA during my undergraduate study in a course entitled, “Intensive Study of a Culture: The Iroquois².” The class focused largely on tradition and history, but the instructors briefly discussed an annual border crossing demonstration held by Haudenosaunee peoples, which have taken place for nearly a century. Demonstrators march from one side of the border without stopping to recognize the border or its enforcement. Coming home after class, I did some research on the demonstration and found a quote by Tuscarora artist (and granddaughter of the event’s first organizer), Jolene Rickard summarizing her own experience of the demonstration:

I crossed with my newborn and husband in 1991. I felt part of a long line of honor as we quietly marched from the Canadian side to the US side. I’ve lobbied at the UN, followed the longest run, protested on the capitol steps in Washington, wrote poems and made art about our rights, but nothing made me feel so strong as passing the customs guards at the bridge without uttering a word.³

I was fascinated by the demonstration, but not as an act of protest. As Rickard suggests, these sorts of things are by no means uncommon among Haudenosaunee peoples. Rather, I was fascinated by the wilful non-recognition of the border engendered by the protests. I had difficulty getting my head around the question of how someone could deny a border. I wondered, what does it mean to not recognize something as (in my eyes) immutable as a

² The term ‘Iroquois’ (a pejorative Algonquian term for the five, later six nations of a political Confederacy which dominated North America’s Eastern woodlands before and into the early colonial period), though popular historically, and still the most recognizable, is quickly being replaced with the more appropriate term Haudenosaunee, an Iroquoian language term meaning “longhouse people”. When possible, I privilege the term Haudenosaunee as well.

³ Though I recorded the quotation in my undergraduate thesis, I am unable to find a citation.

border? How can one name a thing – bring drums, signs, and march across it, while at the same time not experience it? In other words, I wanted to learn, “how can someone experience not experiencing something?”

Over time, I found the terms of my question to be flawed. Neither non-recognition nor “refusal” (Simpson 2014) are the same as not experiencing something. Of course Haudenosaunee people perceived the border and its impact, even as they rejected its legitimacy. Saying, ‘this border does not exist’ was not necessarily the paradox I made it out to be.

I had to realign my concerns, away from the cognition of experience, and towards the complexity of “meaning” (Geertz 1977). If I wanted to understand what border crossing meant to Rickard and her compatriots, I needed to better grasp the (literal) “native’s perspective” (Malinowski 2008). The project thus became more anthropological and less philosophical or psychological. The question transformed into “what does the border mean to Haudenosaunee people?”

My undergraduate thesis approached this question drawing on ethno-history, court cases, and some of the few published anthropological accounts of border crossing – most notably the dissertation of recent McGill graduate, Audra Simpson who remains the authoritative anthropological voice on contemporary Mohawk political and social issues.

I was inspired by Simpson’s accounts of her own border crossing experiences, her account of a shouting match between herself and a border officer in which she yells, “I am a Mohawk.” I was drawn by her assertion that, “For Iroquois peoples the border acts as a site not of transgression, but rather as a site for the activation and articulation of their *rights* [...] thus the

people who are crossing borders are reserve members of Iroquois before they cross, they are especially Iroquois *as* they cross” (I first encountered this quote in her dissertation 2003, 178; but it reappears in her monograph 2014, 116). It was a narrative of resistance toward settler states, later termed “refusal” with border crossing as a, if not *the*, predominant site of this action.

Simpson based her research in Kahnawake, a Mohawk reserve outside of Montreal, where many residents cross weekly. Border crossing was one of many facets of the expressions of Mohawk Nationhood, sovereignty, and home that she explored. I wanted to focus more narrowly on *border crossing*, and looked to a site where borders stood out even more starkly. Akwesasne, the capital of the Mohawk Nation’s council fire within the Confederacy⁴, is more populous than Kahnawake and the only geographically contiguous Indigenous community that literally straddles the Canada/US border. In Akwesasne, border crossing isn’t an annual demonstration, or a weekly commute, but regular facet of everyday life. In working with Akwesasne, I could produce an additional account of Mohawk experiences at the border, one that was narrower in breadth but went further in depth than that of Simpson.

It was with this in mind that I began my doctoral studies at McGill. My proposed project questioned how Akwesasneon experienced the border. In doing so, I planned to draw on ethno-history and myth to demonstrate a uniquely Indigenous understanding of movement and space.

⁴ The council fire is the central location for adherents of the longhouse within the Mohawk Nation. The longhouse, variously constituted as a physical space, the Haudenosaunee confederacy as a whole, or sets of practices, is the site of what are contemporaneously understood as “traditional” political and or spiritual practices. As I discuss later in this thesis, there have always been different narratives as to what constitutes tradition within the Mohawk Nation. Nevertheless, Akwesasne is widely understood as the political center for those decisions and actions which emplace the Mohawk Nation as one of several Nations within the broader longhouse governance of the Haudenosaunee confederacy.

I was interested in the way uniquely cultural subjectivities of movement manifested in border crossing. Drawing on the work of my undergraduate supervisor Raymond Fogelson, I used the metaphor of lacrosse to consider the meeting of bodies and boundaries in the context of border crossing (Fogelson 1962; But see also Vennum 1994). Both lacrosse and border crossing involved moving through space against resistance, and both invoked understandings of what it means to move through space that are historically and culturally contingent. Two people could in effect play a similar game, using similar rules, but with very different stakes.

Games, I found, offered an appropriate means to express ways in which a Mohawk traveller's ability to convince a border officer of their eligibility to cross "as native" determined their success or failure in a given interaction. Border crossing was a sort of language game (Wittgenstein 1922; but see Gellner 1979), but one with the odds frequently stacked in favour of state officers. As Vine Deloria wrote in the preface to Doug George-Kanentiio's *Iroquois On Fire* (2006), the political history of Akwesasne and the Canadian and US states, "is like watching a tennis match, with one of the players having the right to determine for the other the boundary lines of the court." Border crossing, taken as a battle of wills, helped emphasize the consequence of two different understandings of "the border" meeting at a Port of Entry.

I later saw that implicit in my examination of border crossing as a sort of "game" between two players, BSOs and Mohawk travellers, was one particular understanding of what constituted border crossing. Without realizing it, I was considering border crossing not in terms of the traversal of a borderline, but rather in terms of *interaction*. Border crossing was, in this context, a conversation. Thus, the non-recognition of the border that sparked my original interest in the project was not necessarily about refusing to recognize particular space, but rather about the refusal to engage in a particular *kind* of conversation. This shed new light on Rickard's

statement, “nothing made me feel as strong as passing the customs guards at the bridge without uttering a word.” It was not simply the inattention to the border, but the intentional inattention to the border officers, which made the difference (Goffman 2008, 84).

I presented some of these still nascent ideas in a graduate student conference at McGill, in a panel mediated by a Mohawk elder from Kahnawake. Though generally positive about the presentation, and readily admitting the issue of borders was a critical one to Mohawk sovereignty, he framed his comments with the statement, “you are studying me.” The discomfort of the anthropologist’s gaze being reflected is by no means unstudied in the discipline’s literature (See for ex Stocking 1983; Clifford and School of American Research (Santa Fe, N.M.) 1986), but this statement shook me. It pointed to an ethical and methodological difficulty in my research, the fact that I had organized my project as a matter of studying “the other.” How do “they,” Mohawks, experience the border? Even if I could reconcile my personal concerns about such an enterprise, I could expect resistance by many in Akwesasne, and perhaps as well critics within the academy towards another white person trying to study the natives. Yet it also pointed me towards an opportunity to improve the project by approaching it from a different vector.

In focusing my study on Haudenosaunee experiences of the border, I had implicitly placed my own understandings of borders upon border officers. This represented a major lacuna in the project, which sought to get a sense of the interactions between officers and travellers. My analysis relied neither on academic studies of border officers (there are very few, especially concerning the Canada/US border, though that number is growing (But see Cote-Boucher 2013; 2015), but rather the assumption that officers had a pretty similar understanding of “the border” to myself. Yet this assumption was quickly proven patently false. Thus, if I truly wanted to

get a sense of the conversations that engender the contentious space of border crossing, I would have to study both sides of those conversations.

Further, by seeing myself not as a non-native anthropologist who studies native peoples, but rather as an anthropologist who looks at the intersection of two populations, I felt better situated to carry on research. One could argue that this is a simple matter of framing, but framing, as I will suggest, is at the heart of border interactions. Thus, my project transitioned more firmly towards a multi-sited ethnography, albeit one that took place in a singular geographic space.

Preliminary Fieldwork

I called the US port of entry in Massena in order to talk about the possibility of interviewing officers. At the time, I was still more interested in working with US border officers rather than Canadian ones, for reasons I discuss later on. After trying to explain my project to the officer and asking for the opportunity to speak with port personnel, the officer on the phone told me, “I don’t know if that would be legal, so I’m going to go ahead and say no,” before ending the conversation and hanging up.

This response fascinated me. Did the officer mean (1) that they were unsure whether my study was legal, and were refusing out of fear of violating the law, or were they, (2) as a law enforcement officer, telling me that they decided my study was illegal? The first permutation suggested the ways in which the law can be uncertain, even for officers charged with enforcing it, the second suggested the ways in which officers are, on the spot, productive of law and legality. Ultimately, I feel a combination of both interpretations sheds light on border officers’ polyvalent engagement with law.

Around the same time, as I was preparing my field research, my supervisors introduced me to the microanalysis of Erving Goffman (1959; 1967; 1974; 1981; 2008) and the ethnomethodology of Harold Garfinkel (See 1967). I was especially drawn by Garfinkel's rejection of "the cultural dope" (1967, 68), pushing against explanations rooted in "systematic disciplinary or discursive practices" and instead suggesting that one pay attention to "situational logics and context" ("Against Discipline – A Conversation with Baudouin Dupret #ANTHROISLAM" 2015; But see also Schielke 2010).

This way of thinking about the border made better sense of the diverse attitudes towards the border I encountered in Akwesasne. Neither Mohawks nor border officers were slavishly beholden to a particular set of laws or ideologies in their border practices. Undoubtedly law and ideology play a substantial, if not the most substantial, role in peoples' decisions at the border. For this alone, they are worth serious study, but even more so because they are central to the histories which have resulted in Akwesasne's unique "border situation." However, national ideologies and legal regulations are not enough in themselves to offer any sort of predictive model for the way people act at the border. It would be problematic to suggest that all Mohawks refuse to travel on a US or Canadian passport, or "as" anything other than a Mohawk person, just as it would be false to suggest that all border officers robotically enforce "the law" (or that such enforcement is even possible given, the law's frequent density, ambiguity and at times self-contradiction).

Any narrative of "political indigeneity" (or more locally, political "Mohawk-ness"), risks privileging some voices over others and diminishing the role personal autonomy plays in individuals' decision making. Activism and journalism in Akwesasne and other Mohawk communities have often given special prominence to the voices of residents who frame their

actions in the context of longstanding claims to sovereignty, autonomy, and resistance to the state. In this view, the exercise of sovereignty becomes something by which all orient their lives. Yet representing Akwesasronon, or other Indigenous peoples, in such a way risks rendering them, in the words of Garfinkel, “cultural dopes”.

While border crossing in Akwesasne may be a site for the “activation and articulation” of one’s rights as an Indigenous Mohawk person, it often is not. Sometimes Mohawk travellers and BSOs yell at one another, but most often they do not. Sometimes a traveller insists on a particular narrative of “the border,” other times, they simply hand over a US or Canadian passport. Doing so is not always a rejection of one’s ideals, but rather the way one moves about their daily life. Sometimes an officer demands ID and requires an Akwesasronon traveller to claim they are American or Canadian. Other times, they greet the traveller in poorly pronounced Mohawk and let them on their way. There are border crossing demonstrations in Akwesasne which reject the border, and there are Mohawk residents of Akwesasne who become border officers.

Sometimes border crossing is an event, but oftentimes it is, in the words of Raymond Fogelson (1989), “a non-event”. It fails to cling to the memory of the participants involved. Border crossing is instead situational – about the potentialities and strategies defining various permutations of an often-repeated exchange. A nuanced study of what goes on at the border in Akwesasne would thus need to pay close attention to “situational logics and context” that are both produced by, and productive of “the border” in everyday life – emphasizing situations rather than events that shape the border (or, at the very least, the dialectic between events and situations). Ultimately, this objective came to reorient the project into its current shape.

Garfinkel's mode of analysis suggests that culture, or ideology, is just as often the explanation for behavior as it is the cause (1967, 104). Border officers may often make decisions and then justify them through law after the fact. Mohawk travellers may often make decisions and then justify them through traditional notions of sovereignty after the fact. This is not to say that law does not inform and at times constrict the actions of BSOs. Nor does it suggest that Mohawks do not adhere to their ideologies. Rather, it suggests a dialogic engagement with juridical or traditional systems of knowledge in which pragmatism plays a role in determining one's actions.

The same approach, I suggest, can be fruitful in examining of the lives of and challenges of Indigenous peoples occupying complex intersections of tradition, colonization, and autonomy. By focusing on the way indigeneity, or more accurately, Mohawk-ness, emerges within, rather than transposes itself upon, everyday life in Akwesasne, one can better account for the diversity of border practices.

I find an added benefit in that such a model for thinking about the border sees the divide between BSOs and Mohawks as not irreconcilable but rather a shared tension between pragmatism and dogmatism. By focusing on the shared experiences of officers and travellers, I can better consider my own research in the context of "one-mindedness", and peace building. I elaborate on "one-mindedness" at the end of this introduction.

Rather than attributing different attitudes and opinions to an immutable divide or impasse (be it cultural, ideological, dogmatic, etc.) one could think of BSOs and Akwesasronon as human beings first and foremost, using the tools available to attain their own goals in a given situation.

Doing so pushes away from overly simplistic explanations of encounters in which in which Mohawks or BSOs act in a particular way *because* they are Mohawk or BSOs.

This is not to say that the actions, motivations, and capabilities of border actors are not particular to each party and deeply indebted to their own unique histories. At the same time, it suggests that these actions, motivations, and capabilities, are as often tied to the context of a given situation as the ideologies those actors bring to the table. The same BSO or Mohawk traveller may act very differently at different times.

Framing Borders

Thus, considerations of *context* entered the heart of my concerns in this study. I found myself asking how border crossing is produced by and productive of context. Doing so required a more systematic engagement with the concept of context.

I found I was able to return to Erving Goffman for this concern. Goffman's magnum opus, often ignored by anthropologists, *Frame Analysis* (1974), looks to "the ways in which people determine their answers to the questions "What is going on here?" and "under what circumstances do we think things are real". Even better, he focuses on the ways in which interaction is central to this process. (In fact, Goffman's former student, Thomas Scheff, suggests "the book would have been better understood if it had the subtitle 'Defining Context' (2006, 374; but see also 2005).)

Framing often comes to define how a given border interaction plays out. As a Mohawk Council chief told me in an interview:

The American CBSA, or whatever they're called, customs and immigration. They went out of their way to learn more about the community. And it reflected on your day to day encounter. When you came through, American customs officers would routinely refer to you by name, "how's the family," "where're you going," etc. And you didn't mind telling them where your point of destination was because of the way it was framed.

This anecdote points to the fact that border interactions must be understood in context, that the same question asked by two different actors may yield two very different responses contingent upon the ways in which that question was framed.

Focusing on the diverse manifestations of borders-in-context, offered a better explanation for the diversity of encounters I saw in Akwesasne when I commenced fieldwork in September 2012. Framing defines border crossing in a variety of ways – officers frame their questions and interactions with border crossers, but the exchanges themselves also frame what constitutes the border. These framings vary from interaction to interaction and are contingent upon a variety of factors. This orientation helped me resist a monolithic depiction of border officers and Akwesasronon in my own writings.

Goffman's frame analysis (here I refer to the analytical method, not the book which outlines it) offers, in my view, an especially productive means to do, what I call, a "phenomenology of law." Goffman's "unique phenomenology" (Treviño 2003) stands out within the literature for its emphasis on cognition and communication rather than sensation. He interrogates less how experience comes from feeling, as much as the processes by which interaction organizes experience. The goal is not to define "what is experience" but rather to ask, "How do we

organize, and in a certain sense, “border” experiences.” In other words, how do I come to define “what is going on” in a particular way? In doing so, Goffman draws upon his own interpretation of Husserl’s assertion that:

In brief there are temporal and spatial brackets. These markers, like the wooden frame of a picture, are presumably neither part of the content of activity proper nor part of the world outside the activity but rather both inside and outside, a paradoxical condition already alluded to and not to be avoided just because it cannot be thought about clearly. (1974, 252)

Where Husserl writes “brackets” he could have just as easily written “borders.” The assertion that experiences are bounded is an important one. Goffman distinguishes between temporal and spatial frames – offering the example of a gavel in a courtroom notifying participants that a trial is about to begin, that gavel is at the same time outside and inside the proceedings. The same could be said for the gavel at the start of an episode of the television program ‘Law and Order’.

Both political borders and the borders of experience lie simultaneously within and outside the objects that they come to define. By demonstrating the ways in which bordering is a fundamental facet of cognition, one can take this logic a few steps further by looking at the ways in which political borders are not simply socially constructed over history, but exist, in some relation to the ways in which all human minds process what is going on *in situ*, and at a given moment.

Brackets define the object they contain, as much as the object itself—much like the frames of a photograph orient the viewer to look at it in a particular way, or the gavel tells someone to quiet down and pay attention.

It is also those brackets that help us delineate a given experience as “real,” or not – the curtains and the stage telling us that it is not actually a woman named Juliet taking poison in front of us, but rather an actress drinking from a coloured flask, or the preface “this is a joke” that tells us not to take the following utterance seriously. Borders determine, in the words of Goffman, what “key” we should interpret a given experience – as “real,” “farce,” “simulation,” and so forth. We can only distinguish blinks from winks when we’ve had the whole story, the context.

Frame analysis suggests that it is the context rather than the content of a given situation that defines “what is going on.” Imagine, for example, a young man walking into a diner at 5:00am on a Sunday. He orders bacon and eggs. Is this man eating breakfast before an early day of work? Or is he filling his belly with a late-night snack after a night of partying? The food on the plate does not tell us whether this is the first or last meal of his day. Rather, it is what comes next, and came before that delimits what is going on. Much in the same way, border crossing is not necessarily about traversing a line, but about what happens before and what happens after.

Goffman also highlights what happens when two or more actors cannot come to agreement about the framing of a given situation. What happens when I say X is going on, and someone else says Y? When, in the context of this project, a border officer insists a traveller comes from Canada, and the traveller insists he comes from Akwesasne, which is most definitely not

Canada. Indeed, many of the contentious interactions I observed boiled down to an officer saying “you have broken the law” and a traveller saying “I have not broken the law.”

An incident relayed to me by someone in Akwesasne encapsulated this sort of exchange:

He [the border officer] asks me where I came from. I tell him, ‘Akwesasne’. He says, ‘which part?’ I say, ‘Akwesasne’. He says, ‘I know there’s an American part and a Canadian part. We can do this the easy way, or I can take you in.’

In this resident’s exchange with the border officer, he and the officer articulate alternative notions of Akwesasne’s geography. The officer sees the landscape in one way, and the traveller another. Ultimately, the officer intimidates the traveller into framing the border in a way that meshes with his own.

Goffman calls these incidents “frame disputes” (1974, 322), though he sees these as “exceptional grounds” – which they may well be in the realm of experience more broadly. Even if they disagree about the border, the actors agree about far more – about who they are, what language they are speaking, the fact that they are speaking to each other, and so on. Yet frame disputes are more common in interactions between Akwesasronon and BSOs than they are elsewhere, and often demonstrate the ways in which not simply discretion, but law, or perhaps more accurately “legality” is negotiated through face to face interaction. Frame analysis opens up a space for a “microanalysis” of law, a look at the way in which “the law” is framed and reframed in interactions, and the ways in which legally delineated interactions frame and reframe what is considered “normal”.

Conflict-driven ethnographies offer several advantages but hold a serious disadvantage. They are often more appealing to read and, as Anna Tsing (2005) has expounded in detail, sites of friction are frequently creative. Yet an over-reliance on conflict can often distance observations from everyday life. We may remember loud acts of defiance and conflict, but most disputes are resolved not with a bang, but with a whimper. As Sir Arthur Conan Doyle reminds us, we are often better served by paying heed to the dog that didn't bark (1997). The reader can rest assured that over the next several hundred pages, there will be plenty of those hallmarks of anthropological discourse – suffering at the hands of the state, argument, contestations, and noble assertions of autonomy against overwhelming odds. Yet as much as the border is a site of all these things in Akwesasne, it is also a site of tedious boredom.

This boredom often involves waiting in line for hours on end, and enduring the same conversation over and over again. As one BSO described his job, the border is often “long periods of boredom interspersed by sudden periods of terror.” In my hours waiting, daily questioning, I found, as Michael Billig (1995) suggests, it is the banal, but not benign through which the state manifests and perpetuates (most insidiously if one chooses to take a negative view towards it) in everyday life.

Rather than shed a light on conflict, my focus is informed as much by Goffman's Frame Analysis as a Haudenosaunee concept of “one mindedness” which, to me, represents a parallel way of considering the ways in which different parties diverge and converge in their understandings of a given situation. The concept of one-mindedness, most immediately represented in the *Ohenten Kariwatekwen*, or ‘Thanksgiving Address’ suggests that coercion is not the only method to resolve a frame dispute. Shared gratitude also has the power to bring people to shared understanding.

The address is relevant as a native theory of frame dispute resolution, but also as one facet of the cultural sensitivity training of Border Services Officers. The thanksgiving address is among the most well-known Haudenosaunee addresses, and a selection can be found in United States passports⁵. This is especially ironic as many adherents to the address would not recognize the legitimacy of that passport. Without expanding too much on the political implications of the address's place in the passport, it fits in well with Phillip Deloria's (1999) recognition that much American national identity has historically involved the symbolic appropriation of native-ness.

Anthony Wallace presents a Tuscarora variant of the address in *Tuscarora: A History*. I choose this version because it is the briefest, though maintains a central message. I invite the reader to explore the address in greater detail in text (For the most complete account in Akwesasne, see Foster 1974), or ideally, through oral transmission.

We are thankful for the people. Now we are of one mind.

We are thankful for mother Earth. Now we are of one mind.

We are thankful for the Strawberries and Grasses. Now we are of one mind.

We are thankful for the Trees. Now we are of one mind.

We are thankful for the Animals. Now we are of one mind.

We are thankful for the Birds. Now we are of one mind.

We are thankful for the Corn, Beans, and Squash. Now we are of one mind.

We are thankful for the Four winds. Now we are of one mind.

⁵ The passage reads: "We send thanks to all the Animal life in the world. They have many things to teach people. We are glad that they are still here and hope it will always be so."

We are thankful for the Thunders. Now we are of one mind.

We are thankful for the Sun. Now we are of one mind.

We are thankful for Grandmother Moon. Now we are of one mind.

We are thankful for the Stars. Now we are of one mind.

We are thankful for the Creator. Now we are of one mind.

(A. F. C. Wallace and Project Muse 2012, 218)

The address, when delivered before political (or academic) meetings/discussions has the power to orient interlocutors on the same “footing” (Goffman 1981) at the start of discourse. By focusing on what Goffman would call “natural,” or “primary frames” (1974, chap. 2), this is to say facets of the world that exist independent of human interpretation. The earth, stars, winds, etc. were created prior to humanity. Goffman’s examples of natural frames were less cosmic (to distinguish natural frames from secondary frames, he draws the readers’ attention to the difference between the cause of a death and the manner of a death (1974, 21–22). We can similarly pay attention to the distinctness of what is being thanked in the address. Whereas people may be grateful for love, friendship, or family, these things mean different things and are valued differently by different people. In the address, there is a sense that thanksgiving speaks to something shared and understood at a more primal and universal level. Participants can begin an exchange empathetically regardless of whether they diverge about other issues. Creation, seen as something we all have in common, is a fruitful common ground to unite people who may not see eye to eye on most anything else.

I have heard closing addresses that encourage participants to step away from one-mindedness as they step away from the event, to proceed independently and gather perspective. This suggests another insight of Haudenosaunee practices in conceptualizing framing, and one that

Goffman himself supports, that mutual consciousness of a given situation, is temporally bounded within the context of a given event. In other words, we must come to one mind in order to participate in the same going-on, and we must step outside of one mindedness, at least in part, when the event is finished.

In this regard, Haudenosaunee traditional teachings demonstrate an explicit awareness of something only implicit in Goffman's phenomenology. The thanksgiving address brackets the start and close of a meeting or ceremony, but also the start and end of the day for many longhouse people. I've seen it used to begin and end a school day at Mohawk immersion schools. One elder told me that Haudenosaunee people maintain creation by stating the address, and should it not be stated, the world would cease.

This is not to say that one-mindedness is always attainable or maintainable. Frame disputes occur in Mohawk country as much as everywhere else. Nor is this to suggest that that which is thanked in the address is universally categorized as a "natural" event. Regardless, one-mindedness serves as a potent and practical objective, and one worth considering when interrogating frame disputes between Border Services Officers and Akwesasronon.

As I see it, the address, and the centrality of one-mindedness to peace, offers an important counterpoint for, and elaboration of, Goffman's understanding of how frame disputes come to be resolved.

One-mindedness thus forms a principle practical objective of this dissertation – focusing on what is shared between border services officers and Akwesasronon in support of one-mindedness as a platform for peace-building.

Research Focus and Data Collection

I arrived in Akwesasne with the goal of doing a US-customs centred project. I began to reorient my study in accordance with meetings with the Mohawk Council of Akwesasne, Saint Regis Mohawk Tribe, and Mohawk Nation Council of Chiefs. Though I was initially more interested in the case of American officers, many residents were quick to point out that the relations with Canadian officers were far more problematic, particularly in the wake of the protests leading to the relocation of the Port of Entry off the territory in 2009 and subsequent imposition of the “reporting-in” policy (Discussed in Chapters 4 and 5 respectively). The above quote by Grand Chief Mitchell illustrates this difference. Thus my project transitioned from an emphasis on US officers, to one on Canadian officers, and the policies that bring Akwesasronon into contact with those officers.

The Mohawk Council of Akwesasne was generous enough to provide me with a cubicle in their administration building in Saint Regis Village as well as access to archives, and interviews with government officers. Because of my background in statistical analysis, I ended up helping design and analyse of several community surveys concerning community interest in “alternative reporting” for residents of Cornwall Island who are currently mandated to drive past their homes and “report in” to Canadian customs anytime they drive onto the Island from New York State.

In commuting to the office every day, I had to participate in the same journey many Akwesasronon do for their own commutes – traversing Canadian and US customs, and crossing the borderline a minimum of six times (this will be clearer when I provide a layout of the territory’s geography in Chapter 2). Over the course of a year’s fieldwork, I traversed Canadian

and US customs over 400 times, and crossed the Canada/US borderline roughly 2000 times, by myself, but whenever possible with other people in the car. I conversed daily with Akwesasronon about everyday life and their experiences of the border and conducted formal interviews with whoever was interested. Though commuting from the city of Cornwall, I spent most of my time in and around the territory with friends and colleagues. Like many in Akwesasne, I got to know officers, which ones were friendly, and which ones to avoid. I shared the arduous wait times on the bridge leading into Cornwall, and got pulled into secondary inspection on a few occasions.

Yet this experience was not, strictly speaking, “participant observation.” As a non-native, non-resident of Akwesasne, I was subject to different sorts of scrutiny and additional regulations concerning my own movement about the territory. I discuss these at length in Chapter 4. Some officers held me under less suspicion, especially once they became apprised of my project, whereas others held me under greater suspicion as a non-native spending much of my time in Akwesasne.

Before commencing interviews, I also gained the permissions of the longhouse, the Mohawk Nation Council of Chiefs who will receive a copy of the dissertation. I was also given the opportunity to speak to elders about contemporary border issues, tradition, history, and cosmology. This supplemented both my background in literature concerning Haudenosaunee traditional knowledge, and my years of involvement with McGill’s interdisciplinary field course in Kahnawake. I employ this knowledge at several junctures in the dissertation, both to offer tools for thinking about particular issues, as grander theories concerning how people and space operate.

I was also fortunate enough to interview and survey retired and currently working border services officers at the Canadian port of entry, administrators at the US port of entry and US border patrol. In this study I therefore draw upon nearly a hundred hours of recorded and unrecorded interviews and several hundred hours of courtroom observation. One retired officer told me, “court is the only place you have to tell the truth,” drawing my attention to a methodological tool for the ethnographic study of border policing – “one of the most secretive of the publicly funded federal bodies in Canada” (Cote-Boucher 2013, 116) as well as the United States. Thus, my interviews and daily chats (at times arguments) with border officers are supplemented by the observed, and partially transcribed, courtroom testimonies of border officers working in Cornwall. Though I did not get recorder-in-the-booth access that would have strongly benefited a microanalysis approach to conversations that take place, I kept a digital recorder by my steering wheel to record my own noteworthy interactions by memory as soon as I left port facilities.

Thus my attempts to address inchoate concerns resulted most immediately not in new answers (those came later), but first and foremost, in new questions and methods. I went from looking at “how do people experience not experiencing something,” to “how do Haudenosaunee peoples experience borders and border crossing” to, “what happens when diverse experiences of the border intersect?” My methods transitioned from a single-sited ethnography of Mohawk peoples which emphasized their fundamental difference to a multi-sited ethnography of Akwesasronon and Border Officers which emphasized a fundamental sameness. My focus changed from the exceptional to the banal, from events to situations. Now that we have arrived at the same conceptual space, and I hope, are of one mind on the project, I discuss the chapters I employ to address these problems.

Organization of this text

At its heart, this text is about “border talk”. It is about the conversations that make up the border in Akwesasne, but also the conditions that have brought those conversations into existence. The chapters therefore try to bring context to, and take context from, those conversations. The first three chapters try to provide the reader with a sense of “the border” in Akwesasne, its origins, and an overview of the local geography. The latter three chapters focus more closely on the logics and practices of border crossing.

In a nutshell, I address, “what is Akwesasne,” “how did the border come to Akwesasne,” “how did *this* border come to Akwesasne,” “why do Akwesasronon come to this border?,” “what goes on at the border?,” and “what do Akwesasronon and Border officers take away from the border?.”

Chapter Two, ‘Welcome to Akwesasne’ introduces Akwesasne and the surrounding area. Akwesasne can be thought of as a “flexible geography”, a space which permits, and often requires, a variety of representations, some of which may even seem contradictory. The same can be said of the identity categories occupied by Akwesasne residents – who may find themselves Canadian, American, or anything but, in different circumstances. In introducing the territory, I consider the difficulties of “naming,” both in my own depictions of the territory, and in the choices border officers and Akwesasronon make when talking about Akwesasne. I explain the ways in which “where are you coming from” is a very loaded question when asked in and around the territory. The Canada/US border plays a central role in the flexibility, and inflexibility, of Akwesasne’s geography, yet the community’s relationship with the border began prior to its formalization.

Chapter Three, ‘Doing History in Akwesasne’ offers a consideration of the early history of Akwesasne and the border. I look at how the border came to Akwesasne, or from another perspective, how Akwesasne came to the border. In doing so, I argue that the border did not simply land on Akwesasne, but rather Akwesasne residents chose to create a permanent settlement in the area because of its strategic location between several nexuses of trade and political power. I also consider what it means to do history in Akwesasne, and how legal rights claims have come to influence the ways in which the past, particularly the early contact period, matters in the present, both in everyday discussions of history, and in terms of what it means to do research in Akwesasne. While this account considers how “the border” came to Akwesasne, it does not speak to the specificities of the current border regime and state of relations between border personnel and Akwesasnon.

Chapter Four, ‘The Changing Face of the Cornwall/Akwesasne Border’ offers a modern history of Akwesasne and the border. In doing so, I look at how *this* border came to Akwesasne. I focus on changes within Akwesasne, within the CBSA, and in Canadian national border policy from 1969 to 2009. This approach offers a local contextualization to Karine Cote Boucher’s assertion that border work underwent a period of “disembedding” in the 1980s. I add to her thesis by suggesting that Akwesasne-CBSA relations underwent a parallel period of “depersonalization” which began in the 1980s but reached their apex in the withdrawal of the CBSA from the port of entry on Cornwall Island (Kawehnoke) in 2009. This chapter pays special attention to the ways in which new enforcement technologies resituated the interface of border officers and travellers.

Having provided an overview of political geography and history, Chapter Five, ‘Reporting-in to/from Akwesasne’ is concerned with contemporary border issues that have come to define

Akwesasne's relationship with local border enforcement. I consider the mechanisms by which Akwesasronon come to "the border" in everyday life. Borders, understood variously as lines, sites of enforcement, and enforcement practices are typically contiguous, but this is not the case in Akwesasne. I suggest that Akwesasne offers an example in which the underlying logics of an "ideal type" of border crossing fail to mesh with geopolitical reality. Unable to bring "the border" to the Mohawks of Akwesasne, both Canada and the United States have developed "reporting-in" policies which demand travellers drive themselves to ports of entry to subject themselves to inspection. I look at the impact of these policies on the community. Finally, I compare Canadian and US policies with the historical Haudenosaunee "edge of the woods" protocols for regulating movement within and into their territory.

After looking at what factors bring Akwesasronon to the sites of border enforcement in their everyday movements, Chapter Six, 'Processing' looks at what takes place in the interactions between border services officers and travellers from Akwesasne. This chapter also expands upon the question of one-mindedness to look at the intersection of "intimacy" (Herzfeld 2005) and uncertainty that composes the face-to-face "processing" of travellers at Ports of Entry. I discuss the diverse ways in which officers conceptualize processing and their own discretionary activities in border work. I also look to the strategies, techniques, logics that make up "border practices" of both officers and travellers. I suggest that both Akwesasronon and BSOs consider their actions alongside an axis of dogmatism and pragmatism. In processing, "the law" is simultaneously conceptualized as immutable and flexible, with discretionary activities rooted in vernacular, and sometimes juridical notions of what is "reasonable." Both officers and Akwesasronon consider themselves torn between "doing what's right" and "doing what's easy."

Chapter Seven, 'Talking Borders' looks at the normative notions of borders that travellers have taken away from their interactions with BSOs, and vice versa. Expanding upon Yael Navarro Yashin's (2002) discussion of the state as a self-fulfilling prophecy I consider the ways in which citizen and non-citizen actors become a self-fulfilling prophecy in the eyes of state actors. I also look at the media through which these conversations circulate, suggesting that communications technologies simultaneously undermine and constitute "the border" for many in Akwesasne.

PORT

CLOSED

PROCEED

THRU

DO NOT STOP

Wa'tkwanonhwera:ton/Greetings

You have entered the Akwesasne Mohawk Territory. Be aware and respectful of our Nation and our laws. Respect our Mother Earth. Nia:wen tanon O:nen

Thank you and travel safely

-Signage at the former site of the Cornwall Port of Entry, Cornwall Island (*Kawehnoke*), Ontario, Canada/Akwesasne Mohawk Territory

NOTICE

THIS IS AN INDIAN RESERVE

Any person who trespasses on an Indian Reserve is guilty of an offense and is on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding one month, or both fine and imprisonment.

-Signage on a small Island in Akwesasne Mohawk Territory only accessible via boat

Chapter Two: Welcome to Akwesasne

Introduction

The Akwesasne Mohawk territory is one of the most complicated geopolitical landscapes one can find in North America, if not the world. Akwesasne is frequently referred to as a jurisdictional nightmare. It is a single community encapsulating the legal and administrative boundaries of two elected Mohawk governments, New York State, Quebec, Ontario, and the

federal governments of Canada and the United States. Several longhouses also hold claim over traditional authority in the area. This chapter provides the reader with a basic orientation to this complex geography. Introducing the concept of a “flexible geography” to talk about the territory, I discuss the ways in which Akwesasne can be different things to different people at different times, while nevertheless remaining above all, a single community.

Akwesasne the Community

In the eyes of its residents and members, Akwesasne is, first and foremost, a community. This is, perhaps, the only aspect of the territory that is held in consensus. People may disagree as to where and when Akwesasne starts and stops, what it means, what it should mean, what it does, what it should do, yet still agree that Akwesasne is a single community.

Community is the way Akwesasronon most frequently talk about Akwesasne – particularly when considering the imposition of the border. A friend told me that as much as Akwesasne has its divisions, and is often represented as fractured by local media, there is a wholeness to the community that transcends any schisms when faced with outside challenges. It was this spirit of community which brought people together in opposition to the CBSA’s arming initiative on the Island, and drove relief efforts when the CBSA’s withdrawal in 2009 caused the bridges to close, isolating residents of Cornwall Island with no overland transit to the American or Canadian mainland.

Speaking of Akwesasne as a single community is productive when highlighting the disruption caused by the Canada/US border’s imposition. In my own writing, I most frequently refer to Akwesasne as “A single Mohawk community straddling the administrative boundaries of Quebec, Ontario [...]” The website of the Mohawk Council of Akwesasne title page opens,

front and centre, “Akwesasne is Home to a Strong, Vibrant Mohawk Community.” The wholeness of Akwesasne as one community is frequently juxtaposed with the division imposed by the border – demonstrating that in spite of the border, Akwesasne is united *as* a community.

What does it mean to call Akwesasne a community? In speaking of Akwesasne as a community, one is doing several things at once. Warning against “conceptual slippage,” Vered Amit (2006, 25) has argued that within scholarship, the term “community” has referred to as a collective (a particular type of social solidarity) (See for ex Tönnies 1955), a concept (a sense of belonging felt by members of a group) (See for ex Anderson 1983), and a type of network (a set of shared connections) (See for ex Latour 2005), while simultaneously being a referent for a vernacular “taken for granted form as a unit of analysis, the location, rather than the object of research” (Amit 2002, 42; but see also Macfarlane 1977). In other words, the term “community” has the potential to mean a lot of things all at once while all the while referring to a physical location, or place, inhabited by a group of people. This offers a useful way of thinking about Akwesasne which also has the potential to mean a lot of things all at once while at the same time referring to a physical location, place, or territory, inhabited by a group of people.

Anthony P Cohen has written, “‘Community’ is one of those words – like ‘culture’, ‘myth’, ‘ritual’, ‘symbol’ – bandied about in ordinary, everyday speech, apparently readily available to speaker and listener, which when imported into the discourse of social science, however, causes immense difficulty” (1985, 11). I suggest that it is not only scholarship which applies such a multifaceted understanding of the term. Border officers and Akwesasronon, even if not consciously doing so, invoke different notions of Akwesasne as “community”.

When referring to “the Mohawk community of Akwesasne” one can mean several things. The community may refer to (1) a collective, a group of people cohabiting within the same territory and regularly interacting with one another, and bound through deep social ties. In this capacity, even if a resident who lives and works in the territory says they hate Akwesasne and do not see themselves as a part of it, they may still be considered a part of the community.

“The Mohawk community of Akwesasne” could also refer to (2) those individuals who share a sense of belonging shared by Akwesasronon regardless of whether they live in Akwesasne or not – many Akwesasronon, for example live in the neighbouring towns of Massena or Cornwall, or even farther away, yet still see themselves as part of the community. In this capacity, an Akwesasronon who has moved to China is still part of the community as they feel Akwesasne’s troubles and triumphs as their own.

“The Mohawk community of Akwesasne” could also refer to (3) the individuals whose social, economic, and other exchanges make up life in Akwesasne. If I think of the community of Akwesasne as a network, members needn’t live together nor share a sense of belonging in order to be a part of it. In this capacity, a schoolteacher from Cornwall who teaches in Akwesasne may be a part of the community, or perhaps, even, a border officer spending their days interacting with Akwesasronon at a port of entry.

Finally, “the Mohawk community of Akwesasne” can refer not simply to a group of people, but (4) a place. In this capacity, Akwesasne is a location, “the Akwesasne Mohawk territory” – a place, or space, people inhabit, rather than a collectivity, identity, or network.

What it means to belong in the community of Akwesasne is further complicated by the fact that as with other Indigenous polities, Akwesasne has a legal standard for membership. Membership in Akwesasne is a legal status held by those who can demonstrate sufficient ancestry. Access to some services and residence on some parts of the territory are reserved for members. As in the Mohawk community of Kahnawake (See Deer et al. 2008; Simpson 2014; CF Sturm 2002), membership, tied to historically euro-centric notions of blood quantum, is a controversial topic in Akwesasne, worthy of a more detailed engagement in its own terms. For our own limited purposes, I simply wish to point out that the role of membership as a legal status adds an additional wrinkle to the already complex matrix of community in Akwesasne.

So, then, when someone refers to Akwesasne as a community, what exactly do they mean? When someone refers to themselves, or someone else, as part of, or not part of, that community, what do they mean? Conceptual slippage, I would suggest, going beyond Vered Amit's admonition, is not limited to scholarship. When "talking community," in Akwesasne, residents and outsiders are often referring to one, or several, permutations of the term all at once.

There are some threads that permeate considerations of Akwesasne as community. Cohen's use-definition of "community" emphasizes two facets of the term – similarity within a group, and difference from other groups, thereby implying the existence of "boundary" (1985, 12). So what is shared? One similarity is the common valuing of community – whatever it *is* community, particularly the community of Akwesasne, is almost universally seen as a good thing. A recognition of some underlying fundamental core of unity despite any sort of opposition is another common thread. Even when Akwesasne are "a community divided", they are still *a* community. This unity is often represented to draw a contrast with divisions from within or outside Akwesasne, such as the Canada/US border. One's ability to embrace

and employ a multifaceted view of community in Akwesasne may well be a sign of one's participation, or shared sentiments, in that community.

Community in Akwesasne is many things at once, but it is also about being many things at once. Multifacetedness is part of its *telos*, so to speak. To be part of the community, is to be multifaceted. It is with this in mind that I turn our attentions towards Akwesasne's geopolitical landscape – which, like the social landscape, can be represented and understood in a wide variety of permutations.

Akwesasne, a Flexible Geography

In the previous section, I discussed Akwesasne as a community. I suggest that rather than adhere to a singular definition of community that would doubtless fail to mesh with the term's employ within Akwesasne, a more productive approach examines several things "community" can mean. In this section, I introduce the term "flexible geography" to suggest the ways in which Akwesasne's complex geopolitical landscape engenders, and at times necessitates, a variety of spatial representations. The space of Akwesasne, like the community of Akwesasne, can mean multiple things at once.

One of the most problematic questions one can ask an Akwesasronon is, "where do you come from?"

As I drove with a friend in Akwesasne, he relayed a story of border-crossing at a port unfamiliar with the territory. Driving up in a New York plated car, and presenting a US ID card, the border officer asked him where he was from. He said, as he told me he always did, "Akwesasne." The officer told him that Akwesasne is in Canada, which surprised my friend,

who has long lived in parts of Akwesasne which are ostensibly located in New York, has a New York State driver's license, and has a New York State plated vehicle. My friend calmly explained, he told me, that while some parts of Akwesasne are in Canada, there are parts in the United States as well – that the community is divided by the borderline. The officer did not agree, and insisted that Akwesasne is only in Canada. He held my friend for further questioning until his supervisor, more experienced and familiar with the area corroborated that parts of Akwesasne are indeed in New York, my friend was not being dishonest, and should be allowed to proceed. As he finished his story, my friend told me, as he had many times in the past, “there really is no border” and that Akwesasne was neither the United States, nor Canada, but Akwesasne.

In most other situations, my friend would have contested his own statement that parts of Akwesasne are located in the United States. Yet in this particular exchange with a border officer, he recognized this as the only way to explain the territory and his origins to the officer's satisfaction.

In this chapter, I try to give the reader a sense of Akwesasne's geography. But as the above exchange suggests, the ways one describes that geography are flexible. Akwesasne can be one thing in one conversation, and another thing in another.

Here I wish to introduce the idea of Akwesasne as a flexible geography. The term draws upon Aiwai Ong's (1999) “flexible citizenship” and Thomas Biolsi's (2005) “imagined geography” (which itself draws heavily on Ong). I justify the juxtaposition of these two analytic models later on. For now, we can consider the flexibility of Akwesasne's geography in general terms.

The complexity of Akwesasne's political landscape and history makes flexible articulations of its geography both possible and necessary. One exchange may require Akwesasne to be described as a politically autonomous nation in itself, others may emphasize Akwesasne as one part of the Mohawk Nation, itself one of six members of the Haudenosaunee Confederacy. A journalist may write about Akwesasne as an Indigenous space autonomous of settler authority, while a border officer may require Akwesasne be framed as either American or Canadian soil (I discuss framing in greater detail in Chapter 6).

Here I suggest that the way one approaches or represents the Akwesasne Mohawk Territory is often contingent upon the context of a given situation. This goes further than suggesting Akwesasne is a "hybrid space". Sometimes Akwesasne may be represented as a Hybrid – simultaneously A, B, and C. But it can also be presented as wholly A, B, or C, or even not A, not B, or not C. Akwesasne can be American, or Canadian, or both, or neither. Though the territory is not vast, it contains multitudes.

The ways in which one describes Akwesasne is often contingent upon the conversation taking place, especially when that conversation involves a representative of the state. Much as Aiwa Ong's notion of "flexible citizenship" suggests that one can employ and embrace different national representations of oneself in different contexts, I here suggest that one can, and often must, employ different legal, political, and geographic representations of Akwesasne in different contexts. The obligations of the state vis-à-vis Akwesasne are contingent upon the way the territory is understood as a national, subnational, or supranational space.

This meshes with Thomas Biolsi's assertion that Native American territories in North America constitute multiple imagined geographies:

The narrative of imagined Native geographies suggests that spatializations are constitutive of subjectivities. To have or to claim particular rights – that is, to be a political subject of any kind – is necessarily to inhabit particular forms of imagined or achieved – even if unstable or contested – political space. (2005, 253)

While I concur with Biolsi's assertion regarding Indigenous spaces throughout North America, my current concerns are more limited in scope. I am not so much interested in the multiple identities and subjectivities engendered by a polyvalent conception of political geography in Akwesasne. Rather, I am more interested in the possibilities of political geography's representation, and the situations in which they may become manifest.

My experiences in Akwesasne also suggest that one should not simply assume that residents will represent the space solely in a manner befitting what is necessary to optimize one's claim to rights or state obligations. In other words, while a resident may choose a representation of Akwesasne that is most "legible" (Scott 1998) to border officers or other state actors in one exchange, they may also intentionally choose an "illegible" depiction of the territory – one incompatible with the ways officers understand the space. An Akwesasronon may refuse to state they are coming from Canada or the United State, or even refuse the suggestion that they are in Canada or the United States and therefore subject to the authority of an officer.

They may do so for a variety of reasons. Often, as Audra Simpson (2014, 115) suggests, talking about the Mohawk territory as neither Canadian nor American is a way to reify and enact one's own notions of sovereignty. It is a way of living sovereignty, praxis. This is certainly the dominant narrative as to why Mohawks not only cross "as Mohawk" in terms of identity, but

cross “as Mohawk” in terms of the way they represent the space they are traversing. In this sense, it is not solely about identity, but about the representation of geography which defines the uniqueness of an interaction.

At other times, in an interaction with a particular surly or disagreeable officer, it may be a means of antagonizing the officer while simultaneously maintaining what is seen as a moral high ground. It is a means to try to exert control, or dominance, over a conversation with an officer, befuddling them, or decrying their authority. All this is to say that Akwesasne’s geography is not solely flexed in the direction of minimizing conflict or maximizing ease of travel, but sits on the intersection of practical and ideological axes. I discuss these axes, and the ways in which they affect interactions between border officers and travellers in greater detail in Chapter 6.

The audience also matters in the framing of Akwesasne’s geography. In my fieldwork I encountered local government actors and activists stating unequivocally that Akwesasne is an autonomous territory, and neither part of Canada nor the United States. I also encountered some of those same actors decrying, in another context, the hypocrisy of Canadian policy – that no other part of Canada was subject to the same restrictions or deficiencies as Akwesasne. In order to represent the Canadian government as hypocritical, their arguments hinged upon implying that Akwesasne was, in some measure, Canadian.

This sort of multifaceted engagement with the territory was by no means aberrant or restricted to Akwesasronon. Border officers I spoke with often utilized a variety of ways to talk about the territory, sometimes even employing two mutually incompatible visions in a single

conversation. Border Officers referred to Akwesasne as Canadian, American, as something else, as a “no man’s land,” or strove to avoid defining the territory altogether.

While critics may see these inconsistencies as strategic, it is often state policies themselves which demand an inconsistent engagement with the territory. Some officers may insist travellers explain whether they came from the US or Canadian side of Akwesasne in one instance, yet other officers may subject travellers to greater scrutiny if they refer to “the Canadian side” in another. Referring to Akwesasne as “Canadian” may suggest an unfamiliarity with the way locals tend to talk about it, a possible flag for officers’ suspicion yet such specificity is also sometimes necessary for their processing of travellers. Early in my fieldwork, a Canadian officer gave me a difficult time for stating I was coming from “the Canadian part” of Akwesasne – asking me why, if I was coming from Canada, I had not reported myself to Canadian customs (this would have been impossible given the geography, as will be clear in the next chapter). At the time, I had thought I would be making his job easier. In subsequent accounts, before I gained a better sense of the way locals talk about the territory (discussed in the next section), I found it simpler to tell officers I was coming from “Akwesasne” and let them ask me whatever questions they found necessary to sort it out for themselves.

When I asked a chief how I should depict Akwesasne, as a nation, part of a nation, Canadian, American, neither, both, he told me that he had a standard answer for such a question: “Akwesasne has been many things to many people.” My goal here is not to point out inconsistency, but rather show the consistent ways in which Akwesasne remains many things to many people. Throughout all these permutations, Akwesasne is a community. The flexibility of Akwesasne’s geography does not undermine but rather defines the territory.

Akwesasne: An Overview

Economy, Education, Demographics

The first sense one gets of Akwesasne's location is often through the radio. Turning the dial in one's car, the stations transition from English language pop, classic rock, liberal, conservative political commentary, to the calm voices of North Country Public Radio – taken over at night by upstate New York college stations, Quebecois stations playing French-language rock, hip-hop and classics, and finally CKON, Akwesasne's own "pirate" radio station. CKON's office and tower literally straddle the borderline, rendering the station unregulated by US or Canadian officials. One quickly gets accustomed to the station's familiar tags of radio host Reen Cook, the Akwesasne *weather* jingle, Mohawk language lessons, and weekly radio bingo. In the car, one can choose their background music as English, French, or Mohawk. Switching between stations, one can feel themselves in Quebec, Ontario, New York State, and, of course, Akwesasne.

The population of Akwesasne is usually cited as 12,000-14,000. There are, however, several obstacles to precise census taking. Many in Akwesasne live off-reserve/reservation land in neighbouring towns. Some legal members do live in Akwesasne and visit rarely, and some members of the community do not have membership. Some residents get counted twice, and may even have two or three names, for the United States, Canada, and traditional governments. Other residents refuse to be counted and resist efforts at census taking.

English is the dominant language throughout the territory, with Mohawk (*Kanienkeha*) spoken most fluently by very old, and very young Akwesasronon. I found the language spoken amongst members of my late-20s early 30s age group in a manner similar to my third-

generation Jewish-American family's use of Yiddish – peppered into conversation, and used when other words fail. Much as I spoke of my Bubby (Grandmother), so do Akwesasronon of all ages speak well of their Totas. Today, an increasing number of young children are learning Kanienkeha. Attended by a noteworthy minority of youths, the Akwesasne Freedom School, established with community support in 1979 continues to teach Mohawk immersion classes, from Pre-K to Grade 8. There are also many free Mohawk classes both in local elementary and high schools, and workplaces, with incentives to learn the language. French is practically non-existent, even in those parts of the territory ostensibly located in Quebec.

Much of the territory's character, mobility, and shape, are defined by the rivers. Akwesasne sits at the confluence of the Racquette, Saint Regis, and Saint Lawrence rivers. Early in my fieldwork a chief told me that one can never get a sense for the territory without going onto the rivers. Although overland movement accounts for the vast majority of circulation within the territory, when moving through Akwesasne by boat, signs of border enforcement (excepting a few high-speed patrol boats looking for smugglers) seems to disappear. While one cannot drive between "Canadian" parts of the territory without crossing several borderlines, one can easily take a boat across. Hundreds of residents own boats, from recreational canoes and kayaks to motorboats and larger vessels. When Cornwall Island was cut off from the Canadian and US mainland in 2009, the community was able to quickly organize a ferry system to get residents off the island to school or work. Some residents would like to see a permanent ferry in place transporting residents across the territory, and one existed in years past. The waterways in Akwesasne also contribute to the beauty of the territory.

Historically, the Saint Lawrence River was a major source of subsistence and industry for Akwesasronon, though pollution from local manufacturing plants in Canada and the United

States have poisoned the waters and necessitated new forms of industry (Johansen 1993). Despite the toxicity of the water, people still supplement their incomes or diets with fishing, and occasionally trapping.

The border, located in part along the river, remains a natural resource for Akwesasne and an important facet of the local economy. Today, major industries within Akwesasne include the Akwesasne Mohawk Casino, one of the largest employers in the region, which draws heavily on a cross-border consumer base. The Casino is the place one is most likely to hear French in Akwesasne, and because of the community's unique location, it is one of the only places in what is ostensibly the United States, where an ambulance will drive accident/emergency victims across the border into Canada for treatment if they so wish it. Government agencies are also major employers, drawing on funding from the federal governments of Canada, and the United States, as well as state and provincial sources.

Tobacco is another big business in Akwesasne. The community became famous for clandestine cross-border sale of tax-free cigarettes, also referred to as "buttlegging" in the 1990s (discussed in greater detail in Chapter 4), but not all of the trade is illegal by the laws of either Canada or the United States. Akwesasne hosts several large tobacco packaging plants, which are licensed by New York State. Akwesasne businesses can also, through agreements with the state, sell discounted tobacco, and gasoline, on reserve to locals or travellers moving through the territory. I discuss the gas-cigarette shops which dot Akwesasne's main thoroughfare later on.

As in other Mohawk communities (See for Ex Wilson and Mitchell 1960; Obomsawin et al. 1997; Tarbell et al. 2009), many in Akwesasne are in steel, or iron work, traveling to worksites and returning home regularly bringing income and interesting stories back to the community.

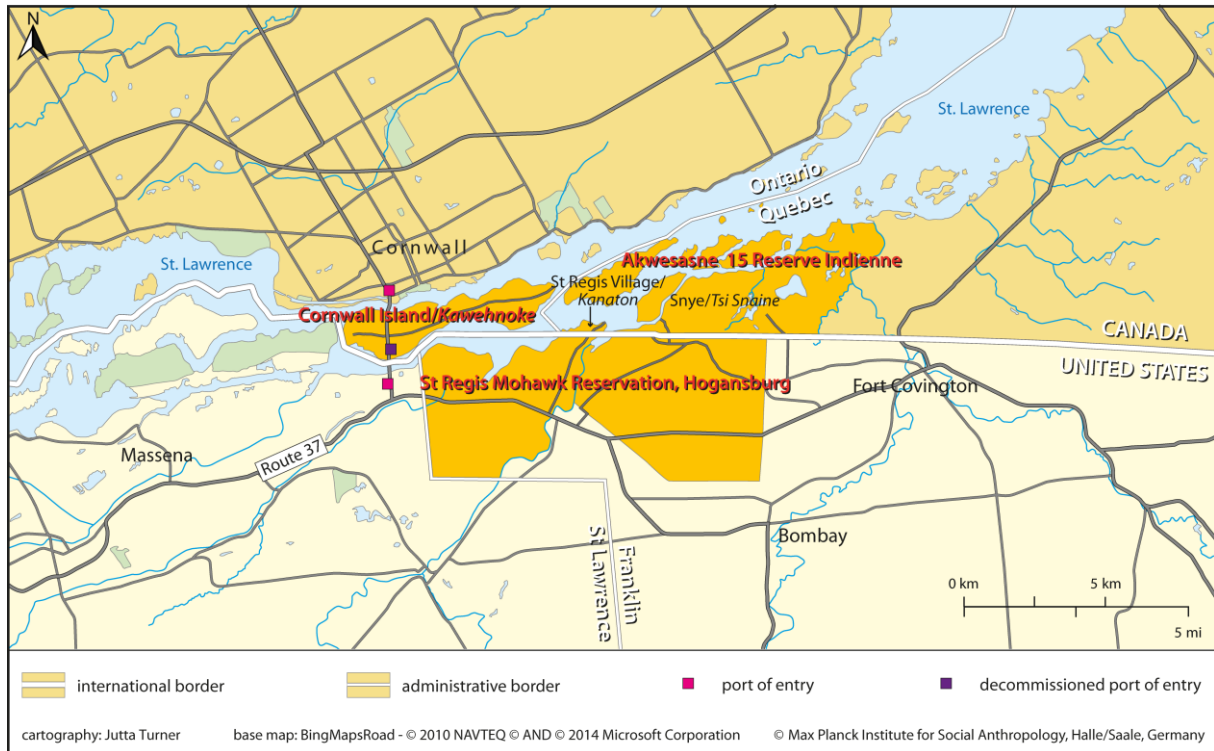
This work is predominantly performed by men, and many of the men I spoke to spent at least one summer trying out the occupation.

Unlike its Canadian and American neighbours, Akwesasne offers a wide range of jobs requiring high skill and high education and has not experienced the same degree of brain-drain in which University-educated residents choose not to move back home after graduation (Kalman 2013, 14; Jackson 2015). Akwesasne is among the most well educated Indigenous communities in North America, with a high-school graduation rate well-above that of not simply native communities, but non-native towns in the surrounding areas. Many residents go on to university, and regardless of their place of residency, can apply to New York State public schools as a State resident. Akwesasnon can also claim funding from various Mohawk, State, Federal, and Provincial governments and a successful student can earn scholarships covering much, or even all, of their student fees.

The dominant religions in Akwesasne are the “traditional” longhouse religion, and Christianity, with different flavours of either available. Though traditionalists tend to belong to one longhouse or the other, it is possible to attend ceremonies at either. The Catholic Church, which residents proudly point out hosts a priest from the Philippines, is the dominant church, but several Protestant churches dot the territory as well. Other spiritual affiliations can also be found among residents who have their own interpretation of Christianity, traditional religion, or any other sort of spirituality. Though devotion may be presented and perceived as an “either-or” prospect, I met many residents who attended church services and longhouse services. Some voiced concerns that such an affiliation was untenable in the long-term, much like having one foot in two separate boats (as suggested by the two-row Wampum discussed in greater detail in Chapter 5).

Political Geography, Places of Interest

The below map is one of several representations of the Akwesasne Mohawk territory.



The Akwesasne Mohawk Territory includes lands both North and South of the Canada/US borderline. Southern, “American” portions of the territory consist of the “Akwesasne/Saint Regis Mohawk Reservation” are administrated by the Saint Regis Mohawk Tribe (SRMT). Northern, “Canadian” portions of the territory are administrated by the Mohawk Council of Akwesasne (MCA). They include Cornwall Island (*Kawehnoke*, meaning ‘Island’), St. Regis Village (*Katatakon*, meaning ‘Village’), Snye (*Tsi Snaine*, purportedly a Mohawk-ization of the French Chenail, referring to a canal), as well as several small Islands with only a few inhabitants. While Cornwall Island, often simply called, ‘the Island’, is ostensibly located in Ontario, St. Regis Village, often simply called ‘the Village’, and Snye, are ostensibly located in Quebec.

The only overland access to St. Regis Village and Snye are via New York State. It is impossible to drive there from Canada without traversing a US port of entry. Cornwall Island is, at present, sandwiched between the American Massena Port of Entry to the South, and the Canadian Cornwall Port of Entry to the North. As a consequence Island residents must traverse a port of entry any time they leave the Island.

Rather than refer to parts of the community as “American” or “Canadian,” I instead differentiate between the southern and northern portions of the reserve, respectively. This framing of the space is often more popular in Akwesasne, as it differentiates the administration and service regimes available within a given part of the territory without presupposing any affiliation, or subordination, to either the United States or Canada. This distinction between American vs. Southern, Canadian vs. Northern is one of the many micro-political danger zones⁶ opened, and often necessitated when one talks about Akwesasne.

Even thinking of the territory as having two parts, Northern and Southern, can cause problems. I asked one resident which part of the territory she came from, and she told me that she did not like the question. She went on to say that she felt if people came from the United States or the Canadian part of Akwesasne reinforced a view of the geography that she did not share. Her response assumed that when I asked her “which part,” I meant American or Canadian. I responded asking if she came from the Village, or Snye, or the Island, which she saw as a better

⁶ I will use the term “micro political danger zone” to refer to matters that are difficult, if not impossible, to discuss without implicitly selecting one of several possible normative framings. I cannot talk about the “US portion of Akwesasne” without presupposing, and to a certain extent, legitimating limited American claims to the territory. Use of scare quotes and alternate language are sometimes possible, and are certainly easier in writing, but even alternate formulations come with discursive baggage. Micro political danger zones are touchy subjects, but ones people often want to talk about, as it affords an opportunity to affirm their own worldview and, at times, spar with conflicting ones. They have a gravity that sucks people in. Once mentioned, even if simply as an explanatory note necessary for a very different concern, these danger zones tend to dominate the conversation, transforming a footnote into to a digression into (frequently) an argument.

question. My own depiction of the territory here attempts to compromise between a gestalt view of the territory a single community, and the need to clarify my description of a complicated space.

Southern portions of Akwesasne constitute the legally defined space of the “Saint Regis Mohawk Reservation’. It is part of the northernmost region of New York State referred to as “the North Country.” It neighbours the city of Massena to the west, Bombay and fort Covington to the East.

Though distinct on a political map, southern portions of Akwesasne about the hamlet of Hogansburg, New York, which includes many community businesses and buildings. Many travellers coming from southern portions of Akwesasne will often cite Hogansburg, or simply “Hogan” when asked where they are coming from by a border officer. Even though the southern portion of the territory is officially called “the Saint Regis Mohawk Reservation,” telling an officer you come from “Saint Regis” (or simply “Saint”) suggests that you are coming from Saint Regis Village, located in the Northern portion of the territory. Thus, if I was coming from the village, I would say Saint Regis, and southern portions of the community which pass through Hogansburg, I would say Hogansburg.

I came to learn this way of describing the territory in my hundreds of interactions with US and Canadian border officers. Initially, when officers asked me to explain where I was coming from, my answers were longer and more descriptive, “I’m coming from Saint Regis, the village, the one north of the border...” for example. Yet I found that the more I sought to be descriptive, the more I was scrutinized by officers, who saw me as unfamiliar with the territory. It marked me as an outsider, and my presence all the more suspicious. A shared vocabulary by both

officers and travellers familiar with Akwesasne can be understood as a form of shared “intimacy” (Herzfeld 1997). The way someone talks about the territory indexes, to a border officer as well as an Akwesasronon, the extent to which they belong, or do not belong, there.

Much of Akwesasne’s commerce is situated along New York interstate route 37, as I mentioned in the prologue. Driving along route 37, one encounters full service gas stations/shopping marts selling discount petrol to residents and non-residents. A couple, “the Bear’s Den” and “Twinleaf” have expanded to several locations. These stations include a convenience store where one can purchase a limited selection of groceries, as well as discount cigarettes. Many also host either their own restaurants, or franchises such as Papa John’s Pizza or Tim Horton’s. They are a popular lunch spot for people living and working within the territory. With a reward system in place, travellers often prefer one location over another. In years past, travellers from outside Akwesasne could get a free pass for the toll booth connecting Akwesasne to the city of Cornwall with either a fill up or a minimum purchase. These stores have become, to a limited extent, Akwesasne’s ambassadors to outside visitors seeking cheap gas, cigarettes, or simply a fill up en-route to another part of New York State. In my year as a member of the Cornwall outdoor club, all trips to the Adirondack Mountains started and end with a fill up and coffee break at Twin Leaf.

There are other restaurants along 37 – including makeshift chip stands opened seasonally, a few sandwich shops (both franchises and locally owned), diners serving home-cooked daily specials, and a Japanese buffet restaurant serving pan-Asian cuisine.

Public buildings also dot 37. Driving East from the US port of entry in Massena (the direction one would take if coming from Cornwall city or Island), one will pass by the Akwesasne public

library and museum, which in addition to an extensive library collection hosts local archives and a cultural museum and shop. One will also pass the Saint Regis Mohawk Tribe's administration building, with an LCD sign advertising local events in Mohawk and in English.

Next to the Tribe's administrative office is that of the Mohawk Nation Council of Chiefs, also referred to as 'the Nation'. The Nation is the predominant of two Longhouses claiming traditional authority in Akwesasne, and the one officially recognized by the Mohawk Council of Akwesasne. I did my project with the consent and aid of the Nation as well. I discuss the emergence of two longhouses in Akwesasne in greater detail in chapter 4. Though the Nation's admin building is located along 37, the longhouse itself is located north of 37, closer to the library.

The existence of multiple longhouses is not unique to Akwesasne. Kahnawake, for example, has three. Questions, or even simple statements involving the longhouse(s) in Akwesasne are controversial and constitute yet another micro-political Bermuda triangle. Even my statement that there are multiple longhouses is one that many would not agree with. Some would say that there is only one – whichever one they belong to. Others are more flexible, recognizing two longhouses – even if preferring one, taking advantage of either's facilities. A few residents have also told me that there is only one longhouse, the Confederacy itself.

This multifaceted way of talking about "the longhouse" offers an example of Akwesasne as a polyvalent space. Early versions of the MCA's cultural training materials for border officers included a map demarcating important community buildings. The only longhouse depicted was the Nation's. As I note above, this is the longhouse with the majority of adherents, and the one recognized by the Mohawk government. BSOs undergoing this training would have

learned that there is one longhouse in Akwesasne located in a particular part of the territory. Yet travellers may state that they are coming from a different longhouse, or may argue with an officer that there are not one, but two longhouses. In this regard, even officers' efforts to incorporate cultural awareness into their work may meet confusion or develop suspicion.

One resident told me his frustrations at efforts by BSOs to gain a deeper sense of Mohawk cultures and traditions. He stated he hated it when officers try to chat with travellers about Haudenosaunee culture or history. As we sat chatting in the library, he told me of one experience in which an officer asked him how many clans there are. He told me his reply, "Who the fuck cares?" She responded to him, "you don't have to be like that" to which he repeated, "Fuck you, who the fuck cares?" She finally returned his passport, he told me, and told him to have a nice day. He explained to me, "You ask ten of us a question, you get ten different answers. Say I gave her an answer, and the next person gives her a different answer... who the fuck cares?" For him, efforts to understand Akwesasne's "culture" were more counterproductive than useful in facilitating residents' movement through the territory. Because Akwesasne can be depicted and understood in so many different ways, officers may find themselves more, rather than less suspicious, as they begin to learn about the territory.

Community members told me several anecdotes concerning the consequences of the longhouse's location south of the borderline. One told me he was able to get his longhouse marriage recognized in Canada because the longhouse is situated south of the border. He said that while New York State recognized longhouse marriages conducted in the United States, Canada does not. Canada, however, recognizes New York State-recognized marriages, and was thus obligated to accept his own. Had the longhouse been north of the borderline, this would not have been possible.

A frequent source of frustration for longhouse members is cross-border funerary logistics. As Canadian, US, and traditional internment practices differ, bodies brought to and from the Longhouse often have to cross several borderlines. Both Canadian and US ports of entry try to make special arrangements for funerary processions so that people paying their respects will not be held up at a port of entry. The initial expansion of the temporary Port of Entry in Cornwall in 2009 from two to three lanes was justified, in part, to expand service to Akwesasronon for a funeral. The United States port of entry was recently praised for opening up lanes with signage in both English and Mohawk.

Driving past the Saint Regis Mohawk Tribal offices, one will arrive at another focal point of local traffic – the intersection of Route 37 and St. Regis road. This four-way intersection with a traffic light is situated next to a US post office, several churches, and the American legion, a popular site for drinking and social events. One can continue east or south into Hogansburg and other southern parts of the territory, or North, as I did daily in my commute, to Saint Regis Village, part of Akwesasne territory's northern section.

The Northern parts of Akwesasne, those ostensibly located north of the Canada/US border are administrated by the Mohawk Council of Akwesasne (MCA). The Mohawk Council was originally called the Band Council, and the organization's renaming reflected a conscious effort on the part of local government to reframe Akwesasne as something greater than a band. Grand Chief Mike Mitchell explained the decision:

We were known [back then] as the Saint Regis Band Council, we were known as the Saint Regis Reserve. We had a band administrator, band projects, everything in our

projects was band, and I did a little bit of research, I said, there's no mention of tribe, there's no mention of nation. It's almost like a swear word, like the government won't allow you to say that you belong to the Mohawk Nation. When they figured the longhouse, because they always said nation, was that it was one way to put a label on them, like it was something evil or bad. So I introduced several things, a change of name for the council, a change of name for the community. And that's where the Mohawk Council of Akwesasne and the Akwesasne Mohawk Territory [came from,] we refused to refer to ourselves as a reserve or a band, and the example I gave was there is no group in North America that is Indigenous other than a small, isolated family could be considered as a band. And I saw the way to mentally keep your people suppressed and down is call them by the lowest standards that you can set. If the nation is up here [gestures high] and the band is down here [knocks low, on table], and the tribe and everything else you can call is going up that way [gestures in between]. So every time that you refer to yourself as a band, you're admitting that you're no longer a nation. You're not thinking of a treaty, you're not thinking of your rights, or the nation [which] is proud. Everything you accept in the mind of intimidation, of saying, Indian Affairs controls everything.

For Mitchell, the decision to rename the MCA and the territory was a recognition of the psychological impact of the naming schema of settler states, what Michael Billig would call "banal nationalism." Exercising choice in naming the Akwesasne Mohawk territory and Mohawk Council of Akwesasne represented a move towards enacting self-determination, or sovereignty in everyday life. It also highlights why such a simple thing as naming can hold such controversial underpinnings. The "who the fuck cares" resident I quoted above also saw the renaming of the band into the Mohawk Council as a mistake. He said that the fact that

some people talked about the band, and others the council, overwhelmed officers who came to see Mohawk travellers as inconsistent when talking about their own territory and governments. From my conversations with other Akwesasronon, this seemed to represent a minority opinion.

As I noted above, the northern portions of the territory include three main sections: the Village, the Island, and Snye. I asked a friend to explain the differences between these sections as we sat with colleagues over drinks. He told me that the village is the “urban” part of the community, where all the houses are close together. It used to be a fishing village and has the highest density in the territory despite its small size. The Island is a bit more geographically detached from the rest of the community, and historically had closer ties to the city of Cornwall to the North. It is a bit more like the suburbs. Snye, he told me, laughing, “Snye is just Snye.” Everyone at the table from Akwesasne laughed with him. Snye is the part of Akwesasne in which I spent the least amount of time during fieldwork. Swampy, with large plots of farmland, Snye is the largest, and most dispersed, also the easiest place to get lost driving at night. If the Village is urban, and the Island is suburban, Snye is the countryside.

Both Snye and Saint Regis Village are geographically contiguous with New York State. The only overland routes to those parts of the territory are via the United States. As a consequence, Snye and the Village are among the least regulated sections of the Canada/US border. One can cross “the border” by simply crossing the street. Property lines and buildings straddle the border, which often has no visible signs. Cornwall Island, on the other hand, is sandwiched between US customs to the south, and Canada customs to the north. As a consequence, anyone leaving the Island, whether heading North or South must first traverse a port of entry. This includes crossing the Cornwall port of entry as a “domestic traveller” even if never leaving

Cornwall (I discuss this policy at length in Chapter 5). These demands on travellers from the Island render it one of the most regulated sections of the Canada/US border.

Driving North into Saint Regis Village, one of the first things a traveller will notice about the borderline is the lack of anything to notice. As noted above, houses straddle either side of the line, as do power lines. One colleague has a front door in one country, and a mailbox in another. A few signs suggest one has crossed an international borderline – a street sign in kilometres rather than miles per hour, the emergence of a sidewalk north of the borderline, and a little bit further up, a place for Canada post.

Houses line up next to each other within the village, with small yards in between. MCA admin buildings are located in the village, along with the Kanekwatseriio health centre, one of the few health centres in an Indigenous community featuring a traditional medicine clinic. The dual offices of Indian Time, Akwesasne's local newspaper, and the CKON radio station sit astride the borderline as well. There are a few multipurpose shops in the area, though commerce is mostly based in the southern portion of the community – meaning that most shopping, or simply getting a bite for lunch, frequently requires heading back to route 37 and ostensibly, New York State. In theory, non-native travellers coming from St. Regis Village or Snje to Hogansburg should first report themselves at the Massena or Fort Covington Port of Entry, and only then conduct their affairs. In practice however, this is rarely the case. While US border patrol monitors the corridor covertly or overtly, they typically will not pull over a car until after it has left the territory – as they have no easy way of knowing whether the driver is native or not (and cars may contain a mix), controls are limited. I discuss this at length in Chapter 5.

Cornwall Island is the section of the Akwesasne Mohawk Territory ostensibly located in Ontario. As I note above, it is situated between Canadian and American ports of entry. Perhaps surprisingly, the fact that Cornwall Island is far more regulated than other parts of the territory at times gives it a feeling of greater distance or distinction from Canada or the United States. I discuss the regulation of movement onto and off of the Island at length in Chapter 5.

Cornwall Island hosts the Peace Tree Mall, a gas station, and several smaller businesses. The mall, located on the main road connecting bridges to the mainland has lost many of the businesses which catered to a cross-border traffic the relocation of the port of entry in 2009. Further inland are several convenience stores, Island administration centres, the MCA's environmental offices, Mohawk Lacrosse international, and the Turtle Island lacrosse arena – which also hosts Akwesasne's annual Powwow.

In the centre of the Island is a four-way stop, sometimes referred to as the crossroads, at the former location of the Cornwall port of entry – now abandoned and slated for demolition. Opposite the former port of entry is the site of the “People's Fire,” a wooden building constructed to heat and support protestors during the anti-Gun demonstrations, which has remained a meeting point for local activism. The fire is also slated for demolition. On the other side of the road is Jock's convenience store, as well as several homes, and large fields where one can see people grilling or playing lacrosse in the warmer months.

Cornwall Island is connected to the American and Canadian mainland via two bridge-ways which are themselves a source of confusion. Sometimes these bridges are referred to by local governments and the seaway valley authority as a single bridge with a “northern” and “southern” span, whereas at other times, they are referred to as two-separate bridges. Thinking

of the structures as a single bridge connecting Canada and the United States reifies Cornwall Island's status as, officers and Akwesasnon both put it, "a no man's land," conceptually negating the geographic space between American and Canadian ports of entry. This can also be a source of confusion for outsiders. I spoke to one visitor to Akwesasne who was befuddled when the Border Officer she spoke with asked her and her family whether she had crossed the border. Unfamiliar with the area, she told the officer she was not sure, but assumed she had not. The officer asked her how many bridges she had crossed. Everyone in the car had a different answer, and the officer's attempt to clarify the situation simply resulted in more confusion.

Beyond the Territory

Akwesasne does not simply begin or end in the Akwesasne Mohawk territory. Many Akwesasnon live in housing developments that, while technically off-reserve/reservation land are seen as part of the community. This housing is especially popular among families that have one or more non-status member. Further, many Akwesasnon live or work in neighbouring towns or cities in Upper Canada, or New York's North Country. Here, I provide a basic overview of Akwesasne's neighbours, and relations with those neighbours.

North of Akwesasne is the city of Cornwall Ontario, where I lived when commuting to the territory for my fieldwork. With a population greater than 45,000, Cornwall is the most populous polity in the region by a wide margin. Today, Cornwall hosts numerous call and distribution centres, though it has one of the highest unemployment rates in Ontario having lost much of its factory production in the past several decades. Cornwall is frequently cited as an unpleasant place to live, rated 167 out of 190 in a survey of Canadian cities by 'Money Sense' ("Canada's Best Places to Live 2014: Full Ranking" 2015) and hosting the lowest-rated schools

in Ontario (“Regional Schools in Decline?” 2015). Despite these challenges, many in Cornwall love their city and could not imagine living elsewhere. A recent PR campaign for Cornwall, chose the slogan, “You don’t need to be rich to have a rewarding life in Cornwall” to advertise the city’s merits.

Relations between Cornwall and Akwesasne are mixed. The Mayor of Cornwall, Bob Kilger supported reconciliation between Akwesasne and the CBSA in the aftermath of the 2009 port closure, although this stance was likely motivated in part to bring a swift return to cross-border commerce from Cornwall. Many in Akwesasne live, work, shop, or study in Cornwall. Some in Akwesasne also seek social services in Cornwall in order to avoid the scrutiny of doing so in their own community. Residents with a Canadian health card will typically go to the Cornwall hospital for major procedures. Friendships between colleagues develop though challenged by new border regulations. Prejudices persist amongst some however, and I was surprised when the kindly old man who invited me over for pizza dinner with his family when I moved into Cornwall asked me if I was going to “put the Indians in their place.”

Despite being one of Ontario’s poorer cities, Cornwall is fiscally better-off than its American neighbour to the south, Massena. The relationship between Cornwall and Massena was the subject of a comparative history by Claire Puccia Parham entitled, *From Great Wilderness to Seaway Towns* (2004). Problematically, the text’s references to Akwesasne are minimal, and it falls into the troublesome trope of considering a land occupied by Indigenous peoples as a “great wilderness.”

Much of Massena’s commerce is centred on large stores – a BJ’s, Walmart, and Home Depot, as well as a now-derelict shopping mall. Massena’s historic centre has a few successful

businesses, but many have closed down. In the 1990s and early 2000s, Massena counted heavily upon cross-border traffic coming for the shopping mall. A popular weekend trip for Cornwallers involved driving into Akwesasne, filling up one's car with cheap gas and getting bridge passes, and then doing a day of shopping, purchasing dinner in the evening in Massena. One Italian restaurant and bar, Trombino's, is nearly always filled with Canadians, and lost so much business during the 2009 closure that it made local news. Although the Akwesasne Mohawk Casino still attracts many Canadian guests, Canadian commerce has shifted to Cornwall, which hosts a new shopping mall and Wal-Mart of its own.

As Massena residents do not have to traverse customs to spend time in parts of Akwesasne other than Cornwall Island, the ties between Massena and Akwesasne are more facile. Many Akwesasronon choose to live in Massena and the surrounding area, and non-native Massena residents find work in and around Akwesasne. Local New York State schools have made efforts to integrate Mohawk teaching and language into their curricula.

Conclusions

When asked "where do you come from?" an Akwesasronon traveller can give any one of a dozen or so answers, some of which may even be mutually incompatible. Someone can come from Canada, the United States, Akwesasne, the Canadian part of Akwesasne, the US part of Akwesasne, Cornwall Island, Hogansburg, Saint Regis – the village, or the reserve, Snyc, Quebec, Ontario, or New York. If asked, "Where are you going," the same is possible.

Driving along route 37, one would not notice much difference between the Akwesasne Mohawk territory and another northern New York State township, except perhaps an above average amount of gas and tobacco stores, and more businesses named after bears, wolves, and

turtles, and unfamiliar flags with the warrior or six nations image on them. Yet as one approaches a port of entry, the differences matter much more than they would elsewhere. The nearly invisible distinctions between “the Canadian side” and “the American side” become very important when a border officer asks someone about their movement or place of origin. Traveling in and around Akwesasne often literally demands an accounting, or more accurately, a variety of accountings, for what it is and where it is.

Akwesasne has been many things to many people and it continues to be so. As much as such a chimeric identity may frustrate those trying to render the community legible, it is, I argue, part of what defines Akwesasne. This says something about the way community has been theorized more broadly. If people do not, or cannot, differentiate community as sense, network, or collectivity, doing so as a social scientist risks distancing oneself from employing the term sufficiently. Community is a messy concept, but that messiness is a facet of its meaning rather than simply an obstacle to comprehension.

This messiness can also be employed; as an obstacle or a pathway. I mean this both figuratively, in terms of the ways Akwesasneon communicate their territory and themselves, but also literally, as the flexibility of Akwesasne (here I refer to the people and the place) both facilitates and hinders movement. The people and geography of Akwesasne can encapsulate multiple definitions, and are in fact required to do so because that complexity demands so many engagements with a multiplicity of state laws and law enforcement.

The story goes that when Hiawatha united the five nations of the Haudenosaunee Confederacy under the tutelage of the Peacemaker, he demonstrated the strength of Confederacy by bundling five arrows. While a single arrow could easily break, a bundle was far stronger. The story

does not, however, ruminate on how difficult it would be to shoot a bundle of arrows while hunting. The bundle is not a permanent state, but rather one permutation – the arrows can come unbundled and rebundled as need arises. Hiawatha’s message may serve as an apt comparison for Akwesasne, burdened and benefiting from the many strands of its territorial identities. This bundle, I suggest, is flexible, with different facets of the space added, subtracted, emphasized, or rejected, as necessity demands.

As I note above, the flexibility and complexity of Akwesasne’s geography are engendered by its unique position relative to the Canada/US border. But Akwesasne’s relationship to the border has changed dramatically over time. In the next chapter, I try to offer a sense of how the border came to Akwesasne, or perhaps, how Akwesasne came to the border. In doing so, I provide a discussion of what it means to “do” history in Akwesasne, and the way Akwesasne’s past matters in defining the present.

Chapter Three: Doing History in Akwesasne

This chapter tries to do two things. First, I try to provide a sense of the way people in Akwesasne today engage with history. I suggest that some historical narratives emerge in greater prominence because of their direct relevance in court cases related to Akwesasne's rights. This has a direct impact on what it means to do research in Akwesasne, and serves as a useful counterpoint to anthropological studies of the way "culture" functions in Canadian courts. Instead of looking at the ways in which courts have appropriated (or misappropriated) notions of culture, I argue that the juridification⁷ of culture reverberates in the communities themselves, and demonstrate this reverberation in Akwesasne. Secondly, I provide a historical context to the present study; looking, broadly at the question of how did "the border" come to Akwesasne, and, "how did Akwesasne come to the border."

In the next chapter, I offer a more recent history of how *this* border came to Akwesasne, but currently, I focus on two epochs, loosely defined as Akwesasne before Akwesasne, and Akwesasne after Akwesasne.

The first is the earliest known habitation of the Saint Lawrence Valley by Akwesasne's ancestors. As I explain below, this period, though the most chronologically removed from the present, has been amongst the most pertinent for Akwesasnon in its contemporary assertion

⁷ The term "juridification" is often employed throughout socio-legal studies, but not as frequently or consistently defined (Lars Chr. Blichner 2005). For the purposes of this chapter, when I use the phrase "the juridification of culture," I am referring to the ways in which "cultural" concepts are increasingly understood in Akwesasne as inexorably tied to a legal context. These terms are neither unreflexively taken for granted nor understood only as internal matters for the community. Rather, they are consciously recognized as judicially relevant. For example, the question of "what is traditional" may have, in decades previous, been seen as contestations of local political legitimacy (See Fenton 1975). Now, however, Akwesasnon are increasingly keen to the fact that questions of "what is traditional" matter in the Canadian courts, and can determine the success, or failure, of making a rights claim (Niezen 2003; but see also Clifford 1988). Whereas Vine Deloria Jr. wrote in 1988, "tribal identity is assumed, not defined, by reservation people," (1988, 84) the juridification of indigenous culture suggests that if indigenous peoples do not define culture themselves, and safeguard those definitions, the courts will define it for them, and rule accordingly.

of border rights. It is a popular topic of conversation when Akwesasronon speak about the history of their community, especially with actors invested in the border (border officers, journalists, researchers). This period is also more prominent in the writings of professional historians (See for ex B. Trigger and Pendergast 1978; B. G. Trigger 1987; Pendergast, Chapdelaine, and Wright 1993; Abel 2002; Parmenter 2010).

The second epoch is the period several hundred years later in which the permanent settlement of Saint Regis/Akwesasne was founded in the late 18th, early 19th century, in the backdrop of the period historians call “from borderlands to borders” (Adelman and Aron 1999). Despite the fact that this history is more recent, and better documented, it arguably is less prominent in published or popular accounts of Akwesasne’s history. An exception to this is local historians such as Darren Bonaparte (2007; 2008; 2009; 2013) who have written about the community’s early political history both independently, and on behalf of the Mohawk government. Such writings are often ways of commenting on contemporary political issues such as the legitimacy of Akwesasne’s elected governments (See for Ex George-Kanentiio 2006). Generally speaking, histories of the second epoch speak to the legitimacy of particular facets of Akwesasne’s contemporary governance and policies, while histories of the first epoch speak to the legitimacy of Akwesasne itself.

I focus on this founding of Akwesasne to firstly suggest that as much as “the border” came to Akwesasne, Akwesasne intentionally developed in a border region as part of a longstanding Mohawk strategy of developing such areas for diplomatic and economic benefit, and secondly to bring into question Adelman and Aron’s assertion that the early 1800s marked a fundamental end to the existence of borderlands in America’s North East. Akwesasne, I suggest, has

continued to remain a marginal and semi-autonomous political entity in spite of longstanding efforts of European settler states to monopolize sovereignty within national borderlines.

But before talking about the past, I wish to draw attention to the present. Or at least, the way the past matters in the present, and what this meant for me, as a researcher, doing history in Akwesasne. It may be counterintuitive to begin with analysis of history, and then proceed to tell that history, but I present this discussion in order to best orient the reader to the way I present Akwesasne's past, and the sorts of narrative I concern myself with.

History in Akwesasne Today

Around halfway into my yearlong fieldwork in Akwesasne, I was called into a chief's office to help design materials for a visiting delegation of students from Columbia University. While I saw my research as focused on contemporary issues, many in Akwesasne assumed that I was an archaeologist or historian, despite my assurances to the contrary. This may be the consequence of anthropology's disciplinary association with archaeology, or the mass-media perception of anthropologists as studying the past. As I walked into the office, the chief asked me how my research was going and asked, with a smile, "Do you have any new history for us?"

This half-joke contains a few seeming contradictions which get to the heart of how history can operate in Akwesasne. Firstly, the idea of a "new" history, and secondly, the idea of history "for" Akwesasne.

"New" history is nothing new in Akwesasne. Amongst many in the community, there is an ongoing sense of "uncovering" the past. News articles and Facebook posts often feature

ostensibly newly discovered historical information. As one would assume, especially popular are narratives which portray the community positively. Akwesasne has also grown a serious body of local historians disproportionately more substantial than one might find in communities of similar size. The Mohawk Council of Akwesasne's Aboriginal Rights Research office (ARRO), where I was based for my fieldwork, employs a fulltime staff with skills in historical research and writing, who gather data for a wide variety of purposes including local news and presentations, as well as documents for court cases. There is a simultaneous focus on preserving the oral histories known by elders, and discovering local histories which have been overshadowed by more popular narratives.

Perhaps the most audible voice in Akwesasne's local history is the work of Darren Bonaparte, whose blog, 'The Wampum Chronicles', and publications, cited above, represent a significant body of historical research. Bonaparte's writing has generated resurgent interest in Akwesasne as not simply one of several communities which are part of the Mohawk Nation, but as a past-member of the Seven Nations Confederacy, an association of missionized Haudenosaunee and non-Haudenosaunee Indigenous polities in the early 19th century. Bonaparte's research has resituated a fundamental aspect of the way people talk about Akwesasne's history, all but ignored a few decades ago.

Despite such exceptional local history, Akwesasne has long been overlooked in the writings of many university-affiliated historians and mass-publication texts (But see Wilson and Mitchell 1960). "Iroquois Studies", the interdisciplinary study of Haudenosaunee peoples, has long paid little if any attention to Akwesasne and its past. This may be because Akwesasne was viewed, like Kahnawake, as not "traditional" enough to hold the attentions of European scholars (Simpson 2014).

Unlike Kahnawake, however, Akwesasne has not become a topic of popular conversation in recent years. Kahnawake, situated just outside of Montreal rose to national media attention in Canada during its blockade of the Mercier Bridge in solidarity with demonstrators in Kanasetake (Oka) in 1990. Kahnawake remains the media darling of the Mohawk Nation, the topic of several documentaries (Ex Deer et al. 2008; Tarbell et al. 2009; Obomsawin et al. 1997), a popular television show entitled “Mohawk Girls” (described as “a native take on sex in the city” (Hays 2013)), and numerous student research papers. Kahnawake is also the only community with a dedicated section of the National Museum of the American Indian as other sections of the museum focus on whole nations or geographic regions.

Without a media presence or proximity to a major urban center, the capital of the Mohawk Nation seems a less attractive site for contemporary outside research. Those depictions and studies of Akwesasne which do exist often reifies the community’s association with smuggling and illegality, and is typically the product of short-term research (See for ex Jamieson 1998; Dickson-Gilmore and Whitehead 2002). Whereas Kahnawake was historically ignored for not being “traditional enough,” it has, in recent years, become a major player in intellectual and popular considerations of indigeneity in North America. Akwesasne, on the other hand, remains isolated – speaking with the voice of the Mohawk Nation at the Haudenosaunee Capital’s central fire, but not nearly as often in conferences.

A definitive history of Akwesasne and the border has not yet been written, and I see it as a task better suited for professionally trained historians than this anthropologist. Thus, my efforts here are a synthesis of existing secondary sources and oral histories, rather than archival or

documentary scholarship. The packaging and arrangement may be new, but the product is recycled.

Beyond the idea that history can be “new,” the idea that history can be “for” someone, though anathema to a purely scientific model of historiography, bespeaks the way history has operated in the community more broadly. The legitimacy of authority, rights claims, and land claims, have long hinged upon the emergence or dominance of a particular historical narrative over others. Battles have existed for generations as to whose claims to authoritative voice are more valid, with historical knowledge serving as munitions.

In more recent years, the idea that history has sides has filtered through the courts (Clifford 1988). The adversarial system of the judiciary invites experts such as anthropologists, historians, and elders, to present history either “for” or “against” a given litigant. For rights cases, this is most commonly represented by the Mohawk Government on behalf of Akwesasne, and a minister on behalf of the Crown. Both land rights claims, and the seminal “Mitchell case” (discussed in the next section), hinged upon particular readings of history. In this capacity, history in Akwesasne is rightly seen as “for” or “against” community interests.

As I remark at the start of this section, many in Akwesasne saw me as a historian or archaeologist. I was frequently asked whether I could look into historical archives to get a sense of why Canada refused to ratify the section of the Jay Treaty dealing with aboriginal border crossing rights, or if I could look to the archaeological record to elaborate upon the earliest occupancy of the community. Why did these sorts of questions come to dominate people’s interests in my historical research? The answer, I feel, has something to do with the ways such knowledge have recently functioned in Akwesasne’s legal travails.

Ronald Niezen's article, 'Culture and the Judiciary' (2003a) argues that Canada's juridical standard for aboriginal rights, embodied most substantially in the "Van der Peet test" "relies problematically upon "an unstable concept as the source of rights." The test, in brief, allows for an aboriginal group to claim a right if they can demonstrate that the practice is integral to the culture, existed at the time of contact, and continues to be important. Though seemingly a positive move towards granting or recognizing the rights of Indigenous peoples, Niezen's article looks at the ways in which juridical testing and definition of aboriginal "culture" risks reifying notions of the culture concept which have been rejected by contemporary social scientists as insufficient at best, and misleading at worst. It ultimately embraces an ossification and essentialization of what constitutes culture.

Mike Mitchell and the Saint Lawrence Iroquois/Iroquoians/Peoples

Mitchell v. the Minister of National Revenue (MNR), or "the Mitchell Case" as it's referred to in Akwesasne, or "my case" as it's referred to by Mitchell, served as the test case for aboriginal border crossing rights. Akwesasne Grand Chief Mike Mitchell refused to pay duty on personal and community goods as he drove across the Cornwall port of entry, then located on Cornwall Island, in 1988. Mitchell and his lawyers argued that there exists an aboriginal right to cross-border mobility as a central cultural practice which has existed since contact.

This was the second time Akwesasne challenged restrictions to their mobility in the courtroom. A prior case, *Francis vs. The Queen* (1956) argued not for an aboriginal right, but a treaty right, to border crossing. Under the provisions of the Jay Treaty, native peoples have the right to traverse the border unimpeded when carrying "traditional goods." Though American courts recognize the Jay Treaty, Canadian courts ruled against Francis, arguing that Britain, and not

Canada, signed the treaty and that while Canada ratified most provisions of the treaty, they did not ratify the one concerning aboriginal border rights. The Van der Peet test opened a new avenue for Akwesasne to pursue border crossing as an aboriginal right rather than a treaty right.

Niezen's article focuses on the ways in which the culture concept has operated within the Canadian judiciary. While the Mitchell trial has served as a case study for aboriginal rights, and the limits of Canada's recognition of those rights, it can also serve as a case study for the ways in which a juridical context forces different narratives of history into an adversarial framework. In other words – the way the court framed history affected the ways in which the community was able to frame its own history in the courtroom. Yet this history reverberated beyond the courtroom. It set the tone for the dominant, if not the only, conversation one could have about Akwesasne's past. This became the history people talked about. A dominant popular narrative of Akwesasne's history emerged as a counter narrative to that proffered by the Canadian state in its efforts to deny aboriginal rights to the community.

I suspect that the Mitchell case had a direct bearing on my presence as a researcher. My reading of history has served as a sort of shibboleth for my anthropological work with Mohawk populations both in Akwesasne, and periodic work in and around Kahnawake.

My first point of Contact in Akwesasne was Grand Chief Mitchell, who was eager to discuss the case with me. Many of the people I interviewed were connected with the case, as lawyers, witnesses, or simply deeply interested parties. Akwesasronon who watched the trial continue to speak of it emotionally, praising the well-reasoned testimony of their witnesses, and condemning the bitter antagonism of the opposing council and its witnesses.

As I sat with Mitchell, him vetting me over dinner, I found myself having two conversations at once. I spoke at length about my interest in interviewing border officers and learning about contemporary border issues impacting the community. Mitchell answered my questions, but frequently brought the conversation to a discussion of Akwesasne's history and treaty rights. While I saw those two spheres of knowledge as distinct at the time, eventually I saw how they were inexorably interwoven. The border today cannot be taken out of historical context; that history, and competing understandings, affect the ways in which Akwesasronon, and to a lesser extent, border officers, talk about and understand the border.

Mitchell and his lawyers had to prove that trade and mobility across what is now the Canada/US border was a central practice to Mohawk peoples at the time of contact. To do so, they called as witnesses historians and elders attesting that fact.

The crown countered with historians of their own employ, suggesting that cross-border trade was not a facet of Mohawk society because, at the time of contact, Mohawks were centered south of what is currently the border, in the Mohawk valley. They argued, in contrast, that trade was something all Indigenous peoples participated in, and was not a practice distinctive to Mohawks. Finally, they suggested that any trade which occurred took place within the Confederacy on an East-West, rather than North-South axis.

The debate hinged upon what has been referred to as "the Saint Lawrence Iroquoians" controversy. In brief, the first written accounts of the Saint Lawrence River Valley's inhabitation come from Jacques Cartier in 1535. Cartier encountered a native population living in the valley, with a large village settlement called Hochelega where Montreal currently stands. Historians have long referred to this population as "the Saint Lawrence Iroquoians," privileging

the term “Iroquoian” in reference to the small syllabary Cartier documented from his exchanges, which showed the inhabitants spoke something within the Iroquoian language family. Archaeological evidence and Cartier’s depictions demonstrate that like other Iroquoian language-speaking populations, the inhabitants of the Saint Lawrence valley lived in longhouses within palisaded villages, and partook in the corns-beans-squash, or “three sisters,” agricultural complex.

The controversy began, in part, when Samuel de Champlain visited the river valley in 1611. The permanent settlements were gone, with little immediate explanation as to where their residents moved. The unexplained absence resulted in a debate and controversy in the archaeology and ethnohistory as to the reason. The main question, as Bruce Trigger succinctly put it, was “what happened to the St. Lawrence Iroquoians?” (1978, 360).

At present, the dominant theory is that a combination of population stresses including disease and military aggression by Mohawk Nations to the south and west were too much for the river-valley occupants to bear. Many village inhabitants were absorbed into the Mohawk Nations, with others heading North, and North-East, were absorbed by Algonquian or Anishinabey and Wendat (referred to in earlier literature as Huron) villages.

The history of the “Saint Lawrence Iroquoians” frames local claims to indigeneity and propriety in several ways. By asserting shared heritage with the earliest recorded populations of the valley, Akwesasronon reify the fact that “they were here first,” a presence in the region since time immemorial, indigeneity with a Big-I. Doing so also reasserts the right of Akwesasronon to transmit their own history, in opposition to those who may wish to de-legitimize their claims.

Even the term “Iroquoians” is a controversial one, as it distances the population from the more specific Iroquois peoples of which Akwesasne is a part; I spoke with several who privilege the term “Saint Lawrence Iroquois” for that reason. Others suggest omitting the term altogether in favor of a more neutral way of talking about the archaeological record that references region rather than language or nationality.

Asking “what happened to the Saint Lawrence Iroquoians” risks becoming another iteration of “the myth of the vanishing Indian.” It relies heavily upon the trope of a native population’s disappearance, and re-asserts an especially Western notion of population dynamics in which populations rise and fall, or appear, and disappear. A more complete reading of “what happened,” requires more nuance.

Drawing predominantly on work with Wendat informants, Trigger suggested adding oral testimonies to the reading of the archaeological record. This complements Raymond Fogelson’s (1974) call for an “ethno-ethno history” in which researchers must recognize that history is itself not universal, but instead varies amongst populations.

If we assume that the Saint Lawrence population was depleted, at least in part, due to warfare with Mohawk peoples, the question of what happened to them is not difficult to answer. Mohawk warfare, and Haudenosaunee warfare in general, served to replenish their own populations and expand through absorbing and adopting enemy combatants (Richter and Institute 1992; But see also Wallace 1970; Jon Parmenter 2006). Unlike popular notions of Western warfare, the goal was to expand while increasing one’s own population rather than decreasing one’s enemies’ populations. There is no reason to suggest that warfare in the Saint

Lawrence Valley was any different. Even if some young men died in warfare, the majority of the population would have been absorbed into the neighboring nations. Those captured by Mohawks would have become Mohawk.

One can frame the history of the Akwesasne Mohawk territory in two seemingly contradictory ways. One can say that the original inhabitants were “wiped out” by aggression by Mohawks. One can say that the original inhabitants were Mohawks. Even if the true history, if such a thing is possible, is more complex – these permutations have dominated legal claims and contestations to rights over the territory.

The first history can be used to delegitimize Mohawk claims to regional indigeneity, representing the current occupants as late-comers. There is something appealing in the simplicity of this history. It relies on a less-nuanced understanding of the past, and one in line with a historically “Western” conception of history. To a non-native Canadian audience, it serves the added benefit of allaying, at least in part, potential guilt, suggesting that Indigenous politics were no less brutal than European ones. It may also support the “terra nullius” trope that land was uninhabited at the time of European occupation, and therefore acceptable for legitimate European settlement.

The second history similarly can be used to legitimize Mohawk claims to regional indigeneity and, consequently, bolster their claims to aboriginal rights. It speaks more soundly to history as it exists locally, and recognizes that population dynamics in native North America followed their own particular flows, adhering to Bruce Trigger’s (1978) admonition that we should not retroactively place national identity upon populations for whom such identity had, and still has, its own meaning. Yet this history is arguably less appealing, it is harder to grasp and requires

several additional logical steps to make sense. Its implications continue to de-legitimize non-native claims to the territory. Yet simply suggesting that the original inhabitants of the valley were Mohawk, full-stop, also lacks subtlety, as I discuss in greater detail at the end of this section.

During the Mitchell Trial, Mitchell's arguments relied upon the assertion that as far as the Van Der Peet Test was concerned, Akwesasronon continue to represent the "time of contact" civilization dwelling in the valley. As a result, trade and movement across what later became the border, were a fundamental aspect of their exchange during that period, and therefore must be recognized as an aboriginal right.

The Queen's arguments hinged in part upon the notion that the Saint Lawrence Iroquoians were a distinct population from the Mohawks. At the time of European contact, the Mohawk Nation was centered out of the Mohawk Valley in upstate New York. By arguing that the Mohawks were located south of the borderline at the time of contact, the Crown argued that there was no "prior cultural practice" related to border crossing. The minister suggested that because Mohawks were based in the South, their mobility lay East-West in what is now New York State.

The courts needed to know whether the Saint Lawrence Iroquoians were Mohawk, or at least Mohawk "enough" to justify Mitchell's claim. After winning in lower courts, Mitchell lost when the Supreme Court of Canada drew favorably upon the Crown witnesses in 2001:

In the present case, the evidence indicates that the Mohawks travelled north on occasion and trade was a distinguishing feature of their society. The evidence does not show,

however, an ancestral practice of trading north of the St. Lawrence River. Mohawk trade at the time of contact fell predominantly along an east-west axis. (Supreme Court of Canada 33 2001)

The court's decision came down to, or, as many see it, was justified by (CF Garfinkel 1967) "whose" history they chose to uphold. Ultimately, the court claimed that it was a matter of the scale and shape of Haudenosaunee trade. While East-West trade existed, North-South trade did not. They also denied claims that Mohawk peoples resided in the Saint Lawrence valley at the time of contact. As Niezen writes, the Mitchell finding suggests "pre-contact aboriginal practices are therefore subject to the criterion of compatibility with the Crown's sovereignty as a central prerequisite of cultural rights" (2003a, 10).

Akwesasronon responded indignantly to the assertion by the Crown's expert witness, University of Toronto Professor Alexander Von Gernet that they were "confused about [the past]," as a local Cornwall publication remarked,

Canadian-based Mohawks are not really Mohawks but Iroquois/Huron hybrids confused over their true identity, a border-crossing rights trial was told here on Tuesday. And because their true ancestry lies within the Huron culture, their historically-recorded faith is not the traditional native longhouse teachings but rather Catholicism as taught to them by the 17th and 18th centuries by French Jesuits (Hrabluk 1996)

This reading of history cut at the community's "face," in the terms of Erving Goffman (See for ex Goffman 1959; Goffman 1967), this is to say, the way the community represents, and here, understands itself, publicly. The above testimony went beyond suggesting that Mitchell's

claim was unfounded in suggesting that Akwesasronon are mistaken about their own past. Members of the community were understandably upset by this argument.

