

UNIVERSITY OF OKLAHOMA
GRADUATE COLLEGE

MAKING SENSE OF U.S. IMMIGRATION POLICY: VIOLENCE, AGENCY, AND
INTERSECTIONALITY IN POLICY, PAST AND PRESENT

A THESIS
SUBMITTED TO THE GRADUATE FACULTY
In partial fulfillment of the requirements for the
Degree of
MASTER OF ARTS IN INTERNATIONAL STUDIES

By
MEAGAN HARDEN
Norman, Oklahoma
2020

MAKING SENSE OF U.S. IMMIGRATION POLICY: VIOLENCE, AGENCY, AND
INTERSECTIONALITY IN POLICY, PAST AND PRESENT

A THESIS APPROVED FOR THE
COLLEGE OF INTERNATIONAL STUDIES

BY THE COMMITTEE CONSISTING OF

Dr. Emma Colven, Chair

Dr. Miriam Gross

Dr. Misha Klein

© Copyright by MEAGAN HARDEN 2020

All Rights Reserved.

Table of Contents

Abstract.....	vi
Chapter One. Making Sense of U.S. Immigration Policy: Violence, Agency, and Intersectionality in Policy, Past and Present.....	1
Chapter Two. Re/Producing Exclusion: Legal and Discursive Precedents of the 2020 Birth Tourism Regulation.....	20
Chapter Three. Moving From, Through and Into the Structural Violence of Forced Migration: Myint and Su.....	37
Conclusion: Cultivating Hope.....	64
References.....	68

Table of Figures

Figure 1.....	3
Figure 2.....	22
Figure 3.....	30
Figure 4.....	45
Figure 5.....	52
Figure 6.....	53

Acknowledgements

First, my gratitude to my parents, who have been incredibly supportive throughout my life; and to my brilliant niece Harlow, whose smiles have gotten me through many a tough day of writing.

I am also grateful to the members of the 2020 MAIS cohort for their company and commiseration these past two years; to the faculty and staff of CIS —especially Katie Watkins, whose humor and expertise have kept so many students afloat, and Dr. Mark Raymond, whose thