

Caging Out, Caging In:

Building a Carceral State at the U.S.-Mexico Divide

ABSTRACT Border fences have a long history in the United States, and that history is deeply entangled with the rise of the carceral state. As fences along the U.S.-Mexico border grew over the course of the twentieth century, they increasingly restricted the mobility of migrants both as they crossed the U.S.-Mexico divide and once they were within U.S. territory. This article analyzes how fear of being apprehended, arrested, detained, or deported has forced migrants to remain in the shadows; and it argues that as border fences expanded in length and height, they transformed the United States into a massive, carceral state. **KEYWORDS** U.S.-Mexico Border, borderlands, fences, environment, undocumented immigration, Border Patrol, carceral state

In 2006, a man named Ezekial left his family in a small town in the state of Hidalgo, Mexico, so he could cross the border into the United States. Slogging across a hot, dry desert, he found the journey to be physically and emotionally trying. He traveled in a large group and, at one point, a woman hurt her knee and fell to the ground. She couldn't go on. Because it would have been too difficult to carry her across the arid landscape, around expanding border fences, and past immigration patrols, the group abandoned her, leaving her with a small amount of water and a lighter. Once it was dark and the rest of the group had time to travel some distance away from her, the *coyote*—or border guide—in charge told her to light a fire. At that point, the coyote predicted, border officials would see her and come get her. Ezekial, guilt-ridden that they had abandoned her, prayed that she would survive out there alone. The group pressed on. After two long days of walking, baking under a hot, open sky, they made it to “the other side.”¹

1. Ezekial, interview conducted by the author, Middlebury, Vt., January 23, 2013. The last and sometimes first names of all oral history participants for this article have been intentionally omitted at the request of the participants and to protect the privacy and identity of these undocumented migrants. Translation mine.

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In 2013, Ezekial told me about his trek and then went on to describe his time in the United States. Once he crossed the border, he caught a van that took him nearly all the way to the Canadian border to a sparsely populated town in Vermont where he got his first job working on a dairy farm. The work was difficult, but he managed. He lived in a small house with a couple of others, but he didn't love the arrangement, so when he heard from another migrant that there was a job opening on a farm where he could harvest grain in another nearby town, he jumped at the chance to move. At the new farm, Ezekial was the only employee. He lived alone in a modest, single-wide mobile home and he liked his new boss, but he felt isolated. On one hand, he enjoyed the privacy of not sharing his living quarters with anyone else. On the other, the silence exacerbated the longing to see his children and the rest of his family that he had left behind. After seven years working on the same farm, he reflected on all that he had accomplished, but also all that he had missed: he had made enough money to send both his son and daughter to college and for them to have comfortable, safe places to live, but he had also missed out on most of their childhoods. He lamented that he had spent a nearly a decade in the United States, living a solitary life in the shadows. But he also recognized that his lonely life of confinement had paid off in some ways. When he thought about returning to Mexico, he said, "Of course I want to go back, but I don't think I will. If I go home and then we need more money, I don't think I could make the journey again. I am getting too old and the cost to cross [again] is too great. I have to stay here to keep earning."²

Ezekial intimated that, in many ways, he felt trapped within U.S. borders. Between the time that he crossed the border in the spring of 2006, and 2013, when he shared his experiences, the border had become a focal point for surveillance and policing. The same year that he crossed, the U.S. Congress passed the Secure Fence Act, which called for "the Secretary of Homeland Security [to] take all actions . . . necessary and appropriate to achieve and maintain operational control over the entire international land and maritime borders of the United States."³ The legislation mandated the construction of 700 miles of double-layered, reinforced segments of fencing along the U.S.-Mexico border to "protect the United States" and was part of a larger debate about restricting the migration of people into the country. Since

2. Ibid.

3. *Secure Border Act*, House of Representatives H.R.6061 January 3, 2006.

Ezekial had first left his home in Mexico, border fences and the entire border control apparatus had grown in size and technological sophistication, making the border less permeable than it had once been. Aware of these developments, he worried that if he found the journey onerous the first time, it would be even worse should he try to cross again. Once he was outside U.S. borders, he feared that he would never be able to re-enter; in effect, he was stuck inside. For a well-paying job that would provide money for his family, he had given up his freedom of movement. He was trapped in a cage of gold.⁴

In the spring of 2006, border fences and border control were not new, which is why it was so difficult for Ezekial and his group to cross the boundary even then. Fences, in fact, had been growing in length and height for almost a century.⁵ The expanding structures, accompanied by increasing numbers of Border Patrol agents hired to police the border line, did not make it impossible to cross the border, but they did make the journey more difficult, more dangerous, and often, more deadly. In doing so, control measures combined with the harsh, desert landscape sometimes did manage to keep some people out of the United States, as they did in the case of the woman Ezekial and his fellow travelers left behind. And, in Ezekial's case, as the control apparatus grew over time, those who made it did not cross into freedom, rather they found themselves entering an immense and dynamic carceral space.

The United States is known for its mass-scale, punitive confinement that is often highly racialized. Scholars have pointed to the “vast archipelago of prisons, jails, and immigrant detention centers” within the United States, which cage the world’s “largest prison population,” most of whom are “black or brown, and poor.”⁶ But the border itself has not been understood as

4. Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge: Harvard University Press, 2018): 6. Ana Raquel Minian opens her monograph with an excellent discussion about the increase in the number of migrants who opt to settle permanently in the United States—a place that they refer to as the *jaula de oro*, or the cage of gold.

5. See William H. McKellar and George H. Hart, “Eradicating Cattle Ticks in California,” 26th Annual Report of the Bureau of Animal Industry for the Year 1909 (Washington, D.C.: Government Printing Office, 1910): 317; Rachel St. John, *Line in the Sand: A History of the Western U.S.-Mexico Border* (Princeton and Oxford: Princeton University Press, 2011): 103; Rachel St. John, “Divided Ranges: Trans-border Ranches and the Creation of National Space along the Western U.S.-Mexico Border,” in *Bridging National Borders in North America: Transnational and Comparative Histories*, eds. Benjamin Johnson and Andrew R. Graybill (Durham: Duke University Press, 2010); and Mary E. Mendoza, “Unnatural Border: Race and Environment at the U.S.-Mexico Divide” (Ph.D. diss., University of California, Davis, 2015):17–51.

6. Kelly Lytle Hernández, Khalil Gibran Muhammad, and Heather Ann Thompson, “Introduction: Constructing the Carceral State,” *Journal of American History* 102, no. 1 (June 2015):18–24.

a space or technology of incarceration, which, like the wider archipelago of prison systems, also targets a marginalized community. Kelly Lytle Hernández and others have noted the importance of the U.S.-Mexico borderlands as one of the “hot spots for policing and confinement.”⁷ Immigrants crossing the border or living within U.S. borders face a perpetual threat of deportation and detention, and, according to Martha Escobar, many of those migrants eventually also find themselves imprisoned.⁸ Discussions about the border fence as a tool for confinement, though, have been largely absent from the growing literature on carceral studies.

Building on the important work of scholars of mass incarceration, this article traces the history of the increasingly stringent border control apparatus along the U.S.-Mexico divide in the postwar era and argues that fence construction has transformed both the borderlands and the United States—an entire nation state—into a carceral space for undocumented immigrants, especially Mexican and Central American border crossers. In the wake of tightened control at the border itself, migrants far from the international boundary have found their mobility restricted on a massive scale, whether or not they have ever been physically placed in prisons or detention centers. Thus, the detention centers and prisons in which many Latino migrants often find themselves are merely extreme manifestations of an already carceral experience.

Border fences are central to this story. While they mark political boundaries, they also serve as both material and powerful psychological and emotional barriers for controlling bodily movement with violent force, making the border itself a critical site for understanding more recent histories of incarceration in the U.S. West and beyond. Fences, which became a dominant component of U.S. border enforcement plans in the postwar era, have had powerful effects on those who have tried to cross them as well as those “stuck” inside the United States because of the risks of crossing and re-crossing. In short, by using fences as tools for human confinement in the

7. Kelly Lytle Hernández, “Amnesty or Abolition? Felons, Illegals, and the Case for a New Abolition Movement,” *Boom: A Journal of California* 1, no. 4 (Winter 2011): 54–68; Kelly Lytle Hernández, Muhammad, and Thompson, “The Carceral State,” 18–24.

8. Martha Escobar, *Captivity Beyond Prisons: Criminalization Experiences of Latina (Im)migrants* (Austin: University of Texas Press, 2016); Torrie Hester, “Deportability and the Carceral State,” *Journal of American History* 102, no. 1 (June 2015): 141–51; Tanya Maria Golash-Boza, *Deported: Immigrant Policing, Disposable Labor and Global Capitalism* (New York: New York University Press, 2015); David Manuel Hernández, “Pursuant to Deportation: Latinos and Immigrant Detention,” *Latino Studies* 6, no. 1–2 (December 2007): 35–63.

postwar era, the United States has engaged in an explosive act of human caging not only within its borders, but also along them.

Material structures, fences, which range in design from a series of solid metal walls, to mesh wire and chain link, to massive prison-like bars placed inches away from each other, all topped with barbed wire, sever the landscape at the border between two nations. With rigid, sharp edges, they restrict movement across that shared boundary, sometimes violently. People have sustained injuries trying to breach the fence or else they have been pushed by these material structures out to the brutal southwestern landscapes known as “natural barriers.” There, migrants risk death in the face of raging river waters or encounter the dangers of dehydration and heat stroke in the desert.

Augmenting the effects of the material reality of fences, the psychological power of these barriers extends well beyond the international boundary line. From rural Vermont, to other distant corners of the nation, the far-flung effects of border construction and enforcement affect migrants on at least two different scales. First, the expanding barriers to entering the United States raise questions about the freedom to exit, rather than enter, the nation itself. While migrants could certainly choose to leave at any time, many who make the journey do so in order to earn money to support their families in their country of origin and leaving either by force or by choice might jeopardize those goals. On a second, more localized level, mounting difficulty for movement across national boundaries also restricts migrants’ abilities to move freely within their new communities. Once they have successfully made the journey through the highly patrolled patchwork of fences, checkpoints, and watchtowers, migrants throughout the United States face constant surveillance and the threat of deportation, forcing them to live in the shadows and to remain unseen. Together, these material and psychological barriers have transformed the United States into a nation of immigrant inmates—a nation where migrants are targeted, criminalized, policed, detained, confined, and deported.⁹

9. Kelly Lytle Hernández, “Amnesty or Abolition?,” 54–68; Kelly Lytle Hernández, Muhammad, and Thompson, “The Carceral State,” 18–24; Raquel Rubio-Goldsmith, M. Melissa McCormick, Daniel Martinez, Inez Magdalena Duarte, *The “Funnel Effect” & Recovered Bodies of Unauthorized Migrants Processed by the Pima County Office of the Medical Examiner, 1990–2005* (Tucson: Binational Migration Institute, 2006); Hester, “Deportability,” 141–51. For a longer history of incarceration in the U.S. West, see Kelly Lytle Hernández, *City of Inmates: Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965* (Chapel Hill, University of North Carolina Press, 2017).

MATERIAL BARRIERS

Like incarceration in the United States, the project of building the border has deep historical roots and those roots are deeply tied to the notion of bodily confinement—although not always of humans exclusively.¹⁰ The first border fences, built as early as 1911 by the Bureau of Animal Industry and overseen by the U.S. Department of Agriculture, consisted of four, sometimes five, strands of barbed wire strung across wooden fence posts along segments of the international boundary. Officials hoped that the barriers would control movement of cattle from south to north who might carry disease to animals within U.S. borders.¹¹ Intertwined with the wire on the fences, the barbs, with their sharp points, deterred migrating animals by cutting through wandering mammals' flesh on contact, even as they split the landscape along an arbitrary "line in the sand."¹²

By the middle of the twentieth century though, the implementation of the Bracero Program—a guest worker program that brought Mexican laborers to the United States to work from 1942–1964—made the border a hub for sometimes-violent regulation of *human* migration, and subsequently a force for controlling and confining human as well as non-human bodies. By creating

10. For a study of early incarceration in the West see Kelly Lytle Hernández, "Hobos in Heaven: Race, Incarceration, and the Rise of Los Angeles, 1880–1910," *Pacific Historical Review* 83, no. 3 (August 2014): 410–47.

11. Mary E. Mendoza, "Fencing the Line: Race, Environment, and the Changing Visual Landscape at the U.S.-Mexico Divide," in Katherine Morrissey and John-Michael H. Warner, eds., *Border Spaces: Visualizing the U.S.-Mexico Frontera* (Tucson: University of Arizona Press, 2018), 66–85; Rachel St. John, "Divided Ranges"; Mendoza, "Unnatural Border," 99–142; Mary E. Mendoza, "Battling Aftosa: North-to-South Migration across the U.S.-Mexico Border, 1947–54," *Journal of the West*, 54, no.1 (Winter 2015): 39–50; Earl B. Shaw, "Mexico's Foot-and-Mouth Disease Problem," *Economic Geography* 25, no. 1 (January 1949): 1–12; John R. Mohler, "Foot-and-Mouth Disease: With Special Reference to the Outbreaks in California, 1924, and Texas, 1924 and 1925," U.S. Department of Agriculture *Department Circular* 400 (Washington, D.C.: U.S. Government Printing Office, 1926). Manuel A. Machado, Jr., *An Industry in Crisis: Mexican-United States Cooperation in the Control of Foot-and-Mouth Disease* (Berkeley: University of California Press, 1968), 1; Manuel A. Machado, Jr., *Aftosa: A Historical Survey of Foot-and-Mouth Disease and Inter-American Relations* (Albany: State University of Albany Press, 1969), 13; U.S. Department of Agriculture, Agricultural Research Administration, Bureau of Animal Industry, "Summary of Developments in the Mexican Outbreak of Foot-and-Mouth Disease, With Supplementary Information on United States Cooperation in Control Measures," January 28, 1947, 3, "F&M Write Ups Etc" Folder, "ASI Archives Misc Photos coll. 178" Box, National Agricultural Library (NAL), Beltsville, Maryland; John Ledbetter, "Fighting Foot-and-Mouth Disease in Mexico: Popular Protest against Diplomatic Decisions," *The Southwestern Historical Quarterly* 104, no. 3 (January 2001): 386–415.

12. Rachel St. John, *Line in the Sand*; Reviel Netz, *Barbed Wire: An Ecology of Modernity* (Middletown, Conn.: Wesleyan University Press, 2004).

a regulated and thus sanctioned stream of migration from Mexico to the United States, the program instantly made nearly all other Mexican migrants unsanctioned, which ultimately led to efforts to limit their mobility. Hoping to control the flow of human migration, the United States partnered with Mexico to increase patrols along the border. Together with those measures, Congress allocated funds for the construction of chain-link border fences in urban areas to push migrants to less populated areas where border agents could more easily find and apprehend any unauthorized Mexican migrants.¹³ Barbed wire placed atop chain-link fences transformed a tool to inflict pain on and thus thwart the movement of cattle to one meant to cut through the flesh of a targeted group of human beings.¹⁴ Some of these fence materials came from disassembled internment camps, where Japanese Americans had been imprisoned during World War II, linking one racialized carceral project to another.¹⁵

As many other scholars have argued, the postwar era saw considerable expansion in the vast incarceration system within the United States.¹⁶ Border

13. L.M. Lawson, Commissioner, International Boundary Commission, "Fence Construction along the International Boundary," El Paso, Texas, October 29, 1940, Decimal File 711.12 158, 1940-1944, Box 2125, RG 59: General Records of the Department of State, NARA II, College Park, Md; L.M. Lawson, Letter to the Secretary of State, El Paso Texas, December 14, 1940, Decimal File 711.12 158, 1940-1944, Box 2125, RG 59, NARA II, College Park; International Boundary Commission, United States and Mexico, "Preliminary Survey and Investigation for Rio Grande Fence Project," Washington, D.C., April 3, 1941, Decimal File 711.12 158, 1940-1944, Box 2125, RG 59, NARA II, College Park. Kelly Lytle Hernández, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010), 137; Kelly Lytle Hernández, "The Crimes and Consequences of Illegal Immigration: A Cross-Border Examination of Operation Wetback, 1943-1954," *Western Historical Quarterly* 37, no. 4 (Winter 2006): 425-26; Mendoza, "Unnatural Border," 143-86; Peter Andreas, *Border Games: Policing the U.S.-Mexico Divide* (Ithaca: Cornell University Press, 2009), 33; Kitty Calavita, *Inside the State: The Bracero Program, Immigration, and the I.N.S.* (New York: Routledge, 1992); Deborah Cohen, *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico* (Chapel Hill: University of North Carolina Press, 2011); Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004).

14. Reviel Netz, *Barbed Wire*. Reviel Netz discusses the ways in which any kind of boundary, whether material or metaphorical, inflicts violence on bodies by restricting mobility. He stresses that barbs, however, are particularly violent because they are meant to restrict movement by inflicting physical pain.

15. Kelly Hernández, *Migra!*, 130. For more on Japanese Internment, see Connie Chiang, "Imprisoned Nature: Toward an Environmental History of the World War II Japanese American Incarceration," *Environmental History* 15, no. 5 (May 2010): 236-67; and Connie Chiang *Nature Behind Barbed Wire: An Environmental History of the Japanese American Incarceration* (New York: Oxford University Press, 2018).

16. Heather Ann Thompson, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History," *Journal of American History* 97, no.3 (December 2010): 703-34.

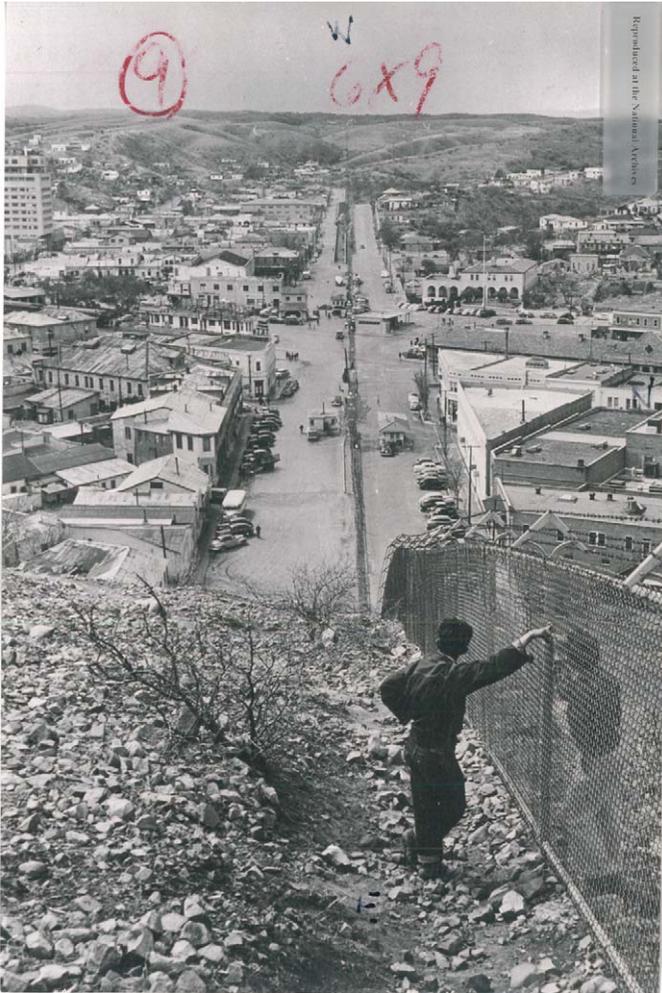


FIGURE 1. This 1955 image of Nogales shows new chain link fence with one set of wire hanging off of the north side of the fence.
Source: “The Fence at Nogales, 1955,” National Archives and Records Administration I (NARA I), Washington, D.C.

fences followed that same trajectory. Once the Bracero Program ended in 1964, efforts to stop mass migration from Mexico and Latin America to the United States intensified. The year after the termination of the program, Congress passed the 1965 Immigration Act, which set limits on the number of immigrants allowed to enter the United States from the Western

Hemisphere.¹⁷ For the first time ever, only a fixed number of Mexicans were allowed to enter the United States. By passing this law on the heels of a program that essentially institutionalized migration from South to North, Congress arguably created the modern-day immigration problem. In the subsequent decades, Congress funded increases in the number of Border Patrol officers, as well as equipment upgrades and more construction, and began the process of militarizing the U.S.-Mexico border to protect the United States from a virtual “Mexican invasion.”¹⁸

Because the 1965 law alone could not control the perceived “immigration problem” and the numbers of unsanctioned migrants entering the United States continued to rise, the Immigration and Naturalization Service (INS) looked for other ways to discourage migrants. In 1970, with more funding approved by Congress, the INS tested out an electronic fence in the 65-mile Chula Vista sector along the California boundary. Officials hoped that the new technology would help to catch migrants and also intimidate those who heard of it. This segment of fence consisted of electronic sensors that chimed at INS sector stations when interlopers crossed the line. *The Chicago Tribune* reported that the sensors included geophones, a type of seismic microphone buried in the ground that transmitted wireless detection of ground movement, as well as pressure-sensing devices and infrared detectors that responded to body weight and heat. Although it had its faults, the technology, originally used in the Vietnam War, initially proved to be fairly successful. In 1972, 30,000 of the 128,889 apprehensions made in the Chula Vista area were attributed to the electronic fence.¹⁹ In 1973, policymakers discussed the installation of these electronic devices along the border’s entire length but ultimately decided against it, in part because, although they had helped to successfully apprehend migrants, the electronic sensors could also be unreliable.²⁰ The new and complex technology caused innumerable false

17. For an in depth discussion of the period between 1965 and 1986, see Minian, *Undocumented Lives*.

18. William F. Kelly, Assistant Commissioner Border Patrol, Detention and Deportation Division, “The Wetback Issue,” *The I & N Reporter*, January 1954. Located in the INS Historical Reference Library, Washington, D.C.

19. David Andelman, “At Mexican Border: Electronic Line Fences Off the U.S.,” *Chicago Tribune*, July 15, 1973.

20. M.A. Fagan, American Consul, Tijuana, Airgram to Department of State, July 26, 1973. “Electronic Fence Along U.S. /Mexican Border,” Decimal File 711.12158, 1945–1949, Box 2478, RG 59, NARA II, College Park; David A. Andelman, “U.S. Implanting an Electronic ‘Fence’ to Shut Mexican Border to Smuggling,” *New York Times*, July 14, 1973.

alarms because it could not differentiate human and non-human movement. The electronic fence detected cattle, deer, and other animals and could also be set off by helicopters or small planes flying overhead.²¹ As a result, Border Patrol agents often deployed in pursuit of human migrants, only to find a herd of animals wandering around the borderline.

The failures of the electronic fence renewed discussions about immigration control and the need to build a new, more resistant fence to help curb the rising number of border crossers. Newspapers printed conflicting stories, though, and U.S. plans for construction were murky at best. Hoping to shed some light on the situation, a Mexican Ambassador wrote to the Secretary of State to clarify what, if anything, was happening on the border, and indicated that a fence, electronic or otherwise, might not be the best plan as far as U.S.-Mexico relations were concerned: “Although the government of Mexico recognizes the right of the United States Government to construct [a fence] within its own territory, it must express its concern over the repercussions which such construction would have on public opinion in Mexico and Latin America.”²²

In spite of Mexico’s subtle opposition, discussions about fences to bar entry into the U.S. continued as American concerns about immigration intensified. The media did not help to quell those concerns. By 1975, newspapers reported that the people entering the United States without documentation were countless. That same year, the Border Patrol reported that for every immigrant caught at the border, an estimated five or six made their way into the United States successfully, and according to them, those numbers continued to rise (see Figure 2).²³ In 1977, xenophobic concerns escalated as the media purveyed stories on countless immigrants who seemed to be taking over the Southwest with their “Mexican culture.”²⁴ Constant news coverage on the high volume of traffic allowed Border Patrol agents to request more funds, more structures, and more manpower to control the border environment.²⁵

21. Andelman, “At Mexican Border.”

22. Ambassador of Mexico, Department of State, Division of Language Services, Letter and translation presented to the Secretary of State, July 16, 1973, Washington, D.C., Decimal File 711.12158, 1945-1949, Box 2478, RG 59: General Records of the Department of State, NARA II, College Park.

23. Lawrence Meyer, “Aliens Hard to Count: U.S. Illegal Immigration Problem Defies the Numbers Game,” *Washington Post*, February 2, 1975.

24. John Kendall, “Illegal Aliens Called ‘Runaway Problem’ for U.S.,” *Los Angeles Times*, February 16, 1977.

25. Paul Houston, “Only 50% of Illegal Aliens Are Mexican, Official Says,” *Los Angeles Times*, March 13, 1975. After the Bracero era, migrants crossing the southern U.S. border became increasingly diverse and included migrants from all over Latin America.

Immigrant Removals, 1945–2013

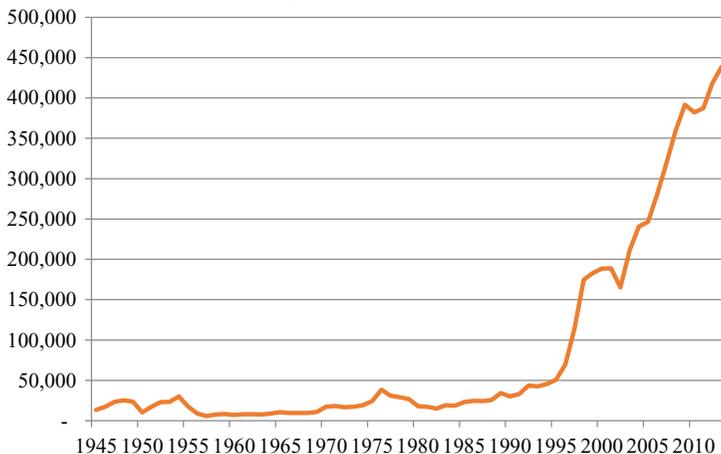


FIGURE 2. Immigrant removals in the post-war era. The graph shows a slight rise in the number of apprehensions in the mid-1970s as well as the rapid increase in apprehensions from the 1990s onward. *Source:* Data collected from U.S. Department of Homeland Security, *Immigration Yearbook*, <https://www.dhs.gov/immigration-statistics>, accessed May 13, 2016.

In October of 1978, despite the fact that the number of immigrant apprehensions actually had recently dropped (see Figure 2), plans for a new fence officially severed any remaining amicable relations associated with border control between the United States and Mexico that lingered from the Bracero era. In that year, the INS planned the construction of two new segments of border fences. According to INS reports, these structures, designed for high-traffic areas in El Paso, Texas, and San Ysidro, California, would be “the first of their kind on a U.S. border.”²⁶ With the fence’s two-foot concrete foundation beneath a five-foot impenetrable steel wall topped with extra-hard chain mesh and wire, U.S. INS officials proclaimed the new fence would be “an uncontroversial improvement in border control techniques.”²⁷

But the new fence was far from uncontroversial. After a news story in which George Norris, a representative of Anchor Post Products of Baltimore

26. Jim Schutze, “6 ½-Mile-Long ‘Tortilla Curtain’ Planned To Stem Tide of Illegal Mexican Aliens,” *Washington Post*, October 24, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II, College Park.

27. Schutze, “‘Tortilla Curtain’ Planned.”

and one of the contractors in charge of the new fence construction, claimed that the structure “would be made of metal so sharp that it could shear off toes,” Mexican officials publicly responded with outrage. Stressing the strength of the new “man-proof” fence, Norris boasted that any person attempting to climb it would “leave [his] toe permanently embedded in the fence.”²⁸ Pointing to its special design, Norris emphasized how painful and debilitating it would be for any human to scale the structure, making it the most secure border fence ever built.

Although the goal of the new project was similar to the bi-nationally supported fences built during the Bracero era, this was a unilateral effort and designed to control Mexican and other Latino migrants with the declared intent to literally maim them. Rather than passively pushing Mexicans into the desert, these fences would actively cut through the flesh of anyone who crossed them. The overt and public transition in purpose from diversion to mutilation revealed the level at which cross-border migration had become increasingly criminalized and punitive. Hoping to stop Mexican and other Latin American migrants, the INS had contracted Norris to design and build a fence that would ensure that those who tried to cross it would be dismembered.

Once the story with Norris’s interview broke, both Mexicans and Americans began suggesting that building a fence capable of injuring climbers would be an inhumane symbol of oppression.²⁹ Mexican-American coalitions across the United States denounced plans for the fences, claiming that the United States was using “Berlin Wall symbols to curb unsanctioned immigration.”³⁰ Ed Peña, director of the League of United Latin American

28. Frank Del Olmo, “U.S. Border Plan Held Up; Fence Design to Change,” *Los Angeles Times*, October 26, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II, College Park; “Mexican Border Fence Deferred,” *Washington Post*, October 25, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II, College Park.

29. “Stronger Fences at the Border,” *Los Angeles Times*, October 26, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II, College Park.

30. Roy Bode, “The Tortilla Curtain: Mexican-Americans Denounce Border Wall,” *Dallas Times Herald*, October 24, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II, College Park; Jim Schutze, “The Tortilla Curtain: U.S. to Erect 12-foot Barrier to Aliens in El Paso,” *Dallas Times Herald*, October 22, 1978, “Border Fence” folder, Box 78, Subject Files of the Attorney General Griffin B. Bell, 1977–1979, Entry P30, RG 60: General Records of the Department of Justice, NARA II.

Citizens (LULAC) in Washington remarked, “The Berlin Wall is a pretty potent symbol.” His LULAC colleague in Corpus Christi, Texas added, “It astounds me to no end that our [Carter] administration should talk in almost evangelical terms about human rights abroad while still ignoring the human rights of persons of Mexican ancestry.”³¹ In Juárez, Mexican nationals agreed. “This fence will be very much like the fence between East and West Berlin . . . it’s foreboding, it’s ominous,” noted Gaston De Bayona, the local director of International Relations. He suggested that “the fence will serve as a constant psychological reminder of Mexico’s relative poverty and lesser world power . . . a symbol dividing two countries, one more powerful than the other.”³²

Responding to all of the public outrage, U.S. President Jimmy Carter and Mexican President José López Portillo met in Mexico to discuss ways to reduce public concern over immigration control. The two agreed that construction of the fence would be postponed until late 1979, a date that would allow engineers and INS officials to decide upon a less violent fence design. To ensure that those who opposed the fence knew they had been heard, President Jimmy Carter, along with Attorney General Griffin Bell and U.S. Ambassador to Mexico Patrick J. Lucey, publicly denounced the original fence design.

Still, the Carter Administration still set out to build *something*. Not long after the two national leaders met, the INS presented plans for a “more humane” fence to be completed by the end of 1979. With presidential support, the INS oversaw the construction of two new segments of border fence in El Paso and in San Ysidro with plans for two more fences along the border the following year.³³

Despite the new design, the fence remained controversial because it exposed how border fortification projects had become a standard tool for the targeted exclusion and confinement of Mexicans and other Latin Americans. The Mexican government no longer requested aid in controlling movement across the border as they had during the Bracero era and, in fact, refused to endorse the dehumanizing conditions any new fence proposal evoked. Using a term coined by sociologist Clark Knowlton in reference to the veil covering Hispanic poverty in the 1960s, the new fence was christened the “Tortilla Curtain” by California resident and Southwest Regional Director of

31. Bode, “The Tortilla Curtain: Mexican-Americans Denounce Border Wall.”

32. Schutze, “The Tortilla Curtain: Barrier to Aliens in El Paso.”

33. Oscar Martinez, “Border Conflict, Border Fences, and the ‘Tortilla Curtain’ Incident of 1978–1979,” *Journal of the Southwest* 50, no.3 (Autumn 2008): 270–71.

the U.S. Catholic Conference Alfonso Velarde.³⁴ It was also another blatant reference to the concurrent Cold War imaginary boundary that divided Europe's communist nations from the rest. Velarde re-appropriated Knowlton's term as a satirical reference to the stark divisions between rich and poor and as a powerful metaphor for pervasive ideas within the United States about those who possessed freedom and those who did not. And, given what he saw as one of the fence's biggest weaknesses, he seemed to enjoy the racialized tortilla reference. When describing the fence as the Tortilla Curtain, Velarde said, "The Mexicans are going to eat it up . . . I've lived here on this border long enough to see that a fence isn't going to stop anything."³⁵

Responding to criticism, INS Commissioner Leonel Castillo, a self-identified Mexican American, argued that he believed that the newer, stronger fences would replace older ones and help his agency. Moreover, they would not cost very much. "[The barriers] are an economical way to begin to control the movement of persons across the border—better than hiring a thousand more Border Patrol agents," he said. Robin Clack, chief of operations for the INS, agreed that the fences would be a tremendous help to Border Patrol agents, but admitted that his agency could not stop all unauthorized crossers. "All this is supposed to do is throw them into the desert where they'll be easier to catch."³⁶ And, although Clack argued that these new fences would do the same thing as Bracero era fences had done—push migrants into places where they could be more easily caught—he ignored some key differences between them: that they were not supported by both nations, as previous fences had been, and that the rhetoric behind this new phase of construction supported complete, not selective, exclusion and containment of Latinos.

The Tortilla Curtain was built in segments in the most highly trafficked areas for undocumented immigrants. It was ten feet tall and set six inches deep into a concrete trough. The bottom four feet was made of galvanized metal grating while the remaining six feet was chain-link fence topped with barbed wire.³⁷ It marked a significant change in border control efforts. This fence represented a new era—one in which the U.S. government alone would

34. Schutze, "The Tortilla Curtain: Barrier to Aliens in El Paso."

35. John M. Crewdson, "Plans for the 'Berlin Wall' at El Paso Assailed," *New York Times*, November 7, 1978.

36. Schutze, "The Tortilla Curtain: Barrier to Aliens in El Paso."

37. Robert Montemayor, "Border Fence May Be Tied to Carter Trip," *Los Angeles Times*, December 14, 1978.

rely on a web of built and natural environments to catch and expel so-called undesirable persons with brute force.³⁸

Less than ten years after the construction of the Tortilla Curtain, poet and author Gloria Anzaldúa reflected on the physical and psychological violence that the new, massive fences inflicted, calling the border itself “*una herida abierta* [an open wound] where the Third World grates against the first and bleeds.” In a poem, she explains the violent nature of the fence:

I press my hand to the steel curtain—/ chain link fence crowned with
rolled barbed wire—/ rippling from the sea where Tijuana touches San
Diego / unrolling over mountains / and plains / and deserts, / this “Tortilla
Curtain” turning into *el río Grande* / flowing down to the flatlands / of
the Magic Valley of South Texas / its mouth emptying into the Gulf.

1,950 mile-long open wound / dividing a *pueblo*, a culture, / running down
the length of my body, / staking fence rods in my flesh, / splits me splits
me / *me raja me raja*.³⁹

Fence rods through flesh. Punishment for crossing. Pain and suffering. By the 1980s, this is what the border represented for many Mexicans and other Latinos: pain, punishment, and bodily control. The Tortilla Curtain intensified the progression of a vast and growing carceral project.

Still, because it was built in small segments, the fence did not entirely confine migrants. As Velarde had predicted, Mexican and other Latin American migrants did manage to dismantle portions of the 1979 fence.⁴⁰ Hoping to fully secure the border, U.S. policymakers looked for new ways to seal the boundary, but they could come up with only modified versions of old solutions: new laws and new fences. In 1986, Congress passed the Immigration Reform and Control Act (IRCA), which aimed to hold employers accountable for the legality of their employees, provide amnesty for Mexican immigrants within the United States, and tighten border security. When the law

38. Gus O. Krause, Chief of Police, Brownsville, Texas, to Fletcher L. Rawls, Chief Patrol Inspector, U.S. Border Patrol, McAllen, Texas, March 19, 1953, Fence-BP-Correspondence Re: Support and Opposition, Folder 56364/44.15, RG 85: Records of the Immigration and Naturalization Service, NARA I, Washington, D.C.

39. Gloria Anzaldúa, *Borderlands/La Frontera: The New Mestiza* (San Francisco: Aunt Lute Books, 1987), 24.

40. John Hurst, “Humble Fence Makes Good Neighbors: U.S.-Mexico Border Life Placid at Tecate,” *Los Angeles Times*, April 23, 1980; “A Faulty Fence at Calexico,” *Los Angeles Times*, February 22, 1979; Robert Montemayor, “INS Chief Admits Problems with Fence: Arizona Senator Blasts Project as a ‘Travesty,’” *Los Angeles Times*, February 16, 1980.

failed to stop unsanctioned immigration, Congress again authorized the construction of a new fence.

In 1994, under the Clinton Administration, the INS launched three different operations in Texas, Arizona, and California to increase border security in various ways. These operations, known as Operation Gatekeeper, Operation Hold the Line, and Operation Safeguard, “beefed up the border” by adding several new agents, more sensors, and stadium lights, and extended the physical barrier from dilapidated chain link fence to forty-five miles of wall.⁴¹ Officials hoped that, like the fences that came before it, this new one would stem the flow of migrants in highly trafficked areas. What was unique is that officials claimed that the fence would also protect immigrants who crossed over. The Border Patrol Commissioner at the time professed that securing the fence and making it impermeable would keep migrants from running across highways as they darted through holes in the existing fence, often into the line of oncoming traffic on six-lane border highways. During the 1980s and into the 1990s, immigrants dashed through gaping holes in large groups across the highways where cars traveled at high speeds.⁴² Several Mexicans died annually because of highway accidents; and, according to the Border Patrol chief, the fence would save lives by preventing such accidents. Here, Border Patrol agents used the guise of protection as a reason to engage in racially exclusionary practices.

But despite these claims, the fences were not protective, they were violently restrictive. Made of corrugated metal that was used for aircraft landing strips during Vietnam, the fences extended migrant journeys from Mexico to the United States, putting migrants at greater risk.⁴³ Each fence was 12 feet tall and, once again, “starkly reminiscent of the Berlin Wall.”⁴⁴ Alongside the fence, engineers cut new roads and trails that enabled Border Patrol agents to move quickly in their vehicles along the hills and into the ravines along the fence so that they could track down those who tried to bypass the structures. Agents also placed stadium lights along the fence that lit up to one quarter of a mile of the U.S. borderlands.⁴⁵ The border had become a militarized space of surveillance and punishment.

41. Joseph Nevins, *Operation Gatekeeper: The Rise of the Illegal Alien and the Making of the U.S.-Mexico Boundary* (New York: Routledge, 2002).

42. Seth Mydans, “One Last Deadly Crossing for Illegal Aliens,” *New York Times*, January 7, 1991, A1.

43. Nevins, *Operation Gatekeeper* (New York: Routledge, 2002).

44. B. Drummond Ayres, Jr., “New Border Defense Stems Volume of Illegal Crossings” *New York Times*, October 6, 1994, A1.

45. Ayres, Jr. “New Border Defense.”



FIGURE 3. Gatekeeper Fence in Tijuana, Baja California (Mexico) with new fence prototypes in San Ysidro, California (USA) built in 2017 in the background. *Source:* Photo by author, 2018.

Twelve years later, the Secure Fence Act, with its 700 miles of fence construction, solidified the transformation of the border from an open range to a carceral space. With tall, metal bars placed inches apart, the fence looked like one side of an enormous prison cell. While migrants continued to cross the line, the fences and patrols increased the risk of detection, detention, and deportation. And the growing web of patrols and fences working alongside the desert landscape, targeted mostly Mexicans and other Latin Americans (see Figures 4 and 5).

The material barriers were violent and did not just maim, they killed. Fences, tall and narrow, were topped with sharp, metal plates that could cut someone as they wrestled over them. In some locations, the top of the fence angled toward Mexico, and had wire along it so that when a migrant neared the top, he or she would have to fight barbs as well as gravity to clear the top. And built structures pushed people further into “natural” barriers and dangerous landscapes. In the desert and areas along the Rio Grande that remained open, migrants risked drowning, dehydration, and death. In October of 2006, the Bi-national Migration Institute reported that between

All Removals by Country of Origin, 1993–2013

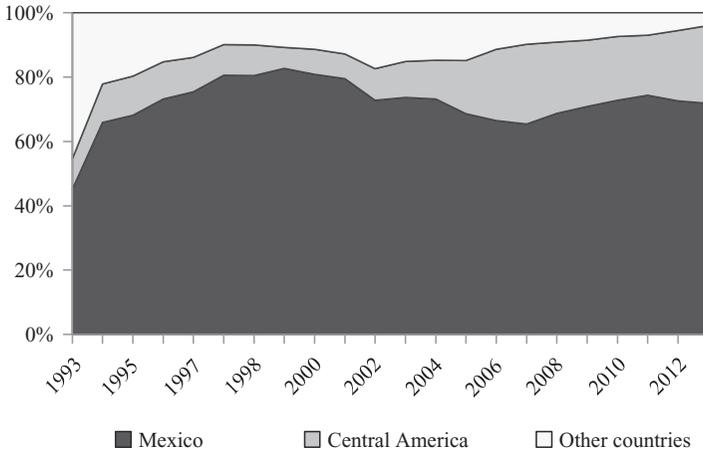


FIGURE 4. This graph of immigrant removal data illustrates that, in spite of increasing diversity among border crossers, the majority of those crossing the border between 1993 and 2013 continued to be Latino, either Mexican or Latin American. *Source:* Data collected from U.S. Department of Homeland Security, Immigration Yearbook, <https://www.dhs.gov/immigration-statistics>, accessed May 13, 2016.



FIGURE 5. The fence at Nogales showing large metal bars erupting from the ground. *Source:* Photo by the author, 2009.

1990 and 2003, the Pima County Examiners Office saw a huge rise in the number of deaths along the entire border, many of which occurred in the Arizona-Sonora Desert. According to the report, between 1990 and 2005, the Tucson Sector alone faced a twenty-fold jump in known migrant deaths alone, all due to the “funnel effect” of the expanding structures. Those deaths continued to skyrocket well into 2006 and beyond.⁴⁶

The funnel effect, or the marrying of the natural and the built environments to seal off the border, was an intentional move. Commenting on border enforcement design, former INS Commissioner Doris Meissner said, “We did believe that the geography would be an ally to us.” She went on to describe that INS officials thought that the number of unsanctioned crossers would dwindle once people began to experience the difficulties of crossing in the desert and that would, in effect, close the border almost entirely, restricting mobility and taking lives in the process. Like other systems of policing and incarceration, targeting immigrants by fencing the border—violently restricting human mobility—was a conscious and concerted effort. The woman who traveled with Ezekial fell victim to this tactic. After struggling through a harsh landscape, she injured herself and had to surrender to whatever fate came her way.

Responding to increased border surveillance, Gabe Shivone from the Alliance for Global Justice argued that life inside the United States was almost worse for migrants than what they faced at the border saying, “a violent industry of incarceration and abuse absorbs especially undocumented people who might survive a weaponized desert.”⁴⁷ He, like many scholars, recognized the massive system of incarceration and detention that migrants increasingly face within U.S. borders, but Shivone, like many others, ignored that the fences and dangerous landscapes were themselves tools of incarceration.

PSYCHOLOGICAL BARRIERS

The exclusionary act of caging people out, though, also trapped people within the United States. The physical and material realities of the growing border control apparatus, combined with historical trauma and memory, pressures of family obligation, and fear of surveillance and deportation all worked together to create powerful psychological barriers that affected migrants far from the border itself. Ezekial, for example, living roughly 2,500 miles away

46. Rubio-Goldsmith et al, *The “Funnel Effect,”* 6.

47. Gabe Shivone, “Death As ‘Deterrence’: the Desert as a Weapon,” Alliance for Global Justice, <https://afgj.org/death-as-deterrence-the-desert-as-a-weapon>, accessed April 2, 2016.

from the material realities of the growing border control apparatus, is terrified of the risk he would take by exiting the United States. Many other migrants have expressed similar fears.

Even if they *can* leave the United States, they *feel* as though they cannot, and that feeling of restriction matters. Sometimes the memory of crossing the border alone is enough to keep an immigrant from returning home. Remembering his journey, Ezekial described his struggle to survive, “At one point there was no water. I had to drink my own urine to survive. How can I even describe what that is like? It’s horrible, but it’s all that you have.”⁴⁸ Poncho, another farmworker said, “The desert is the first place you go through when you become an immigrant. I walked three days and two nights. Thirteen of us came. I had never experienced the desert. The crossing was very difficult for me because I hadn’t imagined what it was like, what the desert was like. In the desert we saw animals: something like turtles, rattlers, cadavers, dead people, and a lot of cacti . . . I said to myself, What do I get by coming here? How did I fool myself?”⁴⁹ Poncho went on to describe how, initially, he had been caught by the Border Patrol and put in jail. The agents took his food and the few supplies he had, then eventually dropped him somewhere in Mexico where he had to start all over. After making that trek more than once just to get in, the thought of risking deportation or leaving voluntarily, which would deny him a steady paycheck, was too much to bear.

Another young man described his experience: “We walked two days and two nights . . . it was really cold. I don’t want to remember that. It’s difficult. Very, very ugly. It’s not easy. It’s not easy because you risk your life. You play with death. When I crossed the border, I saw two bodies, two dead people. There are thousands that have stayed [in the desert]. How do I describe it to you? They don’t complete [the journey], they don’t realize their dream of arriving to the United States.”⁵⁰

These few examples reflect the realities of millions of people who have crossed the border over the past several decades. Whether they traveled far from or remain close to the border, those who experienced the “weaponized” landscape carry the memory of it with them, and, as illustrated by this small

48. Ezekial, interview conducted by the author.

49. Poncho, “My Two Countries” in *Invisible Odysseys: Art by Farmworkers in Vermont*, ed. B. Amore (Benson, Vt.: Kokoro Press, 2012).

50. Anonymous, interview by Chris Urban, 2008, Interview #3, Vermont Folklife Center, Middlebury, Vt. Translation mine.

sample of migrants, those stories are harrowing enough to convince them that they cannot leave the United States.

Studies have shown that increased construction and enforcement have provoked both a sharp upsurge in the number of deaths near the border and significant growth in the number of migrants who permanently settle in the United States. In 2002, for instance, the Public Policy Institute of California reported: "Data from a 1992 survey in Mexico indicate that 20 percent of people who moved to the United States 24 months before the survey year returned within six months of migration." By 1997, the number who returned had dropped to 15 percent and in 2000, the number had dropped to 7 percent. North of the border, the same research briefing stated that the number of unauthorized migrants living in the United States was at an all-time high and argued that there is "strong evidence that unauthorized migrants are now staying longer in the United States" because of increased enforcement. The report noted that the number of migrants who die crossing the border has also risen, likely underlying the reason for longer-term settlement. On that same topic, Wayne Cornelius has also argued that a "genuinely unintended consequence of the new border enforcement has been a higher rate of permanent settlement among undocumented migrants in the United States." The numbers confirm the conclusions of these studies. As efforts to curb immigration have escalated, the number of migrants opting to return voluntarily to their country-of-origin has dropped dramatically (see Figure 6).⁵¹

The sense of responsibility to the families they left behind also creates a psychological barrier that keeps migrants working and thus keeps them from returning home. Many immigrants stay in the United States because they strongly believe that sacrificing their own freedom could give their families greater socioeconomic mobility and security. "I simply want my family, wife, and kids to be able to have a good education, clothes, shoes, and a house of their own," one man said. "I want my kids to go to college . . . so they don't have to abandon their families and put their lives at risk crossing the desert, walking five days, without water or food . . . Believe me, I worked very hard in

51. Rubio-Goldsmith et al, *The "Funnel Effect"*; Summary of Belinda L. Reyes, Hans P. Johnson, and Richard Van Swearingen, report *Holding the Line? The Effect of the Recent Border Build-up on Unauthorized Immigration*, 2002; "Has Increased Border Enforcement Reduced Unauthorized Immigration?" Research Brief prepared by the Public Policy Institute of California, July 2002, Issue 61; Wayne A. Cornelius, "Death at the Border: Efficacy and Unintended Consequences of US Immigration Control," *Population and Development Review* 27, no. 4 (December 2001): 661–85.

Immigrant Removals and Voluntary Returns, 1945–2013

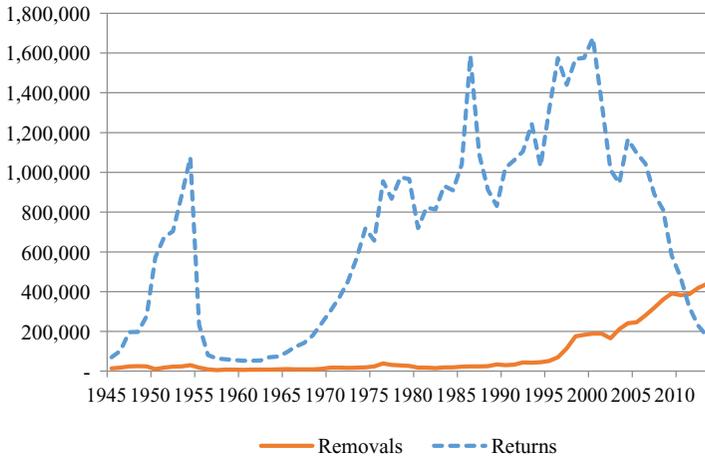


FIGURE 6. As border enforcement has increased in the postwar period, voluntary returns of immigrations have decreased. *Source:* Data collected from U.S. Department of Homeland Security, Immigration Yearbook, <https://www.dhs.gov/immigration-statistics>, accessed May 13, 2016.

my country to be able to give my family what they needed, but with 500 pesos a week you can't do much." Reflecting on why he would even bother to cross the desert and commit to a life of work and confinement, another migrant said, "It is an experience you take on . . . in Mexico it is difficult to find work, and here [in the U.S.] the pay isn't much, but we have to work to support our families."⁵² For many men and women who make it into the United States, familial responsibility and the knowledge that if they returned home the opportunities to re-enter the U.S. are shrinking, is enough to keep them from leaving their jobs. The desire to help their family escape poverty at home is enough to push them to sacrifice their freedom abroad. Echoing that sentiment, another farmworker said, "Necessity forces you. Desire is one thing. Reality is another. And well, we're in need and so we're trapped."⁵³

Migrants carry the psychological trauma of border crossing and the threat of apprehension with them wherever they go. And although the real fences and material barriers are often behind them once migrants are on U.S. soil, both the memory of the struggle and the fear of deportation continue to limit

52. Anonymous in *Invisible Odysseys*, ed. Amore, 43, 38.

53. Anonymous, interview by Urban, 2008, Interview #3. Translation mine.

their movement, wherever they end up. Reflecting on his life and questioning his own sacrifice, one laborer said, “What good is money if I am here like a prisoner inside this large nation. When I realize this, I cry. Although this cage is made of gold, that doesn’t stop it from being a prison.”⁵⁴

The cage though, was not just the nation itself, it existed on smaller scales as well. On a very local level, migrants across the United States face external forces that also make them feel trapped. Occasional raids by Immigration and Customs Enforcement keep farmworkers awake at night and discourage them from leaving their homes. The threat of punishment for bypassing the fence at all lurks at every turn. Border enforcement extends well beyond the international boundary and, in many parts of the country, state and municipal police forces have the authority to detain and deport undocumented persons. Worried about deportation, these migrants are confined to the farms where they work and sleep, making each of these places carceral spaces. Because they are subject to apprehension and detention at any moment, their mobility is constantly limited through self-policing. Fearful that they might be sent to an actual detention facility, or be torn from their families, migrants lock themselves into the safest places that they can find. Like prisoners, undocumented immigrants in the United States have what they need to survive, but their freedom of movement without punishment is severely limited.

CONCLUSION

Over the past several decades, the complex machine of immigration enforcement both along the U.S.-Mexico divide as well as within the United States has grown exponentially, making it more difficult to both enter and exit the United States. As fences have grown over time, they have transformed the border landscape into a series of prison-like walls meant to prevent migrants from entering U.S. territory. These walls, increasingly violent in nature and meant to restrict human mobility on a massive scale, were a product of the postwar era and developed alongside a nexus of other carceral systems aimed at controlling mostly brown and black bodies inside the United States.

The escalation of fence construction and enforcement along and within U.S. borders represents a critical component of a dynamic carceral system that continues to grow. The construction of new border wall prototypes, the recent emergence of tent cities for detention, and the separation of innocent

54. Anonymous, interview by Urban, 2008, “The Golden Cage,” Vermont Folklife Center. Translation mine.

children from their parents who have been placed in hubs of detention across the United States all suggest that the growth of the border control apparatus is a critical part of a larger, racialized system of human caging and detention. Here, carceral experiences are seen at multiple levels, from the international to the local. Whether physically detained or imprisoned, or hiding in a small house in Vermont, those who have crossed the border in the past several decades have not crossed into freedom, and they face more than just abstract threats to their autonomy. They are trapped within a system that holds incredible power, one that affects their lives at every level, making it one of the most difficult kinds of systems to escape. ■

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