History in Akwesasne, at least as it relates to local government, is often if not legal history, a history that relates to law. The MCA's website's "our history" section features eight linked pages on the community's past. More than half of these subsections, and nearly all the text, are directly concerned with court cases and treaty rights. The telling, and retelling of history is an active part of what the government of Akwesasne does.

I attended a meeting with the CBSA and MCA in which the Mohawk Government previewed cultural training materials for border officers. In a section on the community's history, a slide read that Akwesasronon had occupied the Saint Lawrence Valley since time immemorial. At this point in the presentation, Mitchell pointed out that the history was more complicated than that, and re-told the Saint Lawrence narrative in a manner similar to my own above. As he was Grand Chief at the time, the materials were revised accordingly. His comments suggested that training materials should strive for accuracy over simplicity.

This early history of Akwesasne and the border still resonates in the community. I found it one of the ways in which people sought to engage and understand me as a researcher. By seeing how I dealt with this history, Akwesasronon could get a preliminary sense of how I would approach other questions in my study. It was a seminal aspect of local claims to legal rights, and continues to be a part of how Akwesasne represents itself to itself, media, and outsiders such as border officers. As much as the Canadian judiciary's efforts to define rights in terms of culture and history reshaped judicial expectations, the juridification of Indigenous culture and history matters in communities as well.

In the next section, I discuss another origin story of Akwesasne and the border. I look at the geopolitical events in North America which led up to the establishment of the permanent settlement of Akwesasne/Saint Regis, and the imposition of the border on that location. I attach this historical narrative to the broader questions of North American borderland studies. Though Haudenosaunee peoples, and especially Mohawks, have occupied a central role in the history of the border, Akwesasne, despite its location astride the borderline, has long been a blind spot in this literature – referenced, if at all, only briefly and in passing (See for ex White 1991; Adelman and Aron 1999; Taylor 2002; Johnson and Graybill 2010).

Akwesasne and the Border Meet

Here I consider the ways in which “the border” and “borderlands” became a focal point for Mohawk territorial sovereignty and enterprise from 1600 to 1812, the period leading up to the formalization of the Canada/US border into something resembling its present shape. Though the borders distinguishing French, Anglo, and US America had yet to ossify when the St. Regis/Akwesasne mission settlement was founded in the mid-1700s, the founders were capitalizing on a longstanding practice of articulating, occupying, and profiting from a strategic location at the intersection of powers. I argue that Akwesasronon have always been a “river people,” but they have also long been a “border people.”

At the time of early European settlement in North America, the five (and later six) nations of the Haudenosaunee Confederacy, the Seneca, Cayuga, Onondaga, Oneida, and Mohawk, had recently joined into the most powerful political alliance in their region. In the Eastern woodlands, corn, Confederacy, and wampum played the role that “guns germs and steel” (Diamond 2005) did in Mesoamerica. A strong constitutional system of governance and laws,

strong alliances, and a highly productive agricultural base (Pleasant 2010) enabled the Confederacy to dominate Indigenous politics in the region, eventually spreading from the Great Lakes in the west to the Atlantic Ocean in the east. The territorial apex of the Confederacy came following the “Beaver Wars” of the mid-1600s. The Mohawks, as one of the senior, “big brother” nations served as “guardians of the Eastern door,” fortifying and expanding eastward.

This expansion served several purposes. Firstly, military expansion replenished the Nation’s population at a time when disease devastated the native landscape. Through adoption, the Haudenosaunee were able to grow rather than shrink in power, population, and influence while others struggled to survive. Secondly, by pushing from the Great Lakes to the coast, the Haudenosaunee were able to enjoy a de facto position as middlemen between European and Native powers (See Taylor 2002). Of paramount benefit was control over the lucrative trade of beaver skins in exchange for manufactured goods, such as metal tools, beads, cloth, and rifles, as well as forming alliances with new European settlers.

By controlling the East-West corridor of the Eastern woodlands, the Haudenosaunee could regulate any North-South trade between the fur-trapping Algonquian speaking populations to the North (recent evidence has shown that the Haudenosaunee were also very productive fur trappers) and European trade centers to the south. The “longhouse” of the Haudenosaunee Confederacy, became a sort of border, or borderland, between Indigenous and European spheres of influence and production. Haudenosaunee diplomats actively fostered this formation – discouraging outside alliances and incentivizing Europeans to set up trade in their territories. Cornell historian Jon Parmenter (2010) has convincingly argued that Haudenosaunee spatial sovereignty, especially during this period, was not about access to bounded territories, so much as control over trade and transport routes within a given territory.

Thus, the Confederacy encouraged European trading posts, and even small settlements as long as it held the monopoly over the legitimate means of movement through the landscape. I discuss the protocols for movement within Haudenosaunee territory at the end of Chapter 4.

By the mid to late 1600s, some Mohawks, choosing to embrace Catholicism spread by missionaries, decided to form separate communities in newly established missions in and around the Montreal area. The first of these settlements was Kahnawake (previously spelled Caughnawaga). Though maintaining a Mohawk identity, Kahnawake was a melting pot with many Indigenous residents from all over the region. Early masses were held in Mohawk, but also Huron and other languages. It is from this fact that the Crown's expert witness came to describe Akwesasronon as "Iroquois/Huron" hybrids, though such a claim is built on the assumption that nationality is essentially transmitted through blood, rather than practice and identification, an idea summarily rejected by Anthropologists though all-too-frequently embraced by states employing legally delineated status for Indigenous populations (Sturm 2002).

Overcrowding, internal divisions, and environmental degradation in Kahnawake encouraged some residents to form a new community, Akwesasne, at the confluence of the Racquette, St. Regis, and St. Lawrence rivers in 1754 (Bonaparte 2007). The choice of Akwesasne was bolstered by its convenient location in well-known hunting, logging, and fishing grounds, and at a nexus point for French and British trade, as well as Catholic and Protestant spheres of influence. In this regard, the earliest Akwesasronon continued the longstanding enterprise of forming settlements in footholds between European states. Akwesasne, at the time more often referred to as St. Regis, joined Kahnawake, Kanesetake (Oka) and four other Catholic native nations to form the Seven Nations Confederacy of Canada – the predominant political

association of Catholic native polities. In this capacity, Akwesasne was, not only part of the Mohawk Nation, but a Nation in its own right.

Shortly after the founding of the Akwesasne/St. Regis Mohawk community, the American Revolution re-drew political boundaries in North America. Phillip White Cree has referred to the revolution as “the most traumatic times for the Haudenosaunee” (2014, 28). Though the Confederacy maintained an official stance of neutrality leading up to the American Revolution, the Mohawk Nation was divided in its support, and many individuals chose to fight. Mohawks still residing in the Mohawk River valley supported the British, with whom they held stronger ties. Akwesasronon, and the other Seven Nations communities, still tied to French interests, sought to aid the American colonies (2014, 30). Ultimately, in the face of insurmountable pressures to take sides, the Haudenosaunee Confederacy decided to let nations decide for themselves. Akwesasne strove for neutrality and became a place of refuge for Mohawks and other Haudenosaunee living closer to battlegrounds (2014, 31). The American Revolution claimed the lives of many Haudenosaunee peoples, fighting in support of European settler states that would soon push for the eradication of their sovereignty.

Following the revolution, Britain and the newly formed United States established a border dividing the continent. Haudenosaunee peoples were promised exemption from “Washington’s treaty line” which was recognized in article 5 of the Jay Treaty at the conclusion of hostilities. Britain and the United States’ interest in excluding natives from border regulations was as much a matter of practical trade as it was appeasing military allies. Native Americans effectively became mobile duty-free traders, ensuring the lucrative north-south trade would continue.

Though the first inscription of the border came following the American Revolution, the line only ossified following the War of 1812. Tensions between the British and newly-independent Americans rekindled the possibility of playing the two dominant European powers off against one another. For a brief period of time, the Haudenosaunee were able to return to the comfortable role of middle men, securing trade and gifts in exchange for positive relations and neutrality. Yet the benefits of the strategy were short-lived. Their land base continued to erode rapidly, as private land developers in the United States played the states and federal government off one another while flooding into Iroquois territories. Mohawk leaders such as Joseph Brant sought to create, delineate, consolidate, and defend territorial bases for their peoples (while securing a bit extra for themselves as well) (Taylor 2002). As the Iroquois' land base became defined not by access to and mobility throughout a large territory, but by occupation of small areas, the Confederacy's sphere of influence waned.

This period, according to popular historiography, marked the transition of North American political geography from what Adelman and Aron (1999) refer to as "from borderlands to bordered lands." Adelman and Aron define this period solely in terms of the emergent monopolization of power by European settler states on the North American continent. As Indigenous populations became politically and militarily marginalized (both figuratively and literally), North American politics transitioned, they argue, to a contestation between European colonies with more clearly delineated boundaries. In drawing this distinction, Adelman and Aron sought to dissociate borderlands from frontiers, the former representing consolidation and the latter expansion.

Adelman and Aron have been praised for their efforts to offer some sort of structured periodicity to the history of early North American settlement and their ability to push the

paradigm beyond Turner's frontier thesis (Turner 1893 but see Johnson and Graybill 2010). They can however also be criticized for downplaying both the ongoing role of Indigenous agency and the ways in which native nations had pre-existing notions of spatial ordering. Akwesasne stands, at the very least, as proof that borderlands remain in North America. It remains a space where both Canada and the United States have been unable to monopolize the legitimate exercise of power. This distinction defines "the border situation" in Akwesasne today, but is inexorably rooted in the community's early history.

The situation of Akwesasne in the War of 1812 is a complex one, deserving more space than I allot here. If the American Revolution marked the most traumatic times for the Confederacy, the War of 1812 brought this trauma home in Akwesasne. Though the Confederacy sought neutrality in the conflict, Akwesasne, located along the newly created Canada/US borderline was strongly affected by the war. Battles were fought between kin in different communities, including an early battle in St. Regis Village on October 1812 when American troops, including some Mohawk warriors, led a sneak attack on the British-controlled village. While some Akwesasronon chose to join the British in response to the sneak attack, others fought for the Americans, with the community itself divided over whom to support (Bonaparte 2012). After the war, British and American troops remained stationed in and around the Akwesasne Mohawk territory, signifying the beginnings of the border's militarization as far as Akwesasronon were concerned. The map below of Akwesasne in 1817 shows the location of both British and American military encampments (Thompson and Adams 1817 Courtesy of Chicago's Newberry Library). Fortifications on some islands remain to this day. Also worthy of note is the fact that the houses within St. Regis village disappear south of the new borderline, as seen in the lower-right hand corner of the map, effectively erasing the community's contiguity of occupation across the line, while the tree-line continues. This map was created

prior to the re-drawing of the borderline by the border commission to emplace islands solely within the territory of Canada or the United States.



Simply suggesting that the border came to Akwesasne in either 1776 or 1812 diminishes longstanding Mohawk strategies of creating and dominating border regions. The Canada/US border was shaped by those strategies. Although they did not imagine the shape it would take, Mohawks were active participants rather than passive actors in reshaping the continent's

political geography following the arrival of European settlers. They returned to the Saint Lawrence valley amidst a period of religious and political uncertainty and opportunity. As much as the border came to Akwesasne, Akwesasne came to the border, or rather a border.

While the Canada/US border divided Haudenosaunee nations, one could also argue that the earliest border between European powers in the region was comprised of the nations themselves. It was impossible to easily move, trade, conduct diplomacy, or warfare, through much of the North Eastern woodlands without the support of the Confederacy, bolstering their position as power players in the region. Though this boundary ultimately proved divisive and deadly, the border was, and remains, a resource to Akwesasronon and other Mohawk peoples.

As in the past, Akwesasronon still economically and politically profit off of their ability to dominate trade through a border corridor. They continue to profit off of travellers going through the territory in order to cross the border, and continue to sell goods at discounted prices. They also continue to leverage their position in a major commercial corridor to exert influence on political and economic endeavors. These advantages are part of why Akwesasne was such a desirable location for settlement in the past.

To push the resource metaphor one step further, the border can be used for profit, but it can also be exploited. Many in the community organize their critiques of some border industries (particularly borderland vice industries (Carey and Marak 2011) as putting other endeavors at risk. In this sense, the border is a renewable resource, but not an unlimited one. During the Mitchell case, attorneys for the crown repeatedly argued that if Akwesasne became a true duty-free zone, it would give them an unfair commercial advantage. Loosely, the economic potential of cross-border trade was one justification for the limitation of mobility rights.

Conclusions

A lot of history is missing from this account. I have focused on a Mohawk-centric model of the territory's foundation as a Mohawk community, while as Bonaparte writes, "Oral tradition suggests that there were already people here when this first Kahnawake migration occurred; these people may have come from either the Mohawk Valley or the Onondaga/Oneida mission at Oswegatchie" (wampumchronicles.com/history accessed 2015).

While I mention the origins of the Canada/US border's inscription upon the Akwesasne territory, I do not talk about the earliest measures to enforce the borderline. I have neglected the story of Saiowisakeron (John "Jake Ice" Fire) who died attempting to rescue his brother while resisting the British imposition of government upon the community in 1899. Jake Fire has become a symbol for Akwesasne, a martyr for Akwesasne's resistance to the external imposition of settler sovereignty. A statue of him stood in front of the Port of Entry in Cornwall until recently; during protests the statue held a sign reading "your gun killed me."

Emphasizing the Mitchell case, I also do not discuss Akwesasne's ties to the broader history of border crossing rights for all North America's Indigenous peoples, or the Confederacy in general. I have not discussed Cayuga Chief Levi General, Deskaheh's, mission to the League of Nations on a Haudenosaunee passport in 1923 – an early precursor to the international movement of Indigenous peoples (Niezen 2003b). Deskaheh was denied reentry into Canada and died in the home of Tuscarora chief Clinton Rickard – the first, and arguably most successful Haudenosaunee border rights activist. Rickard raised funds for the defense of Paul Diabo, a Mohawk steelworker born north of the borderline and deported from the United States. The court ruled in favor of Diabo's claim to a treaty right to live and work in the United States

in 1927, and since then, the US government has recognized a limited right of Native North Americans to work, live, and move between Canada and the United States. I discuss the consequences of this decision for American border enforcement in Chapter 4. Following the trial, Rickard established the Indian Defense League of America, and an annual border crossing demonstration which continues to this day (Rickard 1994).

The history of Akwesasronon and the border is exhaustive, and potentially exhausting. Like Akwesasronon themselves, the history traverses and challenges the lines that have come to define the territory. Identifying clear lines of demarcation, such as “from borderlands to bordered lands” is not simply a challenging task, it is a counter-productive one. It defeats the fluidity of boundaries which are themselves at the heart of Akwesasne. My current treatment has been cursory, seeking to exemplify and examine those historical narratives which relate directly to Akwesasne’s claims to aboriginal border rights and its establishment. History in Akwesasne is as much about the present, and one’s orientation to the present, as it is about the past. When history becomes a matter of law, that same history becomes a different matter for community interest.

In the next chapter, I jump ahead more than a century, and look not at how Akwesasne came to the border (or vice versa), but at how this particular border came to Akwesasne. In other words, I look at the particularities that define the relationship between Akwesasne and border enforcement on a local scale. Focusing on the period from 1969 to 2009, I look at how the contemporary relationship between Akwesasronon and border services officers has changed in the face of a restructuring of the economies and border enforcement of Akwesasne, Canada, and the United States.

Chapter Four: The Changing Face of the Cornwall/Akwesasne Border

Introduction:

In the previous chapter, I discussed some of the implications of “doing history” in Akwesasne, while offering a brief account of the community’s early history vis-à-vis the Canada/US border. I suggest that as much as the border came to Akwesasne, Akwesasronon had a longstanding engagement with the boundaries of Indigenous and Settler spheres, which began long before the American Revolution. In this chapter, I look at the current state of border enforcement in Akwesasne, and how it came about. In doing so, I try to get a sense of how *this* border came to Akwesasne.

To consider the ways in which Akwesasne and its relationship with border enforcement changed during this period, we can look at three events as snapshots, each taken 20 years apart.

In 1969, Mohawks from Akwesasne gathered on Cornwall Island to protest the Island’s customs house, and the charging of duties to members of their community. The protest took the form of a bridge blockade which was filmed in the documentary, “You are on Indian Land” (National Film Board of Canada 2009), co-produced by Mike Mitchell, then a young filmmaker. Border officers are conspicuously absent from the film. Prior to their arrests, youths and elders join hands singing “we shall overcome.”

Twenty years later, in 1989, if a visitor stood in the same spot, they would not hear singing, but rather gunshots – some of which volleyed between those same people who were holding hands in 1969. 1989 marked what some journalists have called Akwesasne’s “civil war” (Hornung 1991 contra Johansen 1993), when “pro” and “anti” gambling forces eventually took up arms against one another, leading to several deaths, a Canadian military intervention, and

the temporary imposition of martial law upon parts of the community. The conflict, though framed in terms of a community division over gambling, was inexorably tied to the rise in clandestine cross-border commerce, or “smuggling,” that flourished in and around Akwesasne in the 1980s. Border officers were again absent from the conflict, continuing to process international travel and charge duties while secured in Canada’s first bullet-proof reinforced port of entry.

Protests came back to the Island twenty years later, in 2009. This time, Akwesasronon were again united in opposition to Canadian border enforcement. Unlike the 1969 protests, border officers were placed at the forefront of local concerns. Protestors demanded the port of entry in Cornwall Island exempt itself from the CBSA’s universal arming initiative, holding up signs reading, “no guns on the Island.” Ultimately, the protests resulted in the Cornwall port of entry evacuating by the midnight deadline for arming. Once officers packed up and left the Island, bridges leading to and from Cornwall Island were closed, isolating all overland travel off the Island until a “temporary” port of entry opened in the city of Cornwall months later. The aftermath of that move is an ongoing concern for Akwesasne, which I discuss in detail in the next chapter.

What happened between 1969, 1989, and 2009? These periods saw mutually informative changes in (1) Canadian national border enforcement policies; (2) Local enforcement practices and administration at the Cornwall port of entry; (3) Akwesasne’s politics and economy. This chapter tries to get a sense of how these changes reshaped the local significance of the border and its enforcement.

Though I begin with a discussion of the changes in Akwesasne's political structure and economy, my emphasis is on the ways in which border work changed at the Cornwall Port of Entry, particularly regarding officers' interactions with Akwesasronon. To do so, I draw on the courtroom testimony, recorded, and unrecorded interviews of over a dozen officers who worked during this transitional period of the 1980s, 1990s, and early 2000s, as well as local newspaper archives pertaining to enforcement from the 1970s to the present.

This chapter offers a corollary to Karine Côté-Boucher's *The Micropolitics of Border Control Internal Struggles at Canadian Customs* (2013). Boucher's study is the most exhaustive to date of the ways in which national policy resituated Canadian border work, particularly in the formative period of "the 1990s." I explain later on why I put the decade in quotation marks here. Boucher argues that a combination of neoliberal practices, new enforcement technologies and the simultaneous expansion of BSO powers and limitations of discretion resulted in a "disembedding" of border work, in which officers saw their roles transmute from autonomous state agents to parts of a vast, often invisible machinery of border intelligence and enforcement. Though drawing on interviews at ports of entry, Boucher's view is national, and focused on the perspective of officers. She also focuses on commercial traffic. I look at how these changes were felt locally, by both the border officers themselves, and the traveling public interacting with them in non-commercial processing. I suggest that as much as a national process of disembedding defined border work in the 1990s, at the Cornwall Port of Entry, this accompanied "depersonalization." Akwesasronon travellers and border officers began to feel themselves in a less personal relationship with one another, as mutual understanding and flexibility at a local level became replaced with non-negotiable national policy regimes.

This local knowledge became replaced with decentralized knowledge gathered from other state and private organizations, and centralized into computer databases rather than the unique institutional memories of the Cornwall port of entry. The “agency” of agents was challenged by new policies, as the discretionary activities of border work diminished alongside an expansion of officer responsibilities. By 2009, officers left the Island entirely, refusing to negotiate a universal arming initiative for Border officers nationwide. Though some officers maintain relationships with people from Akwesasne, and many are genuinely interested in getting to know travellers, this is no longer a defining facet of what it means to do successful work as a border officer at the Cornwall Port of Entry. In this chapter, I discuss how this transition occurred.

Depersonalization

Here I wish to elaborate on what I mean by “depersonalization” when I use the term to draw attention to the changing relationships between Akwesasronon and CBSA officers. I draw a sketch of what depersonalization constitutes, though I discuss the specific causes of this trend in subsequent sections.

It is not necessarily the case that relationships have simply become unilaterally less and less personal from the 1990s to the present. The growing detachment between Akwesasronon and Border Officers reached its zenith in the aftermath of the 2009 relocation of the port. There is still some bad blood between Akwesasronon and BSOs, but in recent years, many tempers have cooled down, and efforts have been made towards some measure of reconciliation. As of 2014 now that the CBSA has moved into a “permanent temporary” port of entry at the foot of a more efficient low-level bridge, officers seem more relaxed, and Akwesasronon pleased that the faster flow of traffic across the port.

“Personal,” in this context, should not be confused with favourable, although the two often have gone hand in hand. Rather, when I suggest that relations between officers and travellers became depersonalized, I mean that the ways in which BSOs and Akwesasronon connected with one another became increasingly divorced from a shared local context. Though typically not living in same geographic space, officers and Akwesasronon could previously have been seen as belonging to the same community, by some definitions of the term (See Chapter 2). Even non-native officers belonged in many of the same networks, interacting face to face on a daily basis, often eating and shopping in the same spaces, and at times developing friendships and other relationships. While some officers never stepped foot on reserve land when they were not working, many did. Several told me stories of playing sports in and around Akwesasne with mixed teams of natives and non-natives; one, a farmer, said he knew the community well because he often sold and traded with farmers on the reserve. The territory was Akwesasne’s, but access and exchange were regularly shared.

The shared assumptions and workspace that defined officer-Akwesasronon relations have, until “the 1990s,” resulted in mutually constitutive local knowledge and interpersonal intelligence. Networks of friendship and business extended into officers’ work, they were essential facets of officers’ intelligence gathering operations. It also impacted the ways in which Akwesasronon talked to officers. Even when relationships were not friendly, Akwesasronon and BSOs were often named and known on a personal level, and as a consequence, they were persons. In time, this changed, as officers increasingly divorced their professional persona from their home persona, and Akwesasronon increasingly divorced their image of officers with their image of people.

One BSO's response to a questionnaire I circulated is telling of this changing relationship. In response to the question, "Do you feel you have a relationship with the community of Akwesasne? Please elaborate as possible." They wrote:

I feel that my relationship with Akwesasne has nothing to do with me, and everything to do with what my uniform represents. I feel that to the clients that I encounter, I am simply another person in a uniform. By the time I deal with the clients, they have already spoken to a primary officer, and are now either inside at the counter, or in secondary awaiting an exam. Whether I am friendly, rude, polite, demanding, etc., has no bearing on how they see me. To the clients I am simply another officer "wasting their time." The CBSA and MCA do have a relationship that has developed over years of trying to work out kinks. We have a job to do, and they have lives to live, and our paths do have to cross from time to time. I feel that the relationship has evolved over time due to necessity and that is often strained by the various incidents and circumstances that arise. We as officers perform our duties as best as we can and always in good faith, and that often leads to issues and concerns from the Akwesasne community because of it.

On the one hand, the officer's assertion that their uniform and what it represents plays a central role in how they are seen by the community is affirmed by my discussions with Akwesasronon. When I asked an Akwesasronon living in Cornwall what she did when she ran into BSOs in town, she said that she honestly could not recognize them outside of their uniforms. Some officers are taken as interchangeable non-persons by travellers, often described as "robots." As the above response indicates, this depersonalization is not simply in one direction. Officers mentioned the responsibilities they took on once wearing the uniform, which is symbolic of

their authority and responsibilities. If I can be forgiven a Goffman inspired digression, a uniform, like a mask, impacts the actor as much as the audience.

Much as the uniform can be a symbol of the office of an officer, the officers in the uniforms can be symbolic of the Canadian State, the Border, and everything in between. This is especially the case for those Akwesasronon most strongly opposed to the border's imposition. In not recognizing, or, as Simpson would say, "refusing" an officer, one can refuse the border or Canada itself.

One traveller, known for his outspokenness, mentioned refusing to say anything other than "fuck you" to officers, "What is your name? Fuck you. Where are you coming from? Fuck you." An officer I interviewed mentioned having to close their booth to cry after one such interaction, suggesting that some officers continue to care much more than others about their relationships with Akwesasne residents.

For some travellers, there is often a wilful desire not to look beyond the uniform, because the uniform represents a fundamental rights violation. For some officers, there is a wilful desire not to go beyond the uniform, because the uniform encapsulates their border work. This may be mediated by a recent mandate that CBSA officers wear name tags, which the CBSA unions resisted, though it is too early to tell at this point. Here, uniforms, and uniformity, a uniformity sown by national and local policy changes in the 1980s, go hand in hand.

The officer's assertion that "whether I am friendly, rude, polite, demanding, etc., has no bearing on how they see me" falls short of what I observed on the whole. It is certainly the case that once brought to secondary inspection, a traveller's negative first impression of a first officer

will likely affect their impressions of a second. However, in both personal experience, and my discussions with Akwesasronon, I found that officers can, and often do, make and change impressions among travellers. As I mention in the introduction, the way an interaction is framed matters. The depersonalization of border enforcement at the Cornwall Port of Entry is neither complete nor inevitable. In the remainder of this chapter, I try to get a sense of how depersonalization resulted from a combination of national shifts in Canadian border enforcement and local shifts in Akwesasne's politics and economy.

Notes on/of Contention

Before considering the recent history of CBSA-Akwesasne relations, there are two points of contention I wish to highlight here. These are the term “smuggling” and the Akwesasne Warrior Society. Both terms are used, and misused, frequently by local actors and media, and my own choice in how to present them, offers yet another micro political danger zone to map in contours but avoid dwelling long term.

Concerning “smuggling.” Akwesasne has long been a zone of international trade, some regulated and some unregulated by American and Canadian customs regimes. In the coming sections, I discuss the ways in which Akwesasne's reputation as a “smuggler's alley” (Sallot 2002) has shaped both public perceptions of the community and local border enforcement.

Webster's dictionary defines to smuggle as “to import or export secretly contrary to the law and especially without paying duties imposed by law” (www.merriam-webster.com/dictionary/smuggle accessed 2015). It is certainly the case that some trade in Akwesasne is clandestine, actively seeking to avoid the imposition of duties or other restrictions by any government. Yet the extent to which this trade is contrary to the law is less

easy to establish without reservation. Many in Akwesasne see themselves as subject to their own laws as Indigenous, Haudenosaunee, treaty, and/or Mohawk peoples, rather than those imposed by an illegitimate settler state. I spoke with other Akwesasronon, who state they are only subject to “natural law,” and thus not the rules of Canada, the United States, or Mohawk governments. Thus, to call clandestine trade in Akwesasne “smuggling,” is to invoke a particular understanding of how law operates, or should operate, in the territories, which is not universally shared. Yet to refrain from calling this trade “smuggling” offers the same risk, of discounting the views held by many in Mohawk government, and border officers charged with regulating smuggling.

There is also a local distinction held between the clandestine trade in tobacco, a traditional good, and a large enterprise, and the clandestine transportation of weapons, illegal drugs, and people. While many do not see the cigarette trade, “bottlelegging,” as smuggling (Simpson 2008), but rather an exercise in sovereignty, many of those same actors would look down upon the trade of cocaine, for example.

So how do I talk about this trade without labelling it? Without framing it in a particular way? For my purposes in this chapter, I try to be specific about what is being traded, with the implicit understanding that what I term “clandestine” cross-border, or international trade, is considered illegal by the Canadian state.

Another sticky topic is the Mohawk Warrior Society of Akwesasne. Even my grouping of a discussion of the society with a discussion of clandestine trade is a problematic one. The Society is often associated with clandestine trade, yet many within the Society recognize such an association as problematic, undermining the genuine political concerns and ideologies held

by Warriors. Indeed, distinctions are often made between “warriors” defined as the manifestation of a set of political ideals concerning sovereignty, autonomy, and protection of their communities (Alfred 1995; But see also Hornung 1991), and “warriors” defined as opportunistic power-grabbers relying upon the idiom of sovereignty to protect their own interests (Elliott 1996; But see Johansen 1993).

I am sure that in Akwesasne, as elsewhere, political organizations hold both dogmatic and self-interested members. In my own limited discussions with members of the society, I saw them as respectful adherents to a strong sense of ideology concerning Mohawk sovereignty. Without seeking to interpret the Akwesasne Mohawk Warrior society in either a particularly positive or negative light, the coming sections will discuss the ways in which Canadian border enforcement policies in Cornwall were reshaped by a particular set of associations concerning the Warrior Society. These associations led the CBSA to treat the Society, and at times Akwesasne more generally, as a hotbed of militant political activism and clandestine trade. At the Cornwall Port of Entry, a fear of the Warriors impacted the work of officers, and led to several work stoppages.

From the Activism of the 1960s to the ‘Civil War’ of the 1980s

The 1969 documentary film “You are on Indian Land” depicts an Akwesasne Mohawk Protest at the establishment of a customs house on Cornwall Island. The film opens with a young Mike Mitchell, sporting a greaser haircut standing in a packed town hall. He tells a government officer wearing a three-piece suit puffing lightly on a “father knows best” pipe:

There’s been many wrongs done to us in the past, and today we don’t even trust the white man coming into this reservation. You cannot blame us for that. We don’t want

to be a Canadian citizen. We don't want to be an American citizen. They told us a long time ago that we were North American Indians and today we feel this way too. We feel this way because we think this reservation is ours. And it does not belong to the white man. It's the only part we still have left.

Mohawk protestors blockaded the international corridor, putting up notices reading, "You are on Indian Land." The film was co-produced by Mike Mitchell, a young Akwesasne Mohawk studying film in Montreal. With the fashion, protest songs, and projecting, surprisingly, a sense of optimism, the film feels like a product of the 1960s.

"You are on Indian Land" depicted a call for the recognition of Akwesasne's sovereignty and rights directed at the Canadian government and public. However, in historical hindsight, it may be more indicative of internal matters within the community, heralding the coming transition in local governance towards traditionalism and autonomy, and away from Canadian control. Though the police physically remove protestors, by 21st century standards, they appear impossibly pacific. The most negatively portrayed individual is the band council chief, who asks the police for a firearm to protect himself from protestors. The film's narration states that though he represents himself as a kindly old man, he was not elected by the people of the community. Within a couple of decades, Mike Mitchell, a traditionalist, was elected chief, the Band Council of Akwesasne would be replaced by the Mohawk Council of Akwesasne, and what was widely viewed as a puppet of Canadian governance became a formal platform for its challenge.

The 1960s represented an era of renewed Indigenous activism in North America, with Akwesasne at the forefront of the growth of both the "red power" movement, and the Mohawk

Warrior Society (T. Alfred and Lowe 2005, 11). Alfred and Loew differentiate between the red power movement, and the Warrior movement by suggesting that whereas the former focused on transnational native alliances and had a more urban focus, the latter was a grassroots movement focusing on local issues on-reserve. Loosely, the two movements suggested distinct paths for Akwesasne Mohawks seeking to restore power to a populist or traditionalist governing base. Whereas some in Akwesasne worked within state structures of power to reform community governance from within – such as Mitchell successfully running for chief - others emphasized working outside those institutions. Akwesasne can be viewed as a testing ground for both models which are, in practice, not mutually exclusive – one can partake in some facets of governance (such as services, or even working for government) while refuting others (such as voting).

The 1980s marked a period of transition in Akwesasne's governance, with the restructuring of the Band Council by longhouse traditionalists. The predominantly Christian Band Council came to be replaced with a predominantly longhouse council. This is not to say the two are mutually exclusive – Ernest Benedict, a leader of the reforms and a condoled chief was also a fluent speaker of Mohawk, knowledgeable elder, and member of the church. Mitchell was the first traditionalist elected to council, and has spoken of tremendous ill-will from many Christians within Akwesasne until he placed a picture of him and Pope John Paul II shaking hands in his office.

Several of Mitchell's former allies saw his refusal to disband the council as a betrayal of trust – thinking that Mitchell was elected to devolve power to the longhouse rather than reform the band council. This division bespoke a larger schism among Akwesasne's traditionalists, which

coincided with the division of the longhouse and rise of the Akwesasne Warriors Society and clandestine traders as a distinct political and economic force.

Changes in North American border enforcement opened up the potential for a successful business in clandestine trade, which many in Akwesasne embraced – both out of a profit motive, and as a means to practice sovereignty. The 1980s marked a deeper shift in Canadian policy away from protectionism and towards greater trade with the United States (See Konrad and Nicol 2008; Bowling and Sheptycki 2012). The 1987 Canada United States Free Trade Agreement (CUFTA), a predecessor to the North Atlantic Free Trade Agreement (NAFTA), heralded this shift, though the deregulation of cross-border commercial vehicles began years prior (Cote-Boucher 2013). In the 1970s, Canada had also begun strengthening taxes on cigarettes, petrol, and alcohol. It was both easier and more profitable to trade in clandestine tax-free goods. Many in Akwesasne took advantage of this newly opened market. Early forms of trade on reserve, such as tax-free petrol were not even illegal until Canada closed loopholes – I spoke with one trader who made a large profit and then exited the business as soon as it became illegal.

Devastation to the local environment also fostered clandestine trade. The river, a longstanding source of sustenance, was poisoned by local paper and other heavy industries. Unable to rely on historic natural resources, there was ample motivation to look to the border. Though cigarettes, tobacco, and petrol were viewed as relatively innocuous initially and, as noted above, were not necessarily illegal from the onset, a very small minority of residents transitioned to more lucrative but also controversial contraband such as firearms, drugs, or people. These trades also connected some Akwesasronon to organized crime networks in Canada and the United States. It is important to note that the large-scale trade in tax-free

tobacco, “buttlegging,” which involved a much more substantial segment of Akwesasne’s population, did not blossom until the 1990s. Thus, in the 1980s, clandestine trade, though lucrative, involved a small percentage of Akwesasronon.

Timothy Winegard writes, “Estimates revealed that the cocaine ring through Akwesasne to Montreal and Toronto during the late 1980s was worth \$40 Million per month” (2009, 10–11). Trade in guns had the added effect of heavily arming participants in the enterprise, many of whom had formal military training in North American armed forces. A few residents became extremely wealthy from clandestine trade, and were able to invest capital into other ventures. One of these ventures, gaming, became a major source of controversy in the late 1980s when gaming became legalized on reservation lands in New York State.

With the legalization of tribal gaming came internal debates across Indigenous communities as to whether to embrace this form of enterprise. Many saw this as a golden opportunity for profit, but others were wary of the moral challenges posed by gaming. Many longhouse people in Akwesasne opposed gambling, which is condemned in the code of Handsome Lake (although as in Kahnawake, not all longhouse people in Akwesasne look to the code to guide “traditional” practice). Others were not opposed to gambling per se, but wanted to ensure that revenue sharing was collective, rather than privatized.

Akwesasne’s proximity to the border made it an extremely convenient location for customers from New York State, Quebec, and Ontario. Ultimately, several gaming ventures were opened in Akwesasne; initially limited operations controlled by the Saint Regis Mohawk Tribe were replaced with large-scale ventures controlled by private members of the community. Regulation of these enterprises was hampered south of the borderline where the Saint Regis

Mohawk Tribal police had disbanded following corruption scandals, leaving a power vacuum. The general consensus within Akwesasne was that the start-up capital for gaming machines, facilities, and staff came from the “ill-gotten gains” of clandestine trade and relationships with organized crime off-reserve. Conflict between the “pro” gaming interests of private casino owners, supported by “the Akwesasne Mohawk Warrior Society” and “anti” gaming forces led by longhouse members, elected Mohawk councils, and opponents of Warriors or casino owners (Winegard 2009) came to a head in armed conflicts in 1989 which claimed the lives of two Mohawk men.

Several books have been written about what took place in 1989, some written largely in sympathy with the “Pro” forces (Hornung 1991; Busatta 2009), or “Anti” forces (Johansen 1993; D. M. George-Kanentiio 2006; Winegard 2009), and many in Akwesasne told me that none of these accounts gets it all right. At the forefront of critiques is the notion that this conflict was simply about gambling. Rather, as I hint at above, gaming was the spark that lit a powder keg consisting of a longstanding dispute within the community about more fundamental questions of Mohawk sovereignty, self-determination, and the future of the community. Rather than attempt to re-tell in a few words an event which has required several books to discuss, I wish to keep this discussion attuned to “the border,” both the role that Akwesasne’s location played in the conflict, and the ways in which this conflict impacted local enforcement practices.

Several facets of Akwesasne’s location at the borderline rendered the casinos especially feasible, profitable, and difficult to combat. Cross-border trade facilitated the capital and connections used to get casinos off the ground. Clandestine trade in firearms also armed Warriors, providing martial support for casino interests. Once built, casinos could rely on a

cross-border clientele. Akwesasne's unique location astride the borderline made it extremely difficult for American or Canadian policing forces to maintain any monopoly over the legitimate use of violence within the territory. American and US officers had to respect the borderline and refrain from pursuing travellers. Mohawks seeking to evade authority could cross at will while simultaneously calling into question the authority of the Mohawk Council of Akwesasne's police force south of the borderline. The "jurisdictional nightmare" of Akwesasne made it the ideal environment for different forces to manifest and conflict with one another.

The border also offered Akwesasne two models for revenue distribution – one, typically linked with American capitalism, and another typically linked with a more Canadian socialized wealth sharing. Whereas pro-casino forces represented themselves as job creators and intrepid businessmen in an idiom that would have done 21st century Fox News proud, anti-casino forces expressed a communitarian revenue sharing model which meshed with the Canadian liberalism of the 1980s. This is not to say that Akwesasne took cues from their Northern or Southern neighbours, but rather that the border represented an open space for exploring, and exploiting, not simply commerce, but ideologies.

While some in Akwesasne challenged Canadian imposition of sovereignty at the border by undermining it with clandestine trade, the Mohawk Council of Akwesasne sought to do so in the courts. In 1988, Mike Mitchell, then Grand Chief of the Mohawk Council of Akwesasne, refused to pay duty on goods he brought across the border. The incident, like the 1969 protests, was planned as a media event, to which journalists were invited, and children were taken out of school to join Mitchell. The port of entry took part in planning the event, and the "arrest" had been rehearsed the day before. I discuss the court case and its implications in Akwesasne

in the previous chapter. Below, I will consider the implications of “the Mitchell case” in local border enforcement operations.

At this point, having discussed local matters in Akwesasne, and briefly considered their connections to national changes in border regulation, I wish to turn our attention to the local goings-on at the Cornwall Port of Entry. In particular, I want to look at the ways in which changes in Akwesasne and national border enforcement impacted the particularities of border work at the Cornwall port of entry.

Interviews that I held with Border officers affirmed Karine Côté-Boucher’s argument for a “generational” approach to the study of border work. While officers come and go with regularity, they frequently see themselves as belonging to particular generations, each with their own set of normative understandings about how border work operates. In the 1960s and early 1970s, the stereotypical “generation” of border officer consisted of military veterans seeking the promise of a well-paying, cushy government job after service. Their primary objective, according to retired officers, was to simply stay out of trouble. From the mid-1970s to the early 1990s, the stereotypical “generation” consisted of baby boomers seeking a good salary and the opportunity to stay close to home in Cornwall. These officers saw themselves as hired tax collectors rather than policing officers, and took on a more proactive role in local policy. From the late 1990s onward but especially as of the 2000s, the stereotypical BSO was younger, and motivated to act as a law enforcement officer.

Presently, I focus on earlier generations’ responses to the rise in clandestine trade in Akwesasne alongside an increased state imperative to regulate and facilitate trade in the 1980s. Broadly speaking, two-major concerns regarding Akwesasne dominated border-work in Cornwall

during this period. The first was how to process regular travellers coming from Akwesasne, as prior to the establishment of a remission order, they were constitutionally subject to the same regulations as non-native Canadians. Local enforcement strategies vacillated between unofficial policies of a wider threshold of tolerance for native-carried goods, and institutional efforts at standardizing services. The second concern was contraband trade, particularly large-scale movement of cigarettes, alcohol, firearms, and drugs. BSOs relied on local intelligence and cooperation between themselves, local Mohawk and United States governments to develop successful “anti-smuggling” practices. As I remark above, prior to the 1990s, this trade was dominated by a smaller, identifiable percentage of the population, and as a result, the distinction of “bad guys” and “good guys” was a more facile one in the eyes of BSOs. The goal was to identify “bad guys” and limit their ability to transport contraband.

BSOs throughout Canada rely upon local intelligence to scrutinize travellers, but this is a greater necessity in Cornwall, where approximately 70 percent of travellers are “frequent flyers,” travellers from Akwesasne moving across the borderline to go about their daily lives. Older officers I spoke to emphasized the importance of positive relations with Akwesasronon. One, who also had a farm, spoke about trading with Akwesasronon. Another told me he made efforts to attend funerals and public events – doing so in uniform so that people would not feel he was “undercover.” Marriages between BSOs and Akwesasronon were not uncommon as well. Trust, or good “face work” in the words of Erving Goffman (Goffman 1967; But see also Sheffer 2009) was at the heart of good border work. We can think of the central role of “trust management” in border enforcement as distinct from the emergent role of “risk management” discussed in the next section.

Institutional memory for local port operations was thus contingent upon oral transmission. Officers told me that friends in Akwesasne would often give them a “heads up” about illicit shipments, either out of friendship with officers, or out of animosity towards the shippers. Officers I spoke to told me that their training had been useless in the particularities of working in Akwesasne, and they relied heavily on advice from “old-timers.” One officer offered an anecdote:

When I started, we didn’t have the computerization we have today, and our lookout system was maybe written on a piece of paper. But I remember older officers, when an individual would come through now they’d say you know that guy who went through such and such a car? You keep your eye on him, because we nailed him twelve years ago. Well, I was keeping my eye on that man for more than 30 years, and that’s my point. If you had an issue with that guy, and it happened ten years ago with an older officer, that older officer is training this new officer, and I was telling that to people when I was going out the door. You see that guy there, that old bastard, keep an eye on him. Well Christ, he was about 90 years old by then. So that guy went through his life getting screwed at the border, and that wasn’t because of the computer, that was because of what I was told....

Prior to the introduction of computers to border enforcement practices – which I discuss in the next section – intelligence gathering consisted of orally transmitted information built upon trust, or at the very least, interpersonal relations with Akwesasronon. Conventional understandings of computerized policing, on the other hand, emphasize the permanency of digital data – the officer I spoke with suggested that whereas computers can be programmed to

“forget” a tagged traveller, it was much harder to do so when knowledge relied on inter-generational oral transmission.

Though the oldest officer I interviewed recalled shots fired at the port of entry in the 1970s, incidents decreased with the hiring of an unarmed Mohawk security service at the port facilities before rising again in the late 1980s. Officers told me of a Molotov cocktail thrown at the port, and an angry Akwesasronon smashing equipment with a baseball bat. Work stoppages occurred several times during this period as the threat of “calling in the Warriors” expanded.

At the time, border officers were unarmed, and would remain unarmed until 2009. In the event that a traveller was perceived as dangerous, the protocol was to let the traveller continue past the port, to be intercepted by local police afterward. Tensions and security concerns became an increasingly important factor in port operations. One officer I interviewed described his job as “long periods of boredom interspersed by sudden periods of terror.” Another told me that the port officers were “this close” to withdrawing from the Island until port facilities were redesigned and bullet-proofed in the 1980s, making the Cornwall Port of Entry the first bullet-proof port in Canada. Port officers were made to formally apologize in 1988, when a local newspaper revealed they had created a T-shirt saying “I survived Canada Customs” featuring an officer under attack by arrows and tomahawks and a torn copy of the Jay Treaty at their feet (Hooper 1988). A former port administrator, speaking at a human rights tribunal in 2013, remarked that he felt the reinforcement of the port of entry led to a feeling of complacency among officers. Amongst Akwesasronon, this contributed to the image of the port as a Romanesque Canadian outpost upon their own territory.

One month later, following a successful large scale raid on 12 warehouses in Akwesasne containing drugs, and the arrest of 7 community members, Mohawks identifying themselves with the Warrior Society staged their own raid on the port of entry when roughly 200 warriors and supporters arrived at the port, surrounding it in protest. They then “ordered” Mohawk security personnel to leave and evicted roughly a dozen non-natives from the Island. Border officers withdrew voluntarily, citing a refusal to work. Some officers remarked that they feared for their lives, while others stated unequivocally, “we were safe. They made no threats on us at all” (Staff 1988; But see also Karon 1988).

For all the growing tensions between Border Services Officers and Akwesasronon in the 1980s, several officers I spoke with suggested that the tensions were far greater between front line officers, and a revolving door of administrators seeking to bring those officers to heel. The primary cause of these tensions was the disjuncture between the letter of the Customs Act, and the unofficial policy regime which dominated enforcement practices in Cornwall in the 1970s and 1980s. Officers were pressured by a dual and conflicting desire to maintain peaceful relationships with Akwesasne, alongside a desire to treat natives and non-natives equally under the law. For some, the special status afforded by Akwesasronon challenged their sense of liberalism, and the feeling that all Canadian citizens should be equal under the law. Others recognized the need to treat Akwesasronon distinctly, but lamented the lack of formal legal support for doing so. This resulted in contradictory desires to treat Akwesasronon with alternatively greater or lesser scrutiny.

The focus of this scrutiny, at this time, was solely on the movement of goods, and not the movement of bodies. Mohawk travellers could typically enter Canada without any sort of identification, even if this right was never formalized in documentation. Once familiar with a

traveller's face, officers typically waved them through without demanding ID, and Mohawk security services and experienced officers could help junior agents identify which travellers truly came from Akwesasne.

One officer relayed an anecdote suggestive of both the internal stresses of enforcement in Cornwall, and the disproportionate strength of officers in comparison with other ports:

We had this reputation of, in Cornwall, the staff don't take shit from nobody. And it was because of the environment out there, and we had this one idiot [new supervisor] come into town, and they always come in with the same chip on their shoulder that they were going to put us in our place once and for all, and it was the department that was running the zoo. And we always took the impression that it was the animals running the zoo. [...] and this guy came out after he was here a month, and he gave us a rule on alcohol. Specifically, on how much alcohol he would allow the natives to proceed with. And it started at ten bottles. [...] and he was putting this in writing, which we couldn't believe. This was the first idiot that put something in writing. Ten bottles of liquor. So that mean he crosses every time and he gets ten bottles of liquor, and we say, he can't do this.... And a white person is allowed none. You've got two sets of rules, and you just can't do that. So one of our officers, one of our quieter, more laid back guys said "I'm not taking this from you anymore. I'm no longer taking orders from you." And the chief, this guy was the chief, he said then "Fine, you and your friends here, you've got your good friend in Ottawa" – we got along tremendously at that time with one of our superiors, he recognized the predicament we were in and he felt sort of a connection with us, and we with him – he said "you get along so well with him, then you go to Ottawa and get your orders from him." He [the officer who complained] was

gone. He jumped in a car, and he went to Ottawa and said “you’ve got to get this guy out of here, there’s going to be a war in Cornwall, and it’s not between the natives and staff, it’s between the staff and your chief.” And he was right. They [the new chiefs] were yanked all the time. They could not deal with it. They were sending raw, non-uniformed people into our midst. And that didn’t work. And we have history on our side, we went through, on average, one a year.

Power struggles between officers in Cornwall and the administration in Ottawa played a larger role within the port than struggles between officers and Akwesasronon. Officers’ fears were tied to their security – physical security, but also legal security, and job security. The above-quoted officer informed me that officers took to recording supervisors surreptitiously in order to protect themselves in the event that they were arrested or fired for failing to uphold the Customs Act. In this regard, the earliest surveillance technologies in the Cornwall port of entry were those used by border officers on one another, rather than on the traveling public. Successful administrators were those prized for their ability to look out for the best interests of port staff while still fulfilling Ottawa’s expectations.

The Mitchell case shed a light on inconsistencies in regulation which had previously been kept in the shadows. Officers’ testimonies pointed to the disjunctures between the letter of the Canada Customs Act and the customary practices of border enforcement at the Cornwall port of entry. One officer informed me that the Akwesasne Residents Remission Order, a 1991 order-in-council which renders Akwesasronon exempt from duty on “personal” and “community” goods, was a response to these anxieties. He stated:

And don't let the Mohawks or the department fool you. The only reason that there is a remission order, the Akwesasne remission order, is because we, the officers, said to our department and to our government, we said we're drawing a line in the sand, and after this date, we will not allow any native to cross this border without paying full duty and taxes. There's going to be one law here. Because you guys are telling me, I'm breaking the law. And you guys, meaning our department. We didn't trust our department. Because they could come back to us and say, why did you allow that particular individual with that car to go down the road? Why did you allow them in with this that and everything else down the road? What do I have? I'd say, well, put that in writing. They'd say, I can't put that in writing, it goes against the law. I can't tell you as a superior to do anything that goes against the Customs Act or contravenes the law. And we find, our ass is hanging out in the wind here, believe me, and we finally said after a certain date, and here is the date, no more.

Though the remission order ostensibly sought to provide a wider institutional support for the free-movement of Akwesasronon throughout their territory, it can also be interpreted as a movement away from regulation tied to interpersonal relationships and customary practices, and towards inflexible regulation tied to legal statute. By the 1990s, as discussed in the next section, border work transitioned nationwide towards an increased emphasis on security and policing. The form this transition took at the Cornwall port of entry was bound to the historic relationship with Akwesasne, and a tremendous rise in the clandestine trade of cigarettes, particularly among Mohawk youths. The distinction of "bad guys" and "good guys" lost much of its relevance as did the capacity for officers to treat Mohawk travellers on an individual basis.

“The 1990s” – From Tax Collection to Law Enforcement

“The 1990s” were a formative period in Canadian border work’s transition from revenue generation to law enforcement. I refer to the period in quotes to highlight that while this change began in the 1980s, and continued into the millennium, both officers and Akwesasronon identify the 1990s, or “the 90’s” with the change as a whole.

Karine Côté-Boucher demonstrates that it is during this transitional period that border work started to become “diffused” (Cote-Boucher 2013). A wide variety of institutional actors became responsible for tasks previously the sole provenience of Port of Entry personnel. Intelligence gathering, data collection, and data analysis was increasingly handled by public and private agencies, often located offsite. The daily work practices of officers became further entwined with new policing technologies such as computers, scanning devices, surveillance technologies, and later on, biometric identification.

By the 1990s, the border was more visibly than ever, an “assemblage,” (Deleuze and Guattari 1987) in that it consisted of an inexorably entwined network of technologies, practices, and policies.⁸ Côté-Boucher (2013; 2015) notes that the 1990s marked a substantial increase in officers’ accountability to the diverse institutional actors and technologies defining their work. Officers had less discretion than ever before in determining how to go about doing their jobs. At the same time the 1990s marked a legislative transition towards the expansion of officer responsibilities to include tasks previously relegated to law enforcement. Officers had more to do, and less autonomy to determine how they did it. Though I consider changes in officer discretion in this chapter, I engage the concept of discretion more intensively in Chapter 6.

⁸ For a useful discussion of assemblages of technology, politics, and ethics, see Ai-hwa Ong and Collier (2005)

The diffusion of border work along the Canada/US border was felt in Akwesasne through the depersonalization of border officers. This was a gradual process by which new enforcement strategies, policies, and technologies diminished the extent to which interpersonal connections framed local border work. One retired officer spoke to the changes he experienced between beginning in the 1970s and retiring in the early 2000s:

Oh, it's changed 100 percent. It's changed dramatically from when I started. You went from basically not asking questions, just sitting in the booth with the window closed to actually searching the natives, and it all changed along the lines when the smuggling became really huge with the cigarettes. That's when, back in the 90s, and when the bingo palace opened, and when the casinos started to open, that everything changed. You went from not even asking questions to making people identify themselves, make sure they are native, to now, there's the Akwesasne remission order. You're only allowed this much. You're not allowed anything to the accommodation of others. Then we started searching them and started charging duty when it was applicable.

The remission order was designed to protect the communal interests of Akwesasronon and the legal work of local border officers. In effect, it set up a new regulatory standard that justified reduced officer discretion built upon interpersonal relationships between port personnel and Akwesasronon.

Computers also played a role in this depersonalization. Networked with diffuse intelligence gathering institutions, computers could generate referrals based on intelligence that officers may not know about, or even agree with. Computers also generate random referrals which mandate secondary inspection on randomly selected travellers. New enforcement technologies

and modes of analysis also helped bring an institutional focus on “risk management” (see for ex Zureik and Salter 2005) to the Cornwall Port of Entry, replacing a longstanding emphasis on what could be called “trust management.”

While officers recognized that risk management could be effective in more efficient curtailment of clandestine trade, they also saw it sour the relationships between officers and travellers. A retired officer was questioned in the courtroom about his decision to inform travellers from Akwesasne when their referral was randomly generated by the computer. The officer expressed an ambivalence about the referrals.

And I had no problems telling people it was a computer generated referral because I personally didn't believe in them. On my training from 1990 onward, that was the policy of the CBSA, which has changed. I don't agree with the fact that there don't have to have indicators or probable grounds to do a search, so you could be searched because the computer told me to search you. I'd always been trained that I had to make the decision. You do get enforcement out of that, but it's like going to the casino. You roll the dice. It's to make sure that the frequent fliers are being truthful. Sometimes a random referral might catch something an officer may otherwise miss. When you deal with 400 cars an hour, you miss a lot.

Officers were now obligated to refer travellers not solely based on their own suspicions, but also those travellers flagged by their computer systems. Random referrals stood out as a point of contention amongst those working in Akwesasne, where many “frequent flyers” have been known to officers for decades. Another retired officer explained his problems with the policy, and the aggravation it caused:

And even when the computer system came in, they had random referrals. The computer would just pick a number at random and that vehicle would be sent to the back. And we just go, are you crazy? We know who it is. We've seen the same person four times today, and it's this little grey-haired old lady that's going back and forth to see her kids. No, you've got to send them to the back, you haven't got a choice. We're going guys, its February, there's a freaking storm, the lady's 80 years old, are you out of your freaking mind?

While line officers have no direct say in randomly generated referrals, administrators have the capacity to set the threshold for each port. A former port administrator testified that the threshold for randomly generated referrals at the Cornwall port of entry was lowered during his tenure in order to account for the high rate of commuter traffic from Akwesasne. This suggests that as much as randomly generated referrals deny some discretion to line officers, administrators still exercise choice as to how much discretion they will deny officers.

Computer generated referrals did not uniformly damage relations between officers and Akwesasronon. As an attorney put it in a hearing of the Ontario Human Rights Tribunal, it enabled officers to say "don't blame me, it's just the computer telling me to do this." Doing so helps officers save face by reconciling an effort at maintaining a friendly rapport with travellers and the empirical fact that they are sending those travellers for secondary inspection. Blaming the computer is, in effect, a way of saying, "I'm a nice person, and I think you're a nice person, but the computer is forcing me to act, against both of our wills, as if you were suspicious." When successful, this had the potential to mollify relations between travellers in officers, although in practice many are suspicious of the veracity of a computer attributed

referral. When talking about “random referrals,” many in Akwesasne roll their eyes saying, “yeah, right.”

Whereas random referrals are truly random, the most common sort of computer generated referral occurs when a vehicle is “flagged” by an outside agency, computer database, or other officer. A retired BSO with longstanding ties to Akwesasne expressed his frustrations at the ways in which these referrals impacted his relationship with the community.

Sometimes it’s shitty, because it’s like you know me [...] and the car’s flagged. And you’re like, I’ve gotta send you in, and they’re like “fuck you.” “It’s my job bro. I’ve got to send you in” If I was [still] doing an enforcement job, I’d rather not know anybody.

Prizing himself as a “chill guy,” the officer was incapable of reconciling that self-image with the requirements of his work. Ultimately, he decided that border work was not for him.

The officer went on to say that computer mandated referrals were also enforced by new surveillance technologies within the port. While these technologies were used to document travellers, they also ensured that officers complied with policy. He remarked,

Everything’s on camera, everything’s recorded. You’d be fucked. I’d be in the office in an hour [if I didn’t send a flagged traveller to secondary inspection].

Whereas most travellers think of cameras in a port of entry as recording them, officers recognize that they are being watched as well. This surveillance is overt, and since 1990,

officers working in Cornwall have feared risking their jobs due to something recorded by their supervisors. This stands in contrast to the previous decade, as mentioned in the previous section, in which officers covertly recorded their supervisors in order to protect their jobs.

In May 1998, an amendment to the Customs Act expanded the powers of border services officers to arrest travellers for violations of Canadian law unrelated to the Customs Act. In effect, it placed much of the authority and responsibility previously held by police officers on the shoulders of border officers. The amendment also mandated that any interagency intelligence gathering between Canadian and American border services be done through formal channels – ending the days an officer in Cornwall could simply call Massena if they had a problem. Border work transitioned from high-autonomy low-responsibility revenue generation to low-autonomy, high-responsibility policing.

One Akwesasne chief told me that this expansion of BSOs powers was the beginning of the end for relationships between Akwesasronon and Port officers. He told me that the Canadian government had come to Akwesasne framing this expansion of powers as an effort to help protect against the cross-border abduction of children. While not a problem specific to Akwesasne, Akwesasronon swallowed the pill without argument, recognizing the importance of protecting children anywhere. He went on to say that once granted these powers, officers began exercising greater authority during primary inspection, particularly in targeting youth for greater scrutiny. Though the expansion of officers' powers accompanied a national directive, in Akwesasne, it was often viewed as a direct response to local matters. It soon became clear to the community that the aim of the expanded authorities of powers, as far as it concerned Akwesasne, was not in curtailing child abduction, but rather in curtailing the exploding cigarette trade coming from Akwesasne, "buttlegging."

Clandestine trade in tax-free tobacco, or “bottlelegging,” became a major industry in the 1990s. Cigarettes would be purchased for export in Canada, brought into the United States, and then surreptitiously brought back into Canada without declaration. As a result, Akwesasne could bring tax-free Canadian cigarettes into Canada, and make a substantial profit doing so. Though much of this trade was conducted at the behest of the non-native owned and operated RJ Reynolds Tobacco Company, Akwesasne became internationally known as an epicentre for smuggling (Cockburn 2008; Simpson 2008; Busatta 2009). Many in Akwesasne, especially youths eager to make easy money in a location where jobs are not easy to come by, would travel with a trunk full of cigarettes, earning a big payoff for a few hours’ work. People caught transporting cigarettes into Canada were fined rather than arrested, which simply became the cost of doing business. Additionally, as Audra Simpson and Sandra Busatta point out, the tobacco trade was viewed by many participants as not an illegal or immoral practice, but rather an exercise of sovereignty. When I presented my research to an advanced education course in Akwesasne filled with students in their mid-30s and early 40s, one student’s response to her classmate’s complaint that officers had profiled native youths was “come on, we were all smuggling back then.”

The trade was so substantial that Canada established an anti-smuggling task force with the Royal Canadian Mounted Police from 1993-2000, which was revived in 2010. Many lead figures in the task force were “old guard” border services officers, who brought their years of rapport and contacts in the community into the service of anti-smuggling efforts.

While BSOs in Cornwall did not go so far as to associate all Akwesasne with illegality, as officers in other Ports may have done, local work practices began to emphasize increased

scrutiny in efforts to curtail butt-legging. As much as enforcement targeting youths and people driving expensive cars may have helped “risk manage” tobacco, it weakened ties with Akwesasronon regardless of their affiliation with the trade. Officers developed reputations for profiling young Mohawk travellers.

It was at this time that another technology came to influence the significance of border work – electronic complaint forms. Observing an uptick in community complaints towards the CBSA, the Akwesasne Justice Department began compiling a folder detailing officer complaints. The internal handling of complaints renders the CBSA especially opaque, even amongst law enforcement bodies which are frequently characterized by a “lack of transparency” (Cote-Boucher 2013, 27), and was a tremendous source of frustration amongst Akwesasronon who saw officers as discriminating without any consequences. Common complaints focused on the profiling of young Mohawks, but also that officers were unreasonably aggressive in their exchanges with Akwesasne residents.

Though conflict between the CBSA and Akwesasronon came to a head in 2009, much of the stresses which led to protests at the arming of border officers had their roots in the reshaping of the agency in the 1990s. While this period was characterized by economically motivated efforts targeting the movement of goods across the border, the next decade would be characterized by politically motivated efforts targeting the movement of people across the border.

From 2001 to 2009: From Protecting Revenue to Protecting People

By the late 1990s and early 2000s, the “old guard” of officers who comprised the enforcement of the 1970s and 1980s became the demographic minority. The institutional changes that

characterized “the 1990s” were no longer a set of new highly controversial practices, but rather, a defining facet of the job. A new generation of officers, who saw themselves, from the start, as law enforcement personnel, came to the forefront of local operations. In interviews, these younger officers emphasized pride in nationalized training in Rigaud Quebec rather than on-the-job informal training by local staff knowledgeable about Akwesasne. Alongside this generational shift was an institutional shift in enforcement-emphasis, from regulating the control of illegal goods, to the regulation of “illegal” people. Though counter-smuggling was still a priority, “border security” increasingly referred to protecting Canadian (and perhaps more factually, American) people rather than revenue.

The most cited cause for this transition in border policing is the terrorist attacks of September 11, 2001, and their aftermath. Before it was revealed that the hijackers had arrived to the United States with American visas, fingers were pointed at Canada as their point of ingress. Akwesasne received international media attention as the possible entry-point of the terrorists (The Mohawk Council of Akwesasne 2007). The idea that the Canadian border was a weak spot for American security encouraged the United States to push for continental agreements on border security, and emboldened Canada to expand the powers of its officers. The idea that Akwesasne was a weak spot within a weak spot led to increased pressure within the Cornwall port of entry to conform to national, rather than local, enforcement standards.

Three major legislative actions reshaped Canadian border enforcement in the wake of 9/11. First, the Canada Border Services Agency (CBSA) was established out of three previous agencies – Canada Customs and Revenue, Citizenship and Immigration Canada, and the Canadian Food Inspection agency in 2003. Secondly, the Universal Arming Initiative announced in 2006 sought to arm and train all BSOs in firearm usage by 2016. Finally, the

2007 Western Hemisphere Travel Initiative (WHTI, pronounced like “witty”), an international agreement spearheaded by the United States, set a standard for “smart identification” and intelligence sharing by border-regulatory agencies throughout North and South America.

In itself, the reorganization of Canadian border agencies into the CBSA did not cause as substantial a change in day to day enforcement practices as transition towards policing and diffusion of border work did in “the 90s.” The daily work practices of officers had already changed, although the extent to which the CBSA is in fact a “service agency” has been contested by the agency itself, seeking to distance itself from the legal requirements of publicly funded service organizations.

WHTI sought to standardize cross-border identification documents in North and South America by mandating “secure” documents. By standardizing documentary requirements for cross-border travel, states could place a greater emphasis on intelligence gathering processes well before a traveller gained the documents that they would present at the border. Embedded with intelligence information and registered on shared databases, “smart” travel documents carry a great deal more information about travellers than their antecedents. Borders increasingly became last, rather than first-and-only, lines of defence for security operations and intelligence gathering. Yet both Canada and the United States had a longstanding history of accepting native status documents rather than passports as international travel documents. Though both states sought to integrate security features into status documents, this has been a slow process, resulting in a disjuncture between the requirements of WHTI, and on the ground acceptance of documents lacking WHTI-compliant security features.

The Haudenosaunee passport, a travel document printed by the Haudenosaunee Confederacy, has been especially problematic to WHTI's implementation. These passports have been produced since the 1920s, and are indicative of the Confederacy's efforts to articulate and enact its own sovereignty at the border. Many surveyed in Akwesasne stated they would prefer to travel using a Haudenosaunee passport, but do not do so because they are often not accepted, especially by Canadian officers.

A few instances of passport usage and refusal received media attention in recent years. One traveller from Akwesasne had her passport confiscated as a "fantasy document," which is the CBSA's official designation for documents which are not recognized by the Canadian state. The passport was subsequently returned, with an apology, to the Mohawk Nation Council of Chiefs. Many eyes were turned to the travails of the Iroquois Nationals Lacrosse team whose travel to the Lacrosse world championships in the United Kingdom was denied in 2010. The United States argued that the passports lacked the security features required in WHTI compliant documents, refusing the passports on security rather than sovereignty grounds. Lacrosse players, several of whom were from Akwesasne, refused any offer of visa assistance from the United States, wishing to play "as Haudenosaunee." Though the team could not play, international media attention brought Haudenosaunee sovereignty and border issues to publics worldwide. The Confederacy has responded by designing future passports that match, or surpass, the security requirements of WHTI-compliant passports – a long and expensive process.

Though WHTI clearly distinguished valid and invalid travel documentation, its implementation at the Cornwall Port of Entry was not as absolute as elsewhere. In my arrival in Akwesasne in early 2012, many Akwesasronon still entered Canada without showing any identification. Yet

this unofficial policy of non-carding was irregular. Some officers always asked for ID, others only asked if they were unfamiliar with the traveller. It was customary for many in Akwesasne to only present ID when asked for it – some without complaint, others asking “why do you need to see my ID?” When I drove with Mohawk travellers, officers often looked at me before asking my passengers for their identification. Once, while sitting in the backseat of a full car coming from a birthday party around 3:00 in the morning, the officer on duty simply waved us across, much to my surprise. I discuss this practice of not IDing native travellers in much greater detail in Chapter 6. The practice, which was never a policy, was officially ended in 2014 with a policy of “universal compliance verification.” The move caught many in the community by surprise, resulting in long lines to get across the border, as some travellers had not bothered to bring documents, and others were forced to produce non-scannable documents, each of which had to be entered manually by officers.

Karine Côté-Boucher (2013) suggests that the CBSA’s arming initiative was the most influential factor in reshaping border work in the early 21st century, and represented a triumph for the CBSA unions in placing officers on equal footing with other Canadian law enforcement officers. The arming initiative sent an international message that Canada was serious about border enforcement, and brought more than a hundred million dollars of additional funding to the agency. Drawing on her own interviews with border officers, Côté-Boucher shows that arming had a multifaceted impact on the ways in which BSOs conceptualized their own work, one intimately tied to the association of guns with masculinity in the wake of feelings of emasculation caused by the loss of discretion in the 1990s.

The arming initiative also furthered the generational divide between BSOs beginning their jobs as police, and those who came into their positions as revenue collectors. For comparison, one

can imagine if the Canadian government suddenly mandated that all census takers carry a handgun. Many senior officers preferred early retirement to arming, furthering the generational demographic shift in Ports of Entry. In the next section, I discuss the local impact of the arming initiative at the Cornwall Port of Entry.

The Protests of 2009

On the evening of 31 May 2009, a large group of protestors from Akwesasne gathered around the Cornwall Port of Entry, then located on Cornwall Island. They had been present for weeks, and some for longer, protesting the port's implementation of the CBSA's Universal Arming Initiative, slated to commence on 1 June. Protestors held up signs reading "no guns on the Island," "Guns make it easy to kill," and "This is Mohawk Land." Prior to the midnight deadline for armament, port of entry personnel packed their things and left the port of entry. Claiming concern for their security, rather than simply heading north into the city of Cornwall, personnel drove south via New York State before turning north into Canada and looping back to the city of Cornwall.

In the aftermath of the port closure, the seaway international bridge immediately closed road access between Cornwall Island, and the city of Cornwall and the southern bridge connecting Cornwall to the United States. The Island and its residents were subsequently cut-off. Shortly thereafter, the bridge connecting the Island to New York State was blockaded, but only in one direction, making it possible for Island residents to leave, but not return. Though they serviced few if any travellers, as the traveller would have to be leaving, but not returning overland, the US Port of Entry remained open during this period. Regular traffic through the Island recommenced more than a month later when a temporary CBSA port facility was opened in the city of Cornwall, north of the Island, on July 13, 2009. Along with the new port facility

was a reporting policy for any Akwesasronon coming to the Island to first report themselves to the city of Cornwall. I discuss this policy at length in the next chapter.

What took place in the hours leading up to the withdrawal is still contentious. Representatives of the CBSA have blamed Akwesasronon for threatening the port, while Akwesasronon accuse CBSA officers of overreacting. Here I quote, at length, from the proceedings of the Federal Court of Canada in the case between Grand Chief Timothy Thompson, The Mohawk Council of Akwesasne and the Mohawks of Akwesasne, and the Minister of Public Safety and Emergency Preparedness, the President of the Canada Border Services Agency, and the Minister of Transport, Infrastructure and Communities. Thompson and the MCA sought a judicial review of the activities of the CBSA in the wake of the protests, and the institution of the reporting-in policies. It is interesting to note that the Court used the first person “I” in its findings on the protests, something it had avoided for all other parts of the proceedings. Though striving for neutrality, and representing undisputed facts, the choice of facts presented aligns with the court’s ultimate finding in favour of the Minister of Public Safety, CBSA and Minister of Transport.

The Protests on May 31, 2009 and the Closure of the CBSA Facility

[41] There is also a disagreement between the parties as to the nature of events which took place on May 31, 2009. The applicants submit that there was a peaceful political demonstration against the arming of CBSA Border Services Officers scheduled to take effect the following day. The applicants point to the fact that no one was ever arrested for actions occurring on that evening as support for their position that the protest remained peaceful. On the other hand, the CBSA witnesses state that the protests on

the evening of May 31, 2009 presented a threat to the safety of the CBSA officers on duty.

[42] While the two sides place a very different spin on what happened at the CBSA facility on Cornwall Island on the evening of May 31, 2009, I do not, however, understand there to be any dispute about the fact that several hundred protesters gathered at the facility. Some of the protesters were wearing combat fatigues, and some wore balaclavas or bandanas obscuring their faces. A large backhoe was also brought to the site.

[43] At approximately 8:00 in the evening, Grand Chief Thompson and others presented Mr. Markell with the “third and final notice” of the MCA resolution. Mr. Markell had a discussion with Chief Cheryl Jacobs who asked if the implementation of the arming of the Border Services Officers could be postponed. Chief Jacobs also advised Mr. Markell that she was doing her best to control the protestors, but that “there was a group of angry men prepared to take matters into their own hands.”

[44] Over the course of the evenings, individuals wearing “Warrior” insignias on their clothing shone lights at surveillance cameras on the site, making it difficult to monitor the area around the CBSA facility. Bonfires were also set at several locations surrounding the CBSA facility.

[45] At around 11:00 p.m., Mr. Markell spoke to Jerry Swamp, the Chief of the Akwesasne Mohawk Police Service. It is uncontroverted that Police Chief Swamp told Mr. Markell that he was worried that his officers might not be able to control the

crowds, and that it may be in the CBSA's best interests if the CBSA staff left Cornwall Island.

[46] Approximately 40 minutes later, Mr. Markell was advised that SIBC [Seaway International Bridge Corporation] employees working at the toll booths on the north end of Cornwall Island were being evacuated out of fear for their safety.

[47] Richard Comerford, the Regional Director General for the CBSA's Northern Ontario Region, was monitoring the situation by video feed. Just before midnight, Mr. Comerford spoke by phone to Police Chief Swamp, who advised him that there was a large crowd gathering at the CBSA facility on Cornwall Island, and that he could not guarantee the safety of the Border Services Officers. The applicants do not dispute the fact that Police Chief Swamp suggested to Mr. Comerford that CBSA employees should leave the facility.

[48] Mr. Comerford then instructed Mr. Markell to evacuate CBSA personnel from the Cornwall Island facility and the port of entry was closed.

The 2009 protests and their aftermath represented a sort of "epitomizing event"⁹ for the changing relationship between Akwesasronon and Canadian BSOs. As far as the present is concerned, more important than what occurred, is what different actors think occurred, and the

⁹ The term "epitomizing event" is here drawn from Raymond Fogelson's "The Ethnohistory of Events and non-Events" in which he writes,

Plot-generated "events" may be constructed for purposes of narrativity, for "telling the story." Yet, surrounding the "real" or constructed events is a residuum of cultural data critical for historians and ethnohistorians. These include values, meanings, symbolism, worldviews, social structural principles, and other variables of cultural analysis with-out which any event, real or imagined, cannot be adequately interpreted. (1989, 141)

way they talk about it. I discuss this in greater detail in Chapter 5's "border stories." However, in brief, it is worth noting the variety of framings of the event which permeate the area because of the ambiguities of the protest and withdrawal, Akwesasronon are at times represented as uncontrollable Mohawks (invoking, and sometimes even employing the "savage" trope), Border Services Officers as spiteful and inflexible, leadership on either side as ineffective, or Machiavellian. Fire was a common metaphor invoked by both Akwesasronon – with bonfires as a symbol of community togetherness, and Border Officers, as a symbol of lawlessness and danger. The protests made it possible for people on either side of the protests lines to justify the stories they tell themselves about themselves, and about the people on the opposite side.

In the month following the CBSA's withdrawal, Akwesasne's community solidarity was at an all-time-high, as residents developed makeshift ferry services to support the suddenly isolated Cornwall Island. Shortly thereafter, when service returned to the city of Cornwall, residents were annoyed by the long wait times, but appreciated the new freedom of movement onto the Island without going through customs. Though the CBSA demanded travellers report to the city of Cornwall whenever arriving on the Island, this policy, which I discuss in detail in Chapter 4, did not become implemented in practice until September 2009. Many I spoke with in Akwesasne suggested that officers blamed Akwesasronon for the port's relocation, and were not shy about sharing this knowledge. Several told me that officers made gun signs with their hands at Mohawk travellers as evidence of their displeasure. Many feel that the reporting-in policy and vehicle seizures are collective punishment directed towards Akwesasronon.

Karine Côté-Boucher points out that the universal arming initiative was more directly a victory for the CBSA union than the individual officers. By securing support for the arming initiative, the union was able to position the CBSA as a law enforcement agency on equal standing with

the RCMP and other police services. Many in Akwesasne are quick to point out that the union, more strongly than local administration, refused to budge on the arming issue. While the CBSA union stated unequivocally that officers would not return to the Island, Ottawa responded that the union did not have the authority to make that call.

The 2009 standoff between Akwesasronon and BSOs epitomized the two's relationship following decades of change in both the community and the port. The standoff simultaneously encapsulated longstanding conflicts, and set the tone for the future relationship between the two entities after the relocation of the port of entry. Both CBSA officers and Akwesasronon suggested that while the arming initiative spurred the protests and withdrawal, it was simply the straw that broke the camel's back – a capstone on decades of increased antagonism, difference, and loss of trust between agents and community members. Though Akwesasronon and CBSA administrators both suggest that rapport between the two has begun to mend, they also accept that the relationship is far from positive.

Conclusion

As I write this, more than a half dozen years have passed since the 2009 protests which resulted in the closure of the CBSA port of entry on Cornwall Island. The protest fires have been reignited a few times, recently in support of the nation-wide “Idle no More” movement, and in opposition to local enforcement policies.

Looking at a recent history of CBSA-Akwesasne relationships, one cannot easily point to a “golden age” in which officers and Akwesasne residents got along swimmingly. The existence of “the border” remains a perennial point of contention. There have always been frictions, although the qualities of those frictions have shifted. By some measures, relationships between

the CBSA and the community are cooler now than they had been in the 1990s and 2000s. While anti-smuggling activities still remain a concern for CBSA line officers, their autonomy in dealing with these matters has been diffused to other law enforcement agencies. Many of the most controversial officers no longer work at the port of entry, replaced by a younger and more rigorously trained generation who have never seen themselves as anything other than law enforcement personnel. The violence of the late 1980s has not been repeated in any form, and many of its lead figures have aged, often calming or retiring.

In a sense, there is more “distance” today, both physical and social, between border enforcement and the community. Today, few CBSA officers find themselves in the Akwesasne Mohawk territory, unless they are en-route to someplace else in New York State. Officers are not playing hockey on the turtle Island arena with Akwesasne residents, nor are they socializing off-hours.

This distancing can be understood as a direct and indirect consequence of the depersonalization of border work at the Cornwall port of entry. Local enforcement, and what defined “the local” transitioned from a shared context in the 1970s and 1980s, to an increasingly disparate divide between local concerns and national policy by “the 1990s.” A combination of technologies, policies, and practices, redefined the space of “the border” for both Akwesasne residents and BSOs.

As Akwesasronon and Border Officers increasingly saw themselves as strangers, the terms by which they understood one another, and the border itself, were rendered both more distinct and less familiar. Not only did officers and Akwesasne come to experience the space of the border differently, they came to understand its meaning differently. What “The Border” means to a

Mohawk traveller and what “the Border” means to a CBSA officer are two different things, and there are fewer opportunities to share these meanings than there were in the past.

Even if social and physical distance between officers and Akwesasronon has increased, the necessity of cross border travel has not. Akwesasronon still move across the border daily and account for the vast majority of international (and now domestic) travel through the port. Akwesasronon travellers not only go through processing when driving across a port of entry, but are also targeted by “reporting in” policies which obligate them to bring themselves to the port when crossing a borderline.

In the next section, I transition from a discussion of how this border came to Akwesasne to the policies, laws, and logics that bring Akwesasronon to the border. I suggest that these policies are built around a disjuncture between an “ideal type” of border and the geopolitical realities of the Akwesasne Mohawk Territory. The definition of borders simply does not work in Akwesasne as it does elsewhere. To get a sense of the variety of definitions officers and travellers employ, I ask, “What sort of line is a border,” and explore what happens at the Cornwall Port of Entry post-2009 when the site of the borderline and the site of border enforcement fail to correspond.

Chapter Five: Reporting-in to/from Akwesasne

Prologue:

In summer 2014, the Seaway Bridge Corporation closed down the derelict high-level bridge connecting Cornwall Island to the city of Cornwall and replaced it with a sleek, smooth, substantially shorter low-level bridge. The old bridge was designed decades prior in accordance with the dream of a Canadian commercial corridor along the Saint Lawrence River. Ultimately, it was never used for river commerce, as a high-level bridge connecting the Island to New York State became the preferred means for overwater trade. Yet the high-level bridge remained, and anyone driving between Cornwall Island, and the city of Cornwall to the North had to travel along its massive rickety frame, which swayed and creaked when high-winds hit the Saint Lawrence.



For my year of fieldwork, the bumping of my car against potholes had become the theme song to my daily commute. At the foot of the new bridge is the third incarnation of the “temporary” port of entry, located in the city of Cornwall since 2009.

With line-ups to the port of entry leading directly onto the bridge, I, and many in Akwesasne, spent twenty minutes to over an hour waiting in line at the bridge in order to get into Canada every day. Some travellers would proceed to the city of Cornwall, though many, residents of Cornwall Island, were obligated to report themselves to the port of entry at the foot of the bridge only to double back and return to their home island, which they had just crossed.

The bridge had become a part of the landscape, and like many in Akwesasne, I was mostly glad to see it go, despite the memories. In celebration, the Seaway bridge corporation held a “day of the bridge” when the bridge would be open to foot traffic. Tables dotted the bridge with photographs from its history – a newspaper clipping from 1962 reading, “Cornwall-Massena Bridge opens July 3, another great bond between two nations!” - with volunteers handing out bottled water and souvenirs. One extended family from Cornwall Island gathered for a group photo overlooking the Island.



Just in town for a few days, I decided to meet up with some friends living on Cornwall Island. Since the bridge would be open, I decided to walk from the city of Cornwall south to the Island,

meet my friends there, and then walk back to my car in the city of Cornwall. I had walked along the bridge several times in the past, with political demonstrations that closed down the cross-border corridor, first in solidarity with the Canada-wide “Idle no more” movement, and later on in protest of Canadian border enforcement policies.

When I reached the terminus of the bridge on Cornwall Island, I found myself unable to continue onto the Akwesasne Mohawk territory. A barbed wire fence blocked any foot traffic from the Island with signs, facing the Island reading, “BRIDGE IS ACCESSIBLE FROM CORNWALL ONLY. S’IL VOUS PLAÎT NOTER QUE LE PONT SERA ACCESIBLE A PARTIR DU COTE (SIC) DE CORNWALL SEULEMENT.” The French translation was comical, as practically nobody in Akwesasne speaks French, and everyone speaks English. Akwesasne residents who wanted to join in “the day of the bridge” would have to drive from Cornwall Island, Canada, traverse a toll booth, report themselves at Canadian customs, and then proceed into the city of Cornwall (without having set foot off of “Canadian” soil). Then, walking to the point the bridge reached their home, they would be obligated to turn around, walk back along the bridge into the city of Cornwall, and drive back across the toll booth once more before heading home.



Before encountering the fence, I had looked forward to writing about the event. I had the image in my head of Akwesasronon walking from Cornwall Island, and residents of the city of Cornwall walking from Cornwall, and meeting halfway. I could discuss the border as bridge, and two populations sharing their own unique memories of time spent on the bridge. Yet the image I found was a barbed wire fence rather than a bridge. This provoked the questions: Why was it necessary for the Seaway Bridge Corporation to block travellers from Cornwall Island, Ontario, from walking into Cornwall Ontario? How did “the border” come to manifest as a bridge for some, and a barrier for others?

Introduction

“The Border,” like Akwesasne, can be different things to different people at different times. Above I provide an Anecdote in which, over the course of a single event, “the border” was a site of nostalgia and frustration – a bridge and a barrier. What constituted “the border” on the “day of the bridge” depended largely on which side of the bridge one found themselves, and which direction they were going, though the reason that mattered was tied to centuries of context.

The past several chapters have tried to bring context to the contemporary border in Akwesasne – looking at the histories, ideologies, and motivations that feed into many of the interactions between Border Services Officers and travellers. This chapter engages more critically with the question of “what is a border” in Akwesasne – suggesting that Akwesasronon and Border Services Officers (BSOs) employ very different conceptual models when engaging with “the border.” Furthermore, I look at the underlying logics of local border enforcement policies unique to the Cornwall port of entry, which have resulted in the designation of Cornwall Island as Canada’s only officially regulated “mixed traffic corridor.” I suggest that “reporting-in”

policies created by both Canada and the United States to regulate the movement of bodies across the borderline in and around the Akwesasne Mohawk territory are the consequence of the physical disjuncture between the site of the borderline in Akwesasne, and the sites of border enforcement.

In Akwesasne, the “ideal type” of border in which travellers, after crossing a line are directly filtered into a port of entry for process, fails to mesh with the reality in which one can cross the border without being processed, or traverse a port of entry without having stepped across a borderline. State efforts to force a particular vision of how borders *should* work in a site where the reality is far different have had mixed, but largely negative consequences both for Akwesasne, and for relations between Akwesasne and local, particularly Canadian, BSOs.

This chapter looks at the various things “the border” can be, to whom, and the consequences of these conceptions. Different understandings of borders and their purpose are responsible for the events which brought “the border” to Akwesasne and Akwesasne to “the border”. They are responsible for the policies which regulate movement within and across the territory and bring travellers into contact with officers. These understandings are also responsible for the assumptions both officers and travellers bring to those interactions. This in turn influences what takes place when the two meet, and the ease, or difficulty, of cross-border encounters.

Borders as Lines, Lines as Borders

Different definitions of borders necessitate different ways of engaging with them. Across academic disciplines, scholars have presented borders in terms of metaphors (Anzaldúa 1999), as the territorial embodiment of a bundle of ideas (Johnson and Graybill 2010, 2), as an ideal type representing the limits of national sovereignty (Weber 1958; Gellner 1983, 1), as an

essential facet of state ontology (Torpey 2000), and so on. Border studies has also offered windows into the ways in which a variety of disciplines privilege particular understandings of borders (Van Houtum 2005) with the recognition that a scholars' conception of 'border' influences their study.

Less attention has been paid to the ways in which actors involved with borders, such as cross border travellers, policy makers and Border Services Officers (BSOs) understand them. Such a gap makes sense considering how rarely and reluctantly these actors theorize what constitutes a border. "The border," as it relates to everyday practices, tends to be taken for granted by people who cross and enforce it on a regular basis. It may be a banal facet of one's engagement with the nation state, but it is by no means benign (Billig 1995). Anthropology, with its emphasis on long-term research engagement and focus on the taken for granted offers a useful methodological tool for examining how different actors orient their activities along different understandings of "what is a border."

Timothy Ingold (2007) has suggested a movement away from thinking of lines in terms of boundedness, and towards an emphasis on lines of movement, i.e. trails, pathways. Though Ingold may be correct that imposing lined boundaries on essentially dynamic organisms (his examples are organic, but states are, I think, parallel here), can constrain, suffocate, and damage if not destroy – it is at the intersection of lines of movement and borderlines that border policy takes shape. Indeed, the expectation of linear travel is a necessary facet of state regulation of borderlines.

Drawing on more than a year of ethnographic research, this chapter discusses the ways in which "the border" is often understood as a combination of two objects, (1) the borderline, and (2)

the port (the site of enforcement). Further, the act of “border crossing,” is frequently understood not in terms of geospatial traversal of either the borderline or the port, but in an interaction between a traveller and an officer. Most border actors do not reflect upon conceptual facets of borders and border crossing, but nevertheless unconsciously incorporate them into their practices.

Generally speaking, the port, the borderline, and processing, are spatially and temporally contiguous. As an “ideal type” for overland cross-border travel in North America, and much of the world, as soon as one traverses the borderline, they reach a port of entry where they are processed by border officers. As a result, even if the borderline, port, and processing can be conceptually distinguished, they are, for all intents and purposes, bundled. In most cases, the port may be conceptually distinct from the borderline, but such distinction matters little.

The bundle of borderline, port, and processing comes undone in and around Akwesasne. On reserve land, one can cross the borderline at various points without encountering any sign of US or Canadian customs enforcement. Ports of entry are located great distances from the borderline, and travellers are often processed by BSOs even if they have never crossed the line. At present, thousands of Akwesasronon (people of Akwesasne) live sandwiched between American and Canadian ports of entry. Because the port, line, and processing are physically and temporally separated around Akwesasne, their disparity as unique, and not necessarily interwoven, ways of conceptualizing the border is rendered starker. In this case, the port is distinct from the borderline, and this distinction matters greatly.

Around Akwesasne, local border enforcement policies demand travellers “report in” at a port whenever they cross a borderline, even if this requires a great deal of time and effort. These

policies represent efforts on the part of policy makers and enforcement officers to artificially bring port and line together, even if they are physically separate. In practice, the policies have added new wrinkles for enforcement practices, isolated Akwesasne, and caused great difficulties for the community. When Akwesasnon do “report in” to customs, they bring their own set of assumptions about the border, which often conflict with those of officers.

Broadly speaking, BSOs tend to consider “the border” in terms of the borderline, and orient their enforcement practices accordingly. Travellers, on the other hand, tend to consider “the border” in terms of the port, and orient their travel practices accordingly. These different emphases as to what constitutes a border play out in interactions between officers and travellers. They impact the sorts of questions officers ask, and the sort of answers they may receive, as well as the efficacy of enforcement practices, and resistances to those practices.

Border scholarship across disciplines would be well served to investigate the ways in which border actors organize their activities and interactions around different concepts of what constitutes a border. Because of its unique geopolitical situation, Akwesasne offers a useful opportunity to examine the ways in which seemingly indistinguishable facets of borders are in fact distinct, and that this distinction matters. Further, the case study of Akwesasne offers a window into the underlying logics and consequences of policy innovations designed to bring the reality of borders in line with the political and policy ideal. When policy makers try to force a geographically separated borderline and port together, as they do in Akwesasne, it has severe implications for the population residing in between.

The Borders We Cross

In the introduction to this dissertation, I invite the reader to imagine themselves driving from Canada into the United States (or vice versa). I repeat this thought exercise once more in the context of the three facets of borders I wish to emphasize presently: borders as lines, sites of enforcement, and exchanges with border officers.

Imagine yourself driving south from Montreal into New York State. You would most likely cross at the Champlain/Lacolle crossing. Your car follows a Quebec Highway south until you see a large sign, “United States of America” and several lanes of cars leading into a PIL (Primary Inspection Lane) booth. You choose to queue up at one lane and immediately regret your decision as the other lanes seem to be moving much faster. After waiting on line (New Yorkers wait ‘on line’ rather than ‘in line’) for an interminable period of time, you reach a booth housing a BSO (Border Services Officer). Assuming you do not have any problems with processing, the BSO takes your travel document, asks several questions, and after returning your document tells you “have a nice day.” Your car moves forward and heads onto a New York State highway.

If friends or family members called you along the way, at what point in your journey would you say, “I am at the border”; “I am crossing the border”; or “I just crossed the border”? You traversed the borderline separating the United States from Canada more than one hundred meters before seeing the large ‘United States of America’ sign. By the time your car queued, you were within the legal jurisdiction of the United States. In that vein, the officer who spoke to you was not so much determining whether or not you could *enter* the country. From their perspective, you already had; you had crossed the borderline. They were instead determining whether, and under what circumstances, you could *proceed* within the United States. However,

most members of the traveling public, myself included, would not state “I’ve just crossed the border” until after completing their interaction with the officer.

In this context, crossing the border was not the same as crossing the borderline. The border, in our example, can be thought of in three aspects, (1) as the line differentiating states (what I refer to as the borderline), (2) as the site of the POE processing travellers who cross that line, and (3) as the act of processing at that POE.

Sites of state border enforcement, whether ports of entry, walls, or simply ‘welcome to’ signs are typically located within the borderlines of the state. As noted above, American ports of entry are physically located in what is considered US soil. For this reason, laws enforced at the port are unambiguously American. If, for example, one commits a crime at a POE (the most common being driving while intoxicated), there is no ambiguity as to which country’s laws they have violated. This was one of the explanations given me to explain the challenge of moving the Cornwall Port of Entry south of Cornwall Island, and off the territory of Akwesasne. Because the borderline is located in the middle of the St. Lawrence River, any Canadian port south of Cornwall Island would be entirely in US territory.

These sites of border enforcement can be said to have an indexical relationship with the borderlines. This is to say they indicate, or point to, the presence of the borderline, but are not the borderline themselves. Charles Sanders Pierce (1931) notes that one of the essential facets of an index is some sort of contiguity with the object being indexed (But See Parmentier 1994; Atkin 2005). Someone looking at a flag blowing in the wind will point at the flag and say, “look, the wind,” or someone smelling the methane added to cooking gas will say “I smell gas.” Much in the same way, someone looking at a port of entry built to reinforce a borderline

will say “look the border” without giving too much thought to the complex relationship between the port and the line. Yet by the time someone encounters a site of enforcement, they are almost certainly well within the borderlines of that state.

This spatial arrangement is not unique to America’s Northern Border. Ronald Rael notes, “while the wall [separating Mexico and the United States] is always constructed on US soil, in many places it is constructed as far as two miles away from the actual territorial border” (2012, 78). Any perceived efforts by states to push their zones of enforcement into another nation’s sovereign territory (such as Israel into Palestine, or China into Bhutan) are conventionally viewed as encroachment. Placing enforcement sites clearly within the national boundaries of a state offers the additional benefit of mitigating any potential legal ambiguity concerning crimes committed on site. If a driver pulls up to a Canadian port of entry drunk, the border officer can arrest them as they would any other drunk driver within Canadian soil.

Are borders, then, the lines separating countries, or the places where those lines are enforced? Or are they constituted by the experiences of processing and enforcement? There is an ambiguity here, and one that may be better left unresolved. It is reminiscent of what Vered Amit (2002) calls, “the trouble with community” discussed in Chapter 1 – specifically that the term community is variously used to describe a particular type of social collective, *and* the site at which that collective is located. Similarly, the term border is a multifaceted one, encompassing both places and practices.

In offering an expansive treatment of the term, ‘border’, I would not go so far as Gieryn’s suggestion that “the three defining features of place – location, materials form, and meaningfulness – should remain bundled” (2000, 466). This offers a good strategy for

discussing sites such as Ports of Entry, fences, and sign posts on their own merits. However, borders may be understood as places, but they can also be seen as more than that. Borders are not simply “one thing,” except for when they are. While site, form, and meaningfulness (even if we take ‘meaningfulness’ expansively to include practices) are often bundled when one thinks of ‘borders’, these facets can be unbundled and re-bundled in a variety of permutations legally, strategically, and in response to one’s personal experiences. The packaging can become the product, so to speak. In the following section, drawing on ethnographic work with BSOs and Akwesasronon travellers, I offer examples of two different orientations towards the concept of border and some implications of these orientations.

Borders as Lines

Broadly speaking, Mohawk, Canadian, and US government actors tend to consider the border in terms of a line of demarcation. When I asked officers “what” the border is, their answers typically focused on “where” the border is. As they described it, “the border” engendered enforcement, and not the other way around. This conception of the border, favoured (though by no means exclusively) by border officers, affects their practices, and the assumptions they bring into interactions with travellers, who often have disparate views as to what constitutes a border.

I first considered this disparity when “reporting-in” to US customs following a day’s work at the MCA administrative building in St. Regis Village. As always, after leaving the Village, I drove without stopping to the US port of entry in Massena. I parked my car, grabbed my passport, shut off my mobile phone and walked into the port office. I waited for a seated officer to look up, and told him, “I’m reporting-in.” He replied, “Where are you coming from?” I told

him, “Saint Regis”; this dialogue represented a script I repeated hundreds of times over the duration of my fieldwork. The officer asked me, “What were you doing there?” I told him, “I study the border there.” He looked up from his desk, and asked cynically (and off script), “Is it any different from the border here?”

I was surprised by the officer’s question. How could he equate the heavily visible, highly militarized Massena port of entry, with body armour, automatic weapons, fences, barbed wire, and high-tech surveillance (below left photograph), with “the border” in Akwesasne, with its totally unregulated fields, farmland, roads, largely invisible (below right photograph)? The bottom left photograph was taken from an internet stock photo as photography is prohibited at the Massena Port of Entry. During one protest during my research, journalists were detained for photographic protests on the site of the port. The bottom right photograph is one of several I took of “the border” in Akwesasne, this one standing out because of the overgrown post marker. While photographic the borderline is not prohibited in Akwesasne, one has to be careful photographic people’s property, as many residents are sensitive to their privacy, and concerns over covert policing surveillance are common. These two representations of the border are so markedly distinct, I had a difficult time understanding the officer’s incredulity in asking whether the border was any different between the two sites. How could he have imagined any situation in which “the border” was the same in both places?

The answer came from the realization that the officer and I had fundamentally different ideas of what “the border” was. Whereas when I said, “I study the border,” I was thinking about the port, border posts, signs, or lack thereof, when asking me if the border was any different, he was thinking in terms of the borderline. From that perspective, there really was no difference

between the border in Akwesasne, and the border in the Massena port. An invisible line looks the same wherever one draws it.



This helped me make sense of an exchange with an American port supervisor weeks prior, in which I asked the supervisor “what is the border?” I expected a philosophical or legalese answer, but he looked at me quizzically and pointed to the location of the borderline at the southern span of the Three Nations Bridge, saying, “It’s just over there.”

Officers are often sensitive to the fact that the border means different things to different people, especially around Akwesasne. When I asked a retired CBSA officer, “what is the border?” he replied, “it depends on who you ask.” When I asked him what he understood the border to be, he replied, “what’s the border to me? It’s the line that divides Canada and the US.” Although I found the officer’s perspective representative of that of BSOs more broadly, the Canada Border Services Agency (CBSA) informed me that I could not ask their employees “what is the border.”

I was told that for BSOs, the border is exactly what the government defines it to be, and as far as performance of their duties is concerned, BSOs do not have their own perspectives on what constitutes a border. This prompted me to search for the Canadian government’s definition of the border, though with little success.

Outside of use of the term ‘border’ in the acronym CBSA, the Canada Customs Act, the legislation responsible for Canadian border regulation, only contains one explicit use of the term ‘border.’ Otherwise, the document details regulations concerning people and goods “entering Canada,” and not people or goods “crossing the border into Canada.” The one section that explicitly mentions the border was added in 2012 to “designate as a mixed-traffic corridor a portion of a roadway or other access way that (a) leads from an international border to a customs officer [...]” (Customs Act of Canada 11.6). The term “border” in this context refers solely to the international borderline. It should be noted that Akwesasne is the only so-designated “mixed traffic corridor,” and this section of the Customs Act was almost certainly added in order to address local enforcement problems following the relocation of the port of entry off of Cornwall Island. This suggests that the only explicit mention of “the border” in the Customs Act, the act dealing with the entirety of Canadian border regulation, was added very recently, and in response to difficulties over border regulation in Akwesasne.

Both Canada and the United states have gone to greater lengths to define “where” the border is, than “what” the border is. The International Boundary Commission (IBC) offers a more direct engagement with the term ‘border’ than the Customs Act, but ultimately emphasizes the “where” rather than the “what.” The Commission’s information brochure states,

The proper definition and demarcation of that boundary [the Canada/US Border] is as essential today as it has been throughout history for law enforcement, land administration, customs and immigration [...] the story of defining the boundary starts with the Treaty of Paris in 1783, which described the border between British North America and the American states. (Commission 2013)

“Defining the boundary” is taken as the act of delimiting rather than the act of describing. Definition, when it comes to state approaches to borders, refers more often to their shape than meaning.

This emphasis on the “where” of borders was not unique to US and Canadian state actors. The Mohawk Government also emphasized the location of the borderline rather when circulating a press release concerning the possibility of moving “the border.” In this release, “the border” referred to the line of demarcation, and not the port.

Though I want to suggest that many government actors I spoke with privilege the borderline when considering the border, I do not want to be too stark in this assertion. Officers, especially those serving the ports of entry around Akwesasne are often sensitive to a variety of ways of thinking about “the border,” and aware that the term means different things to different people at different times. In the same vein, many in Akwesasne are acutely aware of the location of the borderline – even if the line is largely invisible within the territory, the location of one’s residence vis-à-vis the borderline can affect their access to a wide variety of services. Yet at the same time, in the everyday lives of many travellers, both within and outside Akwesasne, “the border” is defined not by *where* it is, but rather, by *what* it does. The site of the border is frequently understood as the site of border enforcement, most pertinently, the port of entry.

Borders as Ports

Many travellers conflate ports with borderlines. Whereas borderlines may be invisible, ports are highly visible manifestations of their presence. One could argue that such a view is false, that ports are not borders, and that the travellers are mistaken. However, rather than suggest

that this is a case of massive misunderstanding, that anyone who conflates “the port” with “the border” is simply wrong, it is instead worthwhile to examine why and how cross-border travellers understand “the border” in these terms, and the consequences of such an understanding.

When driving with passengers from Akwesasne or off the reserve, I often asked them to notify me when we reached ‘the border’; without fail, passengers would do so when we reached the port of entry. Akwesasronon would, however, point out the borderline when conducting community tours of the territory, but this was for the benefit of outsiders. Though travellers are aware of the distinction between the borderline and the port when stopping to think about it, in everyday practices, it is the port which constitutes “the border” and not the line.

Most non-government officers I spoke with referred implicitly to the port of entry when discussing “the border.” Akwesasne’s grassroots “idle no more” demonstrations to “move the border” offer a useful counterpoint to the MCA’s press release concerning moving the border. When the Mohawk government talked about “moving the border,” as mentioned in the previous section, they considered moving the line. However, when community activists talked about “moving the border,” they considered moving the port. The relocation of the port of entry in 2009 was, as far as many residents were concerned, a de-facto relocation of “the border.”

Even if officers I spoke with referred to the borderline when talking about the border, in much of state signage, ‘the border’ refers to the port, rather than the border. In this way, the state reproduces amongst the citizenry a conceptual model of “the border” which does not entirely mesh with that of its own officers. Warnings by American border officers not to photograph “the border” in fact forbid travellers from photographing the port. The CBSA’s “border wait

times” website refers to the wait time to processing at a port of entry, and not the wait time to traversing the borderline. The MCA and CBSA jointly designed an electronic sign on the highway notifying travellers of “wait time to the border,” again referencing time to the port, and not to the borderline. One sees a corollary in many international airports worldwide, where the word “border” is located at the site of processing, even if the airport is far from the international borderline. As far as travellers are concerned, it is the port that they see, and the port that they have to get through in order to proceed on their travels.

Whereas amongst BSOs and policy makers, the “the border” (understood as the borderline) engenders border enforcement, amongst travellers, border enforcement often constitutes “the border” (understood as the site of enforcement). This disparity in perceptions is practically unimportant in locations where the line and the port are contiguous, but has a substantial impact on border crossing in Akwesasne, where the two are separated in time and place. There, residences, businesses, homes, schools, libraries, government buildings, and more lie between the sites of borderlines, and the sites of ports of entry. In the following section, I consider border crossing as it relates to different understandings of the border on the part of travellers and officers.

Different Perspectives

“Border crossing” is typically understood not in terms of traversal of either the line or port, but rather in an interaction between BSOs and travellers. It is in this interaction that various perspectives on the border come into direct contact. For many, “border crossing” is rarely about moving across a line of demarcation, but instead about processing. A retired officer suggested as much in our interview:

Me: When has someone begun crossing the border? When have they finished crossing the border?

BSO: By the rules I was taught, they cross the border the second they present themselves to me. You must present yourself to a Customs officer upon arrival in Canada. Well, you've arrived in Canada. Yes, the line's halfway across the bridge, but by law, that's no man's land. So you report. And you're done doing that, and you're in, once I say "have a nice day" and let you go.

Regardless of where a traveller is physically, there is a sense they have not finished crossing a border, until they hear "have a nice day," and have been released by the officer.

Because border crossing is defined in terms of an interaction between BSOs and travellers, the perspectives that those actors bring into the interaction are a central factor in determining what goes on during processing "What is a border" influences what goes on when someone tries to cross a border.

As Van Houtum remarks, "the representation of the border as a line of difference is making a difference" (In Wilson 2012, 411). I began a previous section discussing an interaction in which a BSO and I had fundamentally different ideas of what constituted a border. There, the impact was slight, a moment of confusion and rolled eyes. In the long term, the officer may have been frustrated or annoyed rather than bemused by my misunderstanding of something as seemingly obvious as what constitutes a border. He may have thought of me as purposefully antagonistic, or simply stupid, and processed me accordingly.

If an officer asks a traveller whether they have crossed a border, the exchange can be problematic. What does such a question mean? Have they crossed a line? Or a port? Have they been processed? A useful term to describe the situation in Akwesasne may be ‘border confusion’, in which a variety of actors employing disparate notions of what constitutes a border are forced to negotiate those notions in face to face interactions mandated by the state. One can think, for example, of the anecdote I related in Chapter 2 of a visitor to the community falling deeper and deeper into confusion when a border officer asked her whether she had crossed a border.

I spoke with several visitors to Akwesasne who panicked after being accused of crossing the border illegally, without first reporting to Canadian customs. When one friend called me from the bank on Cornwall Island where he had stopped to pick up money from the toll booth, I told him to head to the port of entry immediately. These visitors did not see themselves as crossing any borders, because they had not crossed any ports. Officers saw them as crossing borders, because they traversed the borderline.

The CBSA has painstakingly reworked the questions asked of travellers coming from Akwesasne in order to account for this discrepancy, but confusions persist. In the incidents I encountered, officers were forgiving of this confusion among non-native travellers unfamiliar with the territory, but less so with Akwesasronon whom they felt should know better.

In the following sections, I contrast the US and Canadian policy innovations created to mediate the disparity between the borderline and the port around the Akwesasne Mohawk territory. These policies are broadly referred to as “reporting-in” policies, and generally speaking, demand travellers drive themselves to ports of entry after crossing a borderline, regardless of

where they are located. To paraphrase the old saying, if you can't bring the border to the Mohawks, bring the Mohawks to the border. By forcing travellers to move in a certain way throughout the territory, these policies have had a largely negative impact on local circulation, relations with nearby officers, and economic and social exchange with neighbouring non-native communities.

US “Policy”

There is an “unofficial” policy at the US port of entry in Massena that requires all non-native travellers to “report in” to customs after visiting Snye or St. Regis Village. People coming from these Canadian portions of the territory are told to drive, without stopping, to the nearest port of entry, walk inside, and report themselves to officers. This could be either the port of entry in Massena, New York, west of the reserve, or the much smaller facility in Fort Covington to the East. Because the Massena Port is closer to the city of Massena and the bridge to Canada, the vast majority of “reporting-in” takes place there. This requires driving through a minimum of 9 kilometres, and up to 20+ kilometres, of homes, shops, schools, and businesses. I reported in daily in my yearlong commute to St. Regis Village.

The reporting-in policy produces an artificial “filter” which demands travellers behave as if they were in any other cross-border corridor, driving directly to the port as if they had no choice in the matter. The term “filter” or “funnel” is a useful one for considering the ways in which flows of traffic are re-directed in cross-border enforcement. This corridor is a densely inhabited community, yet it becomes a quasi-no man's land through tacitly accepted legal fictions of border enforcement.

I use the term unofficial when describing this policy, as there is no written policy or signage justifying or explaining travellers' obligation to report. Border Patrol administrators explained the policy to me as a means to enable the circulation of Akwesasronon throughout their territory while keeping track of people who may be taking advantage of the community's unregulated cross-border corridors. According to the US department of Customs and Border Protection (CBP), "If you are entering the US through the Northern or Southern border you must enter through an open Port of Entry staffed with CBP Officers" ("Crossing the Border via Foot, Vehicle, or Air without Visiting an Official Port of Entry" 2014). By the letter of US law, there is no legal way to move from Snye or St. Regis Village into American portions of the reserve, because there are no ports of entry there. Border officers recognize the community's unique geographic and historical situation. Officers were also quick to stress that they reserve the right to stop anyone traversing the borderline within the territory, but choose to do so sparingly when targeting those they feel seem out of place on the territory.

There is no written legal statute officers can cite when requiring travellers to report in, and the authority of officers to mandate travellers do so is unclear. BSOs at the port typically tell travellers they have to report in after leaving Akwesasne. Once officers got to know me, they stopped doing so. When I interviewed a port supervisor, he insisted that I should report in. When I pressed him on the matter, telling him that his colleagues in border patrol told me that the policy was not grounded in any written law or policy, he told me again, "you should report in." In chapter 6, I discuss the implications for this sort of language in the context of "policing by consent."

Many in Akwesasne vastly prefer the US "reporting-in" system over the Canadian one, discussed in the next section. American BSOs typically enjoy a better relationship with the

community, and because of the native exemption, many members of Akwesasne do not even know about the policy. Though the government of the United States legally recognizes an Indigenous right to cross-border travel, US border officers justify the non-invocation (also discussed in chapter 6) of border regulation for Akwesasronon along the lines of their discretionary powers rather than rights discourse.

One negative consequence of the native exemption is the potential to isolate non-natives from the Akwesasne community. It makes it difficult to do business in Akwesasne, or meet with friends, if one has to drive to US customs every time one moves across a given part of the territory. I found myself organizing my days around minimizing reporting-in, especially when visiting friends after work.

An op-ed from Akwesasne's Indian Time newspaper discussed one Akwesasronon's frustrations at the harassment of their non-native friend's efforts to visit them. The article highlights the ways in which the ambiguities of the US reporting policy can prove difficult for non-native travellers, and the extent to which the border permeates everyday life in the community.

Life on The Border: Indian Time – Vol. 22, Issue No. 41 - October 14, 2004

A friend of mine from Cornwall (non-native) was coming to visit me in Snyc. As she got to the US Customs the guy asked the usual questions, including the \$10,000 question. All answers no. She is in the process of moving out of her apartment and into a new place in Cornwall. She had 2 empty cardboard boxes in her back seat in plain view to the guy. Well when he saw them you would have thought he thought he hit the seizure of all time. She was pulled in and sent inside.

“Why do you have empty boxes in your car? Are you picking up a load somewhere? Where are you hiding your guns?”

She drives a small compact car, with the usual in it: empty soda bottles, socks and sneakers, a sweatshirt. You know, the stuff some people carry around. Well it took SIX US custom officers to search her car and when she looked out the window to where they were taking apart her car, one of the officers was smelling her clothes. YUK! (I won't say what piece of clothing). When they found nothing inside her car they came in and started on her, asking her the same questions over and over again. Then they asked her if she knew she had to report back into the US Customs before she returns to Cornwall. She stated that “no” she didn't know that. They asked her “well why don't you know that?” She said, “because no one ever told her that?” “how would I know that?” She was then told that if she didn't stop and report in she could and would be arrested! During this whole process the officers were mostly yelling at her. And for what? Having 2 empty cardboard boxes in her back seat. Needless to say in the future (if she ever comes to see me again after this) she will be leaning out her car. So for all you people who are Non-Native that work in St. Regis or Snyc, this means teachers, nurses, contractors, anyone that visits these areas for whatever reason YOU MUST REPORT BACK INTO US CUSTOMS BEFORE crossing back to Cornwall or you will be ARRESTED!! As the one custom officer phrased it, “Oh and have a nice day.” I have to wonder why ALL of the new officers at US customs are such major @\$!%@#. So far we all know this: IF you're Native and drive a nice car, then you must do something illegal. If you're a non-native going to see someone native then you're doing something illegal. If you have empty boxes in your car you're doing something illegal. If you have clothes in your car the customs guys are going to smell them, and with that I'll end here. Signed, A box is a box.

The above exchange could be considered a simple instance of harassment in which rude officers exerted an unreasonable amount of authority against an innocent woman. After all, complaints of overzealous border officers are by no means limited to Akwesasne. Yet this particular exchange was situated within a context unique to the territory. The woman was held under greater scrutiny because she was a non-native visiting the reserve. The officers' threats to arrest her if she does not report in were framed in terms of policies unique to the region, and her ignorance of those policies. Finally, the article serves as both a public condemnation of BSOs abusing their powers, and a warning to fellow Akwesasronon about the difficulties their non-native friends and colleagues may face moving within the territory.

Canadian Policy

The government of Canada began enforcing an obligation to report in in September of 2009, after relocating the Cornwall Port of Entry into the city of Cornwall. This policy and its enforcement are regularly cited as the most pressing concern for Akwesasronon moving about the territory.

Though transit between Snje, Quebec and St. Regis Quebec, and New York State has always been possible, it is physically impossible for travellers to report overland to a Canadian Port of Entry after traveling overland to those parts of the territory.

A customs house was once located at the entry to St. Regis Village. Several residents enjoyed telling me humorous stories of the officer lying in their booth half-asleep with feet up, waving travellers past using their foot. Now, both the booth, and the pole which had once been used to demarcate the borderline are long gone. No such enforcement exists in Snje, either, where there are numerous roadways leading across the borderline.

With one exception, in my year commuting to St. Regis village, Canadian officers did not expect me to have ‘reported in’. That exception occurred within my first few weeks in Akwesasne. At the time, I didn’t recognize the officer. He asked me where I had spent my day. I told him (honestly), that I was at the Mohawk Council of Akwesasne, “in Quebec.” He asked me if I had reported in “over here.” I thought perhaps he was talking about reporting-in before going to the Island, in Ontario. I told him, “I didn’t go to the Island.” He said, “no, but you went to Quebec... right? [He did not pause to hear my answer] That’s in Canada... right?” I began to worry. I didn’t want to say “no,” but there was no way I could have reported in over the course of my journey. I told him (urgently and exasperatedly) that I had gone there from Canada, and that I live in Cornwall, that I had at no point stopped in the US. Pausing for a second that seemed like more than a second, he said “okay,” and then returned my passport. The tollgate arm opened and I breathed a sigh of relief, stepping on the gas and heading home to write.

This incident occurred within my first weeks in Akwesasne and was the only time I was given a difficult time for coming from the reserve. I had suspected that telling the officer I came from the Quebec portion of the reserve would have expedited the customs interview. After all, I hadn’t left Canada excepting transit through New York State. Instead, saying I had come from Quebec opened me up to further questioning as to why I didn’t report in. In subsequent interactions, the officer seemed to recognize me. He would silently flip to my student visa, return my passport, and wish me on my way.

Unlike for travel between ‘New York’ and ‘Quebec’ portions of the Territory, Canada enforces an obligation to report for residents entering the territory at Cornwall Island (Ontario). There,

travellers can proceed overland from the Island to the nearest port of entry in the city of Cornwall. Consequently, the CBSA requires travellers transiting to or through Cornwall Island from New York State to ‘Report in’.

Up until 2009, when the POE was still on Cornwall Island, all traffic crossing the border from New York State funnelled through the Port. This is no longer the case however, since the Port of Entry was moved north of Cornwall Island and into the city of Cornwall in 2009 (You can refer to the previous section’s map for reference). Traffic currently filters from the Northern Span of the Three Nations Bridge, first to the Seaway International Bridge Corporation’s tollbooth, and then to the PIL (Primary Inspection Lanes) of the new Cornwall POE. Consequently, the entirety of Cornwall Island and its several thousand residents are sandwiched between the Massena Port of Entry to the South, and the Cornwall Port of Entry to the North.

At present, all residents of Cornwall Island must first report to Canadian customs when entering Canada’s mainland, even if their point of origin was the Island itself. Consequently, the Cornwall port is Canada’s only POE handling a mixed traffic of international travellers, those who began travel in the United States, and domestic travellers, those whose travel originated in Cornwall Island, Ontario. I discuss officer processing, and the consequences of Akwesasne’s unique designation as a “mixed traffic corridor” in greater detail in Chapter 6.

If the CBSA finds a traveller has stopped on Cornwall Island without proceeding directly to the Port of Entry, that traveller is charged with ‘failure to report’. Failures to report result in vehicle seizure, a \$1,000 fine for release of vehicle in the first offense, \$2,000 on a second, and \$3,000 on a third and subsequent charges. The MCA offered to pay for a vehicle’s release for Akwesasne members’ first seizure and has, to date, paid well-over a quarter million dollars to

the CBSA. The policy has since been terminated. A few residents expressed concern that the MCA's willingness to reimburse first offenses encouraged community members to be lax in reporting, at least until their first seizure.

Residents are physically capable of turning their car to the left, or the right, at the site of the former port of entry. Doing so enables them to freely move about the Island without having first attended the Port of Entry in the City of Cornwall. From the perspective of the Canadian government, this would mean entering Canada without being processed at a port of entry, and would constitute a violation of the Customs Act.

It is a "poorly kept secret" that some residents employ two vehicles, one to cross Canadian customs, and the other to move freely between the territory and Cornwall Island. I feel somewhat comfortable writing this, as I know CBSA officers are aware of this practice, and they probably have a better sense than I do as to how prevalent it is. This enables Island residents to go home without reporting. In a couple of instances, I heard residents jokingly refer to this vehicle as the 'getaway car'. Needless to say, residents who do not own, or cannot afford, a second car do not have this option.

Considering there is no CBSA or RCMP presence on Cornwall Island, how does the CBSA determine which cars have failed to report? License plates are tagged at the port in Cornwall and compared with video footage of cars entering Cornwall Island from the South. If a car is seen entering the Island, but not reporting to customs, or reporting out of order from the other vehicles that arrived, the driver is charged with a failure to report.

Some residents have also been charged criminally in relation to the obligation to report, for either lying about their point of origin, or dropping people off on the Island before reporting. One resident typically dropped her son off at his father's home on the Island before proceeding to report herself to the Port of Entry and go to work in Cornwall. During one of these drop-offs, the car behind her as she turned at the crossroads to drop her son off happened to be a CBSA officer driving to work (the officer must have resided in either New York State, or a nearby part of Quebec). When she arrived at the port, she was charged criminally for 'aiding and abetting' her son's noncompliance with the Customs Act.

Residents who falsely claim to be coming in from the Island rather than New York State have also been charged for 'Interference' and 'Making a False Claim'. Problematically, many Island residents, especially young residents arriving at the port via the United States, began answering "the Island" when they realized it would expedite processing, arguing that it was technically true, as their vehicles traversed the Island before heading into the port. In response, the first question officers are supposed to ask was officially changed in 2014 to, "Are you, your vehicle, or any goods in your possession arriving from the United States?" ("CBSA Changes Preliminary Port of Entry" 2014). In practice, however, I have not encountered a single instance of the new question being asked. Indeed, it could potentially open up a larger can of worms amongst Akwesasronon who do not view the territory as either Canada or the United States. The "flexible geography" of Akwesasne, discussed in Chapter 1, renders standardizing any sort of question, particularly one that relies upon a single normative understanding of national boundaries, problematic.

The act of 'reporting-in' ranges from a minor to a major inconvenience. Until very recently, travellers and residents going to the Island from other parts of the territory had to first drive

across several kilometres of rocky, narrow, and derelict bridge in order to report. After crossing the bridge, Island residents and visitors had to then turn around, drive again across those same several kilometres of rocky, narrow, and derelict bridge in order to return to the Island. Though the bridge has been replaced by a smoother, slightly wider two-lane bridge, the policy remains intact.

Average wait times on the bridge are low, but during peak hours and holidays, they can extend substantially. Many of my days were organized around bridge wait times, scheduling interviews in the Island in the morning so I would not have to spend the time and money required to report in from my office in St. Regis Village. It was not unusual to see cars and small trucks tired of waiting on line, turn around along the narrow two-lane bridge, their motors roar mimicking the frustration they (and I) surely felt.

‘Waiting’, according to Crapanzano,

Means to be oriented in time in a special way. It is directed toward the future – not an expansive future, however, but a constricted one that closes in on the present. In waiting, the present is always secondary to the future. It is held in expectation. It is filled with suspense... In waiting, the present loses its focus in the now. The world in its immediacy slips away; it is derealized. It is without élan, vitality, creative force. It is numb, muted, dead. Its only meeting lies in the future – in the arrival or the non-arrival of the object of waiting. (1985:44 Cited in Demetriou 2007)

Yet on the bridge, waiting is not so much dead, muted, or numb, as loud and living sensation of muteness, deadness, and numbness. Waiting, for many, is not the lead-up to the event, but

the event itself, taking on greater prominence than the goal of reporting to the port of entry. People share stories of how long they had to wait. A website entitled “how’s the bridge” discussed in the next chapter was designed for residents to share stories and information about bridge wait times. Moments in line are at times, as Crapanzano suggests, a world slipped away in which time melts with the radio tunes, but waiting on line in Akwesasne is also a world in which the loss of time defines the present – it is not suspense, but frustration that reverberates as one waits patiently to cross the border.

Waiting was often criticized in terms of its risks to bodily health. In the aftermath of the port relocation and creation of the reporting-in system, the Mohawk Council of Akwesasne filed a human rights complaint attacking the changes. This complaint cited one resident with bladder problems who, unable to go home to use the toilet or change, had no choice but to relieve themselves in their car while waiting on line. Sick Island residents who are returning from the Akwesasne health clinic in St. Regis (‘Quebec’) must first wait in line and report to Canadian customs before returning home in Cornwall Island (‘Ontario’) to rest. ‘What if’ conversations are frequent when talking about the hazards of the bridge line-ups – what if my car stalls? What if someone has an emergency and can’t leave the line-up? What if someone needs to get a medication? What if children need to use the toilet? What if elders become overheated/frozen sitting in their car? This line of thinking suggests that the reporting-in system represents not simply an inconvenience, but a threat to communal health.

This policy has also had a negative impact on non-native travel and business onto the Island. Although Akwesasneon travellers and MCA employees are exempt from the 3.00 bridge fee charged at the northern span of the Three Nations Bridge, others must pay each time they traverse the bridge. As a consequence, it costs travellers 6 dollars any time they visit the island,

regardless of whether they are coming from the United States or Canada (when the port was on the Island, visiting was free from the United States). When driving to the Island via the United States, non-natives must pay the bridge fee first when they check in, and then again immediately afterward when they turn around onto the Island. Toll collectors often expressed sympathy for the situation, but collected their fees nonetheless. Businesses in the city of Cornwall no longer deliver to Island residents, taxi drivers prefer not to take their charges onto the Island, and many shops which had catered to cross-island traffic have closed down since 2009.

I asked an officer to walk me through the procedure for a vehicles seizure. I was told that drivers are asked to surrender their car keys, and the vehicle is brought to secondary inspection. They are told that their vehicle failed to report, and if they request to do so, will be read a list of the date or dates for that failure. Should they wish, the Community Advocate to the CBSA can take on their case and, if it is a first offense, pay for vehicle release. If someone is unable or unwilling to pay for their vehicle on the spot, it is taken to an off-site lot.

Travellers are not allowed to see the documentation to which officers refer when seizing a vehicle, although the officer may state the dates at which they refused to report, and the traveller may write down that information. If the seizure is contested, it is given a case number, and the traveller (or their advocate) is asked to send as much evidence as possible. Because travellers must first pass the bridge's toll booth before reaching the Port of Entry, they can consult the Seaway Bridge Corporation's records of their transit. One resident with whom I spoke received a formal apology and her car was returned by the CBSA after she brought receipts proving she had paid a bridge toll at the time she was allegedly failing to report. Another Akwesasronon was able to demonstrate that she had paid the toll on the day in question, but was then accused

of not reporting on additional days. The “black box” of enforcement remains a common source of frustration, reinforcing the “facelessness” of local border enforcement (as introduced in Chapter 3).

Though the new low-level bridge and redesigned port of entry at its foot have mediated many of the most substantial concerns about reporting-in – namely long wait times and the bridge’s poor construction, it has opened the door for others. The permanence of the new port of entry, which sandwiches Cornwall Island between US and Canadian ports, belies any assertions like those made in 2009 that the port would be temporary. Looking at archives, the expansion of port facilities in order to accommodate community concerns for circulation has consistently been the rationale for the CBSA to build more permanent structures in the port. Akwesasne remains Canada’s only “mixed traffic” corridor, and thousands of island residents are still obligated to report in every day. Now that traffic has become manageable, the CBSA has been able to justify demanding Akwesasronon declare goods eligible for the remission order. Though Akwesasronon still do not pay duties on these products, they are now expected to account for everything they bring across whereas they were previously not expected to do so. This time-consuming process would not have been possible in the old facility, where wait times could balloon to well over an hour, and officers were pressured to maintain the flow of traffic. By mediating the symptoms of the reporting-in policy, the CBSA has strengthened its underlying pathology.

Haudenosaunee Protocols

In this section, I discuss the ‘The Edge of the Woods’ as an alternative conception of borders and their regulation. I am interested in The Edge of the Woods as a Haudenosaunee tradition, in full recognition of ‘tradition’ as a loaded word in the social sciences. I focus on The Edge

of the Woods -as-tradition as an example of a particular exertion of legitimate authority (As suggested by Weber 1958), rather than dissecting the particulars of its historical ontogenesis, or invention (As suggested by Hobsbawm and Ranger 1983). I ask the reader to consider this treatment within the contemporary context of legal pluralism, in which tradition can, and (often) should remain a relevant index of legal praxis.

Cornell historian Jon Parmenter recently published a spatial history of the Haudenosaunee Confederacy under the title, *The Edge of the Woods* (2010). The term ‘The Edge of the Woods’ (or, ‘The Woods’ Edge), is one rich with meaning in a Haudenosaunee context. It can be used to describe, (1) The brush demarcating pertinent borders/boundaries in a territory; (2) The means by which visitors to villages presented themselves; (3) A preliminary stage in the condolence ritual by which past chiefs’ deaths were mourned, and new chiefs were installed. After contact with Europeans, ‘The Edge of the Woods’ also came to refer to a preliminary stage of treaty-making between Haudenosaunee and Dutch, British, French, and later American diplomats.

In the first published ethnological account of the term, Nathaniel Hale (1999) refers to The Edge of the Woods as *Deyughnyonkwarakda*. Concerning its etymology, William Fenton writes, “the word applies to the line of bushes usually found on the border between forest and clearing” (1998, 137). Toby Mitchell was kind enough to provide me with the word in Akwesasne Mohawk: *Tsieiot'te tsi kahrhahere*, and has informed me that combining the words, as Hale did, negates their meaning. I use lower case ‘the edge of the woods’ when referring to the physical location, and upper-case, ‘The Edge of the Woods’ when referring to protocols of exchange and condolence.

I should note that *Tsieiot'te tsi kahrhahere* is *not* the Mohawk word used to describe the Canada/US border. The word for that is *T'Karistaron* which refers to the metal equipment dragged by government surveyors to delineate the border. In the context of this discussion, I consider the Edge of the Woods as, among other things, one sort of border.

Fenton remarks that the wood's edge demarcated the border between forest and clearing, a border that is both conceptual and physical. In the past, Haudenosaunee settlements were centered in a palisaded town of longhouses, frequently in hills overlooking waterways. Home life, politics, and agricultural production (all historically managed by women) were centered in the clearing while hunting, warfare, and commerce (all historically managed by men) were centered in the forest. Deborah Doxtator (1997) argues that this forest/clearing distinction persists as an integral conceptual category in contemporary Haudenosaunee practices, particularly those of gender. Audra Simpson extends Doxtator's argument to reflect upon logics of gendered space, home, and movement (Simpson 2003; But see also Venables 2010).

Historically, such a division was cyclical rather than permanent. Clearings would be left in order to build new settlements in the forest and abandoned clearings would, over time, become forestland. It is uncanny, if not coincidental, that the port of entry in Massena is a clearing surrounded by woodlands at the edge of a river's shore. This is visible in the image I presented at the chapter's beginning, much as the image of the border at Akwesasne was, if not yet a forest, well on its way to becoming one.

The below image, taken from the New York State Museum ("Mohawk Iroquois Village circa 1600" 2015) depicts the construction of a Haudenosaunee village. It gives a sense of the spatial organization of both forest and clearing. I am indebted to Phillip White Cree for pointing out

that there is not simply one, but several ‘border’ regions in this orientation, notably, (1) the boundary between the village’s clearing, and the forest, and (2) the boundary between the river coast and the forest. Visitors by waterways would first arrive at the woods’ edge along the shore, and then be taken to the woods’ edge at the village clearing. In both instances, the edge serves as a site of exchange between insider/outsider, villager/foreigner, and more abstractly, male and female spheres.



Parmenter’s *The Edge of the Woods* emphasizes the geographic boundaries of the Confederacy, and the ways in which contact and exchange were established between the Haudenosaunee and other nations (especially European ones). He argues that freedom of movement across land rather than ownership of a particular territory was the dominant factor in Haudenosaunee policy making, diplomacy, and warfare in the post-contact era. This makes sense, as wide swaths of territory were regularly traversed by traders, hunters, warriors, and diplomats. Settlements, however, were semi-permanent and relocated every ~20 years (Snow 1996). European settlements in a given territory would not interfere with the activities of the clearing, so long as the lines, the trail ways, of movement (of goods and people) along forests and rivers were unambiguously of Haudenosaunee provenience.

As I note in Chapter 2, the Confederacy’s vast territorial expansion during the Beaver Wars served to monopolize north-south trade of pelts acquired from Cree trappers in the North, and

sold at trading posts in and around Albany. In this way, the Confederacy made itself into a selectively permeable boundary between Cree and Ojibway fur trappers to the north, and European fur consumers in the south. Haudenosaunee sovereignty involved, to paraphrase Torpey (2000), monopolizing the legitimate means of movement within a given territory.

The term, ‘The Edge of the Woods’ has taken on a renewed relevance in recent years, with the opening address of the Conference on Iroquois Research, the longest running conference of its type entitled, ‘Welcome to the Woods’ Edge’. Although the concept has become central in studies of Haudenosaunee history and spatiality, most recent scholarship invoking ‘The Edge of the Woods’ focuses on it in abstract rather than mechanistic terms (Jennings 1995; Shannon 2008; Parmenter 2010). Emphasis is given to the variety of forms of exchange and diplomacy between Haudenosaunee and Europeans. Less attention is paid to these forms’ antecedents in protocols followed when entering a foreign village – in other words, ‘The Edge of the Woods’ as a procedure for ‘reporting-in’, and none, excepting Fenton (as cited above) draws connection between spatial protocols, and the physical space that is the woods’ edge.

In ‘The Clearings and the Woods: The Haudenosaunee (Iroquois) Landscape – Gendered *and* Balanced’ (2010), Robert Venables draws on William Beauchamp (1907, 421–422) to describe the Edge of the Woods as the term used to describe a protocol for arrival in a Haudenosaunee village from 1535-1794:

Approaching humans fell into two categories: those who came in peace and those who were enemies. Of course it was unlikely that enemies would announce themselves, but an announcement of peaceful intentions was ritualized. [...] At the Edge of the Woods, a person was expected to light a fire or to shout loudly. Whether the people were alerted

by a messenger, by smoke, or by shouts, a male or female messenger, or even a group of women and men, customarily went out to ascertain the identity of the visitor or visitors into the Clearings and into the Town. This concept was based on what the founder of the Confederacy, the Peacemaker had done to announce his presence outside of a town. (Venables 2010, 37–38 Citing Wallace 1996 [1946] 54-55)

The Edge of the Woods protocol was not only a means to regulate and legitimize travel into Haudenosaunee territory; it also served a process for delineating different types of travellers. Both of these tasks are currently functions reserved for BSOs in North America. Venables goes on to remark that smoke was the primary means by which one's presence was announced, and following European contact, the smoke from muskets shot into the air served this purpose frequently (2010, 38).

When I asked the Mohawk Nation's Wampum Keeper to explain to me the Edge of the Woods, I was told of both the Peace Maker's self-announcement with fire at the edge of the woods – in the manner discussed by Venables, and the practice's central position in the Great Law. It was unclear whether the Peacemaker was the first to announce his presence at the wood's edge, although it is certainly the first (orally) recorded instance. I was told that at the time, smoke was already an established form of communication, and in my interpretation, it is not unreasonable to suspect that the Peacemaker was observing an already existent practice of propriety.

Nineteenth and early-twentieth century anthropologists, largely concerned with the organization of the Haudenosaunee, focused heavily on the details of political protocol rather than its abstractions Confederacy (Morgan 1851; Hale 1999; But See Voget 1984). However, their treatment of 'the Edge of the Woods' emphasized the term's third meaning, as one 'stage'

in the condolence ritual by which new chiefs were installed, and not as a way of legitimating entry into a village. The first such account of the Edge of the Woods in condolence was presented by Canadian ethnologist Nathaniel Hale in 1883. He writes:

Here took place the "preliminary ceremony," styled in the Book of Rites, "*Deyughnyonkwarakda*," a word which means simply "at the edge of the woods." At this point a fire was kindled, a pipe was lighted and passed around with much formality, and an address of welcome was made by the principal chief of the inviting nation. The topics of this address comprised a singular mixture of congratulation and condolence, and seem to have been prescribed forms, which had come down from immemorial antiquity, as appropriate to the occasion. The guests were then formally conducted—"led by the hand," as the Book recites—to the Council House of the town. (Hale 1999, chap. IV)

More than a century later, William Fenton clarified and expanded upon the Edge of the Wood's role in condolence in his magnum opus, *The Great Law and the Longhouse* (1998). He remarked that it was the second stage of Condolence by which the mourners within the longhouse come out to meet and invite the 'clear-minded' who have built fires outside. After the clear minded are brought into the longhouse, other rituals of condolence can begin, leading up to the installation of new chiefs within the mourner's clan.

Nineteenth and Early Twentieth scholars emphasized the Edge of the Woods as protocol, but only focused on the narrow context of condolence. For the most part, contemporary 'Iroquois' scholars have de-emphasized the Edge of the Woods as a clearly administrated stage of condolence (But See Pomedli 1995, 321–322) while instead focusing on the Edge of the Woods

in terms of broader cultural notions of boundary and exchange. Yet in focusing on the concept of *The Edge of the Woods*, there is less attention to the legal protocols regulating movement.

Such a gap is curious, as much of the political organization of the Haudenosaunee Confederacy, and the success of that organization rested largely upon the extension of domestic practice to political metaphor. The Haudenosaunee, as ‘the People of the Longhouse’ were invoking a conceptual model for peaceful coexistence rooted in shared habitation in a single longhouse. The Confederacy was as a longhouse, arranged on an East-West axis, with the political center kept at the central fire in the Onondaga nation.

The *Edge of the Woods* protocol, a preliminary stage in the induction of new chiefs, can be seen as a similar transposition of village practice into political structure. Strangers and visitors had, since ‘time immemorial’ lit a fire at the woods’ edge in order to be met outside the village and brought within. This was the means by which travellers, visitors, and strangers transitioned from outside the community to the inside, both conceptually and physically. It was also the means by which travellers’ intent was determined, and their presence legitimated. These same logics are employed in condolence rituals, as the clear minded clans light smaller fires in order to be met outside the council house and brought inside. It demarcates the end of mourning and the practices by which new chiefs were legitimated (Worth considering in the context of *Rites of Passage* as discussed by Turner 1967). Both spatial and political protocols mark transitions from outside to inside, and served as formal ground rules preliminary to any sort of exchange.

As a spatial/political metaphor/practice, ‘*The Edge of the Woods*’ was well suited for providing context to European diplomacy. Doug George-Kanentiio has gone so far as to suggest that “the *Edge of the Woods* Ceremony was the basis for the Two Row Wampum” (2013).

What does this have to do with border crossing in Akwesasne? There are parallels to the underlying logic of the American and Canadian reporting-in systems. Different types of entrants to a territory must be recognized and distinguished. In order to do this, travellers must make the polity aware of their presence. This occurs at the site of a border, the wood's edge, and involves exchange with villagers. Whereas the borderlines of Canada and the United States are invisible, wholly conceptual and bound to a contract between states (treaty), the Edge of the Woods is both a conceptual site of exchange, and a physical one demarcated by brush and brambles.

There is, additionally, a doubling of border locations. Canada and the United States have both the port of entry, and the borderline, as the two dominant sites of the border. Among Haudenosaunee, there were two edges to the woods, one where travellers would arrive – the river/forest edge, and another where travellers would enter the village – the edge of the clearing/forest edge. 'Border crossing', in both cases, involves traversal of not one, but two locations.

Haudenosaunee engaged in customary practices regulating movement into and out of 'their' territory. Though different from the discrete, hard-shelled, aggressively protective, "crustacean" (Polanyi 2001) European borders, the Edge of the Woods served as another sort of border, one with its own rules, regulations, and enforcement.

While some contemporary activists (See for ex Miner 2015) may argue that Indigenous peoples had no borders, such a simplification is a dangerous one. It risks reducing those peoples' territorial claims to sovereignty, and denies longstanding manifestations of that sovereignty. I

offer here one example of examining an Indigenous polity's borders on their own terms. Following Ingold, I suggest, "colonialism, then, is not the imposition of linearity upon a non-linear world, but the imposition of one kind of line on another" (2007, 2). Though some Akwesasronon certainly do resist the concept of boundaries in general, many do not reject borders on the whole, but foreign borders' manifestation within Mohawk territory. In the Haudenosaunee context at least, even if European styles of nationalized borderlines did not exist, there were undoubtedly both demarcation of space, and formal protocols regulating movement across and within territories.

Whereas Mohawks living in Akwesasne today are required by the Canadian government to report themselves to the nearest port of entry upon entering a territory, their ancestors doubtless would have come out to the woods' edge to meet foreign travellers. Unlike Canadian and American 'reporting-in' policies, *The Edge of the Woods* places the onus on the polity to meet the traveller, and not the other way around. Alternative methods of reporting, such as video booths at the old Cornwall port of Entry on the Island similar to ones Canada already uses in remote regions, which the Mohawk Council of Akwesasne has proposed since 2009, not only exist, but are also both practical and culturally viable in a local context.

Conclusion

This chapter has discussed the relationship between borders as sites of processing, and borders as lines demarcating the territorial boundaries of polities. I have compared American, Canadian, and Haudenosaunee models for regulating borders in these terms, demonstrating the impact of their unique incongruity in Akwesasne. I have made several assertions, chief among them that border crossing is frequently framed in terms of the interaction between border

officers and travellers, and that policies, officers and travellers often employ different understandings of “the border” in these interactions.

As Wittgenstein remarked, “if I draw a boundary line that is not to say what I am drawing it for” (Cited in Rael 2012, 72). A border can be a line, a port, or some combination of the two, a line can become a bridge, a wall, a funnel. The disparity of borderline and port in the Akwesasne Mohawk territory has created more of a fence than a bridge. Policy makers and scholars would be well advised to attend to the ways in which conventional notions of how borders work are built upon a conceptual bundling of interrelated but distinct objects. By disambiguating borderlines and ports, we can gain an insight into the interactions that make up border crossing, and the policies which force people to cross borders in certain ways.

But this is just the beginning of exploring those interactions. Having examined the policies and some of the logics which have shaped the ideals and efforts of border enforcement at the Cornwall port of entry – having looked at how, and why, Akwesasronon come to “the border” – the next chapter looks at the strategies and ideologies employed by both Border Services Officers and Akwesasronon in their interactions with one another. How do travellers and BSOs decide what to do, and what to say, when two or more sometimes mutually incompatible notions of “the border,” and more poignantly, law, manifest in a face to face interaction? How do these sorts of frame disputes get resolved? The next chapter draws upon personal experiences, interviews with border officers, and interviews with frequent travellers, looking at “processing.”

“Every time we cross that bridge, we have to answer the troll’s questions. And we never know what they’ll ask.”

-Akwasasne Resident talking about crossing at the Cornwall Port of Entry

Chapter Six: Processing

Introduction

The previous chapter, ‘Reporting-in to/from Akwasasne’ examines a few of the policies which regulate the movement of Akwasasronon peoples across the Canada/US borderline. Many of these policies are unique to the area, trying to force an “ideal type” of border into a territory whose geopolitical reality defies convention. Cornwall Island stands out as especially unconventional, as Canada’s only “Mixed Traffic Corridor.”

This chapter asks how BSOs and Akwasasronon consider their interactions with one another. My present focus is on “processing,” here defined as the face to face interaction that takes place between a border services officer and an overland traveller at the port of entry. Processing initially takes place at a “Primary Inspection Lane” (PIL) booth, though some travellers may be sent to secondary inspection in the port facility for further scrutiny, or payment of duties.

What takes place in these interactions? This chapter addresses the question in two ways.

Firstly, I try to get a sense of “the flow” of processing. I demonstrate the use of “streaming” as a “conceptual metaphor” (Lakoff and Johnson 1980) underlying the work of border officers. In thinking of borders in terms of streams and their flows, I suggest that many officers implicitly adhere to an underlying sense of a natural ordering to processing. Yet the naturalness of this order, the naturalness of a stream’s flow, is the consequence of particular cosmologies.

Streaming is one way for information, and people, to move across the border – it is a metaphorical concept operationalized for the purposes of border regulation.

Secondly, I look at how officers determine when, how, and whether to employ the limits of their authority in interactions with travellers – what they do along those streams. In other words, how they process travellers and exercise discretion. Further, I juxtapose the axes along which officers consider their discretionary authority with those employed by Akwesasronon. Both, I suggest are constantly negotiating between “principle” and “practicality.” The goal of such a structure is to shed light on what constitutes “discretion” in Cornwall, and border policing more broadly, and to demonstrate what is shared between BSOs and Akwesasronon as both seek to navigate border crossing’s choppy waters.

Border officers are charged with sorting travellers into their own streams, and ensuring the flow of traffic does not get clogged along the way. It is, even at face value, a challenging task, demanding rapid decision making and evaluation. This task is complicated immeasurably at the Cornwall Port of Entry, where travellers have access to a far wider variety of framings for themselves and the border. A traveller may cross as American, or as Canadian, or as a Canadian living south of the border, or as a Mohawk, Haudenosaunee, or as a Native American, or as a Native North American, or as a Native Canadian, etc. etc. They may deny the authority of the border, or of the officer. These framings go beyond the training and, arguably, the mandate of officers, frequently obligating frontline border officers to find ways of fitting a Mohawk shaped peg into a Canadian shaped hole, and all while being pressured to maintain the cross-border flows of the traveling public.

Similarly, Akwesasronon, may regularly be subjected to framings of themselves and their territory which they do not accept or like. Resistance to officers however is frequently inconvenient if not hazardous, and most travellers simply want to go about their business.

Streaming

Akwesasne is the site at which the Canada/US borderline transitions from the Saint Lawrence River, to the 45th parallel. It is literally the place where streams, or at least “the river” becomes the border. It is also, more abstractly, a place where borders become streams. In this section, I look at the ways in which streams constitute a “conceptual metaphor” for border processing.

Lakoff and Johnson argue that,

Metaphor is not just a matter of language, that is, of mere words. We shall argue on the contrary, human *thought processes* are largely metaphorical. This is what we mean when we say that the human conceptual system is metaphorically structured and defined. Metaphors as linguistic expressions are possible precisely because there are metaphors in a person’s conceptual system. (1980, 6)

For our current concerns, I suggest that much of border enforcement is organized in terms of the metaphor, “processing is streaming.” This is not my invention, but rather the way BSOs I interviewed spoke of their activities; as one officer put it,

It’s what we know, it’s the literature, and it’s what we’re trained to deal with. I use the word stream and I know you visualize it as something else, but to me it’s just how I’m

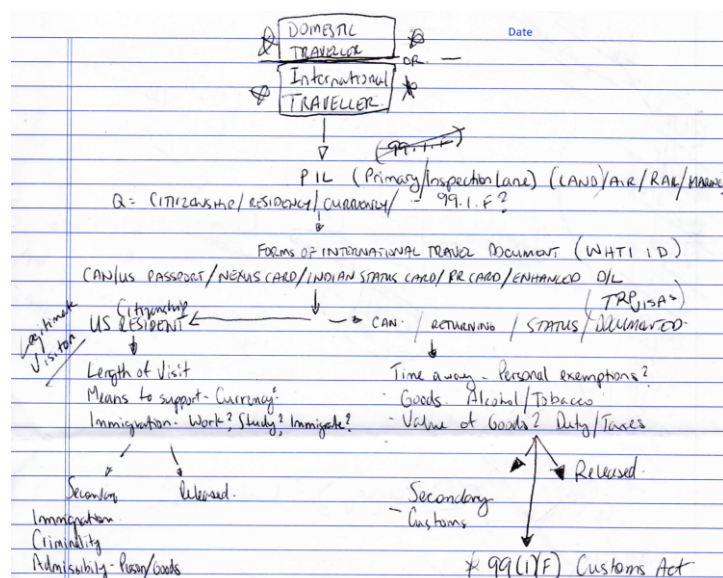
dealing with you and what you're doing and how to best serve you. How to process you and your goods.

Here, I wish to unpack this assertion that processing is streaming, and if we pursue Lakoff and Johnson's line of reasoning, some of the consequences of this metaphor.

Borders as Streams

Streams have particular characteristics which, when employed as a metaphor for processing, enable distinct ways of considering processing. Here, I emphasize three of them: Streams can be mapped. Streams flow. Streams can be navigated.

Streams can be mapped, their pathways can branch in particular directions, expanding and collapsing. I asked an officer to explain streaming, and he offered to draw me a "map" (reproduced below). In the next section, "processing," I offer a better sense of what some of the particular junctures on this map, such as "International Traveller," "99(1) F Customs Act" mean. Here, I suggest the reader focus more on the shape of processing than the content.



As a “map” of border processing, this image suggests that officer processing connects a variety of concerns within a singular ecosystem. But unlike a geographic map, this is a map which, like a waterway, “flows.” Questions and concerns are tied together by a very particular sort of line, a vector, or a line with an arrow at the end – suggesting an entropic force to processing, in which one question leads to another, or one answer leads to another. The stream’s flows push travellers in particular directions. When I asked an interviewee to elaborate what he meant by “stream,” he began listing questions.

What was your intent in coming to Canada? What was the purpose of your trip to Canada? You were coming to go to school. So you would likely to have made application on your side of the border, because you're American, correct? So you would've started the process for your student visa online. And when you arrived, either flown in or driven, you would have made your declaration to the border officer. And the border officer said, "Hello bonjour, where do you live?" "I live in this part" "where are you off to today?" "I'm heading to school, I have my student visa, or I need this validated at some point" So then the officer is then taking the information that you're giving them and deciding how you're going to be processed. So it's likely that you went to immigration, spoke to an immigration officer who validated your documents, and would then tell you what the parameters are, explain the parameters, in essence counsel you, tell you what you need to do, what you can and cannot do with that particular document. How long you have to be in Canada. So these things, are, we would consider streams. So you came in that way, that is the way you dealt with.

There is a directionality to processing streams which ultimately empties at one of two mouths – admission to Canada, or rejection. Someone can either end up in Canada, or not.

Finally, streams can be navigated. Moving through complex networks of waterways requires knowledge and skills. BSOs processing travellers into different streams are responsible for manoeuvring through complicated pathways to determine admissibility. It is officers, not travellers, who have to be familiar with the legal statutes and statuses that determine processing. Officers I interviewed spoke frequently, and with pride, of their capacity to quickly determine admissibility, and any duty exemptions while maintaining “the flow of traffic.” Officers are quickly brought through a web work of exhaustive customs regulations with a few questions and a document scan on the part of a knowledgeable BSO.

There are likely more ways in which “processing is streaming,” and perhaps even further, “borders are streams” reifies itself as a conceptual metaphor for the work activities of BSOs at Primary Inspection Lanes. Even if officers themselves do not actively consider the extent to which this metaphor trickles into border work more broadly, it provides a useful tool for non-officers to get a handle on the shape of the waterways. But the metaphorical value of streams for thinking about border crossing extends to the other side of the PIL booth as well.

Streams in Haudenosaunee Worldview

Joyce Tekahnawiiaks King argues that “water is at the core of Haudenosaunee Weltanschauung [worldview]” (2006, 453). As in most cosmology narratives, water serves an important role within creation. Yet the creation of rivers and streams holds a special significance in the Haudenosaunee cosmology. Their flows are not taken for granted, but rather understood as the

product of a conflict between the Creator, Sapling, and his brother, Tawiskaron. Hewitt's 'Iroquois Cosmology' offers one version of the narrative, as told by a Mohawk elder:

Tawĩ'skaron' spoiled and undid some of the things that Sapling had prepared. The rivers to-day in their different courses have been changed, for, in forming the rivers, Sapling provided them with two currents, each running in a contrary course, currents made for floating objects in opposite directions; or it may be that it is a better explanation to say that in the middle of the river there was a division, each side going in a direction contrary to that of the opposite side, because Sapling had intended that mankind should not have, as a usual thing, any difficult labor while they should be traveling. If, for any reason, a person would wish to descend the current, it would indeed not be a difficult matter simply to place himself in a canoe, and then, of course, to descend the current of the river; and then, if it should be necessary for him to return, he would, of course, paddle his canoe over to the other side of the river, and just as soon as he passed the division of the stream then, of course, his canoe would turn back, and he would then again be descending the current. So that is what Sapling had intended; that mankind should be thus fortunate while they were traveling about on rivers, but Tawĩ'skaron' undid this.

(JNB Hewitt, *Iroquoian Cosmology: A Mohawk Version* Pp. 326-327)

The cosmology suggests that even streams' unidirectional flow is seen as natural, this was not originally, or perhaps inevitably, the case.

At the present however, the unidirectional flow of streams is as expected as the rain coming downwards. The motion is as solid a part of the landscape as the streams themselves. It is for

this reason that “as long as the rivers flow” was a popular addendum to treaties intended for perpetuity.

Yet, as much as streams flow, those flows can also be resisted. One can push against the entropic pull of the waterways, even if doing so can be dangerous. As I discuss in the next chapter, one can refuse to cross “as American” or “as Canadian” in a variety of ways. One can employ a form of identification not officially recognized by Canada, or no identification at all, or one can simply tell an officer “fuck you” without explication.

Haudenosaunee peoples have a longstanding political history of rejecting the flows of processing – refusing to move down the streams employed by Canadian or US BSOs. In Akwesasne, in particular, “going with the flow” can potentially be looked down upon by one’s peers as a tacit acquiescence to American or Canadian sovereignty. Much as the unidirectional flow of streams was a corruption of the landscape’s natural order on the part of the Creator’s brother, the unidirectional flow of border processing can be seen as a corruption of the continent’s natural political order, imposed by non-Indigenous settlers.

I feel it worthwhile to note that the metaphor of moving upstream also has a longstanding history not simply in Haudenosaunee cosmology and treaty making, but in Iroquois studies. William Fenton (But see Voget 1984) used the term ‘upstreaming’ to refer to his method of ethnohistory. Fenton described upstreaming as based on three premises: (1) basic cultural patterns tend to be stable over long periods, (2) analysis should begin with points of greatest familiarity (generally texts written in the recent past) and work their way backwards, (3) those patterns which are observable in both present and past can be analyzed and valued confidently (Voget 1984, 347; William N. Fenton 1949, 236). Essentially, upstreaming is built on the

premise of patterning – if we can establish a pattern in the present which matches up with the observable past, we can infer that the same pattern probably extends into the unobservable past. There was an implicit effort in upstreaming to trace the waters of history to their sources, where the waters (and data) are purer. Audra Simpson critiqued Fenton and his ilk by calling this method “backstreaming” (2014, 109) suggesting that rather than resist the flows of historical change, Iroquois researchers have imposed “a tradition of tradition” upon Haudenosaunee peoples. In doing so, she suggests that rather than resisting the currents of history, Iroquois historians judged past practices by their own contemporary standards of relevance.

The interactions between BSOs and Akwesasronon as both try to navigate the customs streams speak to a longstanding articulation of their relationship, the Two-Row Wampum treaty, or *Kaswentha*. The wampum belt depicts two river-faring-vessels traveling side-by-side along the same river; the Haudenosaunee in their canoe and the European in their ship represent a shared ethos of non-interference between natives and non-natives (Muller 2009). Though recent debates have questioned just how old the belt is, and the extent to which it can be considered a legally binding treaty (Otto 2013; Hermkens, Noordegraaf, and Sijs 2013; Meuwese 2013; Jacobs 2013; Parmenter 2013; Otto and Jacobs 2013; Bonaparte 2013), today the Wampum nevertheless represents the way in which many Haudenosaunee political actors articulate and pursue their relationship with Canadian and American states.

To think briefly in terms of the Wampum, many BSOs at a port of entry envision themselves in the same boat as Akwesasronon. They are captaining this vessel, and trying to navigate the often confusing and at time treacherous waters of processing as efficiently as possible. When Akwesasronon vie to navigate the customs stream in their own direction, they are trying to take the tiller – usurping captain’s authority, and making the vessel much more likely to ground or

capsize. Yet adherents of the Two-Row Wampum ethic would likely push against such a reading of the situation. The problem is not who captains the boat, but how many boats are in the water. The obligations placed upon Akwesasronon at the border force them into the same vessel as officers when they should instead be on their own ship making their own way. Thus, what can be perceived (rightly or not) as hostility toward officers may not so much be an attempt to pilot the routes, but to get off the boat entirely.

There is an inevitability and unidirectionality to streams that seems natural. Border officers take care of the navigation for us, determining which channel or back-eddy we are in, and whether we end our journey in Canada, in the United States, or in some rare instances, in a holding cell. But they are, in their eyes, directing the vessel, rather than pushing it. In this sense, their positions involve sorting travellers into streams, rather than producing those streams.

Yet the flow of these streams can also be seen in Akwesasne as a corruption of the way things should be, and resistance to those flows as simultaneously challenging and affirming. In the next section, I look more closely at the ways in which BSOs and Akwesasronon jointly, and sometimes antagonistically, navigate borders.

Processing

Thinking of processing in terms of streaming offers a helpful way to conceptualize its properties, but doesn't necessarily explain why officers choose to direct travellers down particular paths. In this section, I try to offer a sense of how CBSA officers process travellers at the Cornwall Port of Entry. More specifically, I look at how they talk about their authority, what constitutes it, and determine when, and to what extent, to apply that authority. Further, I

ask how Akwesasronon travellers choose to present themselves to CBSA officers at the Cornwall Port of Entry.

Processing is what BSOs *do* at Ports of Entry. As one officer told me at the start of our interview, “we’re trained to process people, people and goods”¹⁰. As I argued in the previous chapter, processing is often the most salient way in which “the border” manifests – through the face to face interactions between BSOs and travellers. Consequently, an examination of processing gets at the heart of the ways in which both BSOs and Akwesasronon experience the border.

Here I wish to argue that “inconsistency,” or perhaps more accurately, “uncertainty” is a defining facet of many interactions between BSOs and Akwesasronon during their interactions. Rather than view them as opposite, I suggest that “intimacy,” as Herzfeld (1997) describes it, is often a central facet of this uncertainty. Inconsistency in interactions frequently results from both BSOs and Akwesasronon organizing their activities along an axis of two seemingly incommensurable approaches to the border. BSOs simultaneously invoke an absolute adherence to the law and a pragmatic employment of discretion. Akwesasronon simultaneously invoke an ideological opposition to the border (principle), and a pragmatic and strategic approach to crossing (practicality).

How to study processing

Of the plethora of scholastic research on borders, most do not pay much attention to processing. Most of what has been written in North America has focused on movement across the

¹⁰ This distinction of ‘people’ and ‘goods’ highlights one of many potential impasses between officer knowledge and Haudenosaunee teachings, as several sacred objects are locally seen, as one Akwesasronon succinctly put it, as “parts of the community too”, bearing rights, responsibilities, and personhood.

Mexico/US border, and undocumented migration (See for ex Heyman 1995; Kearney 2004; John 2012; Hernández 2010; but for a study of the Western Canada/US border see Chang 2012). While some studies have emphasized the creation and identification of people as “illegals” (Genova 2002; Ngai 2004) or the myriad technologies employed by border securities (See for ex Zureik and Salter 2005; Pickering and Ham 2014), less has been written on the ways in which “legal” travellers traverse ports of entry.

A few exceptional studies of everyday border work in North America include Janet Gilboy’s (1991) study of customs and immigration officers at a major American airport, and Karine Côté-Boucher’s examination of border work regulating commercial traffic ports of entry in Cornwall Ontario (discussed extensively in previous chapters). This study is, to my knowledge, the only ethnographic study emphasizing general traffic at the Canada/US border. It also complicates Gilboy’s study of airport processing, which emphasizes categorizing travellers according to risk categories as at the Cornwall Port of Entry, prior knowledge of travellers is a major factor in determining how officers interact with them.

Aiwa Ong’s *Flexible Citizenship* (1999) is notable for suggesting that rather than being simply a fundamental marker of identity, citizenship is rapidly becoming understood as an economic resource employed to gain access to different countries and markets. Ong suggests that choice (choosing to travel, work, or claim one of several citizenships) is an increasingly important factor in border crossing. Yet while travellers may present themselves in different ways in order to smooth interactions with BSOs, the vast majority lack the opportunity or motivation to travel “as” anything other than a citizen of a particular country.

Audra Simpson's *Mohawk Interruptus* (2014) implicitly suggests a worthwhile complication of Ong's work. As I mention in the introduction, Simpson demonstrates the ways in which Mohawk residents of *Kahnawake* see border crossing as a site for the "activation and articulation of their rights and identities". Simpson describes instances in which travellers intentionally cross the border "as Mohawk" rather than Canadian or American, despite the fact that doing so makes travel more difficult. She suggests a sort of "inflexible citizenship" at the heart of Haudenosaunee political ideologies, which becomes expressed in cross border travel. As Simpson's chapter is the most extensive (if not only) treatment of Mohawk border crossing, my own text must be seen, at least in part, in response to hers.

In my research in Akwesasne, I found Simpson's discussion accounted very well for part of the story, but not all of it. On the one hand, Akwesasne frequently talked about border crossing in terms of their political principles and rights, when speaking to journalists, or politicians, or when asked about sovereignty or nationalism or rights. In a survey of community residents, several remarked that they prefer using Mohawk ID rather than Canadian or US passports whenever they have the opportunity. Yet in Akwesasne, where many people traverse the border several times a day, most border crossing conversations were far more banal – focusing on annoyance about long wait times, whether the officer was nice, or "an asshole." Many travellers emphasized practicality rather than principle – with the majority crossing using a Canadian or US passport. Whereas Simpson describes an incident where she shouts at a BSO "I am a Mohawk!" (CITE) when the officer suggests that she was American, I met many residents of Akwesasne who have little problem being called American or Canadian if it meant making their dentist's appointment on time, and others still who did not mind at all. Often, one's acceptance of the normative values imposed by the borders and BSOs was contingent upon a given situation.

Simply put, a more complete interrogation of the role of border and border crossing in the articulation of Mohawk rights, identity, territory, and sovereignty, must take into account the many instances in which travellers choose not to articulate or activate their identity and rights. Such a study invokes Yael Navarro Yashin's (2002) suggestion that ethnography focus not only on acts of resistance to state, but inversely on the ways in which citizenry may "embrace" the state.

This does not mean that Akwesasronon have any desire to give Canada, or America any form of embrace. Rather, it suggests that just as Simpson opened up the possibility of viewing the border as a site for the "activation" and "articulation" of one's rights, we should equally look at the circumstances within which one chooses to de-active, or in-articulate, those rights. In doing so, we can get a more poignant view of the ways in which daily regulatory practices of a state can reinforce what Michael Billig refers to as a "banal nationalism" (1995), a sense of the inevitability, if not legitimacy, of the nation-state's existence, and one's identity in relation to that nation-state. Among populations defined by their resistance to state norms, it is especially productive to look at the many situations in which resistance does not manifest.

Discretion

Officer discretion is a popular topic of inquiry in studies of policing more generally. Ericson (2007) points out that the term "discretion" is often used to describe a wide variety of policing activities, and can even be used in mutually incompatible ways. Discretion sometimes refers to the use of choice in exercising legal powers granted to policing officers. Police, in this view, have the right to exercise discretion under the law. Discretion is sometimes used to refer to the opposite, acting outside of, or against one's legal mandate. In this view of "discretion as

deviance,” which Ericson ties most firmly to the history of Canadian policing, remarking that there, “police discretion was not even open for public policy discussion until the 1960s) (2007, 368), discretion is discouraged. BSOs employed the term discretion in a variety of ways, but most frequently in the manner Ericson describes as “ethnographic,” emphasizing stories and anecdotes rather than a systematic definition of discretion.

Discretion as officers described it, was seemingly fractal and paradoxical. It involves the exercise of choice alongside the simultaneous embrace of a seemingly contradictory positivistic “the law’s the law” approach to policing, and a relativistic “you have to use your judgment.”

Discretion, to me is a tough one, because what you might deem to be something you can use your discretion on might be different than what I would, might, use my discretion on, so it’s very individualistic, it’s based on different scenarios, and there’s no ‘one fits all’, so it’s dynamic in that sense in that you have to use your judgment, and use your discretion. But, you know, you also have to do what your job is, and you have to uphold the law, then you have to uphold the law.

In this sense, discretion is not seen as a failure to uphold the law, even if it permits officers to exercise their own judgment in applying the law. This was, I feel, best suggested to me by an anecdote about traffic stops from the above officer, who has previously worked highway patrol.

Well, you know, any time you're in a position to enforce any type of law or regulation or act of parliament you're going to have conflict. I use the example coming from my policing background. What is the speed limit posted on the highway, and how many of

us abide by that speed limit, which is a law [...] I personally don't drive 100 kilometres per hour, I tend to go with the flow of traffic [...]

... [we can use] the analogy of a white lie. We rationalize it and say okay, it's acceptable for me to not necessarily tell you the whole truth because perhaps the truth will hurt.

Discretion was often understood by officers as an essential facet of the job. My efforts at employing hypothetical situations to get a better sense of the underlying rules of officer discretion ("would I be charged duty for leaving my tent in my car, for example?") were dismissed.

In practice, I found LaFave's (2006) definition of "noninvocation of the law" as the most productive definition of discretion-in-action as it applied to the activities of border services officers. LaFave suggests that rather than looking at the way in which police exercise choice as to when to use their authority, one could also look at the ways in which police exercise choice as to when *not* to use their authority. At the Cornwall Port of Entry, discretion much more often involves choosing not to ask for ID, choosing to accept a legally unacceptable form of ID, choosing not to charge duties, choosing not to ask certain questions. As border officers spoke about it, their discretionary authority stemmed from their capacity to not invoke the law. As I discussed in Chapter 3, the addition of computer generated referrals, and computerized surveillance of border services officers began to challenge that capacity. While the 1980s meant that officers could exercise a wider range of authority, the challenge for officers was in maintaining choice over not exercising that authority.

Officers could say what would be reasonable for them in a given situation, but not for other officers. Ultimately, officers, by necessity and training employ discretion in determining when,

and to what extent they exercise powers. It is their responsibility to exercise judgment to achieve the broader objectives of their office. Officers frequently employed the term “reasonable” when explaining how they chose to exercise discretion. In the next section, I ask, “What is “reasonable” as far as officers are concerned?”

The Reasonable BSO

The “reasonable man” concept has a longstanding history in the Anthropology of law, though we can see its philosophical antecedents in Montesquieu’s “political honest man” (1949) or Aristotle’s “upright” or high-minded man” (1999, chap. IV). Whereas for Aristotle and Montesquieu, such a figure represented the embodiment of a paradigm from which to extrapolate responsibilities of the polis, Max Gluckman (1955; 1965a; 1965b) later considered the reasonable man as a culturally universal paradigm by which legal responsibilities are understood and expressed.

Gluckman distinguished “the reasonable man” from the “upright man” by suggesting, “the standards of the upright man are the measure of morality; those of the reasonable man are the measure of forensic or legal compulsion” (1955, 121). He found that guilt or innocence in Barotse courts consistently hinged upon the question, “would this be the actions of a reasonable man”? In brief, “what is reasonable” can be seen as the metric by which to determine what is legal; or, at the very least, what is legally justifiable.

Later in his career, Gluckman, drawing on secondary sources, argued that even if termed differently, the ‘reasonable man’ standard for forensic compulsion was a universal facet of “the law of segmentary societies” (1965b). Countering Alan MacFarlane’s critique that the notion of the ‘reasonable man’ was inherently biased to a particular identity category (what about the

actions of a reasonable woman?) (*Lecture on Foundations of Law and Legal Anthropology* - 2008), Gluckman remarked, “as it is characteristic of tribal societies that each social relationship is differentiated within the general context of kinship by highly specific conventions, modes of etiquette, and taboos – in short, by custom – the idea of the reasonable incumbent of a social position contains also the implication that he or she abides by this custom” (1965b, 121). This is an important distinction for our current considerations, as a ‘reasonable BSO’ does not necessarily follow the same standards as a ‘reasonable member of the traveling public’. Without asserting or contesting the universality of the ‘reasonable man’ concept, I feel it is safe to say that BSOs, even when not obligated to do so by law, express reasonability as the standard by which they exercise their authority whenever possible.

This was a matter of contention during the Fallan Davis hearing – a meeting of the Ontario Human Rights Tribunal (which I attended) in which a young Mohawk woman from Akwesasne accused the CBSA of discrimination. During the hearing a former CBSA officer disagreed with the attorney representing the CBSA as to the necessity of reasonable cause with regard to searching vehicles. The officer said that he had no problem telling people who were electronically referred at random by a computer system that it was the computer, rather than he, who decided to send them to secondary inspection. The CBSA lawyer resisted the officer’s assertion that, “we’d have to have reasonable, probable grounds to do that stuff. You have to have reasonable grounds to do what you’re doing - and I know that’s changed a lot over the years, but as an old-timer, there’s limits”¹¹. The CBSA’s lawyer disagreed with the officer, suggesting that reasonable grounds, or probable cause, were not necessary for border officers to do their jobs.

¹¹ All quotations from the Human Rights tribunal were typed in situ as the person spoke, though I did not record them.

Even in searching international travellers, Canadian border services officers are legally obligated to exercise a degree of “reasonable cause,” though this standard is legally nebulous, and far looser than that regulating police (Pratt 2010). As the court found in *R v Simmons* [1988] while, “searches made at the border... are reasonable simply by virtue of the fact that they occur at the border,” more invasive scrutiny such as strip searches or cavity searches require a higher standard of justification. Yet the idea that reasonable cause is only a legal necessity for police, and not border officers remains a common understanding amongst BSOs.

In processing international travellers, Border Services Officers adhere to their professional notion of reasonability, even if they do not feel obligated by a legally delimited standard. From one of my interviews with an officer stationed in Cornwall:

Police have the power for search and seizure and they have to have reasonable grounds.

We have the power of search and seizure based on the virtue of you traveling through the customs process.

Me: So reasonable grounds aren't necessary? Anyone who crosses the border is subject to search and seizure?

Officer: They can expect that they may be subject to that. As part of traveling through the border.

While an officer who searches too many vehicles without explanation may be reprimanded for causing complaints, or taking too long to move the flow of traffic, they typically do not have to worry about the same legal reprisals as a police officer who stops random cars on the street and demands they open their trunks. Nor do they have to worry about the results of their search

being thrown out of a court of law. While a legally delineated standard of reasonable search exists for border policing, many officers are ignorant or undertrained in that standard (Pratt 2010).

Officers I spoke with do, however, abide by their own sense of what is reasonable. In fact, this sense was central to the ways in which officers articulated their own discretion. The term 'reasonable' was referred to again and again when I asked how officers decide which questions to ask, and what to expect of travellers bringing personal goods across the border. I feel it is this standard of reason the officer on the stand referenced when saying, "We'd have to be reasonable."

I asked the above-quoted officer to clarify what he meant by reasonable.

Me: How would you define reasonable?

Officer: I can't go there. What's reasonable for me, and what's reasonable for you are two different things. Every scenario is so unique it's hard for me to say generically, this is what's reasonable.

Me: Okay, and there's nothing written in the Customs Act that says "reasonable is defined as..."?

Officer: Reasonable is up to the officer's articulation. So I interview you, I'm asking you questions in a primary lane, there's a multiplicity of indicators that are going to be coming into play as to whether or not I believe your statements. Or whatever I see also in terms of indicators, visually, and also when we're having that exchange of dialogue and you're responding to my questions. But that's, again, there's no generic "here's the rulebook on how this works" because to me what is reasonable, and to you, what is

reasonable will depend on a number of things, on what you're seeing, and it's very difficult to say because I'll have a viewpoint of it, because I have a lengthy law experience background and what I'm seeing and hearing, and you're going to have a totally different perspective because you don't. So it's very difficult for me to say here's what's reasonable, and here's what's not reasonable.

For Gluckman, the legal standard for innocence within a courtroom is commonly determined by what would be reasonable for the average member of a particular group within a given society. The reasonable 'man' or 'woman' or 'child' or 'shaman', etc. etc., is the mean, or the median by which others are judged. One does not get 'more reasonable' with time or experience within that context. Amongst officers, however, whether something is reasonable is at the same time (1) the standard by which they judge themselves and their coworkers (is it reasonable for *me* to stop this person?), and (2) the standard by which they judge the activities of travellers and act in accordance to that judgement (is it reasonable for *this person* to be carrying 40 pounds of fertilizer and a map to the prime minister's house in their car?). The former, reflexive, exercise of reasonability ('is it reasonable for me to stop this person?') does not seek a mean or median. In other words, it does not ask "would the average officer" consider this reasonable but rather, "would a good officer" consider this reasonable for a traveller to be doing. Indeed, the idea is that as an officer's experience and training increased, their ability to judge 'what is reasonable' also increases. The latter standard, however (is this traveller behaving reasonably?), relates to 'a reasonable member of the traveling public', and fits more closely with Gluckman's reasonable man as a referencing a typical, rather than exceptional individual. Ultimately, the two standards combine in the way border officers make their decisions, asking, in effect, "would a good officer see this traveller as behaving reasonably."

Canadian courts differentiate between the legal requirements and definitions of “reasonable” for border policing, and inland policing. BSOs have a much wider range of powers in determining who to stop and search than police officers. Yet the Cornwall Port of Entry is the one location along the Canada/US border where this distinction becomes extremely problematic. Because thousands of Cornwall Island residents live on ostensibly Canadian soil between the Cornwall Port of Entry and New York State, Border Officers have no way of immediately determining whether or not a traveller is “international” having started their journey in New York State, or “domestic” having started their journey on Cornwall Island. Many people crossing at the port of entry have not crossed “the border,” and therefore cannot “reasonably” expect a search. The first thing BSOs have to do when processing travellers is determine the extent of their powers. In the next section, I examine one of several unique facets of processing at the Cornwall port of entry, the differentiation of a “mixed traffic” of international and domestic travellers.

Domestic vs. International Travel: Policing by Consent

The CBSA’s obligation that travellers to Cornwall Island first “report in” is simple in principle, but complicated in practice. Anyone driving across the borderline into Cornwall Island must first report directly to the Cornwall Port of Entry. Afterward, anyone continuing onto the mainland may proceed in Canada, and anyone going to Cornwall Island may double back onto the Island. One of many problems with this system in practice, is that the Cornwall Port of Entry currently handles a “mixed traffic.” Because the bridge from Cornwall Island filters directly into the Port of Entry in the City of Cornwall, some of the travellers crossing the bridge are “international” travellers who began their journey south of the borderline, while others are “domestic” travellers who began their journey on Cornwall Island.

A traveller's status has a substantial impact on the powers and responsibilities of BSOs in their dealings with that traveller. While Border Services Officers have had the authority of Canadian police since "the 1990s" (see Chapter 3), mainland policing and border policing remain different. As noted above, the legal statute delimiting "reasonable search" is much looser for cross-border travellers than it is for those who have not left Canada. A BSO may stop an 80-year-old grandma, search her trunk, and demand that she provides identification if she is crossing the border. If that officer finds contraband in the grandma's car, and can assert that she "looked nervous" or offer a simple explanation for the search, then that grandmother is going to jail. A police officer, on the other hand, cannot make the same demands of a citizen walking or driving in inland Canada. The fruits of such a search would doubtless be considered inadmissible in court.

In the above examples, the suspect's point of origin is assumed. Anyone at a port of entry is understood as international, and subject to greater discretionary authority by a BSO, and anyone inland is understood as "domestic" (even if they are not a Canadian national), and subject to more rigorous standards of "reasonable search." Yet the status of a traveller is, initially at least, an unknown to BSOs. Although offsite analysis of videos can eventually determine after the fact whether vehicles crossed the bridge from the United States, at their moment of contact, a BSO has no way of knowing this. Thus, the first responsibility of BSOs is to determine what their responsibilities, and powers, are vis-à-vis the traveller.

In the previous chapter, I mention the prosecution of Akwesasronon travellers for stating that they were coming from Cornwall Island when, in fact, their point of origin was New York State. While the CBSA has officially changed their primary question from "where are you coming from" to "are you, your vehicle, or any goods in your possession arriving from the

United States?” in 2014, “where are you coming from” is still the question asked by BSOs. It became not uncommon for some residents, particularly youths to state that they were coming from the Island after realizing that officers did not typically ask any additional questions and simply let them proceed. Other travellers would answer “the Island” without employing subterfuge, but simply because the Island was their location prior to the Port of Entry. Thus, oral declarations are not entirely reliable for BSOs. Travellers may claim “domestic” status in order to expedite travel.

This poses a problem for officers. A traveller in a car becomes Schrodinger’s cat in a box – simultaneously international and domestic until their status can accurately be determined. How can officers determine whether a traveller is domestic or international? The way a traveller answers can say a bit about where they are from; if a known Cornwall Island resident says “the Island,” they are more likely to be believed than a stranger saying “Cornwall Island.” Yet this is often not enough, and risks profiling non-Mohawk travellers such as anthropologists.

BSOs could demand identification and ask several questions. Even if identification won’t determine whether or not a traveller began their journey in Canada, it could assuage any concerns as to whether they have the legal right to be in Canada. But do officers have the legal authority to ask for these things? This remains uncertain. There is no established training for “mixed traffic corridors,” where the only regulated one, as noted previously, is Akwesasne. There are also, to date, no court cases challenging officers’ powers at the Port, stating what they can or cannot do.

So, how can officers determine the limits and responsibilities of their authority without exercising that authority in the first place? One way officers in Cornwall challenge the legal

nebulousness of their authority is through what Ericson calls “policing by consent.” By getting travellers to give information voluntarily, or accept search voluntarily, officers do not have to compel them to do so:

Policing by consent is the usual way in which police work gets done. Having the subject of police investigations consent to routine information checks, searches, and interrogations avoids statutory requirements. For example, a consenting suspect can be searched without reasonable grounds for suspicion. Policing by consent also reduces the visibility of police discretion (Ericson 2007, 373)

But how do officers attain this consent? Ericson argues that “people consent because of some combination of deference to police authority, assumed legal powers of the police, ignorance of the law, and a belief that guilt will be implied if they resist and more intrusive investigation will result (IBID). As John A Hall (1994) suggests, coercion and consent, though seen as opposites are, in the sphere of government, more often complementary.

This meshes with my own experiences, and those of interviewees from Akwesasne. More harshly, officers can employ legalese or accusations to coerce “consent.” One of the few times I was interrogated coming from the Island, I felt compelled to provide ID to the officer after he accused me of contravening the Customs Act. I recorded myself relaying the incident as I drove away seconds later:

BSO: Where do you live?

Me: I’m coming from the Island

BSO: That’s not what I asked you. I asked you where you live.

Me (Surprised): I live in Montreal (this was during a post-fieldwork return to Akwesasne)

BSO: Can I see your ID?

Me: Why are you asking me for that? I came from the Island.

BSO: I'm asking you because you are in contravention of the Customs Act.

Me: Why do you think I'm in contravention of the Customs Act?

BSO: You have a New York plated car and you reside in Canada.

Me: I'm not a resident of Canada, I'm living here on a student visa, and I'm allowed to have my car. Look, here's my passport and visa [I hand over the documents]

BSO: Why, if you don't mind my asking, were you on the Island?

Me: I was conducting an interview with Mike Mitchell.

BSO: What about?

Me: I'm doing a doctoral research project on the border. That's why I asked you those questions.

BSO: Canadian residents aren't allowed to have US plated vehicles, there's an exception to that because you're a student and here temporarily. That's why I was asking you what I was asking. [returns documents and opens lane for me to exit]

In the above exchange, I felt intimidated by the officer's assertion that I was "in contravention of the Customs Act." My familiarity with CBSA operations left me (1) aware of what the word "contravention" meant, and (2) that my vehicle's status in Canada was legal, yet I felt that the best way to mollify my interaction with the BSO was through handing over ID and answering his questions.

I go further than Ericson in suggesting that much of the means by which consent is garnered stem not from the public's perceptions of police authority, but from a toolkit employed by border officers, one most visible in the use of language. By framing an utterance as a personal request rather than a legal demand, officers can often gain information without invoking their legal authority. One can take, for example, the above exchange in which the officer asked, "why, if you don't mind my asking, were you on the Island?" Many travellers do not even recognize that a personalized request is not legally mandated.

Another incident earlier in my field research exemplified both the use of personalization and modal language (can, could, may, might, should, would), by an officer to secure consent. Again, this exchange was recorded and then transcribed ex-situ after the fact:

BSO: Where are you coming from?

Me: The Island

BSO: What were you doing there?

Me: I was interviewing someone.

BSO: Do you... uh... can I see your passport?

Me: Are you allowed to ask me for that?

BSO: I'm asking you for that.

Me: Okay [hand over passport]

BSO: Okay, thank you [returns passport]. Have a nice day.

In the above exchange, the officer did not threaten me, but asked if she could see my passport, making it clear that it was her asking for the document. Regardless of whether this sort of phrasing is taught at officers' training at Rigaud, it remains one of the means by which they

secure consent for exercising their powers, particularly when unsure about what those powers are. The distinction between “could you open your trunk” and “open your trunk” is a subtle one, but legally significant. I invite the reader to recall, in the previous chapter, that the American port supervisor insisted I “should” report in to the US port of entry, when I asked him about the legality of the policy.

In addition to modal verbs, several residents of Akwesasne complained about the intentional opacity of BSOs’ language in dealing with travellers. An officer could say a traveller has broken a law, or that they are in contravention of a law. They can talk about a vehicle, or a conveyance. They can also cite statutes with which the traveller may be unfamiliar. The primary statute delimiting officers’ authorities with regard to the mixed traffic coming off of Cornwall Island is section 99(1) F of the Customs Act. The section reads, as follows:

(f) where the officer suspects on reasonable grounds that this Act or the regulations or any other Act of Parliament administered or enforced by him or any regulations thereunder have been or might be contravened in respect of any conveyance or any goods thereon, stop, board and search the conveyance, examine any goods thereon and open or cause to be opened any package or container thereof and direct that the conveyance be moved to a customs office or other suitable place for any such search, examination or opening.

One officer I interviewed told me that initially, section 99(1)(F) was applied widely by officers to exercise authority on travellers they were suspicious of, though this had been curtailed by supervisors as of 2013. I was informed that today, officers are not supposed to accuse travellers claiming to be domestic of lying unless they are nearly 100 percent certain that such is the case.

While reference to the Act is typically used (intentionally, or not) as a sword by officers, intimidating travellers to offer greater compliance than they might otherwise be inclined to do, the text of the act reads more as a shield. It requires ‘reasonable grounds’ for officers to exercise powers on domestic travellers.

Having looked at the tools employed by BSOs to secure, or coerce, consent in local enforcement strategies, I look, in the next section, to a countermeasure, “knowing your rights.”

Knowing Your Rights

Knowing one’s rights offers a response of sorts to policing by consent. Whereas policing by consent relies upon a suspect’s acquiescence to the officer’s efforts at search and interrogation, the idea of knowing one’s rights is organized around knowledge of which powers are legally compulsory, and which require consent. What does it mean to “know your rights” in Akwesasne, a place where the articulation of rights is a frequent topic of conversation? Here, I wish to suggest that one meaning of the phrase is knowing when not to give consent.

People in Akwesasne often talk about knowing their rights, and this can mean a variety of things. It can refer to knowing one’s rights to mobility under the Jay Treaty, despite the fact that Canada, unlike the United States, does not recognize those rights. In this context, knowing one’s rights involves a self-assurance regardless of whether it meshes with Canadian law. Knowing one’s rights can, and often does, alternatively refer to knowing one’s rights within the law -- in this context, knowing what border officers can and cannot do in their interactions with travellers.

During fieldwork a YouTube video of United States Border Patrol stops began to circulate over face book amongst Akwesasronon. The video, one of many proliferating online, shows drivers and passengers refusing to say anything to border patrol officers other than “am I being detained?” and “am I free to go?” The officers asking, in a manner described in the above section, “could I see your ID?” “Could you tell me your citizenship,” are confounded by the traveller’s refusal to consent to their inquiries. One popular posting was titled, “know your rights!” with a respondent writing, “that’s how they’ll win (police state) by intimidating everyone!”

Many Akwesasronon I interviewed offered stories of triumph, or frustration, in refusing to acquiesce to an officer’s requests or demands. These are popular topics of conversation, especially stories of triumph, and arise unsolicited in the workplace or at the dinner table. Recently, a friend told me of his experience driving through the Cornwall port of entry. As he described it, there were two people in the booth, a senior officer and one in training. My friend pulled his car into the port of entry and rolled down the windows to speak with the trainee. He answered the standard questions “where are you coming from”, “where do you live”, but did not hand over his passport. The officer held out his hand insistently while my friend sat in the car smiling at him, knowing that he was under no obligation to produce the passport unless verbally asked to do so. The officer became increasingly exasperated as he continued to hold his empty hand out. Finally, after a minute or so of tension, the officer asked for the passport, which my friend produced without complaint. The officer then asked my friend why he hadn’t handed over the passport from the start. My friend replied that he was under no legal obligation to do so unless asked explicitly by an officer. He ended his story describing the senior officer telling the trainee, “he’s right,” as the trainee grudgingly handed back the passport and wished

my friend on his way. My friend smiled as he told the story in which he knew, and exercised, his rights.

This refusal is typically framed in terms of knowing their rights. Despite the fact that many BSOs I spoke with suggested that one of their duties is to inform people of their rights, such a model can be at odds with a consent model for policing.

Doing What's Right Vs Doing What's Easy/Principle vs. Practicality

In the above sections, I have offered a brief window into the sometimes ambivalent, always complex, relationship between BSOs and “the law.” I have argued that at the Cornwall Port of Entry, border work often sits at various points along a spectrum ranging from an inflexible adherence to the rules, in which “the law’s the law,” and a flexible and pragmatic interpretation in which “you have to use discretion.” While these two orientations to law may seem contradictory, they are, in fact, mutually constitutive facets of border policing. In this section, I suggest that Akwesasronon are involved in a similarly contradictory yet constitutive relationship with legal norms in their own relationships with the border.

Akwesasronon traversing the Cornwall Port of Entry navigate between a principle, idealized notion of what the border and its enforcement *should* be, and a practical, pragmatic desire to traverse the border and conduct their business with alacrity. The ways in which Akwesasronon interact with BSOs, and the public more generally, reflect both facets of decision making simultaneously.

I offer this anecdote as an example. On March 23rd, several community members affiliated with Akwesasne’s local Idle No More movement began circulating a petition to “end apartheid”

in Akwesasne. The petition argued that the CBSA's reporting-in policies were discrimination tantamount to apartheid. It demanded that the Port of Entry return to Cornwall Island, effectively ending the reporting-in system, arguing that the CBSA had a moral and legal obligation to ensure equal treatment of travellers. The first person to sign the petition was district Chief Brian David, who stated for local news cameras:

It gives me pleasure to be the first to sign this petition since talks with CBSA there have always been three or four options on the table. One was to build a permanent port in Cornwall, and the other was to build the port in the United States, the third option was to reopen this port here [on *Kawehnoke*], and of course the fourth option was to move the port entirely. In examining those options, the CBSA has never really known for sure how thick the ice was in terms of whether or not they'd be welcome back, and indeed, I think this is a good time that we re-examine, take the pulse of the community strategically at this time to make that determination as to how the community feels about whether the post should be reopened, customs port here, and hopefully it will generate the kind of dialogue and discussion that's needed in order to bring this message back to CBSA. So it's with that in mind that I sign the petition. (Seaway Today 2013)

As Akwesasronon affiliated with the petition hosted a demonstration at the People's Fire, across from the former site of the Port of Entry on Cornwall Island, another community member began circulating a counter-petition. The organizer of the counter-petition, a lifelong Cornwall Island resident told me, "we fought to get the CBSA off the Island, and I don't want them back here." The counter-petition read, "We, the undersigned do not want CBSA to come back to *Kawehnoke* [Cornwall Island]."

As we discussed the position of the counter-petition, the organizer, a former chief, told me “it comes down to doing what’s right versus doing what’s easy.” She continued noting that history has shown that people who do what’s right will ultimately win out. In this instance, “doing what’s right” meant keeping Canadian border services off of Mohawk land, even if this necessitates the difficulty of reporting-in regularly.

In the end, too few Akwesasronon signed either petition to offer a good gauge of the community’s interest in the CBSA’s return to the Island.

District Chief David ultimately signed both petitions – the one in favour of the port’s return, and the one against it. He remarked, “If one of the functions of leadership is to promote and provoke dialogue on critical political issues, than [sic] we haven’t strayed form that” (Oakes 2013). How to interpret the chief signing both petitions? Rather than a simple act of shrewd politicking, I suggest Chief David was acting in recognition of an ambivalence, not an indifference that defines the ways in which Akwesasronon often make choices in relation to the border.

In Akwesasne, people want, at the same time, to do “what is right,” and “what is easy.” Journalists have represented Akwesasne as a community divided in two into two camps: idealist (or ideologues) and pragmatists (or opportunists) (for a recent example, see Smith 2014; for earlier examples, see Hornung 1991; Johansen 1993). However, one can also think of Akwesasne as a community in which each individual is divided, to varying degrees, between idealism and pragmatism. Such a conception, in my mind, better recognizes Akwesasne as a singular community – more united over shared uncertainties than divided by them.

Another district chief echoed that of the former chief's distinction between "what's right" and "what's easy." As we sat in the kitchen of the Mohawk Council of Akwesasne's administration building, he told me that "at the end of the day," people's decisions come down to choosing between "principle" and "convenience." Contrary to the former chief quoted above, he told me that history has shown that convenience will always win out. People have to get to work, to school, get home, do their grocery shopping, etc., he told me. When crossing the border, he makes sure to answer officers' questions as plainly as possible, and provide whatever ID makes processing easiest. Rather than see himself as abandoning principle, he saw Washington DC and Ottawa as more fruitful venues for enacting change.

One visible way Akwesasronon navigate between practicality and principle in everyday life is their interactions with border services officers. While officers exercise choice as to what streams to place travellers in, and what sorts of questions to ask, Akwesasronon exercise choice as to how they present themselves, and how they respond to those questions. Contestations and articulations of "status" represent one of the main points of contention amongst Akwesasronon and BSOs. It is also a nexus of the shared uncertainties of officers and travellers. In the next section, I examine what "status" means in the context of Anthropology's broader literature, and the processing of cross-border travellers.

Status (and, to a lesser extent, Contract) Documents

In *Ancient Law* (1917), considered by many to be one of the forerunners of legal anthropology (See for ex Rouland 1994; Donovan 2007), Sir Henry Maine suggested a broad historical transition in Western legal systems from one's legal personhood delineated by their in-born membership in a group (status), towards one's legal personhood delineated by self-determined agreements amongst equals (contract). Laura Nader has gone so far as to suggest that Maine's

thesis went largely unchallenged in the centuries that followed (1965). At the same time, studies of citizenship and Indigenous rights discourse have demonstrated the ways in which status, far from being in decline, remains a viable, and perhaps increasingly central category within law.

One's ability to enter and travel within a nation-state is first and foremost determined by status – the number they drew in what Ayelet Shachar (2009) calls, “the birthright citizenship lottery.” As one BSO succinctly put it,

A lot of people had the impression [...that] you are getting a passport because, well, not only are you, your government is saying that you are a US citizen, but that you are a good person [but it has nothing] to do with that. You could be a really bad person and you are still getting a passport. [...] You can be denied entrance, but not a passport.

As Shachar argues, the most significant economic and social opportunities many will encounter in life will be determined at birth by their nationality. Further, one's ability to exercise rights as a member of a minority group is often tied to birth rather than choice. This is especially true amongst Indigenous populations whose legal status is intimately and inexorably tied to what Circe Sturm calls “blood politics” (2002; But see also Strong and Winkle 1996). In Akwesasne, a person's bloodedness, as measured either in quantum or ancestry, can determine what sorts of taxes they pay, what sort of hiring preferences they may or may not receive, where they can reside, what sorts of support they are eligible for, and so on. Status still matters, perhaps more so at the border, and in Indian country, than elsewhere.

Status is conventionally presented in the form of identification documents. Many travellers do not have a choice, solely using passports for international travel. For overland travel between Canada and the United States, other WHTI-compliant documents include an enhanced driver's license or a Nexus card.

Akwesasronon have access to several unique options in border crossing. Many Akwesasronon hold US Citizenship, Canadian citizenship, and/or citizenship in the Haudenosaunee Confederacy, which produces its own passport – though that passport is seen by Canada as a “fantasy document.” Many also hold status as a Native American from the United States, and status as member of a First Nation from Canada. Some documents are also produced locally by contingents within Akwesasne who do not accept the authority of Canadian, American, or Longhouse governments. During the Fallan Davis hearing, Davis stated that she traveled using one of eight “purple cards” produced by a group of residents who see themselves as subject only to “natural law.” At trial, she stated that in the early 2000s, she could present any photo-ID, including a health card, or a BJ's Wholesale Club Card. Additionally, in years past, many Akwesasronon would present ID to American officers, but not to Canadian officers – simply looking at the officers until let go. Because of the diversity of statuses held by Akwesasronon, choice of status documentation, or non-documentation, represents an easily observable way in which different border-crossing strategies are brought to bear.

The United States accepts “status documents” showing that a traveller has native status in either Canada or the United States, while Canada only accepts Canadian “status cards.” American officers at the Massena port of entry have also tacitly accepted a wider variety of documents at the border than their Canadian colleagues, though they always demand some sort of photo ID.

One's choice of documentation reveals different facets of their legal status to the officer. ID which is legally acceptable for admission may not be sufficient for other requirements of border crossing. A Canadian passport may guarantee admission into Canada, but it does not demonstrate membership in Akwesasne, therefore, eligibility for duty exemption under the remission order. Officers may ask a traveller providing their passport for a status card, not to determine admissibility, but to determine duty exemption. Similarly, older documents cannot be scanned by officers, necessitating the manual entry of information, which may hold up traffic. Officers sometimes ask for licenses and other documentation to facilitate processing.

Yet these sorts of requests are rarely framed with clarity to Akwesasnon, who are not told why they are asked for such diverse identification documents. One Facebook post wrote, "CBSA is asking for licenses along with Status cards b/c it'll speed up the process – invasion of privacy anyone?" Another resident responded, "It goes a lot faster, all they have to do is swipe it... I'm not sticking up for CBSA but I give it to them to avoid the hassle and limit the time it takes to get through... that's just me though." The original poster replied, "I probably would've attempted to speed up the process but her [the officer's] language made it seem mandatory, which I don't agree with. I'm down with speeding up the process as long as they don't step outside their boundaries/powers." The final word on the posting, from another community member, "Weh, I used my license once and they asked if I had any other ID to prove I was Canadian. The girl working said anyone can get an Ontario license and if I didn't prove I was Canadian, they could refuse to let me in." The final traveller, having been asked in the past for their license, came to assume that the license itself was acceptable documentation for cross-border travel. The conversation thread highlighted a simultaneous empathy with the difficulty of CBSA officers' efforts to do their jobs as efficiently as possible, but frustration at

the inconsistencies in enforcement. It also suggests that the wide variety of identification available to Akwesasronon travellers can be a liability as much as a boon.

Akwesasronon travellers express a simultaneous desire to be processed in the same manner as non-native travellers, and distinctly as rights-bearing Indigenous peoples. Ultimately, in their efforts to recognize the distinct rights and status of Native North Americans, border officers may end up requiring more, rather than less documentation from those travellers. BSOs may ask an Akwesasronon traveller for a passport to determine admissibility, a status card to determine duty exemption, and a license to enter into the scanner. In the broader context of Indigenous minority rights, this demonstrates the ways in which state efforts to recognize minority rights may prove an inconvenience, if not negation of those rights in practice. Efforts at targeting a specific population as rights-bearing necessitates a burden of proof-of-membership within that group. In the context of Akwesasne, this means that in order to prove that they are eligible for more relaxed border regulations, Akwesasronon are, at times, subjected to stricter border regulations.

Akwesasronon employ a variety of strategies for organizing and presenting ID. One MCA official told me that he recommends people stick their status card inside their passports much in the same way that I put my Canadian visa within my US passport. Another told me that he used his passport unless traveling with alcohol, at which point he would provide his status card. Another resident who used different vehicles for cross-border travel (see my discussion of the “getaway car” in the previous chapter) told me that he placed a different piece of ID in each vehicle, so he would not forget. With a smaller profile than passports, cards are also easier to travel with. Others told me that they simply used their US passports whenever possible, and only handed over a status card when asked.

For many others, choice of a status card was not simply about “convenience” and duty exemption, but rather a means to cross as a Mohawk from Akwesasne. Though accepted by the Canadian government, many of these cards are dated – one elder resident proudly showed me a card that looked like it was produced nearly half a century previously (For a study of affective relationships people form with legal documentation, see Navaro-Yashin 2007).

The above examples, far from exceptional, stand in contrast to Audra Simpson’s ethnographic vignettes of border “refusal” (Simpson 2014, chap. 5). In Akwesasne, choosing to cross with an identity document produced by Canada or the United States represents the norm rather than the exception. That choice frequently reflects a desire to move throughout the territory without hassle. In a community survey several residents stated that they would prefer to travel using a Haudenosaunee passport if that passport were recognized but do not do so. Nevertheless, many residents complain of irregularity in terms of which documents are accepted, by which officers, and on which side of the border. Akwesasronon Facebook status updates regularly lament a run-in in which an officer refused to accept a form of identification that they had used successfully in previous crossings.

The uncertainty of documentation is shared on either side of the PIL booth. Much as Akwesasronon may have difficulty determining which identification officers will prefer, BSOs experience similar uncertainty about what to expect in their encounters. In the case of questionable ID, officers experience a variety of pressures to accept the ID and “de-escalate” any potential conflicts, or to scrutinize the ID in accordance with their training. A video file circulating on the internet highlighted this dilemma. It features a covertly filmed exchange

between a Mohawk traveller from Akwesasne and a Canadian BSO with a poor reputation in the community.

BSO: Where are you traveling from?

Mohawk Traveller: Hogansburg

BSO: Where do you live?

MT: The Island.

BSO: May I see your ID please? Where are you going today?

MT: Home.

BSO: What brings you to Hogansburg?

MT: Visiting.

BSO: Visiting?

MT: Yeah.

BSO: Who?

MT: Does it matter?

BSO: Yeah.

MT: For what Reason?

BSO: The nature of your trip to the US and who you're visiting could depend on who you have with you, what you're bringing back...

MT: Co-workers.

BSO: Do you have any goods to declare?

MT: Nope.

(At this point, several dozen seconds elapse as the officer looks at the traveller's ID, as the phone capturing the exchange is repositioned to capture the officer, one can see the

traveller drumming his thumbs at the side of his car. The officer continues looking at the document and at his computer screen)

BSO: Your vehicle?

MT: Yeah.

(Another very long pause)

BSO: Have you ever thought about getting a new one? [Holds up ID]

MT: It seems to work

BSO: Because the face is... I can't really see you there.

MT: You see me here, right?

BSO: See what I'm saying though? How do I know that that's you [hands back the ID]? I believe what you're saying right now, that's you, but... have a good day.

(The traveller drives off)

Though the video was taken as evidence of BSO aggression towards Akwesasronon, the exchange, in transcription, may invite more sympathy with the officer. In this instance, the traveller was likely able to get away with an invalid ID card and a tense exchange with a BSO because of his status as a Mohawk resident of Akwesasne. Yet the terms of the exchange, and the ID most readily available to the traveller, were necessitated by that status as well.

One officer I interviewed confided in me his frustrations over longstanding customary enforcement practices of providing differential treatment for Akwesasronon. He said that it was problematic to determine based on phenotype who is and is not Mohawk, saying, "some of these Mohawks are fucking redheads." Another officer, very well-liked in Akwesasne, jokingly suggested I turn off the recorder when I asked her how she differentiated Mohawk travellers. She said,

This is... maybe you should turn your machine off... but no. I am being very stereotypical but, of course it's by looks, and their talking. When they speak they have a degree, again, I hope that this is not... I'm not trying to sound bad... but you are the one who asked me the question. A bit of a grunt to their speak, and they don't even look at you some of them. Again, when you are talking of working on a border crossing [...] it's a funnel, you are alone in your vehicle and my job is to put you, and everything that's around you, your vehicle, in a funnel. And my end is to get you out at the bottom [...] and this is all in a few seconds.

No one who knows this officer would ever call her racist, though the above quote could be interpreted in such a way. Rather, as I see it, the officer took pains to identify Akwesasronon as distinct and positively recognize that distinction in her interactions with them. Ironically, officer efforts to accommodate Indigenous difference by not subjecting native travellers to certain forms of scrutiny may rely upon reinforcement of what would otherwise be considered racialized suppositions.

Akwesasronon choices of ID, or choices not to provide ID, often reflect their own efforts at articulating and activating their rights as Indigenous Mohawk peoples. Yet these choices also often reflect a pragmatism and practicality amongst a people who have to cross the border several times daily. Choice of ID is both informed by, and formative of, the ways in which BSOs process travellers. In the Cornwall Port of Entry, where officers are mandated by custom and law to treat Akwesasronon equally and exceptionally, the choice of what ID to accept, and what questions to ask, is rarely a simple one. Status is at the same time at the heart of Indigenous rights, and a central problem in those rights' activation.

Inconsistency

A BSO in Cornwall summarized his job as “long periods of boredom interspersed with sudden periods of terror.” The same could be said of many Akwesasronon’s experiences with border enforcement and processing.

Many unwritten, quasi-unofficial policies have been created (and contested) at the Point of Entry over the years. These policies have frequently involved the “non-invocation” of the Customs Act in an effort to foster good relations with the Akwesasne community. Legal sanction for the non-invocation of law, such as the Akwesasne Residents Remission Order is a possible solution to relieving officer anxieties over the legality of their practices, but it risks opening up new anxieties for the exercise of expanding statutes. Often, travellers don’t know what to expect from officers, and officers don’t know what to expect from travellers.

A former chief stated that much of the current tensions between BSOs and Akwesasronon stem from inconsistency. He remarked,

What’s hard is the inconsistency of being stopped. If the person knows they’ll be stopped for five minutes each time, that’s okay. But he comes back a few hours later, and the officer waves him through in ten seconds. When that thing goes back and forth – that’s the inconsistency. The difficulty is, if you ask me once, and ask me again, then you should ask me a third time, ask me a fourth time. But when you go through and don’t get asked again, you aren’t asked, and then the time after that, you’re asked questions, ‘open your trunk’ [...] inconsistencies, that’s what we find there.

This anecdote parallels one I presented in Chapter 1, in which a Mohawk resident of Akwesasne expressed annoyance at being asked “cultural” questions by border officers, saying, “you ask ten of us a question, you get ten different answers.”

We can compare the Canadian model for enforcement, which has emphasized legislative sanction for non-invocation of the law with the American model employed at the port of entry in Massena. US border service is generally viewed as more consistent and often preferable to the Canadian service. As far back as anyone I spoke with remembers, US officers have been armed and demanded ID. Yet US officers accept a wider range of identification documents than their Canadian counterparts, and are legally bound, at least in part, by American recognition of the Jay Treaty.

Some notes on Small Talk

Not all that is spoken in processing constitutes processing, even if seemingly inconsequential dialogue may be viewed by BSOs as intelligence gathering, as they try to get a sense of the completeness and veracity of a traveller’s declarations. Asking, “how did you like the film you saw” may be a way for the officer to try to verify whether someone is telling the truth about going to the movies, but it may also be a way to show they genuinely care, or a way to pass the time when they are bored. When I told an American officer I was going to spend the day looking for snow tires, she told me, with a grin, “I’m not supposed to give people directions, but if you want a good cheap place for tires, I think you should go here.” I was genuinely grateful for her advice.

As with many sorts of engagement with the border, I encountered ambivalence about ‘friendly’ interactions between officers and crossers. Some residents found it pleasant getting to know

officers. Others felt that these exchanges slowed lines, and made the drive across the port even longer. Some travellers, myself included, had difficulty knowing when it was appropriate to end an exchange. Usually it's the officer who tells you 'goodbye' or 'have a nice day', and not the other way around. The disruption of that order, in which the onus is on the traveller to end a conversation can be unsettling. I found myself looking backwards at the line of cars stacking up behind me, as I spoke with officers about my research project, my snow tires, and my little sister in Washington DC, wondering what they must be thinking, and whether I was annoying them.

Akwesasronon I spoke to expressed ambivalence about socializing with officers. Some found it nice that officers attempted to be friendly, especially when they made small efforts toward learning a few words of Mohawk. Others were annoyed, or frustrated. It is sometimes difficult to tell when processing ends and socializing begins – are questions asked for intelligence purposes, or genuine interest? Is there even a difference? Historically, the best intelligence gathering amongst officers has been accomplished by those with friendships with community members.

Some residents I spoke to were frustrated by the time added by socializing to their journey. One woman told me she had been frustrated after waiting behind her cousin's car for several minutes. She said, with eyes rolled, that she called her cousin later that day to ask what the problem was. The cousin replied, "Oh, I was just visiting" with the officer at the booth.

Such ambivalence concerning the friendliness of officers complicates efforts by both the CBSA and their liaisons within the Mohawk Government to 'put a friendlier face' on local officers and contributes to the uncertainties of a given interaction. Some residents prefer faceless

officers, and merely desire robotic efficiency whenever they are obligated to report at a POE. Others value efforts made by BSOs to personalize interaction. Even if nearly all residents with whom I spoke appreciated the fact that one CBSA officer began saying, *she:kon* (“greetings”) to travellers from Akwesasne, a vocal minority complained, with one resident telling me, “they’ve taken everything from us, and now they’re taking our language”.

Community ambivalence towards efforts at personalizing interactions during processing can result in frustration on the part of officers and administrators, leading many efforts at improving relations to feel like a ‘no-win situation’, or not worth the trouble. This can contribute to fatalistic attitudes on the part of many officers, who feel that their actions do not matter in the eyes of Akwesasronon. It can also contribute to inconsistency of border service that many in Akwesasne lament.

Conclusion

Of the interactions that take place between officers and Akwesasronon, the preeminent is processing. For many travellers, processing and “the border” are effectively synonymous. Yet, the waters of processing can be muddy, and in Akwesasne, even the vectors of their flow can be unclear.

As with rivers or streams, one could argue that it is impossible to step foot across the same border twice, and this is often a source of frustration for both Akwesasne residents and Border Services Officers. I began this chapter with a quote from a Mohawk resident of Akwesasne, “every time we cross that bridge, we have to answer the troll’s questions. And we never know what they’ll ask.” The resident was expressing her frustration at the inconsistency of Canada

border services in and around the territory, something paralleled in officers' accounts of their encounters with Akwesasronon.

Officers too are also often frustrated by the inconsistency of their interactions with Akwesasronon travellers. This shared inconsistency may have historical bases, though it is most immediately rooted in the complexities and flows of processing. Processing involves an interplay of discretion, adherence to the law, reasonability, coercion, consent, ambiguity, and uncertainty. At the same time, processing, like cross-border traffic, has a flow which must be accounted for, even if resisted. Uncertainty, I suggest, offers a problematic which Akwesasronon and Canadian BSOs share. Uncertainty, in this context, becomes the platform for a certain form of intimacy -- not indifference, but its opposite. In recognition of shared participation in the choppy waters of local and national norms and laws relating to the border, Akwesasronon and BSOs may have more in common than immediately apparent. Cultural sensitivity training materials, operating on a principle of one-mindedness may benefit from emphasizing these shared uncertainties as a platform for greater one-mindedness between BSOs and Akwesasronon.

Perhaps counterintuitively, one source of the inconsistency which frustrates both officers and Akwesasne residents are the formal and informal enforcement practices which seek to target Akwesasronon as a distinct rights bearing group. This is not to say that some officers do not also target Mohawk travellers with greater suspicion as potential "smugglers." Yet at the same time, efforts to recognize specific rights for Mohawks have engendered either (1) reliance upon racialized understandings of the community in which travellers are expected to look in a certain way in order to be treated as Mohawk; (2) a greater and often confusing burden of proof for Mohawk travellers than non-Mohawk travellers. Both efforts at targeting Mohawk people for

non-invocation of the law, and producing complex identity requirements to identify status-member travellers have added complexity to an already unique border-crossing environment.

This chapter offered a sense of some of the interactions that take place when Akwesasronon and Canadian border services officers meet in the contentious space of border crossing. But what happens after? After a traveller from Akwesasne has had a tense exchange with a border services officer? Or a funny exchange? Or a noneventful one? These interactions do not disappear as soon as the car drives off into mainland Canada, or when the booth closes. These interactions linger, their stories are told on the radio, on the internet, and in person. In the telling, they may change, harsh words may seem harsher or softer, embellishments may take place, and details may change. Much as ethnography frequently relies upon anecdotes to describe a much bigger picture, anecdotes about exchanges at the border in Akwesasne often come to represent the border itself.

In the next chapter, “Talking Borders,” I take a look at what Akwesasronon take away from their interactions. I look at the stories people tell of their interactions with BSOs, and the ways in which those stories “make” the border and how they incorporate the knowledge from these stories into future interactions. In doing so, I suggest the ways in which the tales of “what happened” come to determine “what happens next”.

Does a story have to have *really happened* in order to be true? No, I haven't said that right. In order to communicate a truth about relationships, or in order to exemplify an idea. Most of the really important stories aren't about things that really happened -- they are true in the present, not in the past.

-Mary Catherine Bateson *Angels Fear* (2005, chap. 3)

Chapter Seven: Talking Borders

Introduction

Let us talk about borders. More specifically, let us talk about talking about borders. How do the conversations people have about borders, and border enforcement, define borders and border enforcement? How do they define the storyteller and the world they live in? This concern is at the same time theoretical and epistemological.

Border stories are of theoretical concern in that they can be considered in the context of the role stories and anecdotes play in constructing the space we live in, and the people we interact with. Stories, especially myths, hold a longstanding prominence in anthropological inquiry. Whether it was collecting or categorizing myths around the world (Frazer 1951), or salvaging the myths and other stories told by “vanishing” populations (See for ex Parker 1968; Hewitt 2009; Hale 1999), stories of one sort or another have been a window into the way a population sees the world. Stories have also been examined in terms of their function, as a true, or false science (Tylor 1958; Lévi-Strauss 1966; but see Segal 2004), or perhaps most intensively by Claude Levi Strauss as a means of reconciling the underlying paradoxes of human thought. Border stories may not seek to resolve paradoxes, but they often hinge upon moments of irony or confusion, paradox’s more sociable siblings. They are also, often a way of making sense of, and in the process, making, the complicated borders in and around Akwesasne.

Border stories are, more immediately an epistemological concern. Much of my data, like that of any ethnography of law enforcement, stems from second-hand and third-hand accounts of interactions. They are the stories people tell of their own, and others' encounters at or with the border. What can one "do" with these stories? Initially, I attempted to verify stories, particularly second-hand accounts, seeking first-hand corroboration to find out whether they "actually happened," but such a project proved difficult if not impossible. It also, I later came to examine these stories not as much for what they said about what happened in the past, but for the truths they reveal about the tellers. By looking at which sorts of border stories emerge, circulate, and become popular one can get a sense of the themes that are relevant and believable in the present.

These stories people tell are worthy of study in themselves, and not simply as an indicator of "what is actually going on." These stories are what people talk about over dinner, in the break room, and post online. They are the way people bring the border home with them. And travellers and officers bring these borders, the ones in their stories, with themselves to the port of entry. They are, to paraphrase Geertz, the stories we tell ourselves about ourselves (1977, 452). They are as much the border's reality as its reflection.

This chapter discusses what both Akwesasronon and BSOs take away from their interactions at the border. As much as border crossing 'takes place' in the interactions between officers and crossers, the border comes into being again and again in the stories that circulate about those interactions. Regardless of whether these stories are rooted entirely in fact, they are used, as Bateson suggests, "in order to communicate a truth about relationships, or in order to

exemplify an idea. Most of the really important stories aren't about things that really happened – they are true in the present, not in the past” (2005, chap. 3).

Beyond focusing on the content of border stories, we can look at what sorts of stories circulate most frequently, and how people listen to, and respond to, those stories. We can also look to the media through which they circulate – not just in informal conversations, but also by phone, radio, television, and internet.

BSO on the Radio

A friend of mine in Akwesasne posted a Facebook link to a CBC (Canadian Broadcasting Corporation) radio show entitled, “Canadian border guard bullies CBC radio host.” They wrote, “Lmao! This is hilarious. This guy must have trained officers at Cornwall.” Another Akwesasronon commenter replied, “Yeah, they’re all dicks...”

The interview features a Canadian border officer, Murray Swift, discussing new training initiatives designed to put a friendlier face on CBSA interactions. Over the course of the interview, the officer behaves aggressively towards the program’s host, constantly interrupting him, demanding he re-phrase his questions, and insulting him. The officer’s intimidation renders the interviewer stammering. A representative snippet:

Host: I was just wondering if you were able or interested in commenting on what these workshops might entail.

BSO: Let me ask you, what do you think these workshops *might* entail?

Host: I thought, uh, perhaps role play...

BSO: Well maybe you didn't think, that's the big thing here, isn't it, maybe you didn't do a lot of thinking. You were doing a lot of wondering. Let me ask you, what are your interactions with our border guards like?

Host: I would say the lion's share...

BSO: You *would* say, or are you saying?

Host: Well... I am... I am saying that, uh, in large part, most of my interactions have been very professional. However, I certainly do, uh, understand, I certainly have, uh, had experiences...

BSO: Let me help you out here. Are you saying that the demeanor of the officers needs to be softened somewhat? Is that what you're saying to me?

Host: I would say that uh... uh... I certainly...

BSO: *Are you saying to me* that you think the demeanor of our border guards needs to be softened?

Host: I wouldn't say on all officers, but I do think...

BSO: I'm asking you a question sir.

Host: Yes

BSO: Do you think that the demeanor of our border guards needs to be softened?

Host: I would say... I would say... uh...

BSO: It's a yes or no question sir.

Host: Well... as the first...

BSO: Do you think the demeanor of our border guards needs to be softened?

Host: ...Yes

BSO: Well, there you go. ("Canadian Border Guard Bullies CBC Radio Host" 2013)

At the interview's conclusion, the host asks, "Who will be leading this [sensitivity] training?" To which Officer Swift replies, "I will be."

In the same manner as most of the traveling public has come to encounter officers, this discussion takes the form of a one-on-one interview. The dialogues between officer and host reflects several widespread critiques of the demeanour of BSOs.

On Different Footing

Though the segment begins with the host interviewing the officer, the two quickly switch roles, with the officer leading the discussion, and asking questions of the host. This can be taken as an example, although not a perfect one, of what Goffman refers to as a change in footing, "a change in the alignment we take up ourselves and the others present as expressed in the way we manage the production or reception of an utterance. A change of footing is another way to talk about a change in our frame for events." (Goffman 1981 p. 128). In this regard, a friendly interview in which a radio host asks a border officer questions becomes a tense interrogation in which the officer asks questions of the radio host. It becomes, to the audience and radio host, an instance of 'bullying'.

Goodwin refers to this process as "frame shifting" (1996), referring to the means by which one interlocutor redirects the underlying context of a conversation. Citing Labov, she writes, "throughout argumentative talk children make creative use of the language provided by their opponents in prior turns, shaping it to their own ends, often with minimal semantic shifts" (Labov 1974 cited in Goodwin 1996 72). Though the border officer within the interview is not a child, his 'bullying', comes off as childish or immature to listeners largely because he employs these same strategies – asking the host repeatedly, "would you say, or are you saying,"

and suggesting, “well, maybe you didn’t think.” Other rhetorical strategies are employed by the officer to suggest indeterminacy and irrelevance on the part of the host, and his inability to answer “a yes or no question.”

In addition to re-shaping the host’s choice of language, throughout the interview, the officer targets the host’s use of modal verbs (can, may, would, etc.) as representing unacceptable vagueness. As discussed in the previous chapter, use of modal verbs have been particularly strong rhetorical tools in officer interviews, utilized by both officers and travellers, largely because of their discursive ambiguity.

Officer Swift requires the host to engage in a different sort of conversation than he had set out to – one that registers as audibly uncomfortable. The officer interrupts the host, speaks over him, refuses to answer some questions, while insisting on answers to others of his own. The officer offers his own phrasing for the host’s questions, “Let me help you out here. Are you saying...” demanding not only precision, but a particular type of precision shaped by the officer’s own terms, and not those preferred by the host.

The acerbic use of ‘sir’ by the officer further reinforces a particular power dynamic, one, ironically, in which the person using the honorific is the one to whom deference must be paid. The officer is no longer Murray, or Mr. Swift, but Officer, or Officer Swift.

This all comes off as patronizing, reminding listeners of their own unsettling interactions with law enforcement officers. Being forced to accept officers’ framing of a situation, or defend one’s own, has affective consequence; it angers, upsets, frustrates. We may empathize with the host’s fear, stress, anger and frustration. We may feel what Ronald Niezen describes as

public indignation (2010, 48; but see also Niezen 2013) at the host's treatment. Indeed, inciting and sharing in this indignation was likely the reason many people posted the exchange in the first place. Goffman likely would have seen the interview's reposting and comments as an example of teaming, a way to demonstrate or identify a shared vision of reality with others (1959, 47–66). As the officer shifts the frame of the host's interview, his strategies may seem familiar to the listener, meshing with many of our perceptions of (some) BSOs.

Borders in a Different Key

The radio interview's title, "Border guard bullies CBC radio host" offered its own frame to the discussion as an instance of bullying. Though the BSO dominated and transformed his conversation with the host, the host may have had the last laugh.

I feel this is an appropriate moment to confess that the interview was satire. This is to say, it was staged for comedic purposes by the hosts of CBC's 'fake-news' program, 'This is That'. It was not a "real interview," so to speak. Both the officer and host were actors performing a comedic bit. In Goffman's terms, the interview should be understood as belonging to a different 'key'.

Goffman defines the 'key' of an activity as "the set of conventions by which a given activity, one already meaningful in terms of some primary framework, is transformed into something patterned on this activity but seen by the participants to be something quite else" (1974, 43–44). Keying, Goffman suggests is the way by which we differentiate the same sort of activity as belonging to different frameworks and in particular, whether or not something is considered 'real'—is a punch thrown a fight, or a choreographed enactment of a fight? Is a 1:1 conversation a 'real' interview, or a 'fake' one? A real instance of bullying, or a fake one? Is an insult 'in

jest' a 'real' insult or not? Knowing the dialogue to be satire doesn't change the words, but it changes the 'key' by which they are understood.

What is the difference between keying and footing? Though Scheff suggests that the two terms are often, and problematically, used interchangeably (2005; 2006), for our current purposes, "footing" refers to a sense of the way in which participants in an exchange understand "what is going on" – a conversation vs. an interview vs. a confrontation, and "keying" refers to different ways of interpreting the "realness" of that exchange -- a real interview vs. a farce, for example. The footing tells us Romeo and Juliet are flirting rather than insulting one another, and the keying tells us that we are watching a play rather than covertly spying on two young lovers.

Did you believe, as many listeners did, that this was a 'real' interaction with a customs officer? Could you empathize with the host? With the officer? Did the dialogue seem farfetched to you? I offered the interview without suggesting a particular key for several reasons. Firstly, to provide readers with the opportunity to determine for themselves whether they found the story believable, and if so, to consider what facets of the interview made it such. Secondly, to help put the reader in the shoes of Akwesasronon and other residents of the border towns in the vicinity who structure much of their knowledge about the border and its enforcement upon second- and third-hand accounts of interactions.

I initially believed the story to be real, though I was surprised by its content. I had personally met similarly discourteous officers in Cornwall and Massena, though they were a tiny minority. In interviews and informal chats, I have heard of hundreds of incidents with more abusive officers than this one. Though I found it hard to believe that such an officer would be granted

permission to speak to a journalist, I had thought the story was true. It had been presented to me as real. My friends in Akwesasne who posted it did not know it was false, and I had no idea that the CBC even had a satirical news program. Like listeners to Orson Wells' 'War of the Worlds', we were taken in. The program's message board was filled with comments from listeners who assumed the interview was true. There was so much about the interview that seemed accurate; it was hard to imagine it as fake. In Goffman's terms, "it was already meaningful" in terms of peoples' interactions with officers; it was "patterned on this activity" (Goffman 1974, 43–44). This, I suggest, is why the 'interview' worked as satire, and why we could be duped so effectively.

The officer was rude, but he was rude in a particular way. It was not only his brash tenor that lent believability to the interview, but also his strategies of dominating the conversation. Whereas the radio program's host attempted subtlety and politeness, the officer demanded blatancy and directness. His demeanour, (especially use of 'sir') is at the same time 'courteous' and dominating. Once the officer takes on the role of interviewer rather than interviewee, he forces the host to respond with a level of precision that renders his responses misleading at best, and untruthful at worst.

Reactions to this posting on Facebook saw it as yet another example of officers being 'jerks'. Few recognized that the program was satire. The top three comments:

"I am surprised that this man was asked to represent the border crossing personnel. I would be embarrassed. I have crossed the border many times, and when I return to Canada, I'm always treated well. This man came into this meeting on the defense and

was a Jerk [sic] for no reason. Good job Proving [sic] interpersonal work needs to be done”

“Wow and he is heading the workshops [sic]? Lord help us all.”

“I guess I’ve been lucky coming back into Canada with no problems. But this Officer Swift really needs [sic] a chill pill [...] he is a leading example of why we need to work on the CBSA [...] shameful!”

(“Canadian Border Guard Bullies CBC Radio Host - Home | This Is That with Pat Kelly and Peter Oldring | CBC Radio” 2015)

In the above excerpts from the program’s comment board and many that followed, most posters argued that (1) officers’ behavior such as this is simply more proof that there is a need for a greater overhaul of sensitivity training, (2) the posters themselves had been mostly well treated by the CBSA. In other words, although many forum participants could not cite personal cases of harassment by border guards, this video represented an accurate account of their conduct. Many comment board participants’ knowledge of BSOs was based not wholly on personal experience, but on second-hand and anecdotal information. Ultimately, this interview confirmed preconceptions about some officers – preconceptions often grounded in second-hand, rather than first-hand accounts of officer misconduct.

I fear I have gone too far in implying that most travellers in Akwesasne have not had unpleasant interactions with officers, and that the perceptions of unpleasant officers are the product solely of gossip, without grounding in fact. This is not the case. While the vast majority Akwesasronon I spoke to had primarily uneventful interactions with officers, most also had at

least one story of mistreatment. There are simply orders of magnitude more first-hand interactions between officers and Akwesasronon, many of whom cross customs hundreds of times annually, or even monthly than there are between other communities and border officers. This entails a greater frequency of both benign exchanges and negative ones. As one would expect, the unpleasant interactions linger much longer than the uneventful ones.

Yet attitudes toward officer misconduct are generally considered in terms of not simply one's own experiences, but the shared experiences of the community, and the stories of misconduct that circulate in social settings. I have suggested above why some stories about interactions with border officers are believable, and come to be considered real. Below I consider what sorts of stories circulate in Akwesasne and Ports of Entry servicing the community, and how these stories are received. I want to be clear, my objective here is not to paint a picture of what actually happens in interactions, but rather, what sorts of stories circulate, and for what reasons. These stories, I suggest, in turn form part of the 'reality' of the border, and relations between BSOs and Akwesasronon.

Does a Story have to have really happened to be true?

Initially writing this section, I chose the word 'rumor' to describe border stories that proliferated amongst both Akwesasronon and Border Services Officers. The Google definition of rumor meshed with my own understandings, "a currently circulating story or report of uncertain or doubtful truth" (accessed 2015). Within the definition was a certain dubiousness, rumours are of "uncertain or doubtful truth." Rumor is a messy term as an analytic, defined differently across populations. Like rumors themselves, the term is hard to grasp.

As a researcher, I approached these stories with doubt, looking to confirm or refute their veracity. This was, perhaps, a Sisyphean task given the sheer volume of stories. Also, one that distanced me from the role these stories played in the imagination of the tellers and audiences, and the ways in which that imagination came to define people's own conceptions of the border.

I have elsewhere (2015) privileged the term 'story' over alternatives such as 'myth' or 'legend' when discussing oral history (Vecsey 1986). I do the same here. Stories typically lack the same degree of ingrained scepticism. Border stories are another sort of cosmology, a story about the ongoing creation of the world. Bateson suggested that thinking in stories is something fundamentally, though not solely, human. This is no doubt the case in Akwesasne where learning and exchanging through stories holds special significance both in 'traditional' and 'contemporary' contexts.

Ultimately, the distinction between a rumor and a story lies with the listeners and not the content of the stories, or their veracity (one could say the framing). This distinction is rarely made explicit, though there were certainly stories that people told with a grain of salt, and others that were taken to be true.

Earlier in this chapter, I offer a quote from Mary Catherine and Gregory Bateson's *Angels Fear: Towards and Epistemology of the Sacred* in which they considered the ways in which humans think with stories. Much has been written before and since, but Bateson's brief anecdote, told in the form of a dialogue between a father and daughter which is in no more 'true' than the radio dialogue with which I began this discussion, offers a powerful perspective. If we think of these stories not in terms of whether they happened in the past, but rather what

they say about the present, then these stories are ways in which the border is made, and remade, at ports of entries and along borderlines, but also wherever and whenever they are told.

In a community like Akwesasne, where stories of officer misconduct spread like wildfire (smoke rising to be seen by all) and are, indeed, a popular source of conversation, these stories form, in part, the ‘reality’ of the border and its enforcement. The same could be said amongst officers’ stories of their own interactions, known as particularly tight-knit in and around Akwesasne due to the unique stresses of that posting. In the terms introduced at this chapter’s beginning, these stories frame border enforcement in Akwesasne. Regardless of whether they ‘really happened’ in the past, they provide context to interactions in the present.

Below, I offer a few examples of stories from either side of the booth, and trends they suggest in terms of what sorts of story are most popular and believable.

The Fallan Davis v. CBSA human rights tribunal which I followed centered on charges of discrimination by a Mohawk woman who chose to end her pregnancy after her car was singled out to be scanned by x-rays with a mobile VACIS machine, generally used only for much larger commercial vehicles. This occurred in 2007. Nearly everyone who mentioned the trial to me told me that she had been in the car at the time of the scan. I was surprised to learn from Fallan’s testimony that she had been standing outside the car alongside other officers. Nevertheless, she has charged that radiation concerns were the reason she chose to end her pregnancy.

Thematically, this story bolstered ongoing indignation in Akwesasne toward officers. It also included certain tropes that seem to make up the most popular stories concerning mistreatment by border officers. Most of the stories that widely circulate involve the mistreatment of a youth or elder of either sex, or a woman, and in particular, women with some sort of physical condition that is seen as making them more vulnerable. Stories of incidents with male travellers occur, though they are less common. In the Mohawk Council of Akwesasne's preliminary presentation to the Canadian Human Rights Commission concerning complaints, 10 examples were presented, 7 involved women, and 2 of the male travellers were explicitly described as youths. Roughly half of the incidents described involved a traveller with an illness.

These incidents, are the ones most commonly and effectively used to introduce the border situation in Akwesasne to unfamiliar audiences, especially in the context of human rights violations. Curiously, though the most commonly told stories of abuse involved women, youths, elders, and/or the disabled, of my interviewees who filed complaints, nearly all were adult males. This could account for a discrepancy between the capacities for qualitative and quantitative inquests into officer complaints. While numerically, most complaints may come from middle-aged men, community perceptions of tensions focus on abuse of women, children, and the elderly.

If stories told by Akwesasronon about officers had a tendency to focus on the mistreatment of women, youths, and elders, stories told by officers about Akwesasronon tended towards emphasizing lawlessness and violence. One officer told me how he learned from colleagues who had been stationed in the customs house during the 2009 protests that Mohawk protestors had lit a car on fire in the parking lot. This story was offered to provide evidence of the tense working environment in which he arrived, and the state of community-CBSA relations at their

nadir in 2009. Yet when I asked a port supervisor who was there at the time about it, he told me unequivocally that there had been no car set on fire. Nevertheless, protestors camped beside the customs house lit several ‘peace fires’ within the vicinity for their own purpose.

Most of the stories of violent exchanges reported to me by officers involved a male Akwesasronon traveller, typically one suspected of smuggling, who employed violence, or the threat of violence against an officer. Stories that stood out involved shots fired at the customs house, and smugglers driving away as an officer inspected their trunk, dragging the officer whose clothing had gotten caught on the car.

This poses a methodological and analytical consideration for thinking about the border in Akwesasne. Of course, it is useful to distinguish between stories that are easily verified or falsified. However, this is often not possible. Still, those stories which circulate reflect and produce both officer and Akwesasronon attitudes about border interactions. The story telling itself is one of the ways that the border manifests in casual conversation, at the dinner table, at the bar, and even at the customs lane.

Self-Fulfilling Public Enemies

In her ethnography of Turkish nationalism, *Faces of the State*, Yael Navarro-Yashin demonstrates the ways in which both western and secular Turkish conceptions can result in a self-fulfilling prophecy, with the Islamic state taking on those very characteristics attributed to it (2002, 31, 40). The argument can extend beyond Islam, into notions of the state in general; expectations built around an ‘othering’ of the state (especially perhaps the surveillance state) distanced from the citizenry, can result in the creation of that very state. In Akwesasne, the othering of the Canadian and American governments is a built-in facet of Mohawk Nationalism

and not, as in other contexts, conceivable as a failure of the state to effectively ‘embrace its people’.

Within my interviews, I found many stories, but only one explicit mention of rumor. The interviewee was himself a former police officer who had also worked as a liaison with the CBSA. He was driving home to the Island after a game of golf in the United States. The CBSA officer told him, “I heard a rumor that you have a DUI” (DUI stands for “Driving Under the Influence” (of Alcohol)) and demanded to see his license. My interviewee told the officer, “fuck you,” and asked where he had received the information. This was the first and only time I heard the cool and even tempered man use profanity. Eventually, he showed the officer his license, but refused to hand it over, driving home and filing a report against the officer. He ended the story asking, “Is that how they operate, rumour and innuendo?”

The officer who asked my interviewee for his license was himself known as a blight upon the community. This particular officer, I later learned, was responsible for more complaints than any other officer since the MCA opened a file for collecting complaints. Though he had since left (or been driven out) of Akwesasne, mention of his name provoked stories of his racism and abuses of authority. As to what happened to him, I heard stories that his career ended when he, an alcoholic, fell down drunk and hit his head in the shower. I also heard stories he simply transferred to another port of entry. The first variant was more popular, the second more likely. Both define the ways in which BSOs are seen by the community.

At present, another officer has taken on the mantle of community ire, with stories of his misconduct proliferating in chats and online. Whenever he was in a PIL lane, Akwesasronon would post the lane online so people could better avoid him. There was even a video posted of

him online. The officer is known and nicknamed for his distinctive hairstyle and was featured in the video discussed in the previous chapter.

I encountered this officer when heading home one evening from dinner and board games at a friends' place in Akwesasne. When I saw the hair, my heart started beating slightly faster – a mix of excitement and nervousness. This is the guy, the one that everyone complains about, I thought. Maybe I'll get some great data. Maybe he'll send me to secondary inspection. I resolved to treat him like any other officer, and simply let the exchange play out. After asking a few of the primary questions, he asked me to open the trunk of my car. After poking into my backpack, he returned my passport and told me "have a nice day." My heartbeat slowed down to normal, as I continued home. This was the first (and ultimately, the only) time that any Canadian officer searched my car in my year of daily commuting to and from Akwesasne.

Did I seem nervous or petulant because of the rumours I had heard? Did that play a role in his decision to search my car? I would not be surprised either way. In a year of fieldwork, my tensest exchanges with officers often came after interviewing residents with particularly unpleasant stories to tell as to their own encounters – even when I attempted a friendly demeanor. It may well be I brought empathy with the reimagined scenarios of these stories in my car with me when I drove into the port of entry.

We can take Navarro-Yashin's argument one step further in suggesting that not merely the state, but also the citizenry can become a self-fulfilling prophecy under similar conditions. This is one way to consider the ways in which expectations of officer aggression have the potential to become the reality in Akwesasne. Expecting an abusive officer may yield one, expecting a non-compliant traveller (especially one from Akwesasne) may produce that very traveller.

Rumors that he has been a drunk driver can stir a sober one to bellicosity. Rumors of a hard-ass BSO can lead that officer to wonder why the passenger in front of them seems ‘off’.

Jokes

Not all stories about exchanges at the border are indignant accounts of injustice or tension. There are many other sorts of interaction that take place, but perhaps the sort of communication most salient in people’s memories is joking.

Goffman suggests that, “the function of [the? a?] striking remark, ironic, witty, or learned is not to disclose or conceal the perduring nature of its maker [...] its function is to generate the notion that an interaction brings a personage along with him” (1974, 299). In the case of border officers, viewed by many as ‘robots’, one can say that the function of these remarks does not even need to go so far as to suggest a particular personage, but personhood more generally.

Radcliffe-Brown defines a “joking relationship” as “a relation between two persons in which one is by custom permitted and in some instances required, to tease or make fun of the other, who in turn is required to take no offence” (1940, 195). Joking between officers and travellers is undoubtedly what Brown calls asymmetrical. “A jokes at the expense of B, and B in return teases A only a little” (IBID). Radcliffe-Brown goes on to discuss the ways in which joking reinforces social cohesion, and helps establish a convergence of interest among previously divergent parties.

Below I offer two examples of ‘joking’ exchanges between BSOs and Akwesasronon. The first example is a Facebook posting from Akwesasne’s ‘How’s the Bridge’ group (which I discuss below). The second was posted in Akwesasne’s newspaper, ‘Indian Time’ as part of

the 'Life at the Border' section. The mere presence of a newspaper section that chronicled exchanges (and in particular humorous ones) suggests the significance of border interactions in everyday life for many Akwesasronon.

Facebook Anecdote

So, I go across the Cdn bridge last night and wait in line at customs. Finally made [it?] to the booth, and the customs officer asked, "Where are you coming from?" I say, "Hogan." He looks down at his papers, "OK, I have a question for you... which part of the human body is the largest organ that can regenerate itself?" ... "What?" ... He looks down again and repeats himself. I yelled out, "The skin!" (The officer in back of him shouts, 'That's true!'). He looks at me and says, "Noooo, it's the Liver... Have a good nite..." Bahahaha! That's a first for me.. ☺

Life on the Border

Indian Time – Vol. 22, Issue No. 40

October 7 2004

Stories and Opinions on the US and Canadian Customs

Going through the U.S. Customs one day, my aunt was [in another car] directly ahead of me. As she went through I watched the agent look in the back of vehicle and then she passed him a briefcase from the front seat. He looked inside and then handed it back to her and away she went.

When we pulled up to the same agent he asked the usual questions, which included the notorious, "Do you have \$10,000 or more in cash?"

"Nope," I said

"C'mon!" he joked. "I know you do!"

“No, I thought it was in that briefcase up there” I joked back. A sneaky, evil look came across his face and he said,

“So did I!”

Just a little customs story...

Signed, Niece of innocent woman

Both stories involve a shared joke between officers and crossers, yet suggest deeper power imbalances at work. In a comment to the Facebook posting, one resident wrote, “I so would have been pulled in for answering that question!” I am unsure what answer would have merited getting pulled in. The ‘Niece of an innocent woman’ described the officer’s look as “sneaky” and “evil” without suggestion that the officer was play-acting. One wonders what the consequence would have been if the crosser told the officer that they refused to answer biology trivia, or carry on with an officer’s gentle teasing about carrying \$10,000 across the border.

Humorous exchanges between officers and travellers are in some sense the most irrelevant sort of interaction one can observe. They do not serve to determine the admissibility of travellers or their goods. At the same time, the unspoken rules of who can joke, and what jokes tend, in my experience, to reinforce rather than undermine the distinctness of officers’ position and authority. In this regard, joking is a serious business.

This is not to say that such interactions between officers and citizens/travellers do not help put a personal face on the state. Further, these interactions are productive and reflective of a particular type of intimacy built around the particularities of ports of entry around Akwesasne.

At the same time, it is when the limits of these encounters are reached that the power dynamics manifest most strongly. This is undoubtedly an asymmetrical joking relationship, one in which the rules for propriety are set and enforced by officers. They may be allowed to ask silly questions or poke fun at the project of a naïve young anthropologist, but reciprocal teasing is not possible, particularly with regard to issues of smuggling or terrorism. Any joke about terrorism told to a border officer will surely bomb.

As we drove off to lunch one day, a friend told me of a non-native co-worker who had commuted to work in Akwesasne for over a year. After hundreds of trips across, he told me, his coworkers became friendly with officers, sharing chit-chat, and joking around while crossing. Toward the end of his employment, an American officer he had gotten to know had asked him, “Are you bringing anything across?” The man replied, sarcastically, “I’m smuggling diamonds.” “I wish you hadn’t said that” was the officer’s response. At this point in the story, my co-worker looked directly at me, “they took his car apart. It took hours, and I think they helped him put it back together.” This story was more a warning about joking than a joke itself.

How’s the Bridge? Border Stories in Digital Space

Even if most crossings are uneventful, the sheer volume of crossing by residents ensures an interesting story every week or so, at the minimum. Conversations about “the border” and “border crossing” are a popular conversation topic in Akwesasne. But where and how do these stories circulate?

Recounting of stories is not simply done through face to face interactions, but also over other forms of media. For over a decade, residents experiencing trouble at the port of entry have

texted one another on their phones. When the port of entry was on Cornwall Island, it was not unusual for residents living near the port to come by and keep an eye on proceedings, even, at times, intervening. This is less common now, though text messages have been used to document the frequency of stops and searches. One resident filed a complaint after showing, via text messages to his family, that he had been stopped daily at the port of entry over several weeks.

A popular face book group entitled “How’s the Bridge” emerged following the relocation of the Port of Entry off the island. The group, initially designated to share wait times so that residents could avoid the tedious lineups also became a forum to discuss all manners of border issues, legal advice, problems with border officers, and even recommendations as to which lanes to avoid. At present, the group has more than 1200 members, though a few dozen contribute far more often than anyone else.

I used the How’s the Bridge page frequently in order to plan my return trips to Cornwall after a day in the office in St Regis Village. If the lines were long, I’d make plans with friends south of the borderline, or head over to Massena to do some grocery shopping. The site was shown to me by several colleagues who also contribute infrequently. I attempted to join the group on two occasions, but was not added by the administrators on either. It is, however, a public group, which anyone can access, and residents semi-regularly remind one another that it is probably monitored by Canadian border enforcement officers. I suspect that it is for this reason that a covertly recorded exchange between a resident and a BSO was eventually taken off the group site. There has been, to my knowledge, no reference to or advice about illegal activities on the forum. The participants, like most other people in Akwesasne, simply want to move about their territory without impediment.

Later in this section, I reproduce a couple of exchanges which received high levels of attention from group members. Though the site remains open-access, in reproducing conversations, I blank out the names of residents in these exchanges to add a layer of anonymity should they someday choose to delete or remove their posts.

The website is a sort of open market for border stories, with those particularly interesting, compelling, personal, or troubling, receiving the widest reception, and therefore remaining at the top of the page for longer. Many of the most active threads involve residents collectively trying to make sense of uncertainties drawing upon personal and second-hand histories to guide themselves – to determine, “what was going on” in a given exchange.

This was markedly the case in a post from January 2015, in which a resident, Tom, asked “Anyone get pulled in for “ABOR” and not told what it means?” I present the conversation below using pseudonyms for those involved. In the ensuing comments, fellow community members tried to make sense of a referral classification, drawing upon their own knowledge and expectations of the port and officers.

January 27 2014

Tom: Anyone get pulled in for “Abor” and not told what it means?

Lisa: We got pulled in for “Nat”

Lisa: [posts picture of referral slip]

Lisa: I’d assume the ABOR could be assumed to stand for ABORiginal and that the NAT stands for NATive

Tom: That’s what I thought Lisa, but I wanted to see what it means... lol but Thx Ill look into that one too

Gina: Ask your community advocate Wesley Benedict lol

Tom: Pffff lol

Gina: Lmao! Lemme see what I can do I may know someone who can find out there.

Leanne: Pull sum strings there Gina. Lol

Tom: Right lol CBSA don't like me cus I question everything they do.

Tom: That would be awesome Gina because I'm helping a person file a complaint with Ottawa against cbsa for being ABORiginal

Martin: Their gonna hate me!! LOL I've been pulled over 3 times and every time I demanded "the hell for?" They don't answer then I tell them I'm not pulling over until I'm informed wy...

Then the eye rolling starts lol

Tom: lol. Yep once they give that smart-ass attitude I fawking give it right back. Honestly, the more people to question their "motives" and reporting their behavior the better and maybe this abuse of authority will subside.

Calvin: nat is when you answer no to alcohol or tobacco, never heard of abor, maybe questioning your native status in canad?? ... probably one of the new ones council warned about

Lisa: But as you can clearly see in the picture they didn't cross of the boxes for Goods Declared or Duty Free Purchase, so No Alocohol and Tobacco does sound good for NAT, but so would the little boxes clearly created for that type of declaration. Also, shouldn't the reason still be 99(1)(f) which is the generic detain and search notation under Canadian Customs Act??

Gina: Apparently issue with guards not using proper codes, could be that... sounds like a bullshit party line to me

Tom: Yep, smells like bullshit to me too... because you know they're superhuman and never make mistakes.

Tom: I say this because the guards in question have been at this port for years... so its not the new guards. So tell your source to try again lol jk

The participants in this discussion are collectively trying to make sense of opaque classifications by the CBSA. Some explanations emerge as more plausible than others, but most hinge on the assumption that native people are being singled out for additional controls by customs. It is worth noting that “Calvin”, the resident who explained that NAT stands for “No Alcohol or Tobacco” is a retired CBSA officer from the community. The former officer’s speculation that “Abor” refers to aboriginal status is reasonable considering a status card is an accepted form of identification for entering Canada. At the same time, Akwesasronon are sensitive to being singled out as native, and many assume that they are profiled and given harsher treatment for that reason.

Ultimately, message board’s conclusion is not so much a clear cut understanding of what these CBSA codes mean so much as a pronouncement of the fetidness of the “bullshit” in their explanations. This story resonates, because for many residents, to borrow from Geertz, CBSA activities are “bullshit all the way down”, and that is what is expected of the organization. It resonates with expectations of border services’ opacity, abuse of power, and the possible profiling. Much like the (false) radio interview at this chapter’s start, it is already meaningful in those terms. This in turn sets up a situation in which hostility towards officers is a reasonable, if not always necessary, approach.

Another series of exchanges, starting in 2014 and continuing to the present, chronicled a resident’s difficulties after finding his vehicle flagged, first on his way a show at the SVTC (which I believe stands for Seaway Valley Theater Company in Cornwall). Through his posts,

“the flagged man” sought to demonstrate his problems, get a sense of why he has become flagged by the CBSA, and seek advice from fellow Akwesasronon. I reproduce the exchange below. I have included only those messages directly posted by “the flagged man”, though there were dozens more related posts in between. One worth particular address of which I have not included is an image, copied the text of Section 99(1) (F) of the Customs Act with the headline asking, “What is reasonable?”

July 17, 2014

James: CBSA got all “99(1)f)” on me this evening. Just crossing from the Island and pulled in for a secondary search. Not fun when you’re on your way to a show at the SVTC. Good thing they had three officers doing the search. Only took about 10 minutes. They couldn’t figure out why I carry a hard case full of calibrated testing instruments.

James: [posts picture of referral form]

Jackie: What’s a 99(1)(f)? No freedom rights of traveling within the country like everybody else...

Tom: I can’t google it for some reason, but what I remember is they use this section as an excuse to search your vehicle when your’e coming from the island... basically claiming you failed to report from the US. However, they still need a reason justifying their search. File a complaint at the Ottawa head office. Anyone finding themselves in this situation should file a complaint. This is wrong. The more you know your rights, the less they can do this to us.

Lucinda: Here’s a link to the customs Enforcement Manuals. 99(1)(f) is referenced in manual 2 of 3, on page 2

Lucinda: <http://vancouverlaw.ca/immigration-lawyer-resources/>

Jackie: Who pulled you over James and thank you Lucinda I now know what is a 99(1)(f)

James: Pulled in by Primeau. Then searched by Spencer, Roy and ??? (Roy and the other guy didn't have ID tags. I asked for names right off the start)

Kailey: Oh for real. We had an engineer working for MCA years back who got followed then surrounded and stopped in Ottawa due to all of his trips to Akwesasne. Heck, nobody here can be actually be involved in science ore engineering y'know. That's an automatic red flag.

Jackie: lol

July 21, 2014

James: BOOM! 2 searches in 4 days. On a roll baby. I have TWO 99(1)(f)s now sukkas. How many do you have [posts a picture of referral sheet]

Dani: Basturds

Mitch: did u ask what the f is? Now they added 10-15? Im still trying to get an answer on this

Dani: now that you went into secondary search your on the list expect it to happen more until they pull you in more times with nothing happen to me

James: Bring it on. I'm ready.

Jackie: Sometimes RCMP sent them info often wrong info about a person and CBSA has to pull the person over. It happened to me. I asked why and the supervisor looked on his computer. I told him it was false info and they removed my red flag from the computer after talking to RCMP

Tom: File complaint... its harassment

James I filed two complaints. One for each offense on the CBSA website. Plus I sent all my info to MCA Wes Benedict

September 1 2014

James: Use this link to file complaints. It works! Goes right to district manager in Ottawa.

Had a response (phone call then meeting in person) within a couple weeks. [Http://www.cbsa-](http://www.cbsa-asfc.gc.ca/co.../feedback-retroaction-eng.html)

[asfc.gc.ca/co.../feedback-retroaction-eng.html](http://www.cbsa-asfc.gc.ca/co.../feedback-retroaction-eng.html) Easy to file a complaint from your phone while

sitting in loooooong lineup while only two lanes are open.

Grey: Awesome. You're today's digitip on the radio.

Skyla: Bump. PowWow Day on the Island – heavy traffic. Cbsa only has two lanes open during

heavy traffic, so backed up to the bridge.

Skyle: feedback: one of the busiest local traffic days annually (Akwesasne PowWow) and the cbsa only has two lanes open???

Of course traffic is backed up to the bridge as of 9:30 am on the first day of the Akwesasne PowWow. The CBSA officer asked us where we were coming from twice – of course we answered the same both times she asked us (we were coming from our home on Cornwall Island).

It's very interesting that the CBSA in Cornwall Ontario seems to never have more than one or two lanes open for traffic any time Akwesasne has an event that creates very high local traffic.

September 8, 2014

James: Got myself another 99(1)(f) baby!! Get'em like Pokemon cards (just the picture though)

That's three now. At least the officers were polite and friendly. All three were "the good ones"

[posts a picture of the referral sheet]

Jackie: Very strange... ask them why? Ask to see what's on your file?

James: I Did last time. They said ti was my trailer. This time I was carrying HVAC units on my trailer for a client to deliver them. I made a trip to the POE to sort this out last time around.

Guess the flag is back on my file.

Tom: Whats a 99 1f anyways lol

James: The right to stop and search domestic travellers in a mixed traffic corridor. It was added to the CBSA Customs Act in 2011 (I think) no doubt as a result of 2009

Mehgan: Your flagged

May 26, 2014

James: Got a letter from the regional office. They trackall my complaints and resond every time. It works. [posts image of reply to complaint]

James, the “flagged man’s”, yearlong odyssey met an unsatisfying conclusion, as the CBSA’s response to his complaint, which included his concerns regarding overall wait times, remarked, “complete reviews of each of your complaints submitted regarding border wait times at the Port of Cornwall have been conducted and have determined that, on each of those occasions, we have been operating within the established service standards.” Nevertheless, he maintained good humor throughout the ordeal and was pleased to have, at the very least, received a response.

The How’s the Bridge group offered a forum for the resident to share his grievances, receive affirmation from fellow community members, seek advice, and speculate on the sources of his problems. It is worth noting one resident’s intimation that the CBSA reduces service when Akwesasne has events, and that James makes sure to refer to some CBSA officers on positive terms as “the good ones” (presumably, as opposed to “the bad ones”, or more pessimistically, everyone else).

Border Mediums

Here I wish to turn the reader's attention to the mediums through which border stories circulate, paying particular attention to the technological facets of storytelling. In the above case of the James, he communicated his problems with Canada Border Services through several mediums. After being stopped in person, he posted his concerns online, receiving links to legal advice and statutes by friends. In a subsequent thread, one resident remarked that his case became the topic of a local radio show. Finally, he received a reply to his complaints by Canadian customs in the mail, after suggesting to his fellow residents that they take advantage of the long wait times to fill out complaints on their smart phones. Face to face communication, internet, telephony, and radio, were all involved.

This use of technology to transcend the geo-political divides imposed by the Canada/US border meshes well with a common thread in the anthropology of media and globalization – namely, the argument that new media technologies help bring people (virtually) closer together, and therefore subvert the restrictions on mobility imposed by borderlines (See Appadurai 1995; 2001; 2008). It can go even further; in providing advice for border-crossing, these sites of communication facilitate physical as well as virtual mobility. Media technologies, in this respect, both transcend and undermine borders.

Yet in Akwesasne, the situation is more complicated than this. As much as media technologies may subvert borders, they also reinforce them. As suggested by Collyer (2003), the regulations, service regimes, and available technologies within a particular nation can reinforce rather than undermine national borders in cyber space. While Facebook does not care from which side of the border a resident logs in (although repeated cross-border logins can make some services suspicious), in Akwesasne, people's geophysical location vis-à-vis the border affects their internet access. Even without any sort of customs regulation in many parts of the

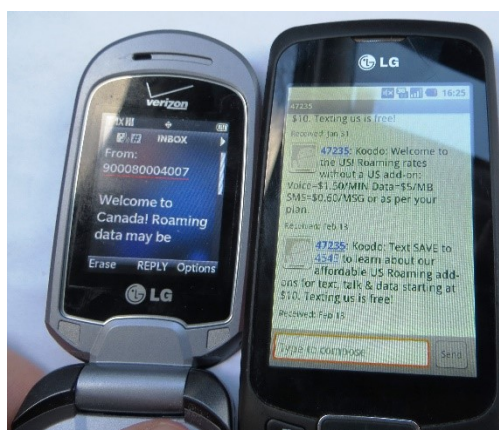
territory, their place of residence determines whether they have dialup or high speed internet. It influences how much money they pay (or do not pay) for electricity, and what radio and television stations they may have. In this regard, media technologies reinforce “the border” in Akwesasne as much as they may undermine it. I illustrate this point and expand upon my discussion of mobile service with the anecdote below.

Welcome to Akwesasne

Early in my fieldwork, I invested in an old US-based mobile phone to use when calling either my family in New York, or while in the southern portion of Akwesasne. I decided that since I would be spending so much time across the borderline, it would be good to avoid roaming fees. After all, sometimes my only sense of “the border” within the Akwesasne Mohawk Territory was my phone buzzing and notifying me I had left my country of service.

I quickly learned, however, that the borderlines of mobile service do not easily map onto those of political geography. I often found myself driving up the road in order to call one friend, or in the opposite direction to call another (my cheapness, apparently, knows no boundaries). I developed a pretty good sense of where I could place my phone to get Canadian or US service, even if it was in one corner of a friend’s home versus another.

At one point, I found, much to my frustration, that both my US and Canadian phones were on roaming. The US phone wrote, “Welcome to Canada,” and the Canadian one wrote “Welcome to the US.” I took a photograph of the two phones next to each other and posted it on face book (I’ve included the image below). One friend replied in the comments, “Welcome to Akwesasne”.



Mobile phones are an avenue in which the border is both contested and created. While phones make it possible to send messages about border officers, but more simply to call a friend or family member wherever they reside, they also determine the fees for a call. Even if phone signals do not rely strictly speaking upon where someone is standing relative to the borderline, getting phone service is often tricky in the territory.

Calling from St. Regis Village to the city of Cornwall is cheaper than calling from St. Regis village across the street in what is ostensibly New York State. As I mention in the prologue, a roaming signal is often the only tangible marker of “the border” in many parts of Akwesasne, as one’s phone chimes crossing a border that their carrier would otherwise ignore. I found myself driving up and down the street in order to call a friend simply to avoid international roaming fees. A few times, I was wary of doing so, driving close enough to “the border” that I could receive a proper signal, but not so close that I would be obligated to “report in” afterwards. When I called the phone company to adjust false roaming charges, I was surprised when the respondent was familiar with Akwesasne and simply wiped the charges without further question.

Mobile phones are not the only communication forum in my anecdote. The punchline “welcome to Akwesasne” came from an Akwesasronon friend on Facebook. I had no way of knowing, and little care, for “which side” of Akwesasne she sent her message – in that capacity the website rendered the border irrelevant, yet the fact that she had home internet suggested to me that she could have only been in some sections of the community. High-speed internet only came into St Regis road south of the borderline a year and a half after I concluded primary fieldwork. One friend planned his weekends around visiting a family home on Cornwall Island so he could take care of his downloads for weekly media consumption.

The Internet, widely heralded as breaking down national borders, relies upon infrastructures and fees that are highly nationalized. This case is even more severe beyond North America where censorship laws and firewalls determine what sorts of activities take place on which side of the bordered internet. Ultimately it was through Facebook, a website which seemingly undermines national boundaries, but is nevertheless bound to nationalized access, that we could share our sense of humor about Akwesasne being a place where a person can be simultaneously in both (neither) Canada and (nor) the US, and must pay the price accordingly.

Conclusion

Most border crossing in Akwesasne is banal, not shouting matches or funny anecdotes, but a simple exchange of a few words. My record for crossing was three words:

BSO: From?

Me: Hogansburg

BSO: Citizenship?

Me: US

BSO: Status?

Me: Student

BSO [looks for student visa and returns passport]: Have a nice day

It is these sorts of brief, “non-events” which represent the majority of encounters as Akwesasronon cross the border. Yet even a single traumatic encounter is one too many for either a BSO or a resident. A funny encounter may be re-told again and again, with embellishments where necessary. Akwesasronon and Border Officers select these stories when telling and re-telling accounts of “what is going on” at the border, and bring these stories with them when they meet officers at a Primary Inspection Lane.

In the previous chapter, citing Yael Navarro Yashin, I looked at the ways in which “the state”, or more accurately, state actors, and (going beyond Yashin), the citizenry, can become a sort of self-fulfilling prophecy in their interactions. In other words, the imagined future can become the present. Here, I have looked at the ways in which stories people tell about the border help create the border. In other words, the imagined past can also become the present. Regardless of whether those stories are true in the past, they are part of “the border’s” cosmology – its ongoing creation. They are mythic in the Levi-Straussian fashion, stories about the creation of “the border”, something that is logically paradoxical yet nevertheless existent. Though situated within a wider range of history, and past relationships, these stories, their themes, and their repetition, can become “self-fulfilling prophecies” in their content, their framing, and the media through which they circulate.

One’s capacity to send and receive those stories, regardless of their content, is determined by practical considerations linked to one’s means of communication. Posting a story on Facebook

or a web forum is one matter, calling or texting it is another, and driving over to a cousin's place to tell that story at the dinner table is another still. One's ability to access a communication forum is often contingent upon where they, and the intended audience, are, relative to the borderline. In this regard, communications technologies simultaneously undermine and reinforce the border in Akwesasne.

Akwesasronon and BSOs sometimes walk away from an interaction with a story. They take that story across with them when they leave the port and circulate it among friends, family, and colleagues. The story may undergo revisions with retellings, but in order to remain believable, it has to fit an already existent framework delimiting how Akwesasronon and BSOs are expected to act. That story, repackaged, retold, and retransmitted comes back to the port of entry, setting the context for future interactions which in turn produce new stories and set the standards for their believability. Though we do not declare them at the border, travellers often arrive in a car loaded with stories. Regardless of whether these stories were true in the past, if they are true in the present, they will likely remain so in the future.

Chapter 8: Conclusion

A Lesson in Mohawk

20 June 2013

I arrived at the health center enthusiastic for my first day with the ambulance service. Walking into the lobby, I told the receptionist my name, and she asked me to have a seat while they contacted someone from the service. A few minutes went by, and I looked up from my book, glancing around to see if anyone I recognized had arrived.

A woman came by and spoke to me, perhaps seeing confusion on my face. “Shekon,” she said to me, with a slight smile on her lips. I spent a moment trying to determine whether we had met, or if she was my contact in the ambulance service. Neither seemed to be the case. She repeated, “She...kon,” slowly announcing each syllable. She continued, “it means hello... you say it...” continuing to smile like an elementary school teacher.

I replied trying to sound friendly, “Shekon. I knew what that meant actually. I’ve been working out here for about a year now...” I assumed she would follow up with a question about what I had been doing working out of Akwesasne, and that would start a conversation about the border and her experiences. But this was not the case. At least, not directly.

Her face briefly flashed into one of dissatisfaction, and she began speaking in Mohawk; this time, far more rapidly than I’d heard other native speakers communicate. After she finished speaking, she said, “you didn’t understand that, did you?” with her face

returning to the bemused smile I had seen earlier. I replied, confounded, “No, I’m sorry, I didn’t...” As she walked away before I had the chance to say anything else.

Introduction (to the Conclusion)

The above epigraph is taken from the same day’s field notes as the prologue to my introduction. That prologue involved overt depictions of cross-border traversal, pointing out borderlines and ports of entry and interactions with border services officers. It emphasized the ways in which a single day in Akwesasne can involve multiple trips across the borderline. Yet the border is not just a line on a map or a port of entry. It is also a particular type of conversation. I have begun this conclusion with a conversation which, though not taking place at the border, is very much *of* the border.

I have chosen to analyze our conversation here to consider, in microcosm, several of this dissertation’s assertions. These assertions are (1) that “the border” does not always take place “at the border,” (2) that border crossings are among other things a particular type of conversation, (3) that these conversations not only describe, but also create their terms, (4) that neither ideological dogma nor pure pragmatism are sufficient in accounting for what takes place in these conversations. After this analysis, I justify and unpack my efforts at offering a balanced approach to studying border, and elaborate upon three core themes in this approach: framing, flexibility, and one-mindedness.

The woman, my “friendly” Mohawk teacher was acting as a gate-keeper of sorts in determining, through a variety of conversational techniques, how to place me. Our exchange was about her, in part, figuring out “what are the terms of recognition” (Simpson 2014, 40)

between us. But it was not simply about figuring out who she was to me, it was also about *making* me something to her (and vice-versa).

What was going on? How to make sense of a conversation in which the woman's approach to me seemed to alter substantially, from wanting to teach me a word in her language to trying to befuddle me with that language? One way to consider this conversation is through the lens of "frame shifting," which I discussed in chapter seven. Frame shifting is the act of employing linguistic techniques to change what a conversation is about. This is something everyone does, but also a core facet of the way border officers shift the flow of an interview with a traveller toward their own purposes. In the above conversation, my Mohawk teacher did something very similar to what border officers do in her efforts to shift the frame of our conversation. Initially, she seemed to be trying to teach me her language, but by the end, this was no longer her goal. Ostensibly, she was finding out who I was, but in the process of doing so, she not only defined "what is going on", but also "who gets to say what is going on."

We shifted between three framings of the situation, two offered by her, and one by me. When she began the exchange trying to get me to repeat "She:kon" after her, she framed the conversation as one of benevolent education. The roles were clear: I was an unfamiliar outsider, and she was a familiar insider. I could have accepted this framing and repeated after her, but this did not sit with the way I had come to see myself relative to Akwesasne. Without giving it conscious thought, I replied that I understood what she was saying and offered a secondary framing, a readjustment of our roles. I was a familiar outsider, and she was a familiar insider. She could have accepted this framing and asked me about my work, but this did not sit with the way she saw herself relative to me. She offered a third frame. By speaking rapidly to me in Mohawk and not waiting for a response, she contested my suggestion that I had

familiarity, this time without the beneficence of her first frame. The desire was not to share, but to affirm a relationship in which she knew something and I knew nothing. She was more interested in teaching me that I was ignorant than teaching me Mohawk. And having succeeded in doing that, she left.

Frame shifting is one of several analytical frameworks offered in this thesis, and one of several ways to interpret our interaction. This sort of analysis is useful in drawing attention to the ways in which our exchange was simultaneously reflective and productive of my position in Akwesasne as an outsider. It helps make sense of our interaction without relying upon her Indigenous identity, or narratives of resistance, or colonialism. One could imagine a similar scenario elsewhere, in which an outsider gets “put in their place” by an insider through that insider’s fluency with a vernacular language and familiarity with “the local.” This happens every day at American and Canadian ports of entry, local sports bars, and academic conferences, to name a few places. There is little culturally or regionally specific about wanting to put someone in their place and using the tools available at the time to do so. By many measures, this conversation could have taken place anywhere – there is something universal to it.

