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## Articles

## Smuggling, illegality and circulation in the us-Mexico border: the case of Tijuana-San Diego

### Flujos, contrabando y prácticas de ilegalidad en la frontera México-Estados Unidos: cruces fronterizos entre Tijuana y San Diego

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#### Abstract

This paper explains the state of the United States-Mexico border regarding the smuggling of different types of merchandise, particularly in the Tijuana-San Diego border. It argues that the divide between both countries works differently depending on the direction and the type of merchandise being transported. Using ethnographic data collected during a 20-year period, the paper shows specific patterns of consumption that vary, depending on the direction in which the border is crossed. These differences go on to show the different wants and needs of people living in the border region.

Keywords: us-Mexico border, Tijuana-San Diego, legality-illegality, narcotics, smuggling, firearms.

#### Resumen

Este artículo describe los tipos de mercancías y objetos que cruzan la frontera México-Estados Unidos en ambas direcciones, particularmente el caso de las ciudades fronterizas de Tijuana-San Diego. Con aportes desde los estudios fronterizos se argumenta que la línea que divide a ambos países funciona de manera diferente de acuerdo con quién cruza y qué tipo de mercancías transporta. Al tomar esto en cuenta, por medio de datos etnográficos obtenidos durante las últimas dos décadas, el artículo analiza los tipos de mercancías legales e ilegales que circulan a través de la frontera. La diferencia entre el tráfico de mercancías y productos contrabandeados en dirección norte-sur y sur-norte permite no solo constatar los tipos de flujos transfronterizos, sino también inferir las necesidades y contextos de las personas que cruzan la frontera.

Palabras clave: Frontera México-Estados Unidos, Tijuana-San Diego, legalidad-ilegalidad, drogas, contrabando, armas de fuego.

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## Introduction

This article uses the us-Mexico border as a backdrop for a case study, with much of the fieldwork taking place in the border zone between Tijuana, Baja California, and San Diego, California; its purpose is to re-examine the experiences of crossing and smuggling goods across the border and to describe the type of objects that flow in both directions. It is within this context that some of the daily aspects and activities that coexist in a realm between legality and illegality, and as such, are worthy of being investigated, with the purpose of reflecting on the relations and tensions on this part of the world. This work is based not only on fieldwork, but also on an extensive literature review and several testimonies that capture the experiences of key individuals involved in the smuggling and illegal trade across the border.

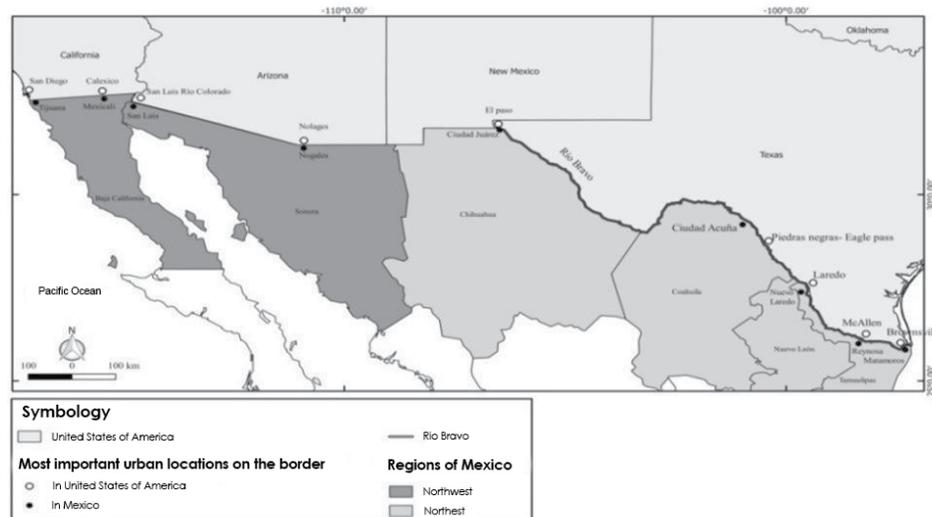
The current international boundaries between Mexico and the us were established in 1846, as a result of the Mexican-American War; as it stands, the border extends from the Pacific Ocean to the Gulf of Mexico, spanning 3 states in the us and 6 in Mexico. For much of its length, the Rio Grande river serves as a natural barrier, crossing into Mexican territory in the state of Chihuahua and making its way to the Gulf. On the other hand, the northwestern region is littered with boundary markers and some geographical features such as mountain ranges, deserts and canyons. (Piñera, 1985).

While most authors usually divide this border into two regions, others talk of a third central region. This paper goes with the former, in that regard, the northeast region includes the states of Chihuahua, Coahuila, Nuevo Leon and Tamaulipas—for the Mexican side—and Texas and New Mexico on the American side, whereas the northwestern region is comprised of Baja California, Sonora, California and Arizona (Figure 1). Overall, “the border zone includes 48 us counties spread over four states and 94 Mexican municipalities distributed among six states” (Senado de la República/Centro de Estudios Internacionales Gilberto Bosques, 2017). By 2016, the border region had an estimated population of 13 000 000 inhabitants spread over ten cross-border metropolitan areas (Prieto, 2016).<sup>1</sup>

One of the main differences of the Mexican border, with Latin American borders, has to do with the fact that it represents the limit between the Latin and Anglosaxon worldviews, with everything that each entail: language, culture, economy, society, history, religion and so on. In its current state, the us-Mexico border consists of a shared territory whose permeability changes with the times.

