

Barricading the Border



Hands across América: First lady Pat Nixon at the inauguration of Border Field State Park, Imperial Beach, California, in 1971

By Joseph Nevins and Timothy Dunn

ON AUGUST 18, 1971, FIRST LADY PAT Nixon inaugurated Border Field State Park. Located in Imperial Beach, California, at the extreme southwest corner of the continental United States, the park is the site of the initial international borderline established after the U.S.-Mexico War ended in 1848. The park's planners, according to the *San Diego Union*, envisioned free access to it for people on both sides of the border. In her speech, the first lady promised to cross the boundary to shake hands with some of the hundreds of Mexican nationals witnessing her visit. As reported in the *Los Angeles Times*, she declared, "I hate to see a fence anywhere."

After a member of her security detail cut a section of the then barbed-wire barrier, she crossed the divide and embraced Mexican children, stating, "I hope there won't be a fence here too long."

Today the southern limit of the park looks very different from what she advocated, reflecting the radical changes that have taken place since the first lady's visit. A sturdy, mesh-like fence and tall steel barriers demarcate the line that separates the park from Mexican territory, with a second layer of fencing currently under construction, and a third one

scheduled to come soon.

These wall-like barriers represent only a small portion of the hundreds of miles of barricades and "security" technologies that increasingly scar the borderlands as part of the ever growing U.S. enforcement apparatus. The utility of the barriers, as obstructions to unauthorized immigration, is questionable. But as part of a much larger project, as one element of a deeper and much more extensive effort aimed at enhancing immigration and boundary enforcement, these barricades are highly significant. They have helped render the line far more difficult to cross, and far more dangerous, as evidenced by the approximately 5,000 migrant corpses recovered in the borderlands since 1995. If recent federal legislation is any indication, the length and strength of these barricades will grow dramatically—indeed, hundreds of miles of additional barricades are slated to arise in the coming years, at a huge human and financial cost.

IT IS UNCLEAR WHEN THE U.S. GOVERNMENT first began constructing barriers along the boundary, but through most of the 20th century, they were few and far between, located

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in urbanized areas and often in a state of disrepair and easily breachable. The absence for more than a century of strong physical barriers along the boundary reflects how immigration and boundary enforcement were largely non-issues until relatively recently. Prior to the 1970s, the U.S.-Mexico border rarely received national-level attention. When it did—as around the time of the infamous Operation Wetback in 1954—it was short-lived.

But matters began to change in the late 1960s in the context of a growing conservative-led war on crime and drug use, which pointed the finger at Mexico as a source of illicit commodities. The guest-worker Bracero Program (initiated in 1942) had ended in 1964, which led to the formally legal migrant labor influx (of up to 450,000 workers each year, totaling some 4.5 million over its existence) going underground and a significant increase in Border Patrol apprehensions of unauthorized migrants. Moreover, the deep recession of the early 1970s took place at the same time that the head of the U.S. Immigration and Naturalization Service (INS) launched a highly effective public relations campaign warning of the dangers of unauthorized migration. Together, these developments helped to bring unprecedented attention to the U.S.-Mexico border region and created the sense of an immigration “crisis.”

In this context, federal resources for boundary enforcement increased significantly, starting in the second half of the Carter administration with a focus on California, where local and state officials were making the most noise in favor of a border crackdown. There, the federal government installed a 10-foot-high chain-link fence along the seven westernmost miles of the divide, backed by floodlights and increased helicopter patrols.

The new fence was neither sturdier nor more difficult to scale or cut than the one it replaced. Nonetheless, the efforts to strengthen the barrier reflected the increasing tendency of the federal government and various politicians and organizations (most notably the Federation of American Immigration Reform, or FAIR) to present, and of the public to perceive, the boundary as a line of protection against external threats. These efforts—combined with the political entrepreneurship of California’s Republican congressman Duncan Hunter (whose nickname is the “Secretary of Da Fence”)—helped lay the foundation for the construction in 1990 of a steel wall made of surplus military landing mat in the San Diego area, where the vast majority of unsanctioned migrants at the time crossed.

A few years later, under the Clinton administration, the boundary-enforcement apparatus exploded with the emergence of geographically focused “operations” (Hold

the Line in El Paso, 1993; Gatekeeper in San Diego, 1994; Safeguard in southern Arizona, 1995; and Rio Grande in the Brownsville, Texas, area in 1997) and a spike in enforcement-related resources. In this context, barricades became a basic staple in the larger enforcement toolbox, one that increasingly involves measures that resemble aspects of military doctrine, specifically that of low-intensity conflict (see “Conflict of a Different Sort,” facing page).

