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Discussion

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DISCUSSION FOLLOWING THE REMARKS OF  
MR. GANTZ, MS. SZEL AND MR. GONZÁLEZ BAZ

MS. VAUGHN: Before I share the microphone I would like to ask a question of my own; actually provide a comment. I have had the privilege the last year or two of being involved with working in outreach programs with Latin American immigrants and workers. I have had contact with quite a few folks who are up here from Mexico and Central America. Many of them are undocumented.

It is a misconception to think that they do not pay taxes. Most of the undocumented workers who have settled in this country have obtained temporary tax identification numbers from the Department of Justice so they can file their taxes. This is true of those who are in proceedings trying to become legal residents, permanent residents, and those who are here illegally because failure to pay taxes is what would get them caught. So, it is actually from the Mexican viewpoint, it is much worse than if they are not paying taxes. They are paying taxes for which they get nothing. They pay into a Social Security System from which they can never collect. They cannot draw unemployment insurance. They cannot call the policeman when they need help, because they might get caught. I just wanted to share that with you before we go on.

MR. ROBINSON: Couple of comments. A short one for Mr. González Baz. You would be pleased to know that John Chretien has not even called George Bush for weeks because he knows his call is not going to be returned. He is sparing himself the embarrassment.

This may rain a bit on Marcella's parade about the quick passage of railcars with the gamma ray, super duper x-ray examination. I know a bit about cargo examination because I have a client who is in that game too. The x-ray does not identify everything in it. When the people figure that out, people may turn to what my client supplies, which is mass spectrometer analysis of air samples. That will slow you down at the border. We should all hope that the client does not go out and try and sell this new process to the border people because you have got to poke a hole in the side of the container, draw out air, and put it in a mass spectrometer. The process takes about 30 seconds, but will tell you everything that is in the railcar.

MS. SZEL: Mike, if nothing we are ingenious. We will figure it out.

MR. GONZÁLEZ BAZ: Will that give you the citizenship of the illegal aliens in the truck?

MR. ROBINSON: No, but it will tell you exactly what perfume they are wearing or the deodorant they are not wearing.

MR. KING: I had a question for Mr. González Baz, but I wanted to respond to Marcella first. In next year's program, which will deal with multiple actors in Canada/U.S. relations, one of our subjects is going to be border infrastructure; getting to yes on bridges, tunnels, roads and rail, customs and immigration challenges.

I had a question here on the relationship between the U.S. states and Mexico. If you were to start fresh, which you probably cannot, where would you start? Say you are a doctor. You are looking at the relationship between these two patients. It is bad. What would you do to get it on a more solid relationship, a more balanced relationship, so that they do talk to each other and do have a relationship? That is my question.

MR. GONZÁLEZ BAZ: I would probably begin by moving the border outside the border cities, moving it 15 or 20 miles out. I would let the communities up to San Diego and Tijuana, El Paso and Juarez, both Nogaleses, Matamoros, and Brownsville; I would let the communities live and take the advantages that each one offers to the other. I would let the people go to school where they wanted. I would let them come in and buy groceries at a lower cost where they could do that. I would take the importation or the exportation of goods outside the public view, as to not affect the people. Most importantly I would control the perimeters very tightly. You can do that by rail or by airplanes or you can do that at the airports. There is one in Europe, the same airport of two countries with two different terminals and it works.

If somebody is going to smuggle something in, I can assure you when you live on the border, you are waiting in line and the bridge and the people are crossing on foot underneath. There is nothing to stop them. Professor Gantz can attest to that. You know, if they want to get in, they are going to get in. That is the reality. You have to understand that and begin there.

Second, there is a historical problem here that we have to face and that problem began with the U.S. and Mexico War, 100-plus years ago, that took away Texas. Mexico has not forgotten that, because the United States has not dealt with that. One thing was the Gaston sale. That was a sale, good or bad, but it was a sale. It was done, but Texas was not. Fifty percent of the U.S./Mexico border, borders with Texas. So, that has got to be addressed. You know, there is nothing worse for U.S./Mexico relationships as the monument of the Alamo in San Antonio where it completely depicts the negative act to the Mexicans. We have got to change that. You do not have to fight each other.

There has got to be a change of borders. It is very interesting to us when we go to Canada, that as you are leaving certain Canadian cities, and I believe Calgary is one, the U.S. Immigration Officer is there in Canada. That is wonderful. When you get to the States, you just go on in, get off your plane, literally you have gone through immigration. Psychologically it is a

wonderful experience. So that, I believe, has to change. That is my very limited perception of what I would do.

MR. GANTZ: I certainly do not disagree. If you look back far enough, 150 years ago, the frictions between the U.S. and Canada were quite deep. There has not been as much in the 20<sup>th</sup> Century. Not only do we have the Treaty of Guadalupe Hidalgo in 1848 and the Gaston purchase in 1848 and 1852, but there has been a whole series of frictions subsequent to that; the Mexican revolution, the petroleum expropriations. I think the level of mutual distrust, at least in the 20<sup>th</sup> Century, really did continue and to a great extent continues to this day. One of the problems we have in Arizona today is that we have a bunch of vigilantes on the Arizona border that essentially have taken the idea of dealing with undocumented aliens into their own hands. The major groups there have only really backed off in the last week or two when the Federal government said if you continue doing this, you are all going to be in jail. We are going to prosecute you. There is a continuing distrust that has not gone away and probably is not going to go away. There are areas that work very well together, particularly in the business communities. It is a very high friction situation that has been with us for a long time.

Many of us were very optimistic right after Mr. Fox was elected. He and Mr. Bush seemed to have a lot in common, got along, they are both ranchers, they are both border states, they are both conservative Christians, they like running around in cowboy boots all the time, and for a while this looked to be a real relationship. Those of you who are Canadians may remember the resentment that was felt up here when the U.S. was paying so much attention to Mexico. Well, you can be happy, they are not paying attention to Mexico now and they really have not since 9-11.

The types of problems we have been talking about are still there; the illegal issues and the drug issues. To say we are not going to deal with them because we are annoyed with Mr. Fox's foreign policy in the Security Council, hurts a lot of people on the U.S. border. Approximately 14 million of them are on the American side. It makes life difficult for everybody.

MR. GONZÁLEZ BAZ: It also makes it expensive. I understand that the cost of Mexican mangoes in Chicago has risen by ten percent. They are illegally to be imported in the States, but you can still get them in Chicago because of the additional cost of security going through the border. That shows you how much the border can keep things out. If any of you were to go to Chicago, the Mexican section, you could by all the food, the fruit, everything that you cannot legally import into the United States. You will find it there fresh three days after it was taken out of Mexico to this day. The only drawback is that it is ten percent more expensive.

MR. WADDELL: A question for Ms. Szel. Chris Waddell. In the discussions with the United States about x-raying containers going into the

United States, does Canada have a position on x-raying containers coming into Canada?

MS. SZEL: No. As a matter of fact, no.

MR. WADDELL: Would you be prepared to comment on the discrepancy between the countries' views on the issue and why that might be?

MS. SZEL: It is very clearly related to safety and security. We have heard repeatedly during this conference that the Americans take a very different position than Canadians do with respect to safety, security, and the impact of 9-11 on your own psyche. That impact has not occurred in Canada and drives government policy. Frankly, it is that simple.

Having said that, of the nine machines that are going to be placed on the border, two will actually be inland in Canada, but they are for traffic moving south. It is not for traffic north. Canada is relying on its penalty system as opposed to an x-ray system.

MS. BURRILL: Jennifer Burrill. I hail from the southern states, primarily West Texas and Eastern New Mexico. I would be interested to know what the impact would be on the day-to-day operations for businesses in those states if we shut down the Mexican border. Perhaps Professor Gantz can speak to that issue?

MR. GANTZ: The impact is both regional and national. As somebody mentioned earlier, auto production in North America would probably grind to a stop in about a week because of the interdependency of the parts and components that are going back and forth.

We see very local impacts every time there is for example something like the war in Iraq or the hue going to the orange alert level. Our border communities depend heavily on Mexican non-commercial traffic. The downtown Nogales area became a ghost town in early 1995, after the devaluation. There are several shopping centers in Tucson, which is 60 miles north of the border, where they say 15 percent of the total gross is Mexican citizens buying goods and taking them back across the border. Anything you do, whether it is making somebody pay \$40 per person to get the card to go across or increasing the weight makes it more difficult for those people to come and shop in Tucson or Nogales has an enormous impact on the State of Arizona. I assume, if you look at Texas it would be the same. New Mexico is a little different because most of the major cities are a lot further from the border. Clearly, there is a big impact in San Diego. There are significant numbers of Mexican legal residents in that part of California that live on the other side of the border. They commute every day because housing is cheaper. So, the impact on the border cities from not having more free movement of individuals is enormous.

MR. ROBINSON: Michael Robinson. There is an interesting statistic that I heard from supposedly reliable sources that bears on the drug issue and

Canadian exports. The new growth industry in British Columbia, high quality marijuana, is supposedly replacing a lot of the crops that were coming in from the U.S. This has generated an industry of backpackers who take the marijuana south on foot. I have been told by some reliable sources that Mexicans have realized that these guys have room in their packs for cocaine that would otherwise have to cross the southern border. That stuff is coming in through the relatively porous port of Vancouver and going to the Canadian marijuana entrepreneurs who charge an extra price for their mules to put the cocaine in with the marijuana. There is always growth in the North American exports.

MR. SMITH: Drug trafficking, the growth industry.

MR. SILVIA: I am Tom Silvia from the Standing Committee on Indian Law, the State Bar in Michigan. This is for Mr. González Baz. What is the cross border status of Indian Tribes in the Mexico/U.S. border?

MR. GONZÁLEZ BAZ: Yes, there are.

MR. SILVIA: Cross border relations?

MR. GONZÁLEZ BAZ: There were some very important tribes, especially in Arizona, New Mexico, and Western Texas. We have all heard of Geronimo. His tribe actually lived in that part of the world.

I am pleased to tell you that after 4, 500 years, we recognize that the tribes exist. In 1511 when Hernando Cortez came into Mexico City, imagine what that would have been like. I do not know what day of the year it was, but when they crossed into the volcanoes and they saw before them what was then the largest city of the world. At that time it was close to 400,000 people. There were five different tribes. The Spanish killed them all in a matter of 40 years. They did away with five million Mexican Indians.

It took us 500 years to recognize that Mexico has lost a tremendous amount of its heritage. If it would not have been for Commandant DeMarcus in Chappas, we would not have a law now that recognizes them. Not quite independence as you have in the United States, because the Federal Government learned that they did not recognize their independence, they cannot tax them. This led to casinos. They did learn something good from the U.S there. The fact is that they now they recognize that they have to spend money in their language, their heritage, and their culture. On the U.S. border, we do not have the case of the gypsies as in Europe, which have been roaming around for centuries without particular citizenship. This is the first step for Mexico to recognize the existence of the tribes and that their customs or heritage, their language, and traditions have to be honored and respected.

MR. GANTZ: In Arizona, we have a couple of tribes, the Tohono O'odham, which are essentially the same cultural group located on both sides of the border. A local congressional delegation has been pushing very hard over the last couple of years to try to get U.S. legislation to essentially recognize all of the members of this group, regardless of whether they live

north of the Arizona Sonora border or south as U.S. citizens. It seems to have a reasonably good chance of passing once we get somebody's attention.

MR. GONZÁLEZ BAZ: If I can make a comment. I would encourage any of you that have an occasion to visit two borders in Mexico to visit the Nogales border. As a Mexican, we believe that Nogales, Arizona and Nogales, Mexico have the best people and friendly border on both sides. For whatever reason, both states are out there by themselves. Nobody really knows where Arizona is. Nobody knows Nogales Senora.

MR. GANTZ: It is true.

MR. GONZÁLEZ BAZ: You know, they are out there somewhere. If you have asthma, they send you to Arizona.

MR. GANTZ: Not anymore.

MR. GONZÁLEZ BAZ: It used to be that most of the prestigious law firms there were spinoffs from New York law firms that have asthma. That is a true story. They would send you out there and people did not know where it was. They have gotten together much more, and they have been a tremendous pressure upon both U.S. and Mexican governments to say if you have to be there, lay low. The interdependence on both states for their commerce, their trade, their investment, and their banking is unique. The worst borders by far are El Paso/Juarez and San Diego/Tijuana. Maybe you will have an opportunity to see both cases to see how they work and how they do not work. The Arizona border works in spite of the governments. With the others, the governments have taken over the borders. They used to be all like Arizona. All of the borders up to about ten years ago, were really very open and they worked. They worked much better in spite of the 252 programs that the governments and the bureaucrats are inventing and implementing. They were much better.

MR. SMITH: It falls to me to thank, on your behalf, the panelists. We have had a great discussion this morning. Fitting, I would hope, Henry, that you would agree, a fitting end to a marvelous conference. And on your behalf, I should like to thank our colleagues here very, very much.