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<sup>1</sup> The ten cross-border metropolitan areas in order of importance in terms of population are: Tijuana-San Diego; Ciudad Juárez-El Paso; Reynosa-McAllen; Matamoros-Brownsville; Mexicali-Calexico; Nuevo Laredo-Laredo; Ciudad Acuña-Del Rio; Nogales-Nogales; Piedras Negras-Eagle Pass; Agua Prieta-Douglas (Prieto, 2016).

**Figure 1. Metropolitan border zones in the us-Mexico border**

Source: created by Yasmin Ochoa, 2018

Many contrasts can be seen among the millions of people that live along its length and breadth. These inequalities further reinforce the uniqueness of the so-called busiest border in the world. The many filters and control mechanisms, however, also represent opportunities, especially when it comes to what is considered legal and illegal in each country.

Despite how the border has increased these filters and control mechanisms during the last four US administrations, new dynamics and ways of interaction have sprung to counteract the increased restrictiveness. This is attested by the high number of border crossings that have been recorded during the last four decades. According to data from the Bureau of Transportation Statistics (BTS), there were nearly 50 000 000 pedestrian crossings, 212 000 000 vehicular crossings and nearly 12 000 000 trucks and cargo crossings throughout the 55 ports of entry during 2019. Out of these, the San Ysidro Port of Entry stands out with its 10 799 398 pedestrian crossings and its 40 942 771 vehicular crossings. On the other hand, Laredo remains the busiest industrial port of entry, with more than 4 345 344 crossings during 2019. If we were to take into account the number of crossings into Mexico, the figures would dramatically increase (BTS, 2019).

We also need to consider that the border will significantly change depending on the region: cross-border interactions are vastly different between Baja California and California than they are between Sonora and Arizona, or Tamaulipas and Texas, just to mention a few examples. Although all of them belong to the border region, their economic, social and cultural differences make a big difference in how these two

countries interact. An example of this is the intense economic, social and cultural integration between Baja California and California, the latter being one of the main contributors to the us economy and the state with the largest number of Mexican immigrants and inhabitants.

The paper is structured as follows: First, a brief explanation on the methodological and theoretical approach, with an emphasis on illegality and smuggling. Further on, it reflects on the illegal cross-border markets in the us-Mexico border. These reflections are a prelude to a discussion on the daily experiences on smuggling, arms trafficking and other phenomena, like the many cross-border tunnels that can be found along the border.

## Methodology

The ethnographic information that supports the assertions made in this article was obtained through the use of participant observation, direct observation, and in-depth interviews. This process was enhanced by a series of previously established contacts among the smuggling circles in the border, particularly on clothing, prescription drugs, building materials and household items. This made it possible to directly engage with the many individuals that smuggle goods in both directions, such as drivers, drug store owners, small-scale traders and frequent cross-border commuters. This approach allowed many narratives to emerge from those individuals that were interviewed.

Furthermore, my personal and academic journey through the us-Mexico border during the last decades allowed me to experience first-hand the many ways in which the migratory phenomenon impacts the daily lives of those who live in the border region. This, coupled with the fact that I was able to work with an El Colef graduate whose work focused on cross-border cannabis consumption was key to consider drug-related smuggling and provided the chance to conduct interviews with key individuals involved in this world, in the Tijuana-San Diego region. It is important to mention that the purpose of these interviews was to describe the most relevant aspects related to the many smuggling efforts in the region, which is why there is a special emphasis on the narratives related to it, without necessarily going further into the life stories of those involved in the smuggling trade.

## Trafficking and illegality

Border studies in the Americas have evolved over time: In the early 20th century, they used mostly a geographical and territorial perspective (Brigham, 1919), as well as certain typologies related to the idea of a frontier (Hartshorne, 1936); at the turn of the century, they moved rooted themselves in the national delimitations of each

country (Donnan & Wilson, 2001). It is until recently that they have begun to focus on the social and cultural interactions that happen in these spaces (Anderson & O'Dowd, 1999; Newman, 2006). Other proposals are trying to understand the dynamics of the transboundary regions (Dilla Alfonso & Neira Orjuela, 2020). Thanks these efforts, it is possible to have a qualitative, multidimensional and multiscale view on the different borders and cross-border regions, which enable us to conduct further research on the many subjectivities, practices and power dynamics.

An up to date study of the many borderlands in the world requires the proper identification of the multiple territorial, economic, demographic and power dynamics that impact life in those spaces and, for the purpose of this paper, the development of legal and illegal activities. It must be noted that legal/illegal are labels administered by the State apparatus and the principles that it upholds. How these definitions vary will depend on the regulatory and legal principles used by any given State, and they will change along with the spatial and temporal context. According to Brazilian geographer Lia Osório Machado (2000). When thinking about the legal and the illegal, it is necessary to distinguish between the notions that might exist around the idea of a boundary and the actual borders and their relationship to these concepts. A boundary is “an instrument of separation between different sovereign political units” (Osório Machado, 2000, p. 9) that also defines what is and what is not allowed, thus giving birth to a series of illegal practices in order to circumvent those definitions. Osório also proposes a new take on territory, whose definition is bound to change due to the emergence of new laws and regulations that could be valid in a given territory but completely void in another; these are the so-called “target-territories”, since they will become targets for those trying to carry out illegal actions, as it happens with offshore tax havens (Osório Machado, 2000, p. 11). These processes point to a paradigmatic shift in how borders and territories are understood, particularly when it comes to the notions of the legal and the illegal:

The notion of what is considered legal and illegal is intrinsic to any social organization, as history shows. The immediate context is important when trying to understand these notions, since they are bound to change throughout time and space, as it happens with laws, diplomatic circumstances, and so on context. (Osório Machado, 2000, p. 11)<sup>2</sup>

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<sup>2</sup> Author's translation of Osório Machado (2000, p. 11): A história dos povos e das instituições mostra que se a noção de legalidade e ilegalidade é intrínseca a toda organização social, a condição legal ou ilegal de qualquer ação é mutável no tempo e no espaço. Isso ocorre porque as normas jurídicas, as circunstâncias diplomáticas, os dispositivos técnicos mobilizados geram concepções de tempo e espaço distintas. Aqui se pretende comparar dois momentos da história dos limites e fronteiras do Brasil. Embora sujeitos a condições bem diferentes de imposição do que era legal e ilegal, e a concepções distintas de tempo e espaço, têm em comum a curta-duração e a dependência em relação a eventos provenientes do contexto imediato.

In addition to this, Osório Machado, Reyes and Monteiro (2009) propose the idea of “frontier zones” based on three conditions: 1) the different meanings of regional integration; 2) the symbiosis between legal and illegal economic activities; 3) the temporary nature of local and regional responses to the changes in the elements that reconfigure the economic geography of these border zones.

For Osório Machado et al. (2009), the concept of the frontier is more substantial than border, borderland, or border regions; although a frontier, in its etymological origin, can allude to a real or metaphorical limit, it also indicates the beginning of something different (Osório Machado et al., 2009, p. 98). This concept makes it possible to account for spaces that are in constant interaction despite what the actual international limits might say. As such, frontier is strongly related to the idea of crossing limits than other takes on the idea that emphasize demarcation, such as “border”. Frontier zones are distinguished by the various forms of interaction that occur within them, despite what international limits might say; this makes it a relevant concept to study the relation between the legal and the illegal along the us-Mexico border.

This idea does not imply that the many asymmetries between both countries can be completely dissolved with its use, as this would imply, as Grimson (2011) warns, a simplistic and essentialistic understanding of what “brotherhood” and “hybridity” are and how they impact these border regions, since they diminish the role that nation-states have in the lives of those living in a border region (Grimson, 2011, p. 114). Thanks to Osório Machado et al. (2009), we know that many border regions in South America are constantly reconfigured through a series of dynamic flows that do not get rid of specific cultural and symbolic elements for its inhabitants, as it occurs in the us-Mexico border.

For the Tijuana-San Diego border region, everyday life shifts between order and uncertainty, and between control and the clandestine. Although it is possible to identify a series of legal flows thanks to the many registration mechanisms and surveillance infrastructure, illegal activities is ever present in the everyday of every port of entry. The bilateral relation between the us and Mexico is characterized by the constant combat against the introduction of illegal goods and commodities that might be restricted for a number of security, sanitary or economic reasons. Examples of the above restrictions are those imposed on weapons, drugs, prescription drugs, cigarettes, alcohol, certain types of foods, used apparel, and building materials. The agencies in charge of enforcing such restrictions are the Bureau of Customs and Border Protection (CPB) in the us and the General Customs Administration of Mexico. Additionally, we must remember that the border is more than just the customs line; it is also a space where we get to see symbolic structures, power dynamics and ideological postures that are specific to each society (Sandoval, 2012, p. 16).

There are at least two ways in which this border region can be transgressed: through a corporal experience, as in the different bodily and psychological effects that those that go through this process experience, and through the action of actually traversing it, be it in a northbound or southbound direction.

Thus, in border regions such as Tijuana and San Diego, the senses of transgression overlap and blur between those who are trying to cross it in a legal and illegal manner.

For non-Americans, crossing into the us implies following a different take on what order and rules; for Americans crossing into Mexico, it is often common to see how they distance themselves from the restrictiveness that exists in the us when it comes to following different norms and rules.