THE ATTACKS OF 9/11 HAD THE EFFECT OF INTENSIFYING the focus on “border security,” leading to a host of plans aimed at enhancing the boundary-enforcement apparatus. Perhaps the most noteworthy was the Secure Border Initiative (SBI)—in the words of the Department of Homeland Security, “a comprehensive multi-year plan to secure America’s borders and reduce illegal migration.” Announced on November 2, 2005, SBI included a commitment to increase “physical layers of security”—i.e., walls, fences, and other barricades.

But if any single development turned the barricades into a political hot potato, it was the December 2005 passage by the House of Representatives of the Border Protection, Anti-terrorism, and Illegal Immigration Control Act of 2005. The so-called Sensenbrenner bill—so named after its chief sponsor, Representative James Sensenbrenner (R-Wis.)—mandated 700 miles of “security fencing” in the areas of the border region with the most crossings. While the companion bill did not pass the Senate, Sensenbrenner’s legislative initiative was a sign of things to come.

In October 2006, President Bush signed into law the Secure Fence Act of 2006. Outbidding the Sensenbrenner bill, the act ordered the building of 850 miles of “at least” two layers of “reinforced fencing,” with patrol roads in between, at designated stretches along the U.S.-Mexico boundary. The Consolidated Appropriations Act of 2008 followed up by requiring that the Department of Homeland Security complete 370 miles of such fencing and 300 miles of vehicle barriers along the divide by December 31, 2008. The legislation has forced the federal government to race to meet the deadline. (Prior to 2005, there were 78 miles of “pedestrian fencing” in place, and 57 miles of vehicle barriers, which tend to be low-lying and are easy to climb over.)

The law does not specify the type of pedestrian barricades, but the “reinforced fencing” will probably consist of a variety of materials and styles. In urbanized areas, “new and improved” fencing will mean even more formidable obstacles than currently exist. As the new fencing under construction just west of El Paso was described by the *Agence France Presse*: “The [18-foot-]tall fence has a

mesh woven so tightly that feet and fingers cannot grab hold, but it still allows people to see through. Steel pylons are set close enough to stop a truck from bursting through, and two meters of reinforced concrete underground deters any tunneling.¹¹ In places like San Diego, multiple layers of barriers are the wave of the future and, in many stretches, already present.

These barricades are the intellectual offspring of a study commissioned by the INS in 1993. The study, done by Sandia National Laboratories (a nuclear weapons research facility in New Mexico), recommended three tiers of barriers as a way of maximizing the Border Patrol's capacity to apprehend unsanctioned entrants. The study also recommended complementing the barriers with various surveillance technologies—the “virtual fence” now presented as the friendly, humane alternative to physical barricades. While such technologies have long been deployed in the border region, especially in the most urbanized areas, they have emerged with a vengeance since 9/11. In 2006 Homeland Security initiated SBInet, a multiyear, multibillion-dollar integrated system to “transform border control technology and infrastructure.” The stated goal of the program, which DHS considers a “critical component” of the SBI, is to deploy the “most effective proven technology, infrastructure, staffing and response platforms and integrate them into a single comprehensive border security suite for the department.”¹²

DHS outsourced the project to Boeing, which initially fo-

cused on a 28-mile pilot project in the Border Patrol's Tucson Sector in southern Arizona. By summer 2007, Boeing and its subcontractors (which include Elbit, an Israeli firm that has been involved in constructing Israel's land-grabbing “security” wall) had built nine 98-foot towers in the area. They are topped by cameras, sensors, radar, and other surveillance technologies whose collective data was to be sent via wireless network to Border Patrol managers and agents in the field (with laptop computers). One tower was placed 10 miles north of the boundary near the town of Arivaca, raising the prospect of ongoing camera surveillance of residents and arousing protests. The pilot project ended in abject failure, however. Among the problems: The tower-mounted cameras, which were supposed to have high image resolution for 10 kilometers, only worked well at a distance of five; the software Boeing employed did not integrate well with the camera images; and the surveillance system was often rendered unusable by rain and other environmental factors. As a result of these setbacks, the deadline for the completion of phase 1 of SBInet is now 2011, instead of 2009.

