

Report on the Minuteman Project

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Contents

| | |
|--------------------------------------|---|
| The Legal Observer Project | 4 |
| The Future | 6 |

This report does not represent the work of the Phoenix Ruckus and only reflects that work of two members who participated in the ACLU Legal Observer Project. The report contains three sections. The first outlines the history of the Minuteman project in Arizona, describing the individuals and groups involved. The second section provides an analysis of the ACLU Legal Observer Project, looking into both the strengths and weaknesses of the effort. The third and final section contains a general overview of the future work needed around anti-immigration efforts in the Southwest.

In early spring of this year, the fringes of the far right were abuzz with talk of the “Minuteman Project,” a group organized by Jim Gilchrist, a retired Orange County accountant, and an ex-elementary teacher named Chris Simcox. Gilchrist promised to “do the jobs the government won’t do,” namely, control the tide of immigrants crossing the Arizona-Sonora, Mexico border. A few months later, the Minuteman captured the attention of the national media and claimed that they would have at least 1500 armed volunteers to patrol a 23 mile stretch of the border between Sierra Vista and Douglas, Arizona, over the span of the entire month of April. To charges that they were a group of racist, potentially violent vigilantes masquerading as concerned citizens, they answered that they had a “screening process” set up to filter out “extremists” and that they also maintained a strictly hands-off policy toward any migrants they may encounter. They likened themselves to a “neighborhood watch” group rather than a lynch mob (never mind the historically racist roots of most neighborhood watch groups), and even went as far as to compare the group’s supposed commitment to nonviolent protest to the tactics and teachings of Martin Luther King and Gandhi.

Though obviously more media-savvy than their predecessors, the motives and methods hardly seem new. The border area of Southern Arizona has had a long history of violence and racism directed at undocumented Mexican immigrants by white ranchers and carpet bagging white supremacist militia types. The most infamous case in recent memory occurred in August 1976, when Patrick and Thomas Hanigan, two Douglas ranchers, brutally tortured three Mexican men who they encountered on their land. The inaction on the part of the courts to prosecute the pair (and the conviction five years later of one of the brothers for the robbery, but not the abuse of the men they attacked), brought much public attention to how deeply the racism at the border ran. However, the case did little to prevent other vigilante acts from occurring along the border. Similar cases in recent years in the Douglas area involving notorious rancher/towing company mogul Roger Barnett and Casey Nethercott, as well as the increasing number of competing “citizen patrol” groups in the area, illustrate that the number of vigilantes itching to “teach the illegals a lesson” is multiplying.

The Minutemen correctly realized that the naked racism of folks like Barnett and the white supremacist paramilitary posturing of groups like American Patrol don’t play as well in Middle America as it used to. In a clever attempt at gaining national attention and set the agenda on immigration issues, the Minuteman leadership cloaked their racist agenda by invoking the rhetoric of national security. According to them, they were “defending America from terrorism.” To carry out their “defense” work, they focused on the illegality of those sneaking across the border. This proved to be fruitful rhetoric, one that (unfortunately) worked better than they probably expected.

In the month of April, approximately 300 Minuteman volunteers descended on Arizona. They came from all over the United States, including California, Texas, and as far away as New Zealand. The Minuteman themselves were a motley crew, made up mostly of retired white people and white supremacists. While the Minuteman organizers repeatedly exclaimed that they were free from “extremists,” the reality was that quite a few members of neo-fascist and white supremacist organizations were able to join the Project and participate without a problem. They also attempted to use the Minuteman as recruiting grounds. However, it is doubtful that they found too many enthusiastic ears among the several hundred, mostly retired border watchers.

We see the real danger not in these white supremacist groups, but in the how the Minuteman successfully captured the attention of the national and international media and was able to send a “softer” racist message masked as a “national security” issue, to the praise of prominent politicians like California governor Arnold Schwarzenegger and pundit Pat Buchanan. The danger, then, is that the Minutemen will influence the national agenda, setting a tone for how the right and the liberal left deal with immigrant issues in the next decade. This is already evident at the state level in Arizona, where state legislators are passing racist laws attacking immigrants. We expect that these same laws will spread laterally across several states and horizontally to the federal level in the coming year.

The Minuteman Project also had an impact on white national groups who were left encouraged by their efforts. For instance, several white supremacist groups have already declared they would invade the border on the Fourth of July, showing up with an arsenal of weapons. And here in Arizona we are already experiencing a rise in anti-Latino sentiments, such as the case of the off-duty soldier Patrick Haab holding seven Mexican men at gunpoint or the reported increase of police harassment of day laborers across Phoenix.

The climate in Arizona (and many other states for that matter) is rife with anti-immigrant sentiment and has already led to an increasingly draconian wave of bills aimed at stripping away the few rights that undocumented immigrants hold. Unfortunately, the Minutemen have successfully used the actions of sympathetic politicians to their advantage, lending them a modicum of legitimacy, which they now hope to use as a launching platform into national politics. In Arizona alone, we have over 27 anti-immigration bills that stem, in part, from the Minuteman impulse. These bills aim to exclude undocumented workers from their right to a language, work, education, and healthcare.

The Legal Observer Project

In the spring, Ray Ybarra, a law student from Stanford Law School, with the help of the Arizona chapter of the ACLU and the American Friends Service Committee, initiated a project aimed at mitigating the effects of the Minuteman on undocumented workers. He called his efforts the Legal Observer Project. The goals of the Project were threefold: to serve as a deterrent to any migrant abuse, to document any abuse that does occur for civil and criminal cases, and to highlight the real human tragedies that occur along the border. Overall, the project has several strengths and some significant weaknesses.

Credit is due to the organizers and participants of the Legal Observer Project for their willingness to place themselves in a potentially dangerous situation. The Minutemen were mostly

armed and had, in the previous months, threatened participants of the Project. Their courage should be noted.

Similar to Copwatch, the Legal Observer Project stood to document and deter any potential abuse of people crossing the border. But the Project was also more than just about documenting human rights violations. It served to warn the Minuteman they did not have carte blanche in their efforts to repress migrants. As such, the Project stood as the only organized resistance to the Minuteman. Also like Copwatch, the Legal Observer Project was organized to resist white supremacy at a grassroots level, with one important difference. The Project did not directly confront the state or its apparatus of control. However, it did confront those people who are now seeking to influence the control mechanisms of the state through public opinion.

The month-long commitment to monitoring the Minutemen Project's activities was visible to both the media and the Minutemen volunteers themselves. It showed the Minutemen that there was in fact an organized, committed opposition to the movement they represented and it presented the media with an alternative view on the situation at the border. Ybarra was very good at consistently presenting the Minutemen in the context of white supremacy and the history of vigilante attacks against Mexican migrants at the border. This was a necessary and important part of the project because the Minutemen needed to be held accountable not only for their potential violence, but for the very real racism that they were actively manifesting and fomenting by "patrolling" the desert in search of "illegals."

Sadly, Ybarra's anti-racist stance resulted in internal tension within the ACLU, who did not want to bring up the "race card" for fear of alienating Arizona residents. In the weeks leading up to the Project, the Arizona ACLU even went as far as threatening to pull out of the project. To Ybarra's credit, he told the ACLU that the Project would continue, with or without the ACLU. This liberal waffling was also present in several left leaning border organizations, such as Border Action Network (BAN). BAN has sent out notices asking activists not to participate in the Project, since, according to them, it would only provide the Minuteman with more legitimacy. In our view, this was an inaccurate reading of the situation on the part of BAN, leaving the Minuteman mostly unchallenged by local organizations.

While not aiming to undermine the Legal Observer Project or the work of Ray Ybarra, we must also acknowledge some serious weaknesses to the Project. First, the project followed primarily a top-down model, rather than building from the ground up. Several key groups and organizations working on border issues in Arizona were not contacted directly by the Project leaders, leaving important potential allies unconnected. Having these organizations work in conjunction with the Legal Observer Project would have helped the efforts greatly. More significantly, the Project was not rooted in an established community, mass movement, or with people directly affected by border issues. Instead, many of the participants were highly educated, somewhat privileged folks. For instance, on one weekend the majority of the Legal Observers were students of either Stanford Law School or Prescott College (an expensive liberal arts college in Prescott, Arizona).

The point here is not to minimize the work of these individuals, but to point to lack of border town community involvement. This could easily be corrected in future projects, since there is ample evidence suggesting that border town people in Mexico and the United States were against the Minuteman. In fact, Mexican Citizens organized a boycott of border towns, refusing to legally cross the border to do their daily shopping, resulting in significant revenue drop in American border town commerce. This type of boycott could help turn large numbers of people against the Minuteman.

Second, there was a fundamental problem with the nature of the legal mentality within the Arizona ACLU. They saw the Project only in relation to the law and civil liberties, narrowly defined as freedom of speech. To them, the project was about documenting possible legal violations, while still “protecting” the freedom of speech of the Minuteman. To Ybarra’s credit, he vehemently refused to follow this rhetoric. However, he still seemed to view the project from the standpoint of a lawyer rather than an organizer or activist.

Third, the legal mentality inherent in the project made for limited tactics. That is, focusing on documenting possible human rights violations blinded organizers to other means of resistance, such as direct action, civil disobedience, mass boycotts. Perhaps a broader set of tactics and ideological positions would have been beneficial.

Forth, the message going out to the public could have been more radical. As it stood, two messages came from Project leaders. The first was a civil liberties argument, stating that the ACLU was making sure that all civil liberties were respected. The second was a harder edged anti-racist message, one that pointed to the long history of abuse at the border. However, neither of these messages directly connects the state to the problem. In other words, it seemed like the state was a neutral agent in what was going on at the border. We feel that a more radical message would have asked not only for the protection of civil liberties and acknowledgement of racist history, but also for the abolition of the border itself. Like the abolitionist who agitated for the end of slavery, we should be agitating for the end of the border.

The Future

The Minutemen in Arizona is symptomatic of much larger issues. It represents an attempt at hiding what are clearly racist attacks on immigrants behind the veil of national security issues and the war on terror. Unfortunately, this might be a potentially successful strategy that could result in draconian laws across various states seeking to abolish Spanish, eliminate day-labor centers, and limit healthcare services to migrant communities.

The good news is that we are also witnessing a rebirth of resistance from the Chicano community in Arizona. On April 5, 2005, with the help of Phoenix Ruckus, some 300 day laborers and university students walked 19 miles to the Arizona capital to protest the upsurge of anti-immigration legislation accompanying the Minuteman.

On May 10, several Latino organizations and workers participated in a day-long labor boycott. Another labor boycott is being planned for mid-July. We feel that these tactics have potential for organizing the Latino community and for having an impact on many businesses in the Phoenix and Tucson areas that depend on undocumented immigrants for their labor (such as the construction industry).

Also in the works is a proposed boycott of the entire state of Arizona, called by a national network of day laborers. We feel that this boycott also has the potential for being a powerful instrument for organizing. So far, the planning of the boycott is primarily a grassroots effort with consultas involving Latino communities all across Arizona. This boycott really has a bottom-up strategy that could result in mass mobilization. It is for this reason that the Phoenix Ruckus is participating in these efforts.

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