It must be mentioned, however, that trafficking and smuggling occurs in both directions and due to different motivations. Sandoval's case study in the Texas-Tamaulipas border region illustrates the how the apparel trade works and the territorial control that it exerts in both sides of the border (Sandoval, 2018).

Considering that smuggling is a direct response to different factors other than the border itself, such as the existence of different production systems and different markets, it is impossible to imagine a scenario in which there would be no smuggling (Dorfman, 2020, p. 155). As such, the smuggler should not be stigmatized, for it is a person that, although moving back and forth between the legal and the illegal, is part of a gray economy and thus, part of what it is considered the legal market. Weapons and drugs, however, are never part of this market, and a such, traffickers have to resort to other strategies (Dorfman, 2020).

### Informal cross-border markets

The large clandestine markets dedicated to drug and human trafficking (which, due to their complexity and characteristics, are not discussed in depth in this work) are part of a series of illegal circuits that have existed for decades in the region. A study published by Fuentes (2017) addresses the existence of nodes in the global drug trafficking ring. Mexico's land, sea, and air borders function as nodes through which these illicit markets flow. These have serious consequences in terms of security, as the increased number of intentional homicides, and levels of social decomposition caused by this phenomenon show (Fuentes, 2017). Fuentes' study highlights the particular case of the us-Mexico border region, since the main drug trafficking corridors into the us pass through the northwest, central and northeast parts of this border.

Regarding human trafficking, since the 1980s and up until 2006, the smuggling of people into the us was supervised by smugglers known as coyotes and polleros that operated individually and/or in an intricate networks that could include whole families. From 2006 onwards, human trafficking has been taken over by the different cartels operating in Mexico. This change not only increased the smuggling fees according to race and/or country of origin, it also promoted extortions, kidnappings and abuses among the migrant population.

As a response to this, new ways of traveling have been emerging, as is the case with the migrant caravans that had to find safety in numbers and mediatic exposition, due to the arrival of the cartels (Hernández, 2018).

On top of this, arms trafficking increases the complexity in matters of security and the impacts that this has in the many informal markets in the border region.

For the past twenty years, border security ramped up after 9/11. Even so, people continue to smuggle in a variety of items, such as perishable foods, coffee, bread, cooling oil, canned goods, candy and different types of sauces. The information in the following paragraphs was obtained through the use of direct and participant observation, as well as through the accounts given by interviewees. These have no statistical relevance nor is their intention. Nonetheless, their narrative relevance should be taken into account, considering that, in some cases; it is actually possible to cross-reference them with official numbers, such as the reports published by the BTS and the us Office of the Attorney General.

Although smugglers are bound to be penalized by stripping them of their crossing privileges and through fines, it is common for them to claim that they were just doing errands and were not aware that the items they were carrying were not allowed. After the initial interrogation, every pedestrian has to place his bags on an X-Ray machine for further screening. Even if they were to get caught, however, there are no major punishments at this point: in most cases, CBP agents will dispose of the prohibited items before granting access to the us. Depending on the smuggled item, individuals might be sent to a secondary screening. A key aspect to overcome these interrogations is to say that the suspicious bags only contained lunch.

Among small-scale traffickers, there are specialists in particular products, such as prescription drugs, naturopathic products, homeopathic products, and healing herbs (Loya et al., 2009). Most Mexican cities have markets where these kind of products are for the sale. It is a relatively common practice for people of Hispanic origin to cross into Mexico to purchase herbs that are difficult to find in the us. In Tijuana alone, there are dozens of drug stores and health related stores. In one of the interviews conducted with a drug store owner, two individuals of particular interest were mentioned: The first was an old doctor who graduated from Mexico's National Autonomous University who was living in Los Angeles but traveled to Mexico in order to buy prescription drugs at a cheaper price. To reduce the risk of being discovered by CBP officials, he would tell the drug store owner to dispose of the packaging for each drug. Once this was done, he would mix all the products in a bag, along with candy, chocolates and sweet bread. When crossing the checkpoint, if the officer inquired about his items, he would respond that he was only carrying Mexican candy and sweet bread.

Another smuggler was thin, blond American man in his fifties, known as *el meón* ("the pisser"), who always asked for the restroom at the drug store as a diversion, in order to strap prescription drugs onto his legs before attempting to cross back into the us. The pharmacy owners would give him medicines such as aspirin and painkillers, as well as other products such as sodas, juices, snacks, sweets, souvenirs, and even a fake

receipt in case that it was needed the police approached him, he could have said, “I only bought painkillers and some snacks”. At that time, it was common for the local police to intimidate and extort would be American smugglers by saying that whatever they had bought in Mexican drug stores was completely illegal, demanding a “fee” to prevent their arrest. The drug store owner never mentioned el meón’s name, but he did say that he had an irregular schedule and that his attire was usually business casual, as if he worked at an office. He assumed that it was part of his ruse to avoid raising the alarms when crossing the border, enabling to answer, if it was required of him: “I’m just carrying candy and aspirin”.