IN ADDITION TO TECHNOLOGICAL CHALLENGES, THE WALL-building endeavor has faced many obstacles, from those of physical geography to financial and political-economic ones. The varied topography of the borderlands—ranging from steep mountains to deep canyons and rivers—make building a barrier in some areas extremely difficult. Related to that is the sensitive nature of the varied

Conflict of a Different Sort

Low-intensity conflict (LIC) doctrine is a broad-ranging military framework developed in the 1980s, most strongly characterized by the military taking on police roles and the police acting more like the military. The *NACLA Report* broke the story on LIC with Sara Miles's 1986 article “The Real War: Low-Intensity Conflict in Central America” (volume 20, no. 2). Associated originally with U.S. involvement in counterinsurgency wars in Central America, much of what the U.S. military referred to as LIC was later subsumed under the mid-1990s doctrine “Military Operations Other Than War” (MOOTW). In both cases, the goal is to control targeted civilian populations and impose stability on U.S. terms. LIC/MOOTW includes a wide range of ac-

tivities, including counterinsurgency and insurgency promotion, counterterrorism, shows of force, peacetime contingency operations, peace-keeping, counter-drug operations, humanitarian intervention, and support to U.S. civilian authorities (e.g., during natural disasters, but broader types of aid as well). These typically involve close collaboration between the military, intelligence bodies, and civilian police organizations, while relying heavily on surveillance efforts and surveillance technology (e.g., sensors, infrared radar, imaging equipment, cameras, helicopters). As a police unit using military technology and contractors, U.S. Customs and Border Protection clearly uses this approach, the construction of hundreds of miles of border

barriers and the SBInet surveillance project being just two present-day examples. Timothy Dunn's 1996 book, *The Militarization of the U.S.-Mexico Border, 1978–1992*, was the first published work to demonstrate that elements of LIC (and MOOTW)—first deployed during the U.S.-sponsored wars in Central America during the 1980s—had been “repatriated” to the United States, specifically in the form of U.S.-Mexico border enforcement. LIC-like activities, especially the more force-laden ones, have often led to significant (sometimes massive) human rights abuses, such as in Central America, and even in less force-laden ones, tragically shown by the rising migrant death toll in the border region. —JN & TD

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A surveillance tower on the U.S. side of the border fence, Nogales, Arizona

ecosystems and the presence of endangered species in the region. Constructing the barriers entails a huge transformation of the landscape and, with it, habitat destruction. Meanwhile the very presence of the barricades inhibits migration of various species, undermining their very ability to survive. In addition, barriers in southern Arizona have facilitated flooding at various points abutting the boundary by impeding water flows from sudden storms. For such reasons, a variety of environmental and conservationist groups have filed lawsuits to stop DHS's barrier-building spree. (In June, the Supreme Court refused to take up one such case.)

The passage of the 2005 Real ID Act (which won passage as a rider on an appropriations bill to fund the wars in Iraq and Afghanistan after failing to win sufficient votes on its own) was a key victory in the federal government's effort to stymie such suits. It grants the secretary of Homeland Security the authority to waive any law as is "necessary to ensure expeditious construction" of the border barriers and related infrastructure. And that is exactly what Secretary Michael Chertoff has done, waiving legislation such as the Clean Air Act, the Endangered Species Act, the Coastal

Zone Management Act, and the National Historic Preservation Act. These waivers have allowed the federal government to finally proceed with the multiple layers in a three-and-a-half-mile stretch of the boundary in the westernmost part of California that runs eastward from Border Field State Park, where Pat Nixon visited in 1971. The construction includes 1.9 million tons of dirt to fill in an area called Smuggler's Gulch, eradicating the canyon in the process.

Such endeavors, and the larger border buildup, are expensive. Between 1993 and 2007 Border Patrol staffing levels nearly quadrupled to 15,000 agents and funding jumped 590% to \$2.7 billion. The cost of the barriers is additional—and hardly insignificant. Although the initial funding for the 850 miles of new pedestrian barriers was \$1.2 billion, various estimates put the ultimate costs much higher. According to U.S. Customs and Border Protection, the walls and fences along the boundary average between \$2 million and \$3 million a mile. But myriad factors—ranging from topography, the materials used, and the prices of the land (if it is private)—can make it much more costly. In the case of the three-and-a-half-mile stretch in California, the price tag is about \$16 million per mile.³

These figures, however, do not include maintenance and repair costs, which are likely to rise as the length and formidability of the barriers increase, especially in the face of migrants' and smugglers' attempts to breach them. Drawing on, and updating, analysis contained in a 1999 study by the U.S. Army Corps of Engineers, the Congressional Research Service estimates that the cost over the 25-year life cycle of double-layered barriers would range from \$16.4 million to \$70 million *per mile*, depending on the level of damage sustained. In other words, 850 miles of barriers could cost upward of \$59.5 billion.⁴

