

UNIVERSITY OF CALIFORNIA,
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**Built to Order:
Violence, Border Enforcement, and the
Construction of the Tortilla Curtain, 1978-1979**

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Abstract

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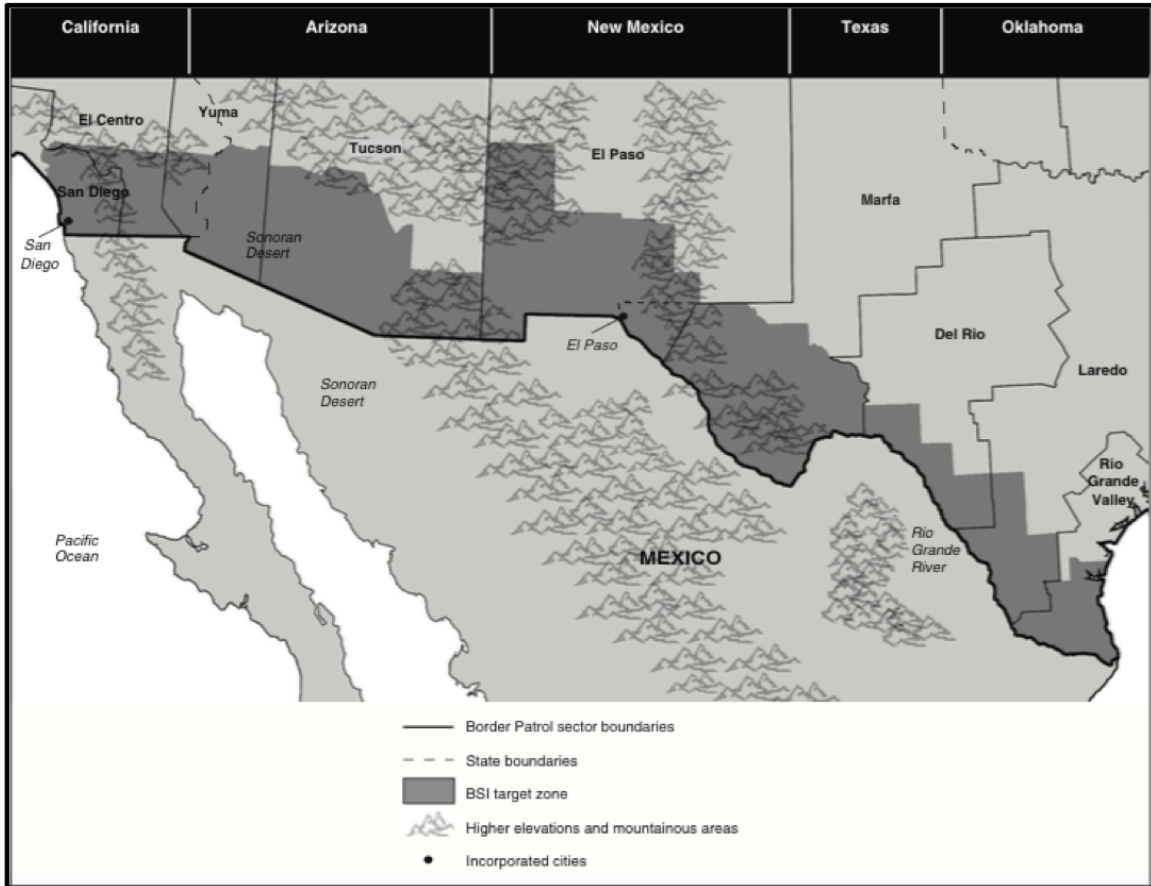
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In 1978, the United States Immigration and Naturalization Service (INS) began construction on newly commissioned border fences in the El Paso and San Diego regions of the U.S.-Mexico border. These fences, infamously nicknamed the ‘Tortilla Curtain,’ became the center of a cross-border controversy due to their initial, violent design. This flashpoint over the commission and construction of a weaponized border fence marked an important shift to increasingly unilateral border enforcement underscored by the U.S. intention to use threats of both direct and environmental violence to deter and punish unauthorized border crossers. The incident exacerbated ongoing racialization and criminalization of migrants in the U.S.-Mexico borderlands, and fundamentally altered the development of policy, policing, and public perceptions pertaining to the U.S.-Mexico border. The Tortilla Curtain was thus a critical turning point in the history of border enforcement, and a significant step toward the ‘Prevention Through Deterrence’ strategy that the INS has embraced since the early 1990s.



*Figure 1: Map of U.S.-Mexico Border showing U.S. Border Patrol sectors and regional topography in relation to the cities of San Diego, California and El Paso, Texas. As included in U.S. Government Accountability Office, Report to the Honorable Bill Frist, Majority Leader, U.S. Senate: **ILLEGAL IMMIGRATION: Border-Crossing Deaths Have Doubled Since 1995; Border Patrol's Efforts to Prevent Deaths Have Not Been Fully Evaluated**, August 15, 2006.*

Introduction

In October 1978, the *Washington Post* dispatched a journalist to Texas to cover the construction of a new group of fences along the U.S.-Mexico border. Fences had lined the international border for decades, and the placement of these new iterations were not cause for debate. However, as a named George Norris boasted to the *Washington Post* reporter, these fences were unique because they had been designed with “wire mesh in [their] lower four feet” so “razor sharp” that anyone who tried to climb over them would leave their fingers and toes “permanently embedded in the fence.”¹

The United States Immigration and Naturalization Service (INS) had commissioned these fences, which would infamously become known as the ‘Tortilla Curtain,’ in an attempt to stop the traffic of undocumented immigrants and unregulated goods into the United States. Many INS officials and Border Patrol agents viewed the new design as innovative, one that would deter aspiring border crossers and thus lighten the workload of agents near El Paso and San Diego, popular entry points from Mexico into the United States. Control over these urban areas had historically been tenuous, and the new construction promised a potential solution. As the wall of metal fencing went up, however, many government actors, journalists, advocacy groups, student organizations, and citizens on both sides of the border were appalled by the INS’s seemingly blatant intention to maim Mexican nationals crossing the border without authorization. The Tortilla Curtain fences thus became the center of a swirling international controversy about the use of violence against migrants, as well as the nature of border enforcement itself.

¹ “Mexican Border Fence Deferred,” *Washington Post*, October 25, 1978.

Despite the public attention that the Tortilla Curtain garnered in the late 1970s, historians have largely overlooked its construction and subsequent controversy. Scholarship focused on the U.S.-Mexico border tends to emphasize either the early decades of the border's existence, from its creation in 1848 up to the founding of the U.S. Border Patrol in 1924, or contemporary tensions over immigration and border enforcement, from the implementation of 1990s enforcement efforts until today. In addition, there exists a significant body of work on the World War II and postwar period, dedicated largely to the study of the Bracero Program (1942-1965). The Tortilla Curtain, however, lost in the years between the Immigration and Nationality Act of 1965 and the Immigration Reform and Control Act (or IRCA, 1986) has received only scant consideration. The 1970s, lacking the legal tumult of the decade on either side, are wrongly treated as a lull; undocumented immigration and border-crossing apprehensions both in fact reached their peak in the late 1970s.²

The border has continued to play a polarizing and controversial role in politics in the years since the Tortilla Curtain incident, particularly following the INS's official transition in 1993 to the 'Prevention Through Deterrence' (PTD) strategy. In the words of Michael Pearson, former Executive Associate Commissioner for Field Operations at the INS, the goal of PTD was to "elevat[e] the risk of apprehension to a level so high that prospective illegal entrants [would] consider it futile to attempt to enter the U.S. illegally."³ Former INS Commissioner Doris Meissner admitted later that year that the

² Douglas S. Massey and Karen A. Pren, "Unintended Consequences of US Immigration Policy: Explaining the Post-1965 Surge from Latin America," *Population and Development Review* 38, no. 1 (2012): 3-4. See Figure 2 for the INS's estimates of these statistics.

³ United States Congress, United States Senate, Committee on the Judiciary, Subcommittee on Immigration, *Enhancing Border Security: Hearing Before the Subcommittee on Immigration of the Committee on the Judiciary United States Senate*, 106th Cong., 2nd sess., February 10, 2000.

INS had purposefully planned to channel migrants into the unfenced and unpatrolled mountain and desert regions of the border. “We did believe,” Meissner said, “that geography would be an ally to us.”⁴ The INS hoped, in other words, that the violence and unpredictability of unauthorized border crossing would shift into regions that were out of sight of international scrutiny, and therefore out of the public mind.

An examination of the Tortilla Curtain incident reveals deeper roots of PTD strategy. This flashpoint in 1978-1979 over the commission and construction of a weaponized border fence marked an important shift to increasingly unilateral border enforcement underscored by the U.S. intention to use threats of both direct and environmental violence to deter and punish unauthorized border crossers. A critical turning point in the history of border enforcement, the Tortilla Curtain incident exacerbated the ongoing racialization and criminalization of migrants in the U.S.-Mexico borderlands, and fundamentally altered the development of policy, policing, and public perceptions pertaining to the U.S.-Mexico border.

The first section of this thesis, “Contextualizing the Curtain,” summarizes the goals and tactics of enforcement on the U.S.-Mexico border before 1978, as well as the development of racializing and criminalizing discourse about immigrants in the United States. The second section, “Conceptualizing Violence,” identifies the ways in which violence has historically been imbricated in border enforcement. The third section, “Considering Control,” examines the INS’s motivations and justifications for commissioning new fences in 1978. The fourth section, “Construction Begins,” sketches out the fence’s original design, including the particular features that would quickly attract

⁴ Tessie Borden, “INS Commissioner Doris Meissner Announces New Crackdown on Migrant Smuggling in Arizona and Nevada,” *The Arizona Republic*, August 10, 2000.

criticism. The fifth section, “Concerns and Controversy,” explores the strong cross-border reactions to both the Curtain’s design and the INS’s broader enforcement strategies. The conclusion evaluates the impact of the Tortilla Curtain incident on ongoing violence in the U.S.-Mexico borderlands and on the evolution of U.S. enforcement strategies since the late 1970s.

Contextualizing the Curtain

In the fall of 1978, the Tortilla Curtain fences made the violence of border enforcement suddenly visible to international audiences. And yet, as long as the “enforcement web”⁵ has existed, it has relied on violence. Understanding how this web was built and how it operated by the 1970s requires tracing two trajectories that deeply inform enforcement strategy: immigration legislation and the U.S. Border Patrol’s fixation with the movement of Mexican nationals.