Small-scale smuggling has different characteristics depending on the type of items and its direction: southbound items are usually legally purchased firearms, used apparel, food and electronic devices; whereas northbound smuggling usually consists of prescription drugs, herbal and homeopathic products, and “nostalgia” commodities, intended for the Hispanic public that cannot go back into their countries of origin. There is not a lot of research done on this particular phenomenon, and most of the information tends to focus on drug, firearms and human trafficking, usually through journalistic reports.

The smuggling of apparel, furniture, appliances, prescription drugs, non-perishable foods and vehicles has been exploited for decades by those living in the border region, since they are able to purchase these kind of products at considerably lower prices than in the rest of Mexico. Another strategy used by individuals who smuggle large amounts of goods is to cross alongside several family members, allowing them to exceed the limits imposed per head, which stand at 300 USD and 500 USD during the Holidays. Another strategy to avoid taxes imposed by the Mexican Tax Administration Service, or the seizure of their items, is to attempt several crossings during a certain period of time. Additionally, some remove tags, labels and the original packaging in order to claim that their items are actually used and not recently purchased.

It is generally believed that Mexico’s northern border population benefits the most from the smuggling of goods and other waste products, but Americans also benefit from these cross-border dynamics, which allow them to dispose from items that could potentially earn them fines if they are not properly disposed of, thus saving them hundreds if not thousands of dollars, not to mention the environmental impact that accumulation carries over. An example of this occurs in San Diego, where people are not allowed to keep a certain amount of disposed items in their premises, and they cannot dispose of them in abandoned places or public roads, as they will be subject to large fines and even prosecution. This leaves them with the cheaper alternative of donating their unused items to organizations and individuals that will sell them to Mexican nationals.

The same is true for acrylic paints used in the construction industry as the contractor is not allowed to dispose of any excess paint, as it is considered chemical waste that requires special treatment. For this case, there are usually two options: *a)* to donate it to a NGO or *b)* to return the product to the supplier, which is responsible for managing any surplus amount of paint, without receiving any remuneration for this.

If option *b* is followed, the surplus paint can be taken into Mexico after paying the customs tax or smuggled in by various methods. There are commercial outlets in Tijuana dedicated to the exclusive sale of disposed American paint. Juan, a paint salesman who has been in the business for more than ten years, has a small stall in a street market where he sells buckets and gallons of American paint at low prices. Juan says that he manages to receive up to a hundred buckets per week, which he continuously resupplies as he sells them. His supplier delivers them directly into his premises. Another widespread commercial practice is the selling of construction wood that belonged to uninhabited or abandoned houses in San Diego; its smuggling undergoes a similar donation and reuse scheme. In Tijuana, Palemón is in charge of a store that sells used American lumber. Every week, they unload a truckload of planks, beams, bars, and garage doors. In the process, these pieces are disassembled for cleaning and to remove nails, before being sold in Mexico.

Summarizing, this smuggling model consists of obtaining items that are expensive to dispose of in the us in order to sell them at a profit in Mexico, where they can be openly smuggled in exchange of paying bribes and “special fees” to the Mexican authorities.

There is a diversity of items and waste products from the us that get refurbished and reused on the Mexican side, benefiting low-income individuals and households. These products are then sold in street markets, where thousands of vendors buy and distribute them. Juanita has specialized in selling non-perishable food and fruit. Her routine consists of setting up her stalls in five itinerant markets located in different parts of the city. In Tijuana alone, there are around six hundred street markets distributed throughout the nine municipal delegations. Each day of the week and on a rotating basis, there are specific neighborhoods where these markets set up. The days with the highest amount of sales are weekends (Fridays, Saturdays, and Sundays). Some of the main street markets in Tijuana are located in the Francisco Villa, Mariano Matamoros and La Morita neighborhoods. One characteristic that stands out is that most of these street markets are located in the east side of the city, in the direction of the municipality of Tecate. In Tijuana, most of these street markets are open from six in the morning to two or three in the afternoon. In other border cities, however, such as Ciudad Juárez, these markets also operate at night due to the different working schedules of the maquiladora workers.

Another aspect to consider is that many actors involved in these type of markets, are cross-border agents who regularly go to cities such as Los Angeles or San Diego to obtain goods in order to transport them back into Mexico border. From an ethnographic perspective, Sandoval’s work (Sandoval, 2012) is illustrative in how these cross-border smuggling networks and informal markets are formed in the northeastern part of the us-Mexico border.

Another type of actors involved in these networks are customs agents and policemen, who take part by charging “fees” depending on the type and quantity of merchandise

that people intend to bring into the country. Once in Mexico, distribution goes through different channels, including street markets and second-hand stores. It is common for entire families to lead these kind of efforts, from buying, transporting, crossing, and selling. As mentioned before, the restrictions imposed on the border by the various us and Mexican agencies acquire are unique to each context. Thus, what is legal and illegal in each country will vastly depend on their specific contexts and how these categories are conceived and negotiated. Regardless of this, it is under the umbrella of smuggling that much of the institutionalized barriers can be overcome thus giving a broad sense of mobility to people and objects, especially to those who are in no position to cross the border legally.