But this conversation did not place just anywhere – it took place in the Akwesasne Mohawk territory. While frame shifting can account for seeming inconsistencies in an interaction’s content (was she “really” being friendly?), it does little to offer context. It does not explain why I was at the health center to begin with, the racial dynamics of the community, why she was able to speak Mohawk and expect I could not, nor her impetus to come up to me. It does not wholly account for the affect underlying our exchange. Frame shifting is a way for me, as

an anthropologist, to make sense of our interaction after the fact, but it does little to tell me how she will make sense of it.

Even if “putting someone in their place” is a widespread phenomenon, the manner in which each instantiation is understood is not. Border officers as a port of entry may attribute it to “doing their jobs,” a sports bar patron may attribute it to “home team pride,” and a snooty academic may attribute it to something Bourdieusian. My Mohawk teacher may have understood her actions as an act of resistance *as* a Mohawk, or an affirmation of her identity as an Indigenous person. By many measures, this conversation could only have taken place on Akwesasne – there is something unique to it.

Such an interpretation is privileged in the literature of settler colonialism interested in “the grounded everyday life of *feeling citizenship*” (Simpson 2014, 191 her emphasis). Even if a similar sort of exchange takes place in a wide variety of contexts, there are certain interpretations (and feelings) that could only be claimed on Mohawk land. This is a powerful analytic lens because it helps point to the very real role the state has played in diminishing the livelihoods of Indigenous populations, and the agency, ingenuity, and resilience with which these populations have maintained their identities. It is good at accounting for the “big picture” of settler colonialism.

Yet it is less successful at accounting for observable inconsistencies in human behavior, arguing that even if Mohawks call themselves Canadian, it is only out of convenience; that deep down inside, the citizenship they feel is Mohawk (Simpson 2014, 172–173). As I see it, this risks divorcing Indigenous political action from comparable actions by non-Indigenous counterparts. To ground this argument, it risks suggesting that while non-Mohawks may argue

with border officers because they are angry, upset, frustrated, hiding something, exhausted, or simply having a bad day, any time a Mohawk traveller argues with border officers it is in order to exercise their rights and resist the state. Yet this is not the way many of my interlocutors voiced narrative about their interactions with officers unless, perhaps, I prompted them to do so. Here I suggest that resistance, or refusal, is one way in which Indigenous actors may ground or understand their actions, but it is by no means the only one.

I have taken an alternative approach in looking at how resistance, refusal, Mohawk citizenship, and colonialism are several of many possible frames employed by Akwesasronon as they try to live their lives in a difficult situation. Akwesasronon are not slavishly beholden to Mohawk political ideology, nor, on the other hand are border officers slavishly beholden to legal statute. Neither are, in the words of Garfinkel, “cultural dopes.” It is thus necessary to give equal credence to the ways in which settler colonialism has set the stage for a very particular border, and the universality of the efforts undertaken by human beings trying to live their lives there.

Walking the Line: An Overview of this Text

My goal in this dissertation has been to strike a balance between analytical frameworks that emphasize the universality and uniqueness of the border in Akwesasne. In doing so, I have sought to synthesize two approaches to the study of human action. Though I brought forward these frameworks in the introduction, it may be useful to re-iterate them here more concisely.

The first could be called, in the words of Bauduin Dupret, “praxaeological” (2011; 2015; but see also Garfinkel 1967). It looks at the ways practice is primary and ideology is the means by which sense is made of practice. The second could be called, “ideological.” It looks at the ways ideology is primary, and practice is the means by which ideology is enacted. In

Akwesasne, both permutations proliferate. Ideology often informs practice, and practice often informs one's interpretation of ideology. The border is an especially pertinent space for such a study, as we observe a parallel in the actions of border officers. For them, law often informs practice, and practice often informs their interpretation of law.

By some interpretations, arguing that practice is grounded in ideology *and* ideology is grounded in practice is self-contradictory. I risk either saying nothing by saying everything with a truism, or simply making a logically inconsistent statement. Neither is my intention. Rather, I seek to point to the ways in which the border is a place where seeming self-contradictions flourish and become necessary. This is especially true in the "impossible border" of Akwesasne, a space literally and figuratively at the boundaries of settler states. Below I highlight these contradictions, their historical origins, and their manifestations. While doing so, I parenthetically reference the chapters in which they are discussed.

Akwesasne is Canada, the United States, *and* Mohawk Territory. Alternatively, it is all, some, or none of those things (Chapter 2). Akwesasne came to the border, *and* the border came to Akwesasne (Chapter 3). The community and port of entry personnel have been both united *and* divided by the border (Chapter 4). The border is an invisible line across the landscape *and* a highly visible site of fences, cameras, and law enforcement personnel (Chapter 5). Officers follow the letter of the law *and* exercise discretion while Akwesasronon cross the border "as Mohawks" in rejection of state authority *and* cross in whatever manner is convenient for a given situation (Chapter 6). The "reality" of the border is grounded in first-hand experiences *and* stories regardless of whether or not they are, technically speaking, "true" (Chapter 7).

How did this come to be? How did so many contradictions come to proliferate in a single site? They are the product of complex, and themselves often self-contradictory laws, histories, and policies which have imposed “the border” on an Indigenous population and charged officers with maintaining that border. Haudenosaunee peoples and especially Mohawks have not been mute witnesses to these histories. They have a longstanding history of inhabiting border regions and recognizing their advantage (see Chapter 3 for this early history). Yet the evolution of the “modern nation state” imposed a border regime on Akwesasne which had analogues in their traditional regulation of space, but no precedent in its rigidity (see Chapters 2, 3, and 4 for an overview of this history). Canada and the US’s efforts at imposing an ideal type of border in an irregular space like Akwesasne was problematic prior to the relocation of the Canadian port in 2009 but has become impossible since. In consequence, both states have instituted policies obligating travellers in the territory to “report in” as a means to control the movement of bodies across borderlines (See chapter 5 for a discussion of the underlying logics and statutes underlying these policies, see chapter 6 for a discussion of how Akwesasronon and border officers deal with these in their everyday practices).

I began this dissertation with a “simple supposition” that border crossings are, among other things, a particular type of conversation. This is evident in face to face conversations between Akwesasronon and border officers at ports of entry (see chapters 4, 5, 6, and 7 for discussions of the “customs interview”). These conversations “frame” border crossing for many travellers who experience the border not as an invisible line, but as a brief interview between themselves and a border officer. The border also appears in stories filtered through courtrooms, public discourse, and social media (courtroom testimony and public discourse are discussed most explicitly in chapters 3 and 4 while social media is discussed in chapter 7). These stories “make” the border as much as they are “made by” it.

In trying to unravel “what is going on” at the border, and more poignantly, what happens when different people have different ways of understanding “what is going on,” I have repeatedly employed three analytic themes: flexibility, framing, and one-mindedness. Flexibility refers to my emphasis on the ways in which seeming self-contradiction does not challenge definition of Akwesasne and border work, but rather is part of their definition. Framing refers to my dual exploration of the ways in which the border is framed through face-to-face interaction, and the ways in which those interactions frame normative assumptions about law, identity, geography, and sovereignty. Finally, one-mindedness refers to drawing parallels between two seemingly disparate parties, in this case border officers and Akwesasronon. The organizational structure of this thesis has sought to emphasize these parallels whenever possible.

Akwesasne – A Flexible Inflexibility

In Chapter 2, I refer to Akwesasne as a “flexible geography.” I chose this phrasing to suggest that Akwesasne is not simply a hybrid composite of many markers, but a matrix of possibility. Akwesasne and its residents can be “both,” “either,” or “neither” any combination of features. These possibilities play out in the choices travellers make when they cross a border. A resident may try to explain to a border officer that they’ve never left Canada, while arguing with another officer over whether Akwesasne is a part of Canada.

Yet Akwesasronon are not, as some officers have suggested, simply Machiavellian strategic actors always choosing whatever identification gets them across easily. Many, like a resident I reference in chapter 1, choose not to do things “the easy way.” Sometimes Akwesasronon choose not to be flexible, or do not see this as a choice to begin with. These sorts of choices do not distinguish some segments of the Mohawk population from others. In other words, I

am arguing against a model by which *some* Akwesasne are always flexible and *some* are never flexible. Rather, while recognizing that individuals make choices in alignment with their own proclivities and histories, I am arguing that the context of an interaction matters as well. To re-quote one Mohawk chief, some people don't have problems answering questions because of how they are framed. The framing, the context, of an interaction matters.

Similarly, border officers define their own activities along a spectrum ranging from pragmatic discretion and a positivist adherence to the law. They are not, as some Akwesasronon have suggested, robots. Sometimes over the course of a single conversation, officers will argue that the law is black and white while subsequently pointing out shades of grey. Like Akwesasronon, some officers have a greater proclivity for being easy going, or "hard asses," but the way they treat travellers is also rooted in the context of each situation. Both officers and Akwesasronon are flexible as to when they can be inflexible.

Uncertainty at the border has become a sort of evil twin to the possibilities enabled by flexibility. Border officers find themselves uncertain about what sort of traveller they'll encounter, and travellers often find themselves uncertain about what sort of demands will be placed upon them. In this space of uncertainty, the border can become a self-fulfilling prophecy, with travellers demonstrating the animosity officers expect, and officers fostering the conflicts they seek to avoid.

Framing Borders

Of the social theories employed in this dissertation, Erving Goffman's frame analysis has held special prominence. My exploration of the framing of borders in face to face interaction is more akin to Goffman's own approach than its subsequent iterations in media studies and

political science. Goffman suggested that face to face interaction is a process by which experiences come to be seen as “real.” It is through face to face interactions between officers and travellers that the “realness” of the border, and other categories of the state, are challenged and affirmed.

Frame analysis is especially fruitful in the study of borders. As I have suggested, border crossing often frames the experience of cross-border travel. It is in interacting with officers rather than crossing an invisible line that the border becomes “real” for much of the traveling public.

Yet frame analysis also engages with borders and bordering in another way. Frame analysis argues that experiences are themselves bounded, and defined. Context defines content, and context-making occurs at the borders of an experience. If we think about bordering as a universal facet of human cognition, then we can see the ways in which “the border” is not solely a modern social or historical construct. Rather, the experience of borders is intimately entwined with the ways in which experience is itself bordered.

Though *Frame Analysis* is Goffman’s magnum opus, it is weakest where it should be strongest – in looking at “frame disputes,” when several actors disagree as to what is going on. Goffman sees these disputes as “exceptional,” but it is in the creation and resolution of such disputes that the role of power in framing is most visible. Much as my Mohawk teacher claimed and exercised the power to frame our exchange (and I, in this conclusion, have exercised a similar power to re-frame it), border officers and Akwesasronon employ a wide variety of tools in order to claim the advantage in determining “what is going on” at the border. Power brings people to the border, and determines the success with which they may transcend it.

One-Mindedness

While this dissertation has been *about* the diverse experiences of the border in and around the Akwesasne Mohawk territory, its skeleton has been structured by my understanding of the Haudenosaunee concept of one-mindedness. One-mindedness, recognizing what seemingly disparate parties share, is a first step towards peace making. Such an interpretation fits in well with the terms of frame analysis, suggesting that frame disputes can be resolved, in part, by first paying attention to shared framings. My inspiration here is the thanksgiving address, which calls people into one-mindedness through a recognition of what is shared. What is shared by border officers and Akwesasronon travellers is not all positive, but it is, perhaps, more than either party initially assumes.

Whenever possible, I have sought to offer balance to the voices of border services officers and Akwesasronon. Both parties have been implicated in histories outside their control which continue to set the terms for their interactions (chapters 3 and 4). While they may have different understandings of what a border is (chapter 5), both officers and Akwesasronon understand their roles and responsibilities along a spectrum between dogmatism and pragmatism in spite of uncertainty (chapter 6). “Rumour and innuendo” are part of the ways in which both parties make sense of the border (chapter 7), as the stories they tell have the potential to bring that border into being.

My efforts at emphasizing parallels have brought more than a few overly long sentences and paragraphs into being. Yet my goal has been to proceed beyond the basest terms of a multi-sited ethnography in order to render parallels and commonalities as starkly as possible. I have

done so both in order to make a broader statement about the border a shared pace, and in order to bring these comparisons to the forefront.

Peace building is a stated goal of both border services personnel and Akwesasne's Mohawk governments. Over the past several years in Akwesasne, I watched tempers cool since the 2009 protests, flare over vehicle seizures, and flare and cool again over several other issues. New facilities and a new bridge have facilitated the ease of cross-border travel, helping to mollify relationships by addressing the symptoms, but not the cause of many travellers' dissatisfaction with the border. Undoubtedly, the imposition of the Canada/US border on Akwesasne will remain an impediment, perhaps an insurmountable one. Further, the strongest onus for change must be placed on border services officers, who, unlike Akwesasronon, are trained and paid to deal with the border. Unlike Akwesasronon, they arrive at the border every day by choice, and can leave it behind when they go home in the evening. Very few Akwesasronon or border officers come to the port of entry looking for a fight. It is my hope that in recognizing how much they have in common, both can help the border look more like a bridge and less like a barrier.

Conclusion (to the Conclusion)

To conclude, I would like to return to my "Mohawk Lesson." My lesson ultimately was not how to speak Mohawk, but about my ignorance in such a complex territory. As I see it, part of the lesson was not simply the fact that I was ignorant, but the importance of me seeing myself as ignorant. Yet recognizing one's condition of not knowing "what is going on" is not an end in itself, but the start of something else.

In this dissertation, I have eschewed predictive models for what border officers and Akwesasronon *do*. Rather, I have looked at the ways in which both make sense of “what is going on” when “what is going on” involves the border – a space as multifaceted as Akwesasne itself. This dissertation has been about “framing borders” – the ways in which borders are framed, and the ways in which borders frame so much of experience in and around Akwesasne.

The idea that borders come to define peripheries is a storied one in Anthropology. Much as national borders are perhaps most interesting not in their rigidity but in their permeability, so too are the borders of mind and memory in which the idea of “the border” is permeable rather than rigid. “What is going on” is not simply out there for the world to grasp, but something we make through our shared efforts at grasping it.

Conclusions have something in common with borders. They serve as a sort of gateway, the last step between “reading” and “having read” something. This chapter has not offered new content to the dissertation, excepting my “Mohawk lesson” anecdote. Yet it has served as a sort of wrapper. And in re-packaging the ideas, it makes something new of them. In saying “this is what was going on for the last several hundred pages,” I can alter those pages’ meaning without changing their text.

In the same vein, the phrase “have a nice day” not only marks the end of one’s border-crossing experience, but makes something of Canada, the United States, and everything in between. So too do conclusions make something of that with which they encapsulate. And conclusions, like borders, in order to claim that special ability to frame must, at some point, conclude. Have a nice day.

Works Cited

- Abel, Timothy J. 2002. "RECENT RESEARCH ON THE SAINT LAWRENCE IROQUOIS OF NORTHERN NEW YORK." *Archeastnortham Archaeology of Eastern North America* 30: 137–54.
- Adelman, Jeremy, and Stephen Aron. 1999. "From Borderlands to Borders: Empires, Nation-States, and the Peoples in between in North American History." *The American Historical Review* 104 (3): 814–41. doi:10.2307/2650990.
- "Against Discipline – A Conversation with Baudouin Dupret #ANTHROISLAM." 2015. Accessed August 19. [about:reader?url=http%3A%2F%2Fallegralaboratory.net%2Fagainst-discipline-a-conversation-with-baudouin-dupret-anthroislam%2F](http://reader?url=http%3A%2F%2Fallegralaboratory.net%2Fagainst-discipline-a-conversation-with-baudouin-dupret-anthroislam%2F).
- Alfred, Gerald R. 1995. *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism*. Toronto; New York: Oxford University Press.
- Alfred, Taiaiake, and Lana Lowe. 2005. "Warrior Societies in Contemporary Indigenous Communities." The University of Victoria.
- Amit, Vered. 2002. *The Trouble with Community: Anthropological Reflections on Movement, Identity and Collectivity*. London ;;Sterling Va.: Pluto Press.
- Anderson, Benedict. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.
- Anzaldúa, Gloria. 1999. *Borderlands = La Frontera*. 2nd ed. San Francisco: Aunt Lute Books.
- Appadurai, Arjun. 2001. *Globalization*. Duke University Press.
- . 2008. "Chapter 2: Disjuncture and Difference in the Global Cultural Economy." In *Modernity at Large: Cultural Dimensions of Globalization*, 27–47. University of Minnesota Press.
- Aristotle. 1999. *Nicomachean Ethics*. Upper Saddle River, NJ: Prentice Hall.

- Arjun Appadurai. 1995. "The Production of Locality." In *Counterworks Managing the Diversity of Knowledge*, edited by Richard Fardon, 204–25. London ;;New York : Routledge,.
- Atkin, Albert. 2005. "Peirce on the Index and Indexical Reference." *Transactions of the Charles S. Peirce Society* 41 (1): 161–88.
- Barth, Fredrik, ed. 1969. *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. Boston: Little, Brown.
- Bateson, Gregory, and Mary Catherine Bateson. 2005. *Angels Fear: Towards an Epistemology of the Sacred*. Cresskill, N.J.: Hampton Press.
- Beauchamp, William Martin. 1907. *Civil, Religious and Mourning Councils and Ceremonies of Adoption of the New York Indians*. Albany: New York State Education Department.
- Billig, Michael. 1995. *Banal Nationalism*. London ;;Thousand Oaks Calif.: Sage.
- Biolsi, Thomas. 2005. "Imagined Geographies: Sovereignty, Indigenous Space, and American Indian Struggle." *American Ethnologist* 32 (2): 239–59.
- Bonaparte, Darren. 2007. "Too Many Chiefs, Not Enough Indians." Hogansburg, NY: The Saint Regis Mohawk Tribal Council.
- . 2008. *Creation and Confederation: The Living History of the Iroquois*. 1st edition. Akwesasne, QC, Canada; Akwesasne, NY: Wampum Chronicles.
- . 2009. *A Lily Among Thorns: The Mohawk Repatriation of Káteri Tekahkwí:tha*. 1 edition. Akwesasne, QC Canada; Akwesasne, NY: BookSurge Publishing.
- . 2012. "October 23, 1812: The Skirmish at St. Regis." Text. *Indian Country Today Media Network.com*. November 11. <http://indiancountrytodaymedianetwork.com/2012/11/11/october-23-1812-skirmish-st-regis>.

- . 2013. “The Disputed Myth, Metaphor and Reality of Two Row Wampum.” *Indian Country Today Media Network.com*, September 8. <http://indiancountrytodaymedianetwork.com/2013/08/09/disputed-myth-metaphor-and-reality-two-row-wampum>.
- Bowling, Ben, and James Sheptycki. 2012. *Global Policing*. Los Angeles: Sage Publications.
- Customs Act of Canada - R.S.C., 1985 c.1 section 11.6. Retrieved 14 September 2016 from <http://laws-lois.justice.gc.ca/eng/acts/C-52.6/FullText.html>
- Busatta, Sandra. 2009. “Sovereignty, History and Memory: Mohawk Smuggling as an Act of Sovereignty Within the Making of Mohawk Identity.” MA Thesis, Wales: University of Wales, Lampeter.
- “Canada’s Best Places to Live 2014: Full Ranking.” 2015. *MoneySense*. Accessed October 25. <http://www.moneysense.ca/canadas-best-places-to-live-2014-full-ranking/>.
- “Canadian Border Guard Bullies CBC Radio Host.” 2013. *This Is That*. Canada. <http://www.cbc.ca/radio/thisisthat/national-gallery-for-kids-rural-royal-weird-al-of-canadian-poetry-parental-sex-ed-1.2843427/canadian-border-guard-bullies-cbc-radio-host-1.2843432>.
- “Canadian Border Guard Bullies CBC Radio Host - Home | This Is That with Pat Kelly and Peter Oldring | CBC Radio.” 2015. Accessed November 22. <http://www.cbc.ca/radio/thisisthat/national-gallery-for-kids-rural-royal-weird-al-of-canadian-poetry-parental-sex-ed-1.2843427/canadian-border-guard-bullies-cbc-radio-host-1.2843432>.
- Carey, Elaine, and Andrae M Marak. 2011. *Smugglers, Brothels, and Twine: Historical Perspectives on Contraband and Vice in North America’s Borderlands*. Tucson: University of Arizona Press.
- “CBSA Changes Preliminary Port of Entry.” 2014. *Indian Time*. January 16.

- Chang, Kornel S. 2012. *Pacific Connections the Making of the Western U.S.-Canadian Borderlands*. Berkeley: University of California Press.
<http://site.ebrary.com/id/10558454>.
- Clifford, James. 1988. *The Predicament of Culture: Twentieth-Century Ethnography, Literature, and Art*. Harvard University Press.
- Clifford, James, and School of American Research (Santa Fe, N.M.). 1986. *Writing Culture : The Poetics and Politics of Ethnography : A School of American Research Advanced Seminar*. Berkeley: University of California Press.
- Cockburn, Neco. 2008. "Smuggling's Price." *Ottawa Citizen*, November 21.
<http://www2.canada.com/ottawacitizen/news/story.html?id=ecc66684-6dde-4924-bea7-9e54ff7b6063>.
- Cohen, Anthony P. 1985. *The Symbolic Construction of Community*. London: Ellis Horwood Ltd. and Tavistock Publications.
<http://public.eblib.com/choice/publicfullrecord.aspx?p=178361>.
- Collyer, Michael. 2003. "Are There National Borders in Cyberspace? Evidence from the Algerian Transnational Community." *Geography* 88 (4): 348–56.
- Commission, International Boundary. 2013. "International Boundary Commission Official Web Site." Accessed October 23.
<http://www.internationalboundarycommission.org/products.html>.
- Cote-Boucher, Karine. 2013. "The Micro-Politics of Border Control: Internal Struggles at Canadian Customs." Doctoral Thesis, Toronto: York University.
<http://yorkspace.library.yorku.ca/xmlui/handle/10315/27585>.
- Côté-Boucher, Karine. 2015. "The Paradox of Discretion: Customs and the Changing Occupational Identity of Canadian Border Officers." *British Journal of Criminology*, April, azv023. doi:10.1093/bjc/azv023.

“Crossing the Border via Foot, Vehicle, or Air without Visiting an Official Port of Entry.”

2014. Accessed October 1.

https://help.cbp.gov/app/answers/detail/a_id/782/kw/port%20of%20entry.

Darren Bonaparte. 2013. “The History of Akwesasne from Pre-Contact to Modern Times.”

Accessed June 5. <http://www.wampumchronicles.com/history.html>.

Deer, Tracey, Linda Ludwick, Christina Fon, Adam Symansky, Catherine Bainbridge, Ernest

Webb, Kanerahtenháwi Hilda Nicholas, et al. 2008. *Club native*. [Montréal]; New York, NY: Rezolution Pictures : National Film Board of Canada ; Distributed by Women Make Movies.

“Define: Rumor - Google Search.” 2015. Accessed November 23.

[https://www.google.ca/search?q=rumor&ie=utf-8&oe=utf-](https://www.google.ca/search?q=rumor&ie=utf-8&oe=utf-8&gws_rd=cr&ei=cWZTVsnMG4P--AH1lIPIAw#q=define:+rumor)

[8&gws_rd=cr&ei=cWZTVsnMG4P--AH1lIPIAw#q=define:+rumor](https://www.google.ca/search?q=rumor&ie=utf-8&oe=utf-8&gws_rd=cr&ei=cWZTVsnMG4P--AH1lIPIAw#q=define:+rumor).

Deleuze, Gilles, and Félix Guattari. 1987. *A Thousand Plateaus: Capitalism and Schizophrenia*. Minneapolis: University of Minnesota Press.

Deloria, Professor Philip J. 1999. *Playing Indian*. Yale University Press.

Deloria, Vine. 1988. *Custer Died for Your Sins: An Indian Manifesto*. University of Oklahoma Press.

Demetriou, Olga. 2007. “To Cross or Not to Cross? Subjectivization and the Absent State in Cyprus.” *The Journal of the Royal Anthropological Institute* 13 (4): 987–1006.

Diamond, Jared M. 2005. *Guns, Germs, and Steel: The Fates of Human Societies*.

Dickson-Gilmore, E.J, and Chris Whitehead. 2002. “ABORIGINAL ORGANIZED CRIME IN CANADA: DEVELOPING A TYPOLOGY FOR UNDERSTANDING AND STRATEGIZING RESPONSES.” *Trends in Organized Crime* 7 (4): 3–28.

Donovan, James. 2007. *Legal Anthropology : An Introduction*. Lanham MD: Altamira Press.

- Doxtator, Deborah Jean. 1997. "What Happened to the Iroquois Clans? A Study of Clans in Three Nineteenth Century Rotinonhsyonni Communities." Canada: The University of Western Ontario (Canada).
- Doyle, Arthur Conan. 1997. *The Memoirs of Sherlock Holmes*.
<http://www.gutenberg.org/ebooks/834>.
- Dupret, Baudouin. 2011. *Practices of Truth an Ethnomethodological Inquiry into Arab Contexts*. Amsterdam; Philadelphia: John Benjamins Pub. Co.
<http://public.eblib.com/choice/publicfullrecord.aspx?p=794523>.
- Dupret, Baudouin, Michael Lynch, and Tim Berard. 2015. *Law at Work: Studies in Legal Ethnomethods*.
<http://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=989248>.
- Elliott, Michael. 1996. "Review of Life and Death in Mohawk Country by Bruce E. Johansen." *Studies in American Indian Literatures*, Series 2, 8 (2): 93–96.
- Ericson, Richard V. 2007. "Rules in Policing: Five Perspective." *Theoretical Criminology* 11: 367–401.
- Fenton, William. 1998. *The Great Law and the Longhouse : A Political History of the Iroquois Confederacy*. Norman: University of Oklahoma Press.
- Fenton, William N. 1949. "Collecting Materials for a Political History of the Six Nations." *Proceedings of the American Philosophical Society* 93 (3): 233–38.
- . 1975. "The Lore of the Longhouse: Myth, Ritual and Red Power." *Anthropological Quarterly* 48 (3): 131–47. doi:10.2307/3316920.
- Fogelson, Raymond. 1962. "The Cherokee Ball Game: A Study in Southeastern Ethnology." Philadelphia: University of Pennsylvania.

- Fogelson, Raymond D. 1974. "On the Varieties of Indian History: Sequoyah and Traveller Bird." *The Journal of Ethnic Studies* 2 (1): 106–7.
- . 1989. "The Ethnohistory of Events and Nonevents." *Ethnohistory* 36 (2): 133–47. doi:10.2307/482275.
- Foster, Michael K. 1974. *From the Earth to Beyond the Sky: An Ethnographic Approach to Four Longhouse Iroquois Speech Events*. Ottawa: National Museums of Canada.
- Francis v. The Queen [1956] SCR 618. at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/6944/index.do>
- Frazer, James George. 1951. *The Golden Bough; a Study in Magic and Religion*. New York: Macmillan.
- Garfinkel, Harold. 1967. *Studies in Ethnomethodology*. Englewood Cliffs, N.J.: Prentice-Hall.
- Geertz, Clifford. 1977. *The Interpretation Of Cultures*. 1st ed. Basic Books.
- Gellner, Ernest. 1979. *Words and Things: An Examination Of, and an Attack On, Linguistic Philosophy*. London; Boston: Routledge & Kegan Paul.
- . 1983. *Nations and Nationalism*. Ithaca: Cornell University Press.
- Genova, Nicholas P. De. 2002. "Migrant 'Illegality' and Deportability in Everyday Life." *Annual Review of Anthropology* 31 (January): 419–47.
- George-Kanentiio, Doug. 2013. "Edge of the Woods Ceremony Was the Basis for the Two Row Wampum." *The Post-Standard - Syracuse.com*. August 4. http://blog.syracuse.com/opinion/2013/08/two_row_wampum_edge_of_the_woo.html.
- George-Kanentiio, Douglas M. 2006. *Iroquois on Fire: A Voice from the Mohawk Nation*. Westport, Conn.: Praeger.
- Gieryn, Thomas F. 2000. "A Space for Place in Sociology." *Annual review of sociology* 26: 463.

- Gilboy, Janet A. 1991. "Deciding Who Gets In: Decisionmaking by Immigration Inspectors." *Law & Society Review* 25 (3): 571–99. doi:10.2307/3053727.
- Gluckman, Max. 1955. *The Judicial Process among the Barotse of Northern Rhodesia*. Manchester: Manchester University Press ;Rhodes-Livingstone Institute.
- . 1965a. *Politics, Law and Ritual in Tribal Society*. Chicago: Aldine Pub. Co.
- . 1965b. "Reasonableness and Responsibility in the Law of Segmentary Societies." *African Law : Adaptation and Development*, 120–48.
- Goffman, Erving. 1959. *The Presentation of Self in Everyday Life*. --. Garden City, N.Y: Doubleday.
- . 1967. *Interaction Ritual Essays on Face-to-Face Behavior*. [1st ed.]. Garden City N. Y.: Doubleday.
- . 1974. *Frame Analysis : An Essay on the Organization of Experience*. Cambridge Mass.: Harvard University Press.
- . 1981. *Forms of Talk*. Philadelphia: University of Pennsylvania Press.
- . 2008. *Behavior in Public Places*. Simon and Schuster.
- Goodwin, Marjorie Harness. 1996. "Shifting Frame." In *Social Interaction, Social Context, and Language*, edited by Dan Isaac Slobin, Julie Gerhardt, Amy Kyratzis, and Jiansheng Guo, 71–82. New Jersey: Lawrence Erlbaum Associates.
- Hale, Horatio. 1999. *The Iroquois Book of Rites*. Philadelphia : D.G. Brinton,.
- Hall, John A. 1994. *Coercion and Consent: Studies on the Modern State*. Cambridge, UK; Cambridge, MA: Polity Press.
- Hays, Matthew. 2013. "Mohawk Girls: A Native Take on Sex and the City." *The Globe and Mail*, July 11. <http://www.theglobeandmail.com/arts/television/mohawk-girls-a-native-take-on-sex-and-the-city/article13169828/>.

- Hermkens, Harrie, Jan Noordegraaf, and Nicoline van der Sijs. 2013. "The Tawagonshi Tale: Can Linguistic Analysis Prove the Tawagonshi Treaty to Be a Forgery?" *Journal of Early American History* 3 (1): 9–42. doi:10.1163/18770703-00301006.
- Hernández, Kelly Lytle. 2010. *Migra!: A History of the U.S. Border Patrol*. University of California Press.
- Herzfeld, Michael. 1997. *Cultural Intimacy: Social Poetics in the Nation-State*. New York: Routledge.
- . 2005. "Political Optics and the Occlusion of Intimate Knowledge." *American Anthropologist* 107 (3): 369–76. doi:10.1525/aa.2005.107.3.369.
- Hewitt, J. N. B. 2009. *Iroquoian Cosmology*. Forgotten Books.
- Heyman, Josiah McC. 1995. "Putting Power in the Anthropology of Bureaucracy: The Immigration and Naturalization Service at the Mexico-United States Border." *Current Anthropology* 36 (2): 261–87.
- Hobsbawm, E. 1983. *The Invention of Tradition*. Cambridge [Cambridgeshire] ; New York: Cambridge University Press.
- Hooper, Len. 1988. "Racist T-Shirts Anger Mohawks." *Cornwall Standard Freeholder*, September 17.
- Hornung, Rick. 1991. *One Nation Under the Gun*. Toronto: Stoddart.
- Houtum, Henk van, Olivier Thomas Kramsch, and Wolfgang Zierhofer. 2005. *B/ordering Space*. Aldershot, Hants, England; Burlington, VT: Ashgate.
- Hrabluk, Lisa. 1996. "Mohawks Confused about Past, Court Told." *Cornwall Standard Freeholder*, November 6.
- Ingold, Tim. 2007. *Lines: A Brief History*. New Ed edition. Routledge.

- Jackson, Joe. 2015. "A Native-American Nation Divided - Al Jazeera English," January 9.
<http://www.aljazeera.com/indepth/features/2015/01/native-american-nation-divided-20151710544289875.html>.
- Jacobs, Jaap. 2013. "Early Dutch Explorations in North America." *Journal of Early American History* 3 (1): 59–81. doi:10.1163/18770703-00301006.
- Jamieson, Ruthh. 1998. "'Contested Jurisdiction Border Communities' and Cross-Border Crime - the Case of Akwesasne." *Crime, Law and Social Change Crime, Law and Social Change : An Interdisciplinary Journal* 30 (3): 259–72.
- Jennings, Francis. 1995. *The History and Culture of Iroquois Diplomacy: An Interdisciplinary Guide to the Treaties of the Six Nations and Their League*. Syracuse University Press.
- Johansen, Bruce Elliott. 1993. *Life and Death in Mohawk Country*. North American Press.
- John, Rachel St. 2012. *Line in the Sand: A History of the Western U.S.-Mexico Border*. Princeton University Press.
- Johnson, Benjamin Heber, and Andrew R Graybill. 2010. *Bridging National Borders in North America: Transnational and Comparative Histories*. Durham [NC]: Duke University Press.
- Jon Parmenter. 2006. "After the Mourning Wars: The Iroquois as Allies in Colonial North American Campaigns, 1676-1760." *The William and Mary Quarterly* 64 (1): 39–76.
- Kalman, Ian. 2013. "Indigenous Self Governance: An International Perspective." PB-2013-03. Montreal: McGill Institute for the Study of International Development.
- . 2015. "The Peacemaker I Presume: Journeys up the Historical Streams of Iroquois Scholarship." *Iroquoia: The Journal of Iroquois Studies* 1 (1): 81–108.
- Karon, Dan. 1988. "Mohawks Seize Customs Station." *Ottawa Citizen*, October 15.

- Kearney, Michael. 2004. "Borders and Boundaries of State and Self at the End of Empire." In *Changing Fields of Anthropology: From Local to Global*, 251–73. Rowman & Littlefield.
- King, Joyce Tekahnawiiaks. 2006. "Value of Water and the Meaning of Water Law for the Native Americans Known as the Haudenosaunee, The." *Cornell Journal of Law and Public Policy* 16: 449.
- Konrad, Victor, and Heather N. Nicol. 2008. *Beyond Walls: Re-Inventing the Canada-United States Borderlands*. Border Regions Series. Vermont: Ashgate.
- Labov, William. n.d. "The Art of Sounding and Signifying." In *Language in Its Social Setting*, edited by W.W. Gage, 84–116. Washington, DC: Anthropological Society of Washington.
- LaFave, Wayne. 2006. "The Police and Nonenforcement of the Law - Part II." In *Police and Policing Law*, edited by Jeannine Bell, 200–259. The International Library of Essays in Law and Society. Aldershot, Hants, England: Ashgate.
- Lakoff, George, and Mark Johnson. 1980. *Metaphors We Live by*. Chicago: University of Chicago Press.
- Lars Chr. Blichner, Anders Molander. 2005. "What Is Juridification?" *ARENA, ARENA Working Papers*, no. 14.
- Latour, Bruno. 2005. *Reassembling the Social: An Introduction to Actor-Network-Theory*. Oxford ;;New York: Oxford University Press.
- Lecture on Foundations of Law and Legal Anthropology - 2*. 2008. Cambridge UK.
http://www.youtube.com/watch?v=v6AN9YYEOKM&feature=youtube_gdata_player
 .
- Lévi-Strauss, Claude. 1966. *The Savage Mind: (La Pensée Sauvage)*. London: Weidenfeld and Nicolson.

- Macfarlane, Alan. 1977. "History, Anthropology and the Study of Communities." *Social History* 2 (5): 631–352.
- Maine, Henry Sumner. 1917. *Ancient Law*,. London; Toronto; New York: J.M. Dent & Sons; E.P. Dutton & Co.
- Malinowski, Bronislaw. 2008. *Argonauts Of The Western Pacific*. Malinowski Press.
- Meuwese, Mark. 2013. "The States General and the Stadholder: Dutch Diplomatic Practices in the Atlantic World before the West India Company." *Journal of Early American History* 3 (1): 43–58. doi:10.1163/18770703-00301006.
- Miner, Dylan. 2015. "Gaagegoo Dabakaan Miiniwaa Debenjigejig (No Borders, Indigenous Sovereignty)." *Decolonization*.
<https://decolonization.wordpress.com/2015/10/01/gaagegoo-dabakaan-miiniwaa-debenjigejig-no-borders-Indigenous-sovereignty/>.
- Mitchell v MNR [2001] SCC 33 at <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1869/index.do>
- "Mohawk Iroquois Village circa 1600." 2015. Accessed November 14.
<https://www.nysm.nysed.gov/IroquoisVillage/slideonea.html>.
- Montesquieu, Charles. 1949. *The Spirit of the Laws*. New York: Hafner Pub. Co.
- Morgan, Lewis H. 1851. *League of the Ho-Dé-No-Sau-Nee, Or, Iroquois*. Rochester, N.Y: Sage.
- Muller, K. 2009. "Holding Hands with Wampum: Haudenosaunee Council Fires from the Great Law of Peace to Contemporary Relationships with the Canadian State." Queen's University (Canada).
- Nader, Laura. 1965. "The Anthropological Study of Law." *American Anthropologist*, New Series, 67 (6): 3–32.

- National Film Board of Canada. 2009. *You Are on Indian Land* by Mort Ransen, - NFB.
Accessed October 14. http://www.nfb.ca/film/you_are_on_indian_land/.
- Navaro-Yashin, Yael. 2002. *Faces of the State: Secularism and Public Life in Turkey*. Princeton N.J.: Princeton University Press.
- . 2007. “Make-Believe Papers, Legal Forms and the Counterfeit Affective Interactions between Documents and People in Britain and Cyprus.” *Anthropological Theory* 7 (1): 79–98. doi:10.1177/1463499607074294.
- Ngai, Mae M. 2004. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton, N.J.: Princeton University Press.
- Niezen, Ronald. 2003a. “Culture and the Judiciary: The Meaning of the Culture Concept as a Source of Aboriginal Rights in Canada.” *Canadian Journal of Law and Society* 18 (2): 1–26.
- . 2003b. *The Origins of Indigenism: Human Rights and the Politics of Identity*. Berkeley, Calif: University of California Press.
- . 2010. *Public Justice and the Anthropology of Law*. Cambridge: Cambridge University Press.
- . 2013. *Truth and Indignation: Canada’s Truth and Reconciliation Commission on Indian Residential Schools*.
- Oakes, Ian. 2013. “Demonstration for CBSA Move Held at People’s Fire.” *Indian Time*, March 28, 31 #12 edition.
- Obomsawin, Alanis, Donna Read, Don Haig, Savas Kalogeras, Claude Vendette, Francis Grandmont, and National Film Board of Canada. 1997. *Spudwrench Kahnawake man*. Montreal: National Film Board of Canada.
- Ong, Aihwa. 1999. *Flexible Citizenship: The Cultural Logics of Transnationality*. Durham: Duke University Press.

- Ong, Ai-hwa, and Stephen J. Collier, eds. 2005. *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems*. Malden, MA: Blackwell Publishing.
- Otto, Paul. 2013. "Wampum, Tawagonshi, and the Two Row Belt." *Journal of Early American History* 3 (1): 110–25. doi:10.1163/18770703-00301006.
- Otto, Paul, and Jaap Jacobs. 2013. "Introduction: Historians and the Public Debate about the Past." *Journal of Early American History* 3 (1): 1–8. doi:10.1163/18770703-00301006.
- Parham, Claire Puccia. 2004. *From Great Wilderness to Seaway Towns a Comparative History of Cornwall, Ontario, and Massena, New York, 1784-2001*. Albany: State University of New York Press. <http://site.ebrary.com/id/10594936>.
- Parker, Arthur Caswell. 1968. *Parker on the Iroquois*. Edited by William Nelson Fenton. Syracuse University Press.
- Parmenter, Jon. 2010. *The Edge of the Woods: Iroquoia, 1534-1701*. East Lansing: Michigan State University Press.
- . 2013. "The Meaning of Kaswentha and the Two Row Wampum Belt in Haudenosaunee (Iroquois) History: Can Indigenous Oral Tradition Be Reconciled with the Documentary Record?" *Journal of Early American History* 3 (1): 82–109. doi:10.1163/18770703-00301006.
- Parmentier, Richard J. 1994. *Signs in Society: Studies in Semiotic Anthropology*. Indiana University Press.
- Peirce, Charles S, Charles Hartshorne, Paul Weiss, and Arthur W Burks. 1931. *Collected Papers of Charles Sanders Peirce*.
- Pendergast, James F, Claude Chapdelaine, and J. V Wright. 1993. *Essays in St. Lawrence Iroquoian Archaeology*. Dundas, Ont.: Copetown Press.
- Pickering, Sharon, and Julie Ham. 2014. "Hot Pants at the Border Sorting Sex Work from Trafficking." *British Journal of Criminology* 54 (1): 2–19. doi:10.1093/bjc/azt060.

- Pleasant, Jane Mt. 2010. *Traditional Iroquois Corn: Its History, Cultivation, and Use*. Ithaca, NY: Natural Resource Agriculture and Engineering.
- Polanyi, Karl. 2001. *The Great Transformation*. Boston: Beacon Press.
- Pomedli, Michael M. 1995. "Eighteenth-Century Treaties: Amended Iroquois Condolence Rituals." *American Indian Quarterly* 19 (3): 319–39. doi:10.2307/1185594.
- Pratt, Anna. 2010. "Between a Hunch and a Hard Place: Making Suspicion Reasonable at the Canadian Border." *Social & Legal Studies* 19 (4): 461–80. doi:10.1177/0964663910378434.
- Radcliffe-Brown, A. R. 1940. "On Joking Relationships." *Africa: Journal of the International African Institute* 13 (3): 195–210. doi:10.2307/1156093.
- Rael, Ronald. 2012. "Boundary Line Infrastructure." *Thresholds*, no. 40: 76–82.
- "Regional Schools in Decline?" 2015. *Cornwall Standard Freeholder*. Accessed October 25. <http://www.standard-freeholder.com/2015/04/20/eastern-ontario-regional-schools-in-decline-fraser-institute-highlights-cornwalls-lheritage-holy-trinity-as-bright-spots>.
- Richter, Daniel K, and of Early American History and Culture (Williamsburg Institute Va.). 1992. *The Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization*. Chapel Hill: Published for the Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press.
- Rickard, Clinton. 1994. *Fighting Tuscarora: The Autobiography of Chief Clinton Rickard*. Syracuse University Press.
- Rouland, Norbert. 1994. *Legal Anthropology*. Stanford Calif.: Stanford University Press.
- Sallot, Jeff. 2002. "Smuggler's Alley Is No Easy Street - The Globe and Mail." *The Globe and Mail*, September 30. <http://www.theglobeandmail.com/news/national/smugglers-alley-is-no-easy-street/article1026761/>.

- Scheff, Thomas. 2006. *Goffman Unbound! : A New Paradigm for Social Science*. Boulder Colo.: Paradigm Publishers.
- Scheff, Thomas J. 2005. "The Structure of Context: Deciphering 'Frame Analysis.'" *Sociological Theory* 23 (4): 368–85.
- Schielke, Samuli. 2010. *Second Thoughts about the Anthropology of Islam, or How to Make Sense of Grand Schemes in Everyday Life*. ZMO Working Papers 2. Berlin. <http://nbn-resolving.de/urn:nbn:de:0168-ssoar-322336>.
- Scott, James. 1998. *Seeing like a State : How Certain Schemes to Improve the Human Condition Have Failed*. New Haven: Yale University Press.
- Seaway Today. 2013. "No Man's Land: Where Some Are Idle No More." Youtube Video, Akwesasne, March 12. <http://youtu.be/MZfetDKUpKs>.
- Segal, Robert. 2004. *Myth : A Very Short Introduction*. Oxford ;New York: Oxford University Press.
- Shachar, Ayelet. 2009. *The Birthright Lottery: Citizenship and Global Inequality*. Cambridge, Mass.: Harvard University Press.
- Shannon, Timothy J. 2008. *Iroquois Diplomacy on the Early American Frontier*. Penguin.
- Sheffer, Anne Colette. 2009. *Facework in Coercive Interactions: Evidence from Police Field Interrogations*. State University of New York at Buffalo.
- "She:kon/Greetings: The Mohawk Council of Akwesasne." 2015. *The Mohawk Council of Akwesasne Homepage*. Accessed October 1. www.akwesasne.ca.
- Simpson, Audra. 2003. *To the Reserve and Back Again: Kahnawake Mohawk Narratives of Self, Home and Nation*. McGill Theses.
- . 2008. "Subjects of Sovereignty: Indigeneity, The Revenue Rule, and Juridics of Failed Consent." *Law and Contemporary Problems*.

- . 2014. *Mohawk Interruptus: Political Life across the Borders of Settler States*. Durham: Duke University Press.
- “Smuggle | to Move (someone or Something) from One Country into Another Illegally and Secretly.” 2015. Accessed November 15. <http://www.merriam-webster.com/dictionary/smuggle>.
- Snow, Dean R. 1996. *The Iroquois*. Cambridge, MA: Blackwell.
- Staff. 1988. “Angry Mohawk Mob Surrounds Canadian Customs on Friday.” *Massena Observer*, October 20.
- Stocking, George W. 1983. *Observers Observed Essays on Ethnographic Fieldwork*. Madison, Wis.: University of Wisconsin Press. <http://site.ebrary.com/id/10395918>.
- Strong, Pauline Turner, and Barrik Van Winkle. 1996. “‘Indian Blood’: Reflections on the Reckoning and Refiguring of Native North American Identity.” *Cultural Anthropology* 11 (4): 547–76.
- Sturm, Circe. 2002. *Blood Politics : Race, Culture, and Identity in the Cherokee Nation of Oklahoma*. Berkeley: University of California Press.
- Tarbell, Reagan, Paul M Rickard, Ravidia Din, Mushkeg Media Inc, and National Film Board of Canada. 2009. *Little Caughnawaga to Brooklyn and back = Le petit Caughnawaga = Nikanatá:’a Caughnawaga Tsi niio:re ne Brooklyn Taióterahte*. Montréal, QC: National Film Board of Canada.
- Taylor, Alan. 2002. “The Divided Ground: Upper Canada, New York, and the Iroquois Six Nations, 1783-1815.” *Journal of the Early Republic* 22 (1): 55–75.
- The Mohawk Council of Akwesasne. 2007. “Homeland Insecurity.” Mohawk Council Government Webpage. Winter. <http://www.akwesasne.ca/node/252?q=node/287>.
- “The Pulse of the Community: Port of Entry Dividing Cornwall & Akwesasne – by Don Smith | The Cornwall Free News.” 2014. Accessed March 23.

<http://cornwallfreenews.com/2013/03/the-pulse-of-the-community-port-of-entry-dividing-cornwall-akwesasne-by-don-smith/>.

Thompson, David, and David Adams. 1817. *Part of the St. Lawrence River [between Cornwall, Ont. and St. Regis, Que., Showing Eastern End of Cornwall Island, Western End of Île-Jaune]*.

Tönnies, Ferdinand. 1955. *Community and Association (Gemeinschaft Und Gesellschaft)*. London: Routledge & Paul.

Torpey, John C. 2000. *The Invention of the Passport: Surveillance, Citizenship, and the State*. Cambridge University Press.

Treviño, A. 2003. *Goffman's Legacy*. Lanham Md.: Rowman & Littlefield.

Trigger, Bruce G. 1987. *Children of Aataentsic: A History of the Huron People to 1660*. McGill-Queen's University Press.

Trigger, Bruce, and James Pendergast. 1978. "Saint Lawrence Iroquoians." In *Northeast*, 15:357–61. Handbook of North American Indians. Washington, D.C: Smithsonian Institution Press.

Tsing, Anna Lowenhaupt. 2005. *Friction: An Ethnography of Global Connection*. Princeton, N.J.: Princeton University Press.

Turner, Frederick Jackson. 1893. "The Significance of the Frontier in American History 1893." presented at the American Historical Association, Chicago, July 12.

Turner, Victor Witter. 1967. "Chapter IV: Betwixt and Between: The Liminal Period in Rites de Passage." In *The Forest of Symbols: Aspects of Ndembu Ritual*, 94–111. Cornell University Press.

Tylor, Edward B. 1958. *Primitive Culture*. [New York]: [Harper].

Van Houtum, Henk. 2005. "The Geopolitics of Borders and Boundaries." *Geopolitics* 10 (4): 672–79. doi:10.1080/14650040500318522.

- Vecsey, Christopher. 1986. "The Story and Structure of the Iroquois Confederacy." *Journal of the American Academy of Religion* 54 (1): 79–106.
- Venables. 2010. "The Clearings and the Woods: The Haudenosaunee (Iroquois) Landscape - Gendered and Balanced." In *Archaeology and Preservation of Gendered Landscapes*, edited by Sherene Baugher and Suzanne M Spencer-Wood, 21–55. New York; London: Springer.
- Vennum, Thomas. 1994. *American Indian Lacrosse: Little Brother of War*. Washington, D.C: Smithsonian Institution Press.
- Voget, Fred. 1984. "Anthropological Theory and Iroquois Ethnography: 1850 to 1970." In *Extending the Rafters: Interdisciplinary Approaches to Iroquoian Studies*, 1st ed. Williams Press, Inc. Albany: State University of New York Press.
- Wallace, Anthony F. C. 1970. *The Death and Rebirth of the Seneca*. [1st ed.]. --. New York: Knopf.
- Wallace, Anthony F. C, and Project Muse. 2012. *Tuscarora a History*. Albany: State University of New York Press. <http://muse.jhu.edu/books/9781438444314/>.
- Wallace, Paul A. W. 1946. *The White Roots of Peace*. Philadelphia: University of Pennsylvania Press.
- Weber, Max. 1958. *From Max Weber: Essays in Sociology*. New York: Oxford University Press.
- White-Cree, Phillip. 2014. "Entsiakwakaen:ion Tsi Ni Kionkwe:non." *Onkwetake*, August.
- White, Richard. 1991. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*. Cambridge; New York: Cambridge University Press.
- Wilson, Edmund, and Joseph Mitchell. 1960. *Apologies to the Iroquois*. New York: Farrar, Straus and Cudahy.
- Wilson, Thomas M, and Donnan, Hastings. 2012. *A Companion to Border Studies*.

- Winegard, Timothy. 2009. "The Forgotten Front of the Oka Crisis: Operation Feather/Akwesasne." *Journal of Military and Strategic Studies* 11 (1-2).
<http://jmss.synergiesprairies.ca/jmss/index.php/jmss/article/view/30>.
- Wittgenstein, Ludwig. 1922. *Tractatus Logico-Philosophicus*,. New York ;London: Harcourt Brace & company inc.;;K. Paul Trench Trubner & co. ltd.
- Zureik, Elia, and Mark Salter, eds. 2005. *Global Surveillance and Policing: Borders, Security, Identity*. Cullompton ; Portland, Ore: Willan.