From the border’s delineation in 1848 until the early twentieth century, the “web” was relatively loosely woven and the border largely unpatrolled, especially for Mexican immigration. Beginning in the 1920s, however, the evolution of immigration legislation and border enforcement strategy changed the crossings of many migrants from mundane everyday occurrences into punishable international crimes. By the end of the Great Depression, as historian Kelly Lytle Hernández has observed, “Border Patrol work in the U.S.-Mexico borderlands was almost entirely dedicated to the project of policing

⁵ This phrase is borrowed from the ACLU’s description of border militarization. See: American Civil Liberties Union and California Rural Legal Assistance Foundation, *Petitioner’s Second Supplemental Memorandum Submitted to the Inter-American Commission on Human Rights, American Civil Liberties Union of San Diego and Imperial Counties and California Rural Legal Assistance Foundation v. United States of America*, May 9, 2001.

unsanctioned Mexican migration.”⁶ As the Border Patrol “consolidate[d] its role as the nation’s gatekeeper” in the late 1930s, historian Alexandra Minna Stern adds, they became particularly attentive to Mexican cross-border movement. This racial focus “helped to orchestrate the criminalization of Mexicans and Mexican Americans, many of whom had circulated for years in a multiracial binational region and were now gradually converted into ‘aliens’.” This shift occurred gradually as the Border Patrol sought to “preserve the imagined racialized cohesion” of the United States and solidify its “new persona” as the “benevolent protector of the body politic.”⁷ Mass deportations and repatriations during the Great Depression reinforced ideas of Mexican illegality and illegibility for permanent citizenship; as historian George Sanchez has argued, it was in the context of this hostile environment in the 1930s that the Mexican American identity was forged – in response to and alongside racism which “sought to deny Mexican Americans a claim to being ‘Americans.’”⁸

⁶ U.S. regulation of the migration of Mexican laborers amplified slightly with the Immigration Act of 1917, “which required all prospective immigrants to submit themselves to official inspection prior to entry, pay eighteen dollars for head taxes and a visa fee, and pass a literacy test and health examination before they could legally enter the United States.” The INS slackened these rules during World War I, when Mexican labor was greatly needed to boost the wartime economy, letting Mexican migrants who would have been unable to comply with such requirements enter freely until the Immigration Act of March 4, 1929. This act criminalized unauthorized immigration from Mexico, and “defined unsanctioned border crossings as a misdemeanor for first-time offenses and a felony punishable by 2-5 years in prison and a fine of ten thousand dollars for second offenses.” Kelly Lytle Hernández, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010), 89, 92, 101.

⁷ Alexandra Minna Stern, “Nationalism on the Line: Masculinity, Race, and the Creation of the U.S. Border Patrol, 1910-1940,” in *Continental Crossroads*, eds. Samuel Truett and Elliott Young (Durham: Duke University Press, 2004), 299, 317.

⁸ George J. Sanchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1900-1945* (New York: Oxford University Press, 1993), 12-13. David Gutiérrez has further argued for the consequences that immigration in the twentieth century had on conceptions of the Mexican American identity. The heterogeneity of the Mexican and Mexican American community in the United States, he argues, resulted from the “daily decisions” about identity – “politically, socially, and culturally – in comparison to more recent immigrants from Mexico.” See: David G. Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (Berkeley: University of California Press, 1995), 6.

Scholars agree that the Bracero Program (1942-1964) represented an important turning point in both the enforcement strategies of the U.S. Border Patrol and in the conceptualization of the “illegal” immigrant, two developments inexorably linked to one another and to violence on the border.⁹ Moreover, as Kitty Calavita has summarized, border enforcement faced a new challenge in this era: both the “formal and informal policies” of the Bracero Program “attempted to institutionalize the flexible and temporary nature of the Mexican labor supply,” contributing to an unprecedented, drastic increase in unauthorized border-crossers.¹⁰ Jobs awaited workers, whether they were contracted through the Program or not. As the Bracero Program wore on, “Mexican border officials helped the U.S. Border Patrol to erect fences designed to reduce illegal immigration by making undocumented border crossings more dangerous.” These fences, Lytle Hernández argues, helped to drive “the violence of immigration law enforcement deep into the landscape of the border...The bodies of unsanctioned Mexican migrants were still maimed and mangled but – unlike what happened in the past – U.S. Border Patrol officers rarely delivered the blows.”¹¹

⁹ The Bracero Program was a formal contract labor agreement between the United States and Mexico that resulted in the importation of thousands of Mexican contract workers into the United States in the twenty-two years of its operation. For this reason, historians point to its beginning in 1942 as a moment in which attention to “illegal immigration” amplified. However, as historian Mae Ngai argues in *Impossible Subjects: Illegal Aliens and the Making of Modern America*, the concept of the “illegal” immigrant predated the Bracero Program by nearly two decades. Ngai locates the origination of “illegal alien” rhetoric with the Johnson-Reed Immigration Act of 1924. This act, she explains, “remapped the ethno-racial contours of the nation and generated illegal immigration as the central problem in immigration law.” By establishing the “racial boundaries of citizenship,” the restrictions of the Johnson-Reed Act emphasized territoriality and illegality. The U.S. Border Patrol was also founded in 1924, intended to enforce the Johnson-Reed Act and carry out the deportation policies it had formulated. See: Mae Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton: Princeton University Press, 2004), 17.

¹⁰ Kitty Calavita. “U.S. Immigration and Policy Responses: The Limits of Legislation,” in *Controlling Immigration: A Global Perspective*, eds. Wayne A. Cornelius, Philip L. Martin, and James F. Hollifield (Stanford: Stanford University Press, 1994), 59. Calavita argues that this increase is directly related to the stream of unsanctioned Mexican immigration that still exists today.

¹¹ Lytle Hernández, *Migra!*, 130-131, 126.

Since the end of the Bracero Program, border crossers have faced increasing levels of violence as a result of tightening legal restrictions and iterative fence constructions. In Lytle Hernández's words, "fortifying the border [has] structured a system of violence without perpetrators."¹² As undocumented immigration climbed steadily in the 1960s and 1970s, immigration law and border fortification contributed to this system's ongoing expansion. The Immigration and Nationality Act of 1965 imposed new visa restrictions that limited Western Hemisphere migration to 120,000 immigrants per year, and limited all other countries to 20,000 immigrants per year. In 1976, the Western Hemisphere Act amended the 1965 Act by extending the same per-country visa limits to Latin America, the Caribbean, and Canada.¹³ Rather than quell migration across the Southwest border, this new stringency only served to encourage the movement of migrants without visas.

Conceptualizing Violence

In light of the evolution of twentieth century border enforcement, the U.S. policy in the 1970s can be seen more clearly as an early example of modern policy, which prioritizes the protection of sovereign territory over the protection of human lives. A historical analysis of the Tortilla Curtain incident exposes the range of violence that has acted against unauthorized border crossers since the border's beginning. Parsing these different kinds of violence from one another further highlights just how crucial this controversy was to the arc of violent enforcement practices.

¹² Lytle Hernández, *Migra!*, 132.

¹³ Louis DeSipio and Rodolfo O. de la Garza, *Making Americans, Remaking America: Immigration & Immigrant Policy* (Boulder: Westview Press, 1998), 27-28. The 1965 Act and its successors also rewarded those potential migrants who had immediate family in the United States or who possessed specialized or high-demand job skills.

Previous scholarship has operationalized violence in the borderland context by conceptually dividing direct (personal) violence from indirect (structural) violence, both of which were implicated during the Tortilla Curtain incident. In its most generalizable form, to use the World Health Organization's definition, violence is "the intentional use of physical force or power, threatened or actual... which either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation."¹⁴ "When an identifiable actor commits the violence," these forces act on border crossers directly; "when there is no actor present... or when an undesirable or unjust outcome arises from seemingly acceptable, institutionalized practices of 'legitimate organizations,' these forces act on border crossers indirectly."¹⁵ Geographer Joseph Nevins has argued that "the very presence of the international boundary as an enforced line of control"¹⁶ contributes to ongoing violence. By his logic, the U.S.-Mexico border is a place where violence has been nationally sanctioned, implicitly or explicitly, as a means of border regulation. Modern enforcement policy has so fundamentally internalized this entitlement to control geographic sovereignty through violence, that severed toes and even death have become the consequences for those who try to cross national boundaries without authorization.

¹⁴ Etienne G. Krug, et al., "World report on violence and health," World Health Organization, 2002.

¹⁵ Joseph Nevins, "Thinking Out of Bounds: A Critical Analysis of Academic and Human Rights Writings on Migrant Deaths in the U.S.-Mexico Border Region," *Migraciones Internacionales* 2, no. 2 (2003): 184. Nevins posits that due to its passivity, indirect violence is less visible, and often goes "unnoticed and unchallenged" to the extent that "not only do we often not see its causes," but at times it is not even visible as violence." Historically and colloquially, therefore, indirect violence is often overlooked. Ethnic studies scholar John D. Márquez has additionally described these categories of violence in terms of "inflict[ing]" death versus "let[ting] die." See: John D. Márquez, "Latinos as the 'Living Dead:' Raciality, Expendability, and Border Militarization," *Latino Studies* 10 (2012): 482-483. Márquez references Michel Foucault's theories of biopolitics with this vocabulary, particularly Foucault's discussion of biopower and passive violence. See also: Michel Foucault, *The History of Sexuality: Volume 1: An Introduction* (New York: Vintage Books, 1990) and Michel Foucault, *"Society Must Be Defended": Lectures at the Collège de France, 1975-1976* (New York: Picador, 2003).

¹⁶ Nevins, "Thinking Out of Bounds," 172.

Direct violence typically elicits the most public outrage. If a Border Patrol agent shoots a migrant, if a border crosser's hand is mangled by concertina wire, or if a U.S. government jeep tails cars driving too close to the fence, the actors and outcomes involved are clear. Responsibility becomes significantly more nebulous if a body is recovered from the Sonoran desert, if discarded children's shoes are collected from the banks of the Rio Grande, or if a group of migrants perishes in the back of the tractor-trailer smuggling them across the border.¹⁷ Unlike direct violence, indirect violence can be nearly impossible to observe or to trace until it is too late.

Over the course of the twentieth century, indirect violence has influenced both the conditions that drive migration and the conditions that cause migrants bodily harm. At the crux of those conditions driving migration is the vast socioeconomic inequality between the United States and Mexico. Poverty, economic instability, and lack of social mobility in Mexico are all forms of structural violence, for they are “undesirable and unjust

¹⁷ These incidents have been soberingly common in the twentieth century; it would be impossible to cite each such event. For archival examples, see: Henry P. Anderson, *The Bracero Program in California: With Particular Reference to Health Status, Attitudes, and Practices* (New York: Arno Press, Inc., 1976), 11; INS Commissioner Joseph M. Swing, Letter to the Secretary of State, October 22, 1954, Box 11, Folder 17, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; D. R. Kelley, Memorandum for General Partridge, July 22, 1954, Box 11, Folder 17, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; William C. Cox, Patrol Inspector In Charge, Douglas, Arizona, Memorandum to District Director, El Paso, Texas, January 14, 1948, Box 11, Folder 22, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; W. F. Kelley, Chief Supervisor of Border Patrol, Memorandum for Major Lemuel B. Schofield, Special Assistant to the Attorney General, July 18, 1941, Box 11, Folder 6, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; Letter to the Assistant Commissioner, Border Patrol, Detention and Deportation Division, Chula Vista, May 4, 1953, Box 11, Folder 4, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles. For examples that were covered in local or national media, see: “Mexican ‘Wetbacks’ Crossing Border Risk Death in Torturous Desert Trek,” *Los Angeles Times*, May 3, 1950; “3 Mexican Sisters Die in Family Trek Across Desert,” *Los Angeles Times*, September 6, 1985; “18 Mexican Found Dead in Boxcar: Aliens Asphyxiated Trying to Enter U.S.,” *Washington Post*, July 3, 1987; “Robert Reinhold, ‘Bones Found on Mexican’s Desert Path to U.S. Jobs,’” *New York Times*, September 26, 1985; Patrick McDonnell, “Border Agent Cleared in Death of Mexican Boy,” *Los Angeles Times*, October 17, 1989; Michael Marizco, “Man Finds Kin’s Body After Long Hunt,” *Arizona Daily Star*, July 29, 2005.

outcome[s]” of systematic practices in Mexico.¹⁸ In personal accounts, immigrants often cite these less tangible factors as their main motivations for northward migration; they often note that their choice to enter the United States was influenced by the economic stability migration could bring.¹⁹ Though fairly consistent over time, several observable trends in these motivations emerge. Manuel Gamio’s 1931 study, *The Mexican Immigrant: His Life Story*, for example, includes reflections from immigrants who left Mexico looking to escape “the disorders of the revolutionary period” - conscription into the military, widespread hunger, scarce work opportunities, homelessness, and rampant violence.²⁰ In the Bracero years, waves of campesinos whose agricultural livelihoods had been decimated by food shortages and government-goaded industrialization started their northward paths to pursue labor, contracted or not, and to fight for economic survival.²¹ During the 1970s, as hundreds of thousands of Mexicans born during the baby boom of the 1950s and 1960s reached working age, the Mexican economy could not accommodate

¹⁸ Nevins, “Thinking Out of Bounds,” 184.

¹⁹ For examples, see personal accounts in José-Rodolfo Jacobo, *Los Braceros: Memories of Bracero Workers 1942-1964* (San Diego: Southern Border Press, 2004), Lynnaire M. Sheridan, “*I Know It’s Dangerous: Why Mexicans Risk Their Lives to Cross the Border*” (Tucson: the University of Arizona Press, 2009), or Manuel Gamio, *Mexican Immigration to the United States* (Chicago: University of Chicago Press, 1931).

²⁰ Pablo Mares, Luis Tenorio, Luis Morillo, Elisa Recinos, and Carlos Morales, as cited in Manuel Gamio, *Mexican Immigration to the United States* (Chicago: University of Chicago Press, 1931), 1-14. Historian George Sanchez adds that in the early twentieth century, “the very meaning of crossing the border was undergoing a transformation;” “moving north signified a momentous occasion” as increasingly restrictive legislation resulted in less back-and-forth migration and more “durable settlement north of the border.” George J. Sanchez, *Becoming Mexican American: Ethnicity, Culture and Identity in Chicano Los Angeles, 1910-1945* (New York: Oxford University Press, 1993), 9-10. Historian Vicki Ruiz, too, notes the increasing difficulty of circular migration in the 1920s and 1930s, and the “daunting and demeaning reception” that met Mexican immigrants as they entered the United States” in these years. Vicki L. Ruiz, *From Out of the Shadows: Mexican Women in Twentieth-Century America* (New York: Oxford University Press, 1998), 13. The dehumanizing process of medical examinations and disinfection treatments that became part of this “reception” in the early twentieth century was also related to growing Progressive-era fears of epidemic and contagion. As historian Mary E. Mendoza has persuasively argued, heightened scrutiny of immigrant bodies also contributed to perceptions of Mexican migrants as “dirty,” “diseased,” and “inferior to white American citizens,” “fuel[ing] the racialization process.” Mary E. Mendoza, “La Tierra Pica/The Soil Bites: Hazardous Environments and the Degeneration of Bracero Health, 1942-1964,” in *Disability Studies and the Environmental Humanities: Toward an Eco-Crip Theory*, eds. Sarah Jacquette Ray and Jay Sibara (Lincoln: University of Nebraska Press, 2017), 495.

²¹ Lytle Hernández, *Migra!*, 113.

the increase, and the idea of “go[ing] North for opportunity” became even more internalized.²²

Furthermore, federal regulation of emigration from Mexico and immigration into the United States can also be considered indirect violence. In the 1970s, revised visa limitations imposed by the Immigration and Nationality Act of 1965 could not support the existing volume of international migration. As the number of aspiring immigrants outweighed the number of available visas, the result was a powerful upwelling of the unauthorized immigration which the United States sought so stridently to quell.²³

Political scientist Lisa García Bedolla explains that the combination of “U.S. government policy, the lack of income redistribution in Mexico, and the direct recruitment of Mexican workers by U.S. companies” during the late 1960s and early 1970s contributed to this exponential increase. The 1965 Act therefore exacerbated the “phenomenon of undocumented western hemisphere migration,” a major factor in the structural violence that later came under fire in the Tortilla Curtain incident.²⁴ By 1975 the Act had created what *Washington Post* staff writer Leroy F. Aarons called “a new urban poverty class: the illegal immigrants, most of them Mexicans, who, in the last decade, have swarmed in ever-increasing numbers across 2,000 miles of border.”²⁵

²² Francisco Alba, “Mexico: A Crucial Crossroads,” *Migration Information Source* (February 25, 2010). It is important to note, as Vicki Ruiz has summarized, that although many “immigrants looked to the United States as a source of hope and employment,” “they soon discovered that material conditions did not match their expectations.” Vicki L. Ruiz, *From Out of the Shadows: Mexican Women in Twentieth-Century America* (New York: Oxford University Press, 1998), 8.

²³ Migration was experiencing a definitive peak during these years. Statistics from the Mexican Migration Project at Princeton University show that, indeed, 1979 was the year in which male and female undocumented migrants had the highest probability of taking their first trip to the U.S., and the lowest probability of returning within twelve months. “Graph 9: Probability of a Mexican Taking a First U.S. Trip,” *Mexican Migration Project*.

²⁴ Lisa García Bedolla, *Latino Politics* (Cambridge: Polity Press, 2009), 54, 181.

²⁵ Leroy F. Aarons, “A New Poverty Class,” *Washington Post*, February 2, 1975.

The fences at the center of the Tortilla Curtain incident, and other physical structures like them, represent perhaps the strongest symbols of indirect violence in the borderlands. Whether or not they include dangerous materials, as philosopher Reviel Netz has observed, inhibiting migration with the use of fences can nonetheless be seen as violent, for in preventing human motion, force against bodies “assumes a special kind of necessity.” Controlling movement “relies ultimately on the potential presence of force,” historically embodied on the U.S.-Mexico border by fences, agents, and harsh environmental surroundings.²⁶ By relying on the potential violence of such structures, enforcement policy makes violence against border crossers not only foreseeable but also inevitable.²⁷ Incorporating sharp or harmful elements into the design of fences only adds to the inevitability of injurious outcomes.

Although direct and indirect forms of violence had been a part of border enforcement tactics for decades, the restriction of legal migration, the continued economic ‘pushes’ from Mexico and ‘pulls’ from the United States, and the growing desperation of Border Patrol agents and government officials to hold the line created a perfect storm in the borderlands in the late 1970s. Out of this uncertainty, the Tortilla Curtain incident arose.

²⁶ Reviel Netz, *Barbed Wire: An Ecology of Modernity* (Middletown: Wesleyan University Press, 2009), xi. This “necessity” is what concerns many human rights activists and organizations today. In 2001, for example, the American Civil Liberties Union and the California Rural Legal Assistance Foundation presented a formal complaint to the Inter-American Commission on Human Rights, arguing that the U.S. government violates Article 1 of the American Declaration of the Rights and Duties of Man with an enforcement strategy “intentionally designed to place migrants in mortal danger.” American Civil Liberties Union and California Rural Legal Assistance Foundation, *Petitioner’s Second Supplemental Memorandum Submitted to the Inter-American Commission on Human Rights, American Civil Liberties Union of San Diego and Imperial Counties and California Rural Legal Assistance Foundation v. United States of America*, May 9, 2001.

²⁷ In Joseph Nevins’ words, “They are destined to happen due to structures and actions of violence that are not seen as violence.” Nevins, “Thinking Out of Bounds,” 185.

Considering Control

Having placed the violence of border enforcement in historical context, it is necessary to consider the motivations behind the construction of the Tortilla Curtain. How did the INS rationalize these additional fences? And why, after years of fences failing to adequately control unsanctioned movement in the U.S.-Mexico borderlands, did the INS believe that a more violent design would be effective?

The increase in undocumented immigration in the preceding decade and a half represented the biggest factor driving the new construction. As the INS had feared, the formal termination of the Bracero Program in 1964 and the increased regulation of visas imposed by the Immigration and Nationality Act of 1965 and its subsequent amendments had resulted in more unauthorized border crossings.²⁸ In 1964 the Border Patrol calculated that illegal entry rose by fifty-nine percent from the previous year. In 1965, “[f]or the first time in a decade,” the INS Annual Report stated, “the number of deportable aliens located exceeded 100,000.”²⁹ Nearly 30,000 of these apprehended “aliens” were Mexicans believed to have entered the United States “in the last half of fiscal [year] 1965, after the Bracero Act expired.”³⁰ INS Reports from these years are rife with anecdotes recounting the various “subversive” techniques migrants used to cross the

²⁸ Or, as the INS phrased it, increased efforts by Mexicans “to cross the border surreptitiously.” A growing number of these entries were realized through paid smuggling efforts and through the possession of fraudulent documents, both of which deeply troubled the INS. United States Immigration and Naturalization Service, *Annual Report of the Immigration and Naturalization Service: Report to the Commissioner of Immigration and Naturalization, 1964* (Washington, D.C.: U.S. Government Printing Office, 1964), 8.

²⁹ United States Immigration and Naturalization Service, *Annual Report of the Immigration and Naturalization Service: Report to the Commissioner of Immigration and Naturalization, 1965* (Washington, D.C.: U.S. Government Printing Office, 1965), 8.

³⁰ *Ibid.*, 8.

border.³¹ Though the stories all conclude with the Border Patrol's apprehension and deportation of Mexicans, the reality was that, even by its own admission, the Border Patrol struggled to keep up with this new, more concealed traffic. "Strengthening of the line and backup operations resulted in better control and interception of more violators before they reached interior destinations," the 1965 report reassured, yet "better control" was still far from absolute.³²

By 1975, the INS admitted that the "continuing flood of illegal entries over the Southern border and the attendant rise in other immigration violations [had] reached such proportions during the year that the Service was forced to establish operational priorities within the enforcement program." "Strengthening the controls in the immediate border areas" remained chief among these priorities. Despite these stopgap measures, "Service officers apprehended more deportable aliens during fiscal 1978 than in any year since 1954." Explaining this increase, as they had in each past year, the INS identified "an unprecedented flow of surreptitious entrants," particularly across the Chula Vista and El Paso sectors.³³

³¹ See, for example: United States Immigration and Naturalization Service, *Annual Report of the Immigration and Naturalization Service: Report to the Commissioner of Immigration and Naturalization, 1965* (Washington, D.C.: U.S. Government Printing Office, 1965); Box 1, Folder 13, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; Box 1, Folder 14, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles; Box 11, Folder 4, Kelly Lytle Hernández Collection of Border Patrol Research Papers, 1918-1990, Chicano Studies Research Center Library, University of California, Los Angeles.

³² United States Immigration and Naturalization Service, *Annual Report of the Immigration and Naturalization Service: Report to the Commissioner of Immigration and Naturalization, 1965* (Washington, D.C.: U.S. Government Printing Office, 1965), 8.

³³ United States Department of Justice, Immigration and Naturalization Service, *1975 Annual Report: Immigration and Naturalization Service* (Washington, D.C.: U.S. Government Printing Office, 1975), 13, 17.

TABLE 23.
 DEPORTABLE ALIENS LOCATED, ALIENS DEPORTED, AND ALIENS REQUIRED TO DEPART
 YEARS ENDED JUNE 30, 1892-1976, JULY-SEPTEMBER 1976,
 AND YEARS ENDED SEPTEMBER 30, 1977-1978

Period	Deportable aliens located 1/	A l i e n s e x p e l l e d		
		Total	Aliens deported	Aliens required to depart 2/
1961-1970	1,608,356	1,430,902	96,374	1,334,528
1961	88,823	59,821	7,438	52,383
1962	92,758	61,801	7,637	54,164
1963	88,712	76,846	7,454	69,392
1964	86,597	81,788	8,746	73,042
1965	110,371	105,406	10,143	95,263
1966	138,520	132,851	9,168	123,683
1967	161,608	151,603	9,260	142,343
1968	212,057	189,082	9,130	179,952
1969	283,557	251,463	10,505	240,958
1970	345,353	320,241	16,893	303,348
1971	420,126	387,713	17,639	370,074
1972	505,949	467,193	16,266	450,927
1973	655,968	584,847	16,842	568,005
1974	788,145	737,564	18,824	718,740
1975	766,600	679,252	23,438	655,814
1976	875,915	793,092	27,998	765,094
1976 TQ	221,824	199,207	3,927	190,280
1977	1,042,215	897,243	39,228	867,015
1978	1,057,977	1,003,886	28,371	975,515

1/ Aliens apprehended first recorded in 1925. Prior to 1960, represents total aliens actually apprehended. Since 1960, figures are for total deportable aliens located, including nonwillful crewmen violators.
 2/ Aliens required to depart first recorded in 1927.

Figure 2: "Deportable aliens located, aliens deported, and aliens required to depart" 1961-1978. It is important to note that in 1978, the total number of "deportable aliens located" exceeded the cumulative total from the decade 1961-1970. Excerpt from the *INS Statistical Yearbook, 1978*.

Cases of borderland violence, which became both more frequent and more publicized in the late 1960s and early 1970s, exemplify the rising tensions on the border in a way that statistics cannot. The U.S. media covered cases of direct violence with increasing zeal in these years, and such news stories quickly contributed to the growing perception of migrants as criminals and agents as heroes. One such case, described in detail in the *Washington Post*, involved the 1967 murder of agents Theodore Newton, Jr. and George Azrack in the desert outside San Diego. The two young patrolmen were

discovered with gunshot wounds in their heads, stripped of their gear and handcuffed to the stove of a “lonely desert cabin,” their jeeps wrecked and hidden nearby.³⁴ Officials arrested Harold and Alfred Montoya, two Mexican brothers, convicted them for the murder of the two agents, and confiscated the Army surplus ambulance they had been driving, which contained 880 pounds of illegally-imported marijuana.³⁵

While less sensationalized, stories of migrant deaths also appeared in newspapers with more frequency. The *New York Times*, for example, published a story about patrolmen in Texas finding the body of a Mexican man who had died after crossing the Rio Grande, apparently due to the “heat and deprivations of the desert” he had suffered before reaching the river. “I understand why they come,” Mike Williams, a senior agent who helped to recover the body, sympathized. “They’re starving to death down there. They have everything to gain and nothing to lose. But every country has to have its sovereignty. You have to have some control over who comes and who goes.”³⁶ Though most observers had no comprehension of the true complexities of the violence at play in the borderlands, episodes of death contributed to a growing public awareness of the chaos and failures of enforcement. As one reporter bluntly put it, “The border fences between the United States and Mexico are deterring drug smugglers and illegal aliens about as effectively as a wall of Swiss Cheese...[T]ons of heroin and marijuana [are] being shipped across the border almost without challenge” and “too little is known about how

³⁴ “Two Border Patrolmen Found Slain,” *Washington Post*, June 20, 1967.

³⁵ Dave Larsen, “Two Captured in Border Slayings: Montoya Brothers Seized on Ranch by Mexican Officers,” *Los Angeles Times*, July 10, 1967.

³⁶ John M. Crewdson, “The Border Patrol, a Job Without End,” *New York Times*, February 19, 1979.

smugglers enter the country.”³⁷ Or, as another article proclaimed: “Patrol Can’t Keep Aliens Out...Except for the pistols at their hips, they could be forest rangers.”³⁸

Not surprisingly, by the spring of 1978, “[w]orried INS officials” had “already begun lobbying...to protect their empire from dissolution.” The protection they solicited took the form of better, more secure fences, which could be erected in urban areas, specifically near El Paso, Texas, and San Diego, California, where the populated setting made it easiest for undocumented migrants and smugglers of “narcotics and contraband” to enter the United States undetected.³⁹ San Diego, especially, was an area of concern, as the “Californization” of undocumented migration brought an increasing traffic density to the border’s western edges, and away from the well-traveled Texas paths of the past.⁴⁰ To address these shifts and try to forestall a growing stream of undocumented migration, the INS’s fences would soon become a reality.

New and reinforced fences comprised only part of a larger “prevention plan” to reduce the flow of unauthorized immigration. As summarized in a 1980 Government Accountability Office (GAO) Report, the plan “called for an increase of at least 2,000 personnel, including 1,000 for border enforcement operations.” The INS estimated that this personnel increase, in addition to their proposed construction projects and proposed purchase of supplementary sensors, helicopters, and other equipment, would require an increase of \$125 million to their annual operating budget.⁴¹ The INS admitted that even

³⁷ Jack Anderson, “U.S. Studies How to Plug Border,” *Washington Post*, April 7, 1978.

³⁸ Leroy F. Aarons, “Patrol Can’t Keep Aliens Out,” *Washington Post*, February 4, 1975.

³⁹ Anderson, “U.S. Studies How to Plug Border.”

⁴⁰ Richard C. Jones, ed, *Patterns of Undocumented Migration: Mexico and the United States* (Totowa: Rowman & Allanheld, 1984), 36.

⁴¹ U.S. Government Accountability Office, *By Comptroller General, Report to the Congress of the United States: Prospects Dim for Effectively Enforcing Immigration Laws*, GGD-81-4 (Washington, D.C., November 5, 1980), iii, 12. \$125,000,000 (USD) in 1978 would value approximately \$1,030,000,000 (USD) in 2018. Currency conversion via MeasuringWorth.com.

these measures could not achieve the ‘sealing’ of the border they desired, but they believed that by concentrating their fortification in the most apprehension-heavy border regions, they could make an impact.⁴² Above all, they saw their mission as a noble one: “Within the framework of the law,” the 1977 INS Annual Report stated, “we attempt to serve the people – citizen and non-citizen alike – as fairly and as wisely as possible. The daily work of our offices throughout the country reflects a continuing attempt to balance and to harmonize the tensions inherent in our mandate.”⁴³ The new prevention plan reflected the INS’s determination to uphold this mission.

President Jimmy Carter supported the INS in these endeavors. In his August 1977 address to Congress, Carter proposed a “set of actions to help markedly reduce the increasing flow of undocumented aliens in [the United States] and to regulate the presence of the millions of undocumented aliens already here.” Included among these recommendations was Carter’s intention to “substantially increase resources available to control the Southern border, and other entry points, in order to prevent illegal immigration” – an issue which Carter considered one of the United States’ “most complex domestic problems.” Yet even Carter conceded that the “borders could not be made impenetrable to illegal entry.”⁴⁴

The imagery conjured by Carter in his August 1977 “Undocumented Aliens Message” of a country overwhelmed by the immigration ‘crisis’ further fed the frustrated

⁴² As noted in this 1980 GAO report, “Most illegal aliens (about 60 percent) are apprehended in a 30-mile section of the border south of San Diego, called the Chula Vista Border Patrol Sector and in a 20-mile section at El Paso, Texas. Other Border Patrol Sectors for which additional resources and personnel were included in the 1978 prevention plan are located at El Centro, California, and Yuma and Tucson, Arizona.” U.S. Government Accountability Office, *By Comptroller General, Report to the Congress of the United States: Prospects Dim for Effectively Enforcing Immigration Laws*, GGD-81-4 (Washington, D.C., November 5, 1980), 13.

⁴³ United States Department of Justice, Immigration and Naturalization Service, *1977 Annual Report: Immigration and Naturalization Service* (Washington, D.C.: U.S. Government Printing Office, 1977), 1.

⁴⁴ Jimmy Carter, “Undocumented Aliens Message to the Congress,” August 4, 1977.

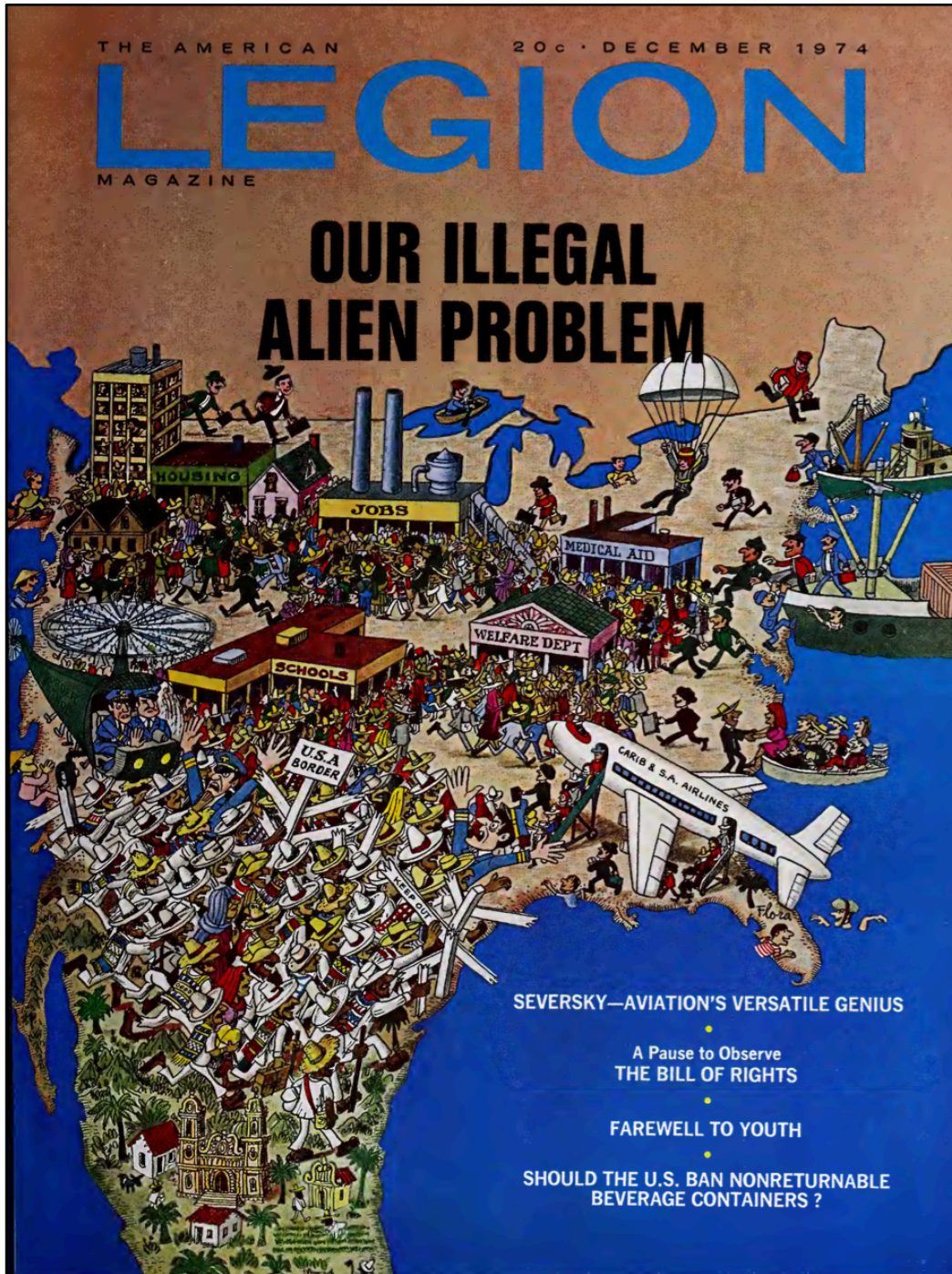
and fearful anti-immigrant sentiment of the 1970s. Newspaper articles from this era frequently wondered whether the “illegal alien flood” could be “cut,” or whether the “perennial problem” could ever be solved.⁴⁵ A cover cartoon from the December 1974 issue of *The American Legion Magazine* depicted the United States overrun with “Our Illegal Alien Problem” (See Figure 2). In the image, sombrero-wearing throngs rushed northward from Mexico, crowding “schools,” “housing,” “jobs,” “medical aid,” and the “welfare dept,” while their counterparts from other nations parachuted in from Canada, unloaded off boats on the Eastern seaboard, and streamed from hastily landed planes in the South.⁴⁶ As anthropologist Leo Chavez has observed, “the specific ‘out of control’ behavior” so often associated with immigration in these years stemmed from “Mexican immigrants’ use of welfare and medical services, displacing citizens from jobs, and turning to crime, all of which threatened the economic security of the nation.”⁴⁷ Even academic authors in the 1970s referenced the “opening of the floodgates” and expressed doubt about whether the United States could ever close them.⁴⁸ Whether spoken of as a “‘rising tide’ or a ‘tidal wave’ poised to ‘inundate’ the United States and ‘drown’ its culture while ‘flooding American society with unwanted foreigners,’” or an “‘invasion’ in which ‘outgunned’ Border Patrol agents sought to ‘hold the line’ in a vain attempt to

⁴⁵ “Can illegal alien flood be cut?” *Salina Journal*, February 12, 1979.

⁴⁶ James Flora, “Our Illegal Alien Problem” cartoon, *The American Legion Magazine* 97, no. 6, December 1974). See Figure 3.

⁴⁷ Leo R. Chavez, *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford: Stanford University Press, 2008), 23, 30. This discourse of “alleged threat”, Chavez concludes, has “been so consistent over the last forty years” that they could be said to be independent of the current fear of international terrorism.” The idea of “invasion” as “terrorism” is therefore a superficial association; economic and social fears have always been the basis for these narratives.

⁴⁸ Wayne Lutton and John Tanton, *The Immigration Invasion* (Petoskey, MI: The Social Contract Press, 1994), 105.



*Figure 3: “Our Illegal Alien Problem.” In this image, the United States is overwhelmed by immigration from all sides. Mexican immigrants, in particular, storm through fences on the Southern border to reach social services. Art by James Flora, *The American Legion Magazine*, December 1974.*

‘defend’ the border against ‘attacks’” from “alien” enemies, undocumented immigration was always cast as a formidable threat.⁴⁹

While Carter and the INS expressed the necessity of staunching this ‘invasion,’ other government entities urged caution. A report to Congress from the office of the Comptroller General expressed concern that the Immigration and Naturalization Service’s “ability to enforce immigration laws ha[d] been restricted by court rulings and pressures from interest groups.” The report’s authors noted Supreme and Federal Court rulings from 1973, 1975, and 1978 that, in their estimation, hindered the agency’s ability to take any effective steps to combat undocumented migration across the Southern border. The report stated bluntly: “The Immigration and Naturalization Service has not been able to adequately enforce immigration laws and the prospects for its doing so are dim. It has neither the legal means nor sufficient resources to stem the growing number of aliens entering the United States.”⁵⁰ This inadequacy was deeply troubling; Mexican immigration terrified U.S. officials not only because it undermined border control, but also because of the perceived impossibility of assimilating Mexican immigrants to the American way of life. A growing “lack of confidence in the melting pot” thus informed a growing lack of confidence in the INS.⁵¹

⁴⁹ Massey and Pren, “Unintended Consequences,” 3-5. Massey and Pren note that the use of this language in newspaper articles peaks in the late 1970s, at the same time that undocumented immigration (and, in fact, documented immigration) peaks.

⁵⁰ U.S. Government Accountability Office, *Report by the Comptroller General of the United States: Illegal Aliens: Estimating Their Impact on the United States*, PAD-80-22 (Washington, D.C., March 14, 1980), i-ii, 40-43. As the report details: “In 1973, for instance, the Supreme Court ruled [in *Almeida-Sanchez v. United States*] that vehicle searches away from the border without a warrant and without probable cause or consent, violate the fourth amendment of the Constitution...A 1975 Federal court ruling [in *Illinois Migrant Council v. Pilliod*] held that Service agents must have a ‘reasonable belief’ that a person is an illegal alien before questioning. And, in 1978, a Federal court ruled [in *Blackie’s House of Beef v. Leonel J. Castillo*] that search warrants did not authorize investigators to arrest or detain illegal aliens found at a place of employment.”

⁵¹ Victor Davis Hanson, *Mexifornia: A State of Becoming* (San Francisco: Encounter Books, 2003), 20.

Elsewhere in the federal government, pervasive concerns arose about the potential for newly proposed enforcement measures to result in increased “incident” and “unrest”. Border Patrol agents reflected that “in the ‘old days’ one patrol officer could apprehend and control numerous illegal aliens without incident,” but that that was “no longer the case.”⁵² Violence edged upward. Though injury in the line of duty had always been a risk, late 1970s statistics were alarming; nearly half of the 250 agents in the Chula Vista sector, for example, had been injured in some way in physical altercations with border crossers during apprehensions. Government Accountability Office (GAO) reports predicted that the proposed increased enforcement measures might cause an intensification of these altercations, as well as an increase in the use of ‘coyotes’ and an increase in the “political unrest” in border regions – unrest with “uncertain” outcomes for the United States.⁵³

Despite the concerns circulating, many officials felt a growing sense of security as construction began. William Selzer, the assistant to the Chief U.S. Patrol Agent in San Diego, exemplified this perspective. Selzer had paid his dues in desert service and thus recognized that the fence’s diversion of unauthorized migrant traffic eastward could result in increased injuries and fatalities. Nonetheless, he supported any measure that would bolster the U.S. Border Patrol’s proficiency to regulate that traffic. “It’s not the plan that they will go and die,” Selzer told a *Boston Globe* reporter in August of 1979, “I’m just hoping that if we have the fence up and we have enough people, the only place

⁵² U.S. Government Accountability Office, *By Comptroller General, Report to the Congress of the United States: Prospects Dim for Effectively Enforcing Immigration Laws*, GGD-81-4 (Washington, D.C., November 5, 1980), 14.

⁵³ *Ibid.*, 14-16. “Coyotes” is a colloquial term for human smugglers in the U.S.-Mexico border region. Also called “polleros”, these smugglers charge migrants a fee, and, in return, guide them across the border into the United States. As surveillance of the border region increases, and crossing becomes more difficult, coyote usage becomes more common.

they can cross is in those bad places.”⁵⁴ The bad places, the deserts and mountains surrounding Selzer’s station in Campo, California, were regions where daily temperatures could reach 120 degrees Fahrenheit, only to plummet when the sun set. Selzer personally understood the consequences of the extreme climate on traveling migrants, noting that it wasn’t “‘uncommon to find a body in the desert’ . . . because a person ‘just goes out there, lays down and dies.’”⁵⁵ Although sympathetic to the victims, he viewed their deaths as the result of poor decision-making, insufficient preparation, and underestimation of the desert’s dangers. This, he reasoned, was not the fault of any fence.

Construction Begins

Though physical barriers had long factored into the INS’s border enforcement strategies, the Tortilla Curtain fences were unique both in their ability to leave remnants of migrant bodies “permanently embedded” in their wire mesh and in the close public attention they attracted to the border region. These distinctions brought scrutiny to the project, and to the ethics of the fences’ use.

The initial design prescribed six consecutive miles of fencing to be placed near San Ysidro and six consecutive miles of fencing to be added near El Paso.⁵⁶ They called for structures that stood ten feet tall, comprised of a combination of chain link, barbed wire, and galvanized steel mesh.⁵⁷ This steel mesh was the INS’s crown jewel: “specially hardened,” “tightly woven,” and “designed to frustrate wire cutters.” Additionally, the

⁵⁴ Dan Tedrick, “US Blocks Illegal Aliens’ Routes,” *Boston Globe*, August 5, 1979.

⁵⁵ *Ibid.*

⁵⁶ “10-foot border wall going up despite protests,” *Chula Vista Star-News*, October 26, 1978.

⁵⁷ Evan Maxwell, “Border Fence Reportedly Won’t Be Built: Justice Dept. Has Given In to Pressure, Congressman Believes,” *Los Angeles Times*, March 17, 1979; “10-foot border wall going up despite protests,” *Chula Vista Star-News*, October 26, 1978; Ted Vollmer, “Postscript: Even as It Goes up, Gaps Appear in Border Fence,” *Los Angeles Times*, June 30, 1980.

fence would “have a curving portion at the top” to “deter potential climbers,” and it would “be built along a concrete embankment” to “make it difficult to tunnel underneath.”⁵⁸ Contractor George Norris, whose original comments in *The Washington Post* had prompted much of the outcry over such features, tried to defend the design and its relative merits when the media returned to him hoping for additional information. “The fence wasn’t designed to maim,” he told *Los Angeles Times* reporter Laurie Becklund, in stark contrast to his earlier reflections on the “razor-sharp” components, “but I think it is excellent for exactly what it was designed for – to keep people out.”⁵⁹

With this design, the fences promised to buttress the border in those populous urban areas where control over the “great human river” had eluded agents.⁶⁰ Many Border Patrol agents endorsed the construction, believing the fence would alleviate some of the pressure they faced and help bring order back to the region by redirecting illicit traffic elsewhere. Robin Clark, chief of operations for the INS in Washington, articulated the INS’s hopes for the fence most clearly: “All this is supposed to do,” he said, “is throw [undocumented migrants] into the desert where they’ll be easier to catch.”⁶¹ In other words, by Clark’s own definition, this fence attempted to prevent unsanctioned crossings by deterring migrants with the threat of more difficult journeys – the very same strategy that would assume the moniker of Prevention Through Deterrence in the 1990s.

Beyond preventing undocumented immigration, the fortification of the border arguably had a second goal: to improve the public opinion of the INS by projecting an image of law and order. Other INS efforts in the past year had likewise been aimed at

⁵⁸ John M. Crewdson, “Tortilla Curtain: political hot potato,” *Chicago Tribune*, November 12, 1978.

⁵⁹ Laurie Becklund, “Fence Was Meant to Cut, Builder Says,” *Los Angeles Times*, October 28, 1978.

⁶⁰ Ronald Yates, “Aliens ‘eat up’ tortilla curtain,” *Chicago Tribune*, May 13, 1979.

⁶¹ Jim Schutze, “6½ -Mile-Long ‘Tortilla Curtain’ Planned To Stem Tide of Illegal Mexican Aliens,” *Washington Post*, October 24, 1978.

ameliorating its reputation. In 1977 the INS established the Office of Congressional and Public Liaison to help smooth over tense relationships with Congressional and State offices. The concurrent revamping of the Public Information Office served as an additional measure intended to focus attention on the positive work of the INS.⁶²

Newly appointed INS Commissioner Leonel J. Castillo took up the same media spin. Although his career prior to 1977 had earned him reputation for fighting for civil rights, Castillo faced criticism immediately upon his appointment as Commissioner from those who viewed his actions with the INS, particularly his endorsement of the Tortilla Curtain project, as a shocking betrayal of the values he had consistently espoused.⁶³ In an effort to defend himself and the INS, Castillo gave over forty speeches in 1977 to major organizations with diverse constituencies and positions including the American G.I. Forum, League of United Latin American Citizens (LULAC), the Association of Immigration and Nationality Lawyers, the La Raza National Lawyers Convention, the American Farm Bureau, and the Organization of U.S. Border Cities. Each of these events,

⁶² United States Department of Justice, Immigration and Naturalization Service, *1977 Annual Report: Immigration and Naturalization Service* (Washington, D.C.: U.S. Government Printing Office, 1977), 31-32.

⁶³ Castillo came from a Mexican American family in Galveston, Texas with ties to the labor movement. His father had been a labor leader and organizer, serving as president of the Docking Gang. Castillo himself had been involved in activism for much of his life, as well. He held a Master's degree in Community Organization from University of Pittsburgh, volunteered for the Peace Corps in the Philippines, and served as the first director for federal job training programs under the Manpower Development Training Act for Jobs for Progress, Inc. In his career before the INS, he earned esteem as he fought for blacks and Hispanics to unite in order to desegregate Texas movie theaters, visited the homes of truant youths to advocate for their returning to school, and demanded social services and integration from the local Catholic Archdiocese. He became Houston's first Hispanic City Council member in 1972, and sat on the INS Commissioner's Hispanic Advisory Committee in the mid-1970s, and was appointed INS Commissioner in 1977. At his swearing in, President Carter recognized the difficult line Castillo would have to walk as Commissioner. He remarked, "He's a man who has the highest possible reputation. He's a public administrator, and...he's going to take on one of the most difficult jobs in Government. Sometimes I think the Oval Office is a hot spot, but I think [Castillo's] own responsibilities at this particular time might be even worse." "Meet Leonel J. Castillo, Our New Commissioner," *The INS Reporter* 26, no. 1 (Summer 1977); Jayme Fraser, "Leonel Castillo, activist, former city controller, dies," *The Houston Chronicle*, November 4, 2013; "Leonel 'Lone' Castillo," Digital Profile included in the Houston Area Digital Archives finding aid for the Leonel J. Castillo Collection, Houston Metropolitan Research Center.

as well as Castillo's many press conferences, his appearances on Public Broadcasting Service (PBS) television, and his meetings with editorial boards of newspapers such as the *Los Angeles Times* and the *Washington Post* were aimed at addressing public concerns about immigration policy and enforcement, while reassuring the public that the INS was equipped to solve such problems.⁶⁴

In this quest to bolster public image, the INS signed off on the design for the "razor sharp"⁶⁵ Tortilla Curtain fences, a decision that would quickly become a public relations disaster. The design placed the INS and their new construction projects at the center of cross-border debate by giving the public a glimpse at the violence that had been occurring on the U.S.-Mexico border for decades. As they learned more, government officials, student groups, advocacy organizations, and others on both sides of the border perceived the Tortilla Curtain as a means through which the INS and the Border Patrol would deliberately injure Mexican nationals. The toe-severing capacity of the fences encapsulated the brutal character of the U.S. government's attempts to solve the "illegal alien problem." The weaponized Tortilla Curtain, in other words, illustrated to the larger public that the INS was determined to go to any length to seal the border, even if it meant inflicting serious violence on migrant bodies.⁶⁶

⁶⁴ United States Department of Justice, Immigration and Naturalization Service, *1977 Annual Report: Immigration and Naturalization Service* (Washington, D.C.: U.S. Government Printing Office, 1977), 31-32.

⁶⁵ "Mexican Border Fence Deferred."

⁶⁶ U.S. Government Accountability Office, *By Comptroller General, Report to the Congress of the United States: Prospects Dim for Effectively Enforcing Immigration Laws*, GGD-81-4 (Washington, D.C., November 5, 1980), 13.

Concerns and Controversy

Reactions to the mounting controversy of the Tortilla Curtain varied in tone and strength, but the majority of responses condemned both the violence of the fences and broader enforcement methods. Protests sprang up near the fence construction sites, community leaders encouraged boycotts of companies involved with the INS, and local and national media highlighted the unfolding drama in news coverage, opinion pieces, and published letters from readers.

Residents of the border region had some of the strongest reactions, as well as some of the most cynical. Some were downright opposed to the construction of any new fences, particularly weaponized fences. Sociologist Ellwyn R. Stoddard at University of Texas, El Paso, surveyed community leaders in El Paso and Ciudad Juárez in the winter of 1979 and found that seventy percent of El Pasoans and eighty-six percent of Ciudad Juárezenses opposed the construction of the new fences. He summarized his respondents' opinions, reporting that "many were disturbed by [the fences'] design" and "critical of the insensitivity of federal officials in commencing such a project unilaterally."⁶⁷

Other citizens in the borderlands weren't bothered by the violence of the fence, but instead lamented the fact that fences would not effectively stop unauthorized migrant traffic. Some El Paso residents interviewed by the *El Paso Herald Post* in 1979 expressed these opinions bluntly: one suggested electrifying the fence; another preferred "a cheaper way, a minefield;" yet another suggested the fence be built two thousand miles long

⁶⁷ Ellwyn R. Stoddard, Oscar J. Martínez, and Miguel Ángel Martínez Lasso, *El Paso–Ciudad Juárez Relations and the "Tortilla Curtain": A Study of Local Adaptation to Federal Border Policies* (El Paso: El Paso Council on the Arts & Humanities, 1979), 27-28.

instead of a mere six.⁶⁸ Historian Oscar J. Martínez, Stoddard's colleague at University of Texas, El Paso, conducted his own study in the city in February 1979. He found even less public support for the project than Stoddard and the *El Paso Herald Post* had. Eighty percent of Martínez's respondents felt the fence would be ineffective in reducing undocumented traffic, as did eighty percent of local merchants. In San Diego, another survey's results showed slightly more support for the projects than in El Paso, and yet Californian respondents were equally vocal about the Curtain's likely ineffectiveness and certain inhumanity.⁶⁹

Some groups in close proximity to the construction took action, protesting the project publicly (See Figure 4). On February 12, 1979, nearly four thousand Mexican and American demonstrators marched past the construction site and the Border Patrol offices near San Ysidro, California, chanting "No fence, no fence, no fence!" in both Spanish and English.⁷⁰ University of California, San Diego student newspaper *El Tiempo Chicano* encouraged its readers to take a stand against this "barbaric fence" by marching or by writing letters of complaint to Senator Edward Kennedy, sitting Chair of the Senate Judiciary Committee, which oversaw the Department of Justice (and by extension, the INS).⁷¹ Herman Baca, a spokesman for the Committee on Chicano Rights, Inc. (CCR), called the construction project "an insult." The fence was "a symbol to all that the [U.S.] immigration policy [was] one of racism, discrimination, and bigotry," he told a journalist

⁶⁸ *El Paso Herald Post*, December 6, 1978, as cited in Oscar J. Martínez, "Border Conflict, Border Fences, and the 'Tortilla Curtain' Incident of 1978-1979," *Journal of the Southwest* 50, no. 3 (Autumn 2008), 272.

⁶⁹ Oscar J. Martínez, "Border Conflict, Border Fences, and the 'Tortilla Curtain' Incident of 1978-1979," *Journal of the Southwest* 50, no. 3 (Autumn 2008), 273-274.

⁷⁰ George Frank, "Chicanos Stage Demonstration at Border: Protest Proposal to Build Fences Between U.S. and Mexico," *Los Angeles Times*, February 12, 1979.

⁷¹ "3000 March Against Carter Curtain," *El Tiempo Chicano* 6 (April 1979), 1; "Ya Basta! (Probe of the Border Patrol Called For)," *El Tiempo Chicano* 6 (April 1979), 2; "Marcha de Protesta Nacional: 'Encontra de La 'Cortina Carter'," *El Tiempo Chicano* 6 (April 1979), 6-7.

from the *Los Angeles Times*, and could “only serve as a monument to the government’s unwillingness and inability to resolve the immigration issue.”⁷² CCR also sponsored a protest in April at the U.S. Grant Hotel in San Diego, where “La Migra Boss Leonel ‘Coyote’ Castillo,” as they referred to him, would be speaking. “Would Christians honor Judus [sic]?” the flyer for the demonstration read. “Would the Jews honor the head of the Gestapo? Why should Chicanos honor the head of the Immigration and Naturalization Service (La Migra)? CHICANOS, HAVE SOME SELF-RESPECT!”⁷³ By the summertime, several religious leaders in Southern California had encouraged a nationwide boycott against products whose manufacturers endorsed the construction project, as well as against Anchor Post Products Co., the main contracting agency for the Curtain. Reverend Tom Peyton, director of the Catholic Ministry for Justice and Peace, was one of the most vocal supporters of the boycott. As he remarked in early July, “The fence is a symbol of increasing militarization of the border area which is the cause of escalating violence.”⁷⁴

As early as October 1978, Chicano activists and mainstream Mexican American leaders across the United States spoke out against the project. Though less vehement in tone than the student-led protests, their statements represented firm stances against the construction. Vilma Socorro Martínez, president of the Mexican American Legal Defense and Education Fund (MALDEF), called the Curtain “ill-timed and insensitive,” noting that the fence design was “dramatically and drastically different” from previous

⁷² Frank, “Chicanos Stage Demonstration at Border.” CCR was one of the organizations that sponsored the march.

⁷³ “Protest,” *El Tiempo Chicano* 6 (April 1979), 11.

⁷⁴ George Frank, “Boycott Urged to Protest New Border Fence,” *Los Angeles Times*, July 4, 1979.

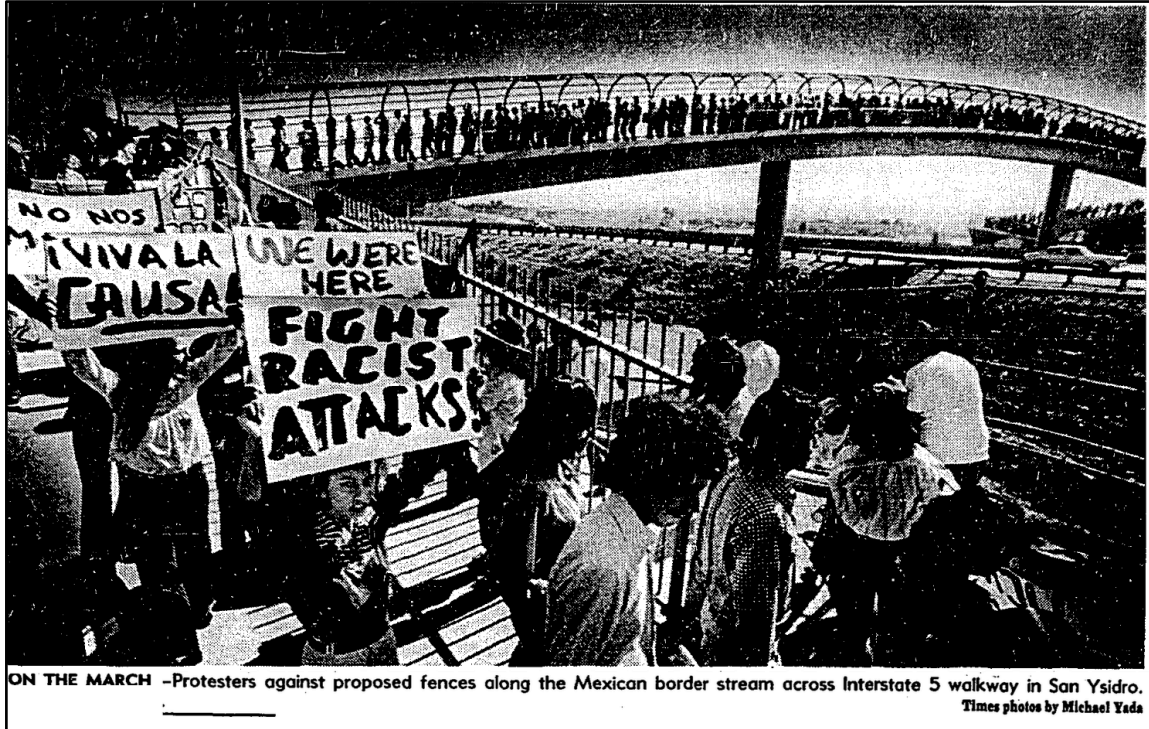


Figure 4: “On The March – Protesters against proposed fences along the Mexican border stream across Interstate 5 walkway in San Ysidro.” Photo by Michael Yada, *Los Angeles Times*, February 12, 1979.

iterations.⁷⁵ She implicated the government’s incompetence in approving these designs as well, condemning the project as “yet another example of [the Carter Administration’s] shortsightedness in addressing the complex problem of immigration.” Eduardo Pena, national president of LULAC, compared the fence to the Berlin Wall.⁷⁶ Mexican writer Ernesto Carrera felt a similar outrage: “I thought only the Russians built fences,” he wrote, “yet here is the United States constructing a fence which says to the people of Mexico, ‘you are criminals, stay out.’”⁷⁷

⁷⁵ “10-foot border wall going up despite protests.” Peyton also directed the National Federation of Priests Councils of Chicago and served as a representative of the Ecumenical Committee of the Convocation on Ministry to the Undocumented.

⁷⁶ “10-foot border wall going up despite protests.”

⁷⁷ Ronald Yates, “Aliens ‘eat up’ tortilla curtain,” *Chicago Tribune*, May 13, 1979.

Public opinion was nearly unanimous on one point: that fences in general, and these fences in particular, were simply not the answer to immigration concerns. Chula Vista Border Patrol Agent Gene Smithburg called enforcement “a losing battle,” and lamented that fences did nothing to halt migrants except “slow them down a little.” Herman Baca concurred, stating, “It’s ridiculous to think that a 6-mile fence along a 2,000-mile border is going to stop anyone or is going to resolve the immigration problem.”⁷⁸ Even the INS design team expressed skepticism. One researcher predicted that given the budget restraints of forty dollars per foot, the U.S. would “get a fence that [would]n’t stop anyone.”⁷⁹

Construction of the fences halted during the ongoing controversy. INS Commissioner Castillo inspected the fencing materials himself and ordered a redesign, to be completed by the same INS engineers at Potomac Research Firm who had drafted the initial plan.⁸⁰ Yet Castillo sent them back to the drawing board in an attempt to triage the INS’s now hemorrhaging reputation. “In light of complaints that a proposed new fence along a few miles of the southern United States border could injure individual[s],” Castillo’s office wrote in an official press release, “the Immigration and Naturalization Service is consulting with engineers about redesigning the fence.”⁸¹ Al Franco, deputy chief of the U.S. Border Patrol in Otay Mesa, California, told reporters from the *Los Angeles Times* that he expected the new design would be free of barbed wire and would

⁷⁸ Yates, “Aliens ‘eat up’ tortilla curtain.”

⁷⁹ Ward Sinclair, “U.S. and Mexico Embroiled in Dispute Over ‘Tortilla Curtain,’” *Washington Post*, December 24, 1978,

⁸⁰ This was also the team who instructed contractor Norris not to deburr the wire, as the unfiled edge was “part of the deterrent.” Laurie Becklund, “Fence Was Meant to Cut, Builder Says,” *Los Angeles Times*, October 28, 1978.

⁸¹ “Mexican Border Fence Deferred.”

appear “cleaner and more attractive” than any designs of the past.⁸² After all, Castillo’s instructions had specified only that the harmful appearance of the fence must be removed. “We were told explicitly,” a Potomac Research employee relayed, “that there could be no barbed wire, no barbed tape, [and] no electrification.”⁸³ Once the new plan was completed, the INS intended to wait for President Carter to return from his trip to Mexico in mid-February 1979 before restarting construction. INS spokesman Vera Jarvis announced that the INS expected Carter’s approval, but wanted to make sure they did not “embarrass the President by saying or doing anything that could influence that trip” or prevent productive dialogue with Mexican President José López Portillo.⁸⁴

In the following months, the fence continued to be a “barometer of increasing sensitivity in U.S.-Mexican ties,” and by March the original Tortilla Curtain was pronounced “dead.”⁸⁵ California Congressman Lionel Van Deerlin candidly informed reporters that he believed the United States had shelved the plan “because of the controversy it ha[d] stirred and because of its adverse impact on U.S. relations with Mexico.”⁸⁶

Despite the death of the original Curtain and the ongoing protests, construction of the redesign got underway that spring. Even those who supported increased border security felt ambivalent at best by April 1979. As a *Los Angeles Times* piece opined, “the

⁸² Laurie Becklund, “Outcry Dulls Edge of Border Fence,” *Los Angeles Times*, October 28, 1978.

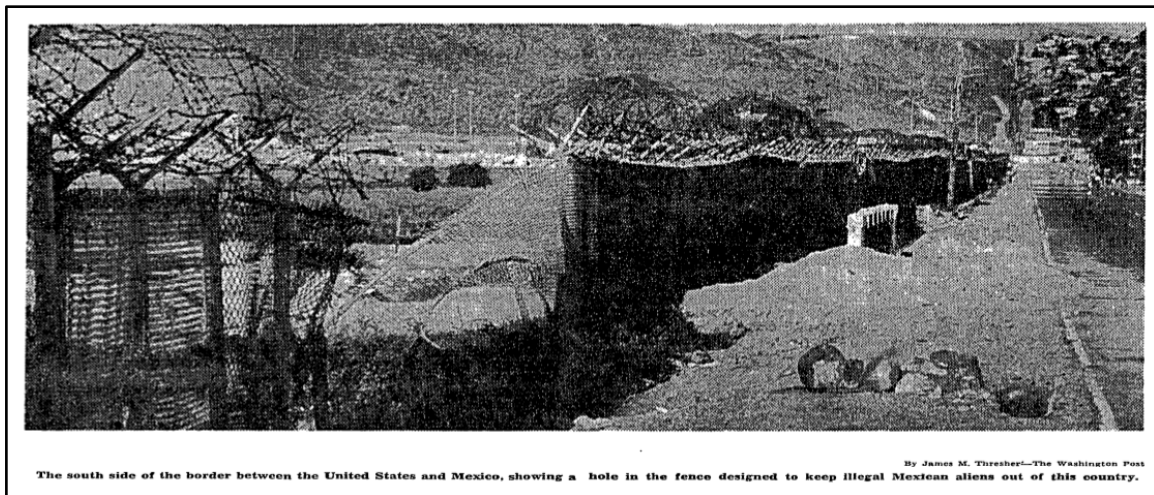
⁸³ Sinclair, “U.S. and Mexico Embroiled.”

⁸⁴ 1979 found the United States and Mexico redefining their diplomatic relationship with one another for reasons beyond immigration. The Mexican oil boom, which began in 1977, had placed Mexico in an “increasingly high-priority role in U.S. foreign policy interests,” *Washington Post* writers John M. Goshko and J.P. Smith explained in September 1979. The United States was eager to assuage its worsening energy crisis and saw Mexico as “the most promising new’ source of oil for the United States in the 1980s.” With this in mind, U.S. government officials feared upsetting negotiations between Carter and López Portillo for any reason. John M. Goshko and J. P. Smith, “U.S.-Mexico Talks May Signal the End of the Age of Platitudes,” *Washington Post*, September 23, 1979.

⁸⁵ Sinclair, “U.S. and Mexico Embroiled;” Evan Maxwell, “Border Fence is Dead, Says Congressman,” *Los Angeles Times*, March 17, 1979.

⁸⁶ “Congressman Says U.S. Plans to Limit ‘Tortilla Curtain’,” *Washington Post*, March 17, 1979.

barriers are not a symbol of oppression against Mexican nationals trying to cross the border illegally, but are a symbol of the patrol's impossible assignment."⁸⁷ By June, Border Patrol agents, too, had tempered their optimism of the year before, telling reporters that their new hope was that "the limited number of holes" might at least "funnel aliens into defined patrolling areas."⁸⁸ Yet more problems ensued. Mudslides and flooding slowed construction, as did vandalism from protestors and border crossers. Thin, flexible, and almost completely ineffective at stopping unauthorized traffic, the Tortilla Curtain thus earned its nickname from nativist observers who compared Mexican border crossers to hungry saboteurs, eager to "chew away" at the fence and "eat up" what little progress had been made.⁸⁹ The prophecies of INS critics had come to pass: the fencing had proved futile.



*Figure 5: Tortilla Curtain Torn - "The south side of the border between the United States and Mexico, showing a hole in the fence designed to keep aliens out of this country." Photo by James M. Thresher, *The Washington Post*, December 24, 1978.*

⁸⁷ "Plugging Holes in the Swiss Cheese," *Los Angeles Times*, April 19, 1979.

⁸⁸ Ted Vollmer, "Postscript: Even as It Goes Up, Gaps Appear in Border Fence," *Los Angeles Times*, June 30, 1980.

⁸⁹ Carol Oppenheim, "Illegal immigrants chew away at border's 'Tortilla Curtain'," *Chicago Tribune*, March 28, 1982, page 8; Yates, "Aliens 'eat up' tortilla curtain."



Figure 6: “Gaping Holes are Easy Target for Aliens, as Shown by Border Patrolman Javier Lopez. One three-quarter mile section of fence has six holes and one tunnel dug underneath.” Star News Photo, Chula Vista Star-News, January 29, 1980.

Conclusion

What, then, did the construction of the Tortilla Curtain accomplish? It failed to improve the INS’s reputation. It failed to slow or stop unauthorized traffic from Mexico. It failed to solve the “immigrant problem,” or to address any of the flaws with the existing immigration process. It failed to quell the controversy that surrounded it or to hush its many critics. Although the Tortilla Curtain may not have accomplished any of its

stated goals, no other fence construction project in the U.S.-Mexico borderlands had ever garnered such press coverage, or such interest.⁹⁰

The incident put a spotlight on the strained relationship between the United States and Mexico during the late 1970s. Observers quickly pointed out the differences, both physical and rhetorical, between the Mexican border and the Canadian border,⁹¹ and the “Good Neighbor” imaginings of decades past faded. As Ciudad Juárez Mayor René Mascareñas Miranda reflected, “We brag that we are two neighborly countries, two friendly nations, and that this is the longest border in the world where one does not see a single soldier, a single rifle, a single bayonet, or a single affronting or discriminatory sign.”⁹² The Tortilla Curtain tore through such mendacious hyperbole. Some citizens pressured Carter into addressing the tensions between the two nations, holding him personally responsible. They wrote letters to the White House slamming the administration for approving “Carter’s Curtain,” and speculated that the U.S. priority in its relationship with Mexico was monetary gain, rather than civility and diplomacy.⁹³ Though it began as a controversy over the Tortilla Curtain fences, this incident ultimately inspired a growing awareness of what the fence stood for, physically and figuratively.

The Tortilla Curtain incident also accomplished a much darker goal, one that remained hidden from much of its audience: it shifted the violence of border enforcement

⁹⁰ Martínez, “Border Conflict, Border Fences,” 267. When newspapers referenced fence-building initiatives prior to 1978, it was only to announce that projects were under consideration; follow-up on whether fences had actually been built, what their appearance might be, and what purpose they served had been sparse at best. Citizens on both sides of the border followed the Tortilla Curtain incident much more closely than previous efforts as a result of broader, more detailed coverage.

⁹¹ See, for example: Yates, “Aliens ‘eat up’ tortilla curtain;” Frank, “Chicanos Stage Demonstration at Border.”

⁹² Oscar J. Martínez, “La frontera vista por René Mascareñas Miranda: Entrevista de historia oral,” (unpublished manuscript on file at the Institute of Oral History at the University of Texas at El Paso, 1976), 287–89. As cited in Martínez, “Border Conflict, Border Fences,” 169.

⁹³ See, for example: Frank, “Chicanos Stage Demonstration at Border;” Sinclair, “U.S. and Mexico Embroiled;” “3000 March Against Carter Curtain.”

away from the human-made, militarized border and away from association with the INS. Despite this shift in visibility, violence had not been erased from enforcement, only displaced onto the unforgiving desert terrain.

The Tortilla Curtain incident had three major consequences on future policy and persistent violence. First, nearly a decade after the incident, in 1986, the INS responded to the widespread sense of chaos by introducing the Immigration Reform and Control Act (IRCA), called “the most comprehensive policy ever developed to decrease undocumented immigration.” As much as IRCA sought to police and deter migration, it also sought to overcome the international criticism directed at the INS as a result of the construction projects of the 1970s by casting the INS as a problem solver, not a perpetrator. In trying to “transform itself from ‘La Migra’ to ‘El Amigo’”⁹⁴ with IRCA, the INS attempted to metaphorically close the Tortilla Curtain, to shroud the system of violence that lurked behind the Curtain’s fences and that continues to shape migration in the U.S.-Mexico borderlands to this day.

The second major consequence of the Tortilla Curtain incident was an amplified public perception in the United States that undocumented immigrants and Mexicans were one and the same. Press coverage of the incident, especially the media’s focus on the violence and lawlessness associated with immigration, exacerbated an “us versus them” narrative between the U.S. and Mexico that had developed since the 1920s. This rhetoric cast Mexican “illegal aliens” as a threat to national security, law, and order, contributing to further racialization of undocumented immigrants and further criminalization of Mexican immigrants. At times, government officials in the 1980s would attempt to

⁹⁴ Lisa Magaña, *Straddling the Border: Immigration Policy and the INS* (Austin: University of Texas Press, 2003), 37, 39.

smooth out these tensions, yet it was too late to recover the “‘hands-across-the border’ platitudes” of years past.⁹⁵ The Tortilla Curtain incident had cemented the trope of a Mexican invasion. Those who supported the Curtain could not also support Mexican immigrants; from the perspective of the Curtain’s proponents, Mexicans were a source of social ills, and their invasion necessitated a more aggressive defense. Those who supported immigrants (Mexican or otherwise) could not also support the Curtain; from the perspective of the Curtain’s critics, U.S. border enforcement was an enemy, claiming innocent victims with its inhumane policies.

The final consequence of the Tortilla Curtain’s failures and the flashpoint they provoked was the gradual shift of migration paths away from urban areas. As ineffective as the fences might have been in stopping movement, the Tortilla Curtain brought a new level of scrutiny to fenced and militarized regions of the border, causing migrants to seek alternate, less visible routes. Undocumented migration did not halt or slow as a result of the constructions;⁹⁶ rather, this infant enactment of Prevention Through Deterrence gave rise to the enforcement strategies of later decades, which simply pushed undocumented migration out of the public eye. The slow upswing in deaths of unauthorized migrants in the borderlands served as a clear depiction of the impact of a policy which sought to prevent movement by imposing violence. The strategy underpinning the Tortilla Curtain – the diversion of “undesirable traffic away from popular crossing points in border urban

⁹⁵ John M. Groshko and J.P. Smith, “U.S.-Mexico Talks May Signal the End of the Age of Platitudes,” *Washington Post*, September 23, 1979. These efforts were particularly focused on imagining cross-border bonds between metropolitan areas, for example, branding the El Paso/Ciudad Juarez partnership as the “amigoplex” or “borderplex” in order to project an image of unity. Even today, the Borderplex Alliance attempts to build a “binational, bicultural, bilingual” community and to “bind the region together.” “Our Region,” The Borderplex Alliance.

⁹⁶ Martínez, “Border Conflict, Border Fences,” 275.

areas”⁹⁷ and into the harsh environment beyond – continues to create the conditions for violence and death today.

In the 1980s, violence punctuated nearly every mention of the U.S.-Mexico border in the media, but, importantly, it was no longer blamed on enforcement policies. Three Mexican sisters died from dehydration and exposure in September 1985, while crossing on foot through the desert of San Diego County in 112-degree September heat. *Los Angeles Times* coverage noted that El Centro sector Border Patrol agents had in fact “saved about a dozen” migrants – casting the Patrol as a counter to environmental hazards, rather than an accomplice.⁹⁸ In July 1987, the bodies of eighteen Mexican men were discovered in a boxcar in Sierra Blanca, Texas, after the victims asphyxiated while trying to enter the U.S. secretly. McAllen, Texas Border Patrol chief E.J. Vickery blamed the fatalities on coyotes: “A disaster is bound to happen as long as smugglers continue to treat people as human cargo,” he stated.⁹⁹ Three men in a group of twenty-five died walking across “50 miles of searing desert” near Yuma, Arizona, after running out of water and resorting to eating toothpaste to survive. Again, patrolmen blamed the migrants’ inadequate preparation for their condition, commenting on the fact that each only had a gallon of water with them for the entire journey.¹⁰⁰ As time wore on, U.S. Border Patrol agents recovered bones on migrant trails outside Phoenix, ran over a fourteen-year-old Mexican boy near San Diego, and killed a Tijuana customs official

⁹⁷ Martínez, “Border Conflict, Border Fences,” 276.

⁹⁸ “3 Mexican Sisters Die in Family Trek Across Desert,” *Los Angeles Times*, September 6, 1985.

⁹⁹ David Maraniss, “18 Mexican Found Dead in Boxcar: Aliens Asphyxiated Trying to Enter U.S.,” *Washington Post*, July 3, 1987.

¹⁰⁰ “3 of 25 Die in Arizona Desert Trek After Crossing the Border for Jobs,” *New York Times*, July 16, 1987.

with a ricocheting bullet fired during a smuggler chase.¹⁰¹ In none of these examples were enforcement policies implicated in the casualties; environmental factors and individual actors did the work of a hidden system of violence.

Encapsulated in both direct and indirect encounters between migrants and the U.S. enforcement apparatus, in dehydration and desperation as much as in wire mesh and firearms, the escalating violence that followed the Tortilla Curtain incident was a precursor of Prevention Through Deterrence. As the INS readied for further fortification in the 1990s, the implementation of Operation Gatekeeper and its related initiatives on the horizon, it took another step toward the strategy that the Tortilla Curtain had advanced. Fences and agents would no longer be the face of this violence; instead, fences and agents would push “illegal” traffic into the borderland environment, which would exercise a powerful, deadly control of its own.

The 1990s Operations, part of the newly-titled Prevention Through Deterrence strategy, proved the irreversible extent to which the Tortilla Curtain had entangled violence with the landscape of the border. The INS proposed new fences that, like their Tortilla Curtain predecessors, would be focused in geographic locations through which the most unauthorized traffic flowed. Operation Hold-The-Line would “fortify the ‘main gates’ of illegal entry” in the El Paso area, and Operation Gatekeeper would be implemented in the San Diego region in three phases.¹⁰² Aimed at the very same urban

¹⁰¹ Robert Reinhold, “Bones Found on Mexican’s Desert Path to U.S. Jobs,” *New York Times*, September 26, 1985; Patrick McDonnell, “Border Agent Cleared in Death of Mexican Boy,” *Los Angeles Times*, October 17, 1989; Patrick McDonnell, “Death at Border Shows a Dark Side of Amnesty,” *Los Angeles Times*, September 1, 1989; Patrick McDonnell, “Border Official’s Shooting Stirs U.S.-Mexico Dispute,” *Los Angeles Times*, November 21, 1985.

¹⁰² Wayne A. Cornelius, “Death at the Border: Efficacy and Unintended Consequences of US Immigration Control Policy,” *Population and Development Review* 27, no. 4 (2001), 663.

areas as the Curtain, both were further attempts to secure the border against the still-constant tides of international movement.

These future initiatives shared an “underlying logic” with the Tortilla Curtain in their aim to displace the violence and chaos of undocumented migration by funneling unsanctioned traffic onto more dangerous and more circuitous routes. They built off the foundation that the Curtain had laid, a foundation that had enacted Prevention Through Deterrence before the strategy had earned its name.

Examining the Tortilla Curtain incident exposes this shared logic. In doing so, it historicizes Prevention Through Deterrence, locating its origins in the toe-severing design of fences in 1978, a full fifteen years before PTD strategy was officially deployed. Analyzing the multiple forms of violence present in the Tortilla Curtain incident further reveals the ways in which borderland violence transformed itself as a result of controversy. Violence hid just out of sight, in bones and bodies found in boxcars and tractor-trailers and makeshift campsites, in the deserts and rivers of the border landscape, in footprints in the sand and blood in the water. A closer look at the construction and controversy of the Tortilla Curtain incident calls attention to these traces that remain. In 2018, as the most newly commissioned fence prototypes sit along the San Diego border, revisiting the Tortilla Curtain asks us to think critically about the historical utility or futility of these projects, and about the violent, sometimes fatal consequences of these constructions.

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