It is likely that even these estimates understate the full expense. They do not incorporate most labor costs, nor do they include the expense of acquiring the highly significant amount of privately held land that abuts the boundary. Such land tenure has led to difficulties for federal authorities, with many owners refusing access (especially in Texas, where most of the land is privately owned). Federal legislation permits Washington to use eminent domain to compel access to land parcels whose owners do not grant voluntary access. While a number of lawsuits challenging DHS's wall-building spree are still pending, thus far courts have generally backed the federal government.⁵

In the case of barriers built on private land, it appears that the wealth and political connections of the landowner are a significant factor in shaping DHS's plans. In south Texas, where DHS is proposing to have contractors (Halliburton is among the bidders) build a 20-foot-high wall of

concrete and steel, the barrier will not be continuous. As currently envisioned, it will have many “holes” (unfenced areas) on border-adjacent land of politically and economically privileged residents. Meanwhile, the wall is slated to go through the property of many Mexican American residents of modest means—with those refusing to cooperate with DHS facing condemnation suits. In some cases the wall will be built one mile north of the boundary and will effectively trap landowners whose property lies between the barrier and the Rio Grande.⁶

THE ONGOING DEBATE OVER BORDER BARRICADES IS informing the political landscape in the border region as significant opposition has arisen. A 2006 poll found that 57% of El Pasoans opposed the lengthy border wall/fence.⁷ Meanwhile, mainstream institutions and figures there have spoken out against it, including the El Paso City Council and the area’s U.S. congressman (and retired El Paso Border Patrol sector chief) Silvestre Reyes. And opposition is very strong in south Texas as well.

The reasons for the opposition are multiple. Some are principled—those of environmentalists and border and migrant rights activists, for example—while others are merely pragmatic. Reyes, for instance, and the many Border Patrol agents who agree with him, see the building of barricades as wasteful symbolism. For Reyes and other elites, the barriers also undermine efforts to intensify U.S.-Mexico commercial ties. Meanwhile, they advocate an increase in the size of the Border Patrol.

In addition to demonstrating the power of nation-statism to stymie the imagination, such politics illustrate the deeply impoverished nature of what passes for debate on immigration and national boundaries in the United States, a debate that is largely reduced to narrow matters of law, order, and security. The result of this is, predictably, increased human suffering—as evidenced by the some 5,000 recovered migrant corpses and the ever growing death toll in the borderlands, the spike in workplace raids and deportations, and, with them, growing numbers of divided families.⁸

Even on their own terms, the walls and fences—real and virtual—have failed. A recent study found that while the U.S.-Mexico boundary is far more difficult to cross today than in the early 1990s, only an insignificant number of would-be Mexican migrants stay at home as a result. And among those who continue to try, between 92% and 97% eventually succeed. Furthermore, because of the heightened difficulties associated with crossing, migrants

are far more likely to stay in the United States once they get here, rather than go back home.¹⁰

No doubt the enforcement infrastructure could eventually reach a point that would make it so difficult to cross that far fewer would try to migrate and succeed. Indeed, in a number of largely urbanized places where obstacles (human, physical, and virtual) are especially intense, unauthorized crossings have dropped dramatically since the mid-1990s. But given the depth and scale of transboundary ties, the power of social and economic forces driving migration, and the resolve and resourcefulness of migrants, it is pure fantasy to think that U.S. authorities can fully “secure” the boundary using this approach.

The European Union’s “fortress” approach, with its heavy-handed policing of immigrant communities and the deaths of many thousands of migrants along its perimeter, is very similar to that of the United States. But internally the EU’s heavy social investment in less wealthy member countries and regions prior to their full incorporation into the supranational polity illustrates the importance of addressing the socioeconomic inequalities and structural factors that fuel out-migration.

In the EU’s case, such investment has led to less migration from traditional sending areas, despite there now being freedom of movement, than there existed when the boundaries were not “open.” Washington, by contrast, has shunned such EU-style social investment in heavy migrant-sending areas in places like Mexico and Central America and continues to champion so-called free trade agreements of the neoliberal variety, which have proven to increase migratory pressures when instituted between profoundly unequal economies—as NAFTA has demonstrated.¹¹

More fundamental to challenging the barricades that litter the U.S.-Mexico border region is perhaps what Pat Nixon suggested in 1971 during her visit to Imperial Beach. While it is impossible to know exactly what the first lady meant, her words and actions suggested an openness to imagining something fundamentally different in the borderlands. It is this openness that is so desperately needed today to end the institutionalized brutality and suffering that prevail in the border region and many immigrant communities. As Nixon did, seeing people from the other side of the boundary as our neighbors and embracing them—rather than constructing them as faceless masses to be feared and repelled—would be a great start to tearing down the walls. ■

What passes for debate on immigration and borders in the United States is reduced to narrow questions of law, order, and security.

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Building the Homeland Security State

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4. Blas Nuñez-Neto and Michael John Garcia, "Border Security: Barriers Along the U.S. International Border," Congressional Research Service, report updated January 8, 2008.
5. See Kent Paterson, "Cross Border Activists Escalate Fight Against 'The Wall of Death,'" Americas Policy Program Report, September 12, 2008, available at americas.irc-online.org/am/5530.
6. See Melissa Del Bosque, "Holes in the Wall," *The Texas Observer*, February 22, 2008, available at www.texasobserver.org.
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9. Wayne Cornelius, "Introduction: Does Border Enforcement Deter Unauthorized Immigration?" and Jezmin Fuentes, Henry L'Esperance, Raúl Pérez, and Caitlin White, "Impacts of U.S. Immigration Policies on Migration Behavior," in Wayne A. Cornelius and Jessa M. Lewis, eds., *Impacts of Border Enforcement on Mexican Migration: The View From Sending Communities*, (Center for Comparative Immigration Studies, University of California, San Diego, 2007), 1-15, 53-73.
10. See Douglas S. Masse, Jorge Durand, and Nolan J. Malone, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration* (Russell Sage Foundation, 2002).
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A New Migration Policy

1. United States Code, Title 8, Section 1325 ("Improper entry by alien") and Section 1326 ("Reentry of removed aliens").
2. According to "Prosecutions for 2008," an analysis of U.S. Justice Department

- data by the Transactional Records Access Clearinghouse (TRAC), available at trac.syr.edu.
3. According to "Surge in Immigration Prosecutions Continues," an analysis of U.S. Justice Department data by TRAC, available at trac.syr.edu.
4. See "Statement of Dr. Erik Camayd-Freixas, Federally Certified Interpreter at the District Court for the Northern District of Iowa," available at judiciary.house.gov.
5. See "Surge in Immigration Prosecutions Continues."
6. See CCA's 2007 Annual Report, available at investor.shareholder.com.
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Panic Attack

1. I draw the term *sex panic* from work by Jeffrey Weeks and Gayle Rubin: Jeffrey Weeks, *Sex, Politics, and Society: The Regulation of Sexuality Since 1800* (London: Longman, 1981), and Gayle Rubin, "Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality," in Henry Abelove, Michèle Aina Barale, and David M. Halperin, eds., *The Lesbian and Gay Studies Reader* (Routledge, 1993), 3-44.
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7. Daniel M. Filler, "Terrorism, Panic, and Pedophilia," *Virginia Journal of Social Policy and the Law* 10, no. 3 (2003): 345-82, esp. 345, 356.
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Containing Multitudes

1. This is a revised, updated version of an essay that appeared in *CounterPunch* 14, no. 1 (January 2007). It relies very heavily on the pioneering work of Deborah and Rodrick Wallace, *A Plague on Your Houses: How New York Was Burned Down and National Public Health Crumbled* (Verso, 1998); Christian Parenti, *Lockdown America: Policing and Prisons in the Age of Crisis* (Verso, 1999); and Joshua Freeman, *Working-Class New York: Life and Labor Since World War II* (The New Press, 2000). For data on Bushwick, see the profile for Community District 4 from the mayor's office (www.nyc.gov) and at NYU's Furman Center for Real Estate and Urban Policy (furmancenter.nyu.edu).
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3. Parenti, *Lockdown America*, 18.
4. Peter Marcuse, "Migration and Urban Spatial Structure in a Globalizing World: A Comparative Look," paper, Conference on African Migration in Comparative Perspective, Johannesburg, South Africa, June 4-7, 2003.
5. Mike Davis, *Planet of Slums* (Verso, 2007), 13, 16-17; idem, "The New Industrial Peonage," *Dead Cities: And Other Tales* (The New Press, 2002), 191-204.
6. Deborah and Rodrick Wallace, *A Plague on Your Houses*, 114.