### Everyday trafficking experiences at the border

Crossing borders is an opportunity to, observe contrasts, and to engage in different activities that switch back and forth between the legal and the illegal, considering their dynamism and permeability.

As for the us-Mexico border, the northbound and southbound flows of people and merchandises vary in terms of magnitude and opportunity, as we have seen so far. The idea that borders are lawless areas may sound exaggerated, but there are vast networks dedicated to the development of skills intended to evade the many legal regulations that might be in place. Although this process is not exclusive to border regions, their high flow of people and goods makes them ideal places for the study of these types of dynamics. Even though these types of markets are illegal, they have their own appeal and meaning, particularly for those who see them as an opportunity to increase their earnings.

Daily life on the us-Mexico border is riddled with contrasting and critical situations that contribute to the symbiosis between cities like Tijuana and San Diego. One interesting case pertains to the legal drinking age, which is 21 in the us and 18 in Mexico; this situation pushes young underage Americans to cross into places like Tijuana in order to party.

Another example has to do with the recreational consumption of marijuana, which is completely legal in California, whereas Mexico has only recently began to heavily regulate it, although its sale and consumption continues to be prosecuted. Vinasco (2018) conducted a study on these consumption practices in the Tijuana-San Diego region.

The use and possession of firearms, including high-powered weapons, is on the us side of the border and prohibited in Mexico. It is paradoxical to observe road signs warning on this on the side of the San Diego freeway, just a few miles away from the international border crossing.

Although smuggling systems for clothing exist in other border ports of entry, such as those in El Paso-Ciudad Juárez (Gauthier, 2009), the volume and intensity with which this type of traffic occurs at the Tijuana-San Diego border makes it an

exceptional case. Used apparel and footwear are interesting cases since most of them are collected by charity stores such as Goodwill and those belonging to the Salvation Army, or from garage sales in different Californian neighborhoods. These goods and products are legally prohibited from entering Mexico for a number of sanitary reasons, but in the US, their trade is permitted. Efrén Sandoval's work on the *pacas de a kilo* (kilo bales) on the Texan border reflects a particular trade system of this area, where large warehouses are used to store used apparel before smuggling them into Mexico on specialized vehicles. This cross-border activity is done through an individual called a *pasador* (Sandoval, 2018, p. 327). Each border city has particular dynamics regarding the commercialization and smuggling of used apparel, as is observable in the case of Tijuana-San Diego. Many of the informants interviewed for this paper gave detailed accounts on the many strategies used to smuggle apparel into Mexico: most of them pointed out that it was common for the involved families to use small-scale trafficking, using bales, bags and even suitcases, or resorting to using hidden panels in their vehicles for larger quantities.

Furniture, mattresses, appliances, waste products, tires and vehicles are crossed over for their reuse. For vehicles, it is common for Mexican nationals to buy discarded American cars, completely unregistered in Mexico, which are known as “chocolate cars”. Even though they can freely circulate, they represent a challenge for the local authorities in terms of mobility and urban safety.

Another example that illustrates the contrast between the legal and the illegal is the case of prescription drugs, which are more easily acquired in Mexico than in the US. For this reason, a large number of American citizens cross into Mexico just to obtain them.<sup>3</sup> This is why, in cities like Tijuana, there is a visible concentration of drug stores and medical offices very close to the international line, and in the avenues most frequented by US visitors.

## Arms trafficking at the border

Gun-related violence is firmly ingrained in the Mexican social imaginary, especially among those living in the us-Mexico border and other areas controlled by the many Cartels. Despite this, weapons are heavily regulated both by the Mexican government and the US border authorities, which is a complete opposite on how easily guns can be acquired in the US, where even convenience stores like Walmart sell them. This is why Americans have to be constantly reminded that guns are illegal in Mexico (Figure 2). Although Mexican citizens have the right to own and bear firearms for their own

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<sup>3</sup> Some of these drugs are somacid (carisoprodol), vicodin (hydrocodone/paracetamol), xanax (alprazolam), valium (diazepam), rivotril (clonazepam).

defense, they can only be acquired through the Secretariat of National Defense's store, located in Mexico City; and only after passing a psychological exam and demonstrating the need to own a firearm. Once these barriers are overcome, the selection of calibers and models allowed is extremely limited. The possibilities increase, however, if the person is a member of a hunting club, a diplomat, a public servant, or celebrity (*Federal Firearms and Explosives Act*, 1972).

Despite these restrictions, trafficking and the black gun market makes it possible for all kinds of weapons to circulate and be accessible within Mexico, whether they are pistols, rifles, machine guns, or even military-grade sniper rifles. The presence which is a result from the increased violence caused by President Calderon's War on Drugs (Shirk, 2011). Most of the trafficking efforts occur in a southbound manner, carried out by individuals with no criminal background, usually wives and girlfriends of those belonging to a criminal group. Another means of trafficking consists of hiring people with no criminal record, which makes it easier for them to acquire the guns legally while in the us. According to the UN, approximately 20 000 firearms are smuggled into Mexico each year, mainly through Texas, California, and Arizona, with final destinations being mainly in the states controlled by the largest drug cartels of the country: Michoacán, Tamaulipas, Sinaloa, Sonora, Baja California, and Chihuahua (United Nations Office on Drugs and Crime [UNODC], 2010). Small-scale trafficking makes up most of the incidents related to the purchasing and selling of firearms. According to UNODC's report, there are 6 700 licensed firearms dealers in the border region, representing 12% of the total 55 000 licensed firearms dealers in the United States. This report also indicates that 70% of the weapons that are confiscated in Mexico are mainly from Texas (39%), California (20%), and Arizona (10%). These numbers were updated in 2014 by the us Government Accountability Office (GAO) and are presented in Figure 3.

Figure 2. Signage on the I-5 in San Ysidro, California



Photograph: Alberto Hernández, 2019

Regardless of their origin, most weapons pass into Mexican territory through Tamaulipas, according to the number of firearms confiscated in that state. Although it has been established that most of the weapons come from a legal source, other types of illegal weapons enter through the Guatemalan border (*Latin American Herald Tribune*, 2011). Criminal groups usually acquire loot them after the violent clashes with armed forces and police. In the worst cases, the acquisition of these firearms is done by performing direct assaults onto the arsenals of the Mexican Army and the many police stations (Borderland Beat, 2010).

The most common smuggled firearms are AR and AK based rifles, as well as FN handguns. Most AK variants come from Central America, South America, the Middle East, Africa, and Southeast Asia. For AR variants, most come from the us, Vietnam, and other NATO countries such as Spain, South Korea, and Colombia (Goodman & Marizco, 2010). Every now and then, criminal groups manage to smuggle high-powered rifles for exclusive military use, such as the .50 cal Barrett (Vicenteño, 2020). It is important to mention that, despite efforts to combat arms trafficking, operations such as Gunrunner, Fast and Furious, Too Hot to Handle, Wide Receiver, and White Gun, aimed at identifying trafficking routes and traffickers, have been counterproductive as they have increased the volume of weapons in circulation in Mexico, which is why they were aborted by 2011 (Pavlich, 2012).

Figure 3. Origin of trafficked arms in Mexico



Source: Government Accountability Office (GAO). Created by Melissa Urquidez

## Cross-border underground tunnels

In 2008, an underground tunnel was discovered between Tijuana and San Ysidro, just meters from the San Ysidro Port of Entry. This event surprised authorities on both sides of the border. On the Mexican side, the tunnel was hidden inside a two-story house built during the 1950s. The passage had lighting and ventilation systems, and it had been in use for at least thirty years. Its discovery was a fortuitous event, thanks to remodeling work that was being carried out on the us side (Ramírez, 2020). Although this is one of the most famous cases, given its proximity to the an actual Port of Entry, other drug-trafficking tunnels have been discovered over the years. By 2016, authorities had discovered 181 tunnels. In 2020, the longest tunnel to date was found in Otay Mesa, one of the industrial zones of Tijuana (Fry, 2020). Other tunnels discovered in recent years are: the underwater tunnel between Mexicali and Calexico in 2015 and the Brownsville-Matamoros tunnel below the Rio Grande river (Marty, 2015; EFE, 2020). Most of them are used in a northbound fashion, both for drugs and human trafficking.

## Other trafficking strategies: vans, trucks and freight trains

When NAFTA went into effect in 1994 the number of imports and exports between Mexico, Canada, and the us increased exponentially. Up until 2020 all, exports and imports had to go through one of the fifty-five ports of entry, excluding seaports. According to the BTS, more than 10 000 000 commercial crossings occurred in 2019 via trucks, vans, and freight trains (BTS, n. d.).

It should be mentioned that 79% of the commercial crossings occur in five cities, Nuevo Laredo, Tijuana, Juárez, Reynosa, and Nogales (Table 1). Most items consist of auto parts, vehicles, manufacturing materials, vegetables, and other food products. Given the high volume of vehicles trying to cross the border, it is common for them to wait up to twenty-four hours in line. Despite the state-of-the-art technology at each checkpoint, smugglers always find opportunities to carry out small and medium-scale operations, either by combining illegal products (cocaine, crystal meth, heroin, marijuana, among others) with the permitted merchandise, or by hiding them in secret compartments inside their vehicles, (Table 2).

For at least five years, several national and international outlets have been reporting on the new strategies used by traffickers to move illicit substances across the border, some of the most famous consist of using plastic cucumbers and avocados, or large papaya shipments that serve as camouflage for this type of shipment. On February 24, 2021, the CBP seized more than 5 500 kilograms of marijuana inside a papaya shipment at the Otay Mesa border port of entry in Tijuana. Its value was estimated to be \$27 000 000, according to us authorities (EFE, 2021).

**Table 1. u.s-Mexico Ports of Entry, 2019**

<b>Port of Entry</b>	<b>Number of crossings</b>
Nuevo Laredo, Tamps.-Laredo, TX	3 741 876
Tijuana (Otay), B.C.-Otay Mesa, CA	1 570 408
Cd. Juárez, Chih.-El Paso, TX	1 340 083
Reynosa, Tamps.-Hidalgo, TX	1 068 697
Nogales, Son.-Nogales, AZ	584 782
Mexicali, B.C.-Calexico East, CA	558 722
Piedras Negras, Coah.-Eagle Pass, TX	464 067
Matamoros, Tamps.-Brownsville, TX	418 269
San Jerónimo, Chih.-Santa Teresa, NM	248 628
Cd. Acuña, Coah.-Del Rio, TX	113 970
Tecate, B.C.-San Diego, CA	88 114
Nuevo Progreso, Tamps.-Progreso Lakes, TX	76 103
Camargo, Tamps.-Rio Grande City, TX	65 066
San Luis Río Colorado, Son.-San Luis, AZ	61 735
Agua Prieta, Son.-Douglas, AZ	42 334
Puerto Palomas, Chih.-Columbus, NM	30 446
Ojinaga, Chih.-Presidio, TX	18 616
Cd. Miguel Alemán, Tamps.-Roma, TX	14 060
Naco, Son.-Naco, AZ	5 166
Sonoyta, Son.-Lukeville, AZ	618
<b>Total number of crossings</b>	<b>10 511 760</b>

Source: BTS, n. d.

**Table 2. Commercial crossings by type of vehicle, 2019**

Type of vehicle	Number of crossings
Vans	5 955 884
Trucks	4 093 132
Containers	451 071
Trains	11 673
Total number of crossings	<b>10 511 760</b>

Source: BTS, n. d.

## Conclusions

The cases in this paper illustrate how different goods and services become shift between a legal and illegal status depending on which side of the border they are in. This proves how these labels constantly reconfigure themselves in border regions, just as it happens in the us-Mexico border.

The statements by Osório Machado (2000) concerning the redefinition of the border and border territory based on the practices of legality and illegality become clear in the case of the Tijuana-San Diego border. The same applies to Osório Machado et al.'s work on (2009) the economic and social dynamics in border regions. Although both countries have in place a series of restrictions and institutional procedures, much of the interaction occurs outside of the government's canopy, as is the case for smuggling and other illegal activities in places like the many Ports of Entry into the us.

People who are part of these informal trade circuits take advantage of the needs that the local population in Mexico has, and the distance from Mexico's seat of political and administrative power, coupled with the willingness of some authorities to look the other way when it comes to smuggling items. This is why borderland economies seem to work outside of the government's influence and why they tend to be part of another type of economic integration based on informal markets and illegal circuits that take advantage of the porous nature of these border zones.

Gustavo Lins Ribeiro has called this phenomenon "globalization from below", pointing out how informal economies exist alongside formal economies, which are part of a process that he calls "globalization from above"; these dynamics further unveil

the issue of the uneven distribution of wealth and power (Lins Ribeiro, 2006) and explicitly expose the symbiotic relationship between the governments and the many illegal activities, which are “complex and multifaceted, and involve diverse normative, political and moral interests” (Lins Ribeiro, 2018, p. 86).

Undoubtedly, future studies on this phenomenon should consider how COVID-19 impacted these dynamics. The pandemic affected not only smuggling and small-scale trafficking operations, but also imports and exports of everyday products. As of March 21, 2020, the us federal government had partially closed all of the land borders with Mexico and Canada, a measure that has been extended month after month. Despite this partial closure, however, cross-border flows have not completely stopped. Crossing times have substantially increased due to the health checkpoints and the fact that only us citizens, residents and foreign essential workers are allowed through.

On the other hand, access to Mexico remained open to both pedestrians and vehicles, although basic sanitary measures were established, imports were severely restricted. The consequences of these measures have impacted the everyday lives of those living in the border regions, some of which are: shortages on American products such as candy, foodstuff, apparel, footwear, appliances, furniture and electronics. Furthermore, many formal and informal businesses have gone under due to merchandise shortages and the reduced influx of customers. The pandemic also has provided the opportunity for new actors and dynamics to emerge within the smuggling world, such as those individuals that are able to cross the border and offer their services as couriers for those who cannot. Another phenomenon has to do with online auctions in Facebook, where people who bring American products sell their wares to the best bidder.

Lastly, it is important to highlight how the pandemic and the increased difficulties in smuggling that it entails, has severely impacted merchants on both sides of the border. The effects of this situation were most visible in San Ysidro and Tijuana, as many of their merchants had to close or reduce their commercial activity due to the lack of supplies and customers. These events only demonstrate how important smuggling dynamics are for border regions, and how smugglers will always develop new ways to operate, no matter how many obstacles there are.

Nonetheless, we must not forget that the many benefits that they offer for the local population might be overshadowed by the smuggling of drugs, firearms, people and the social costs that it represents on both sides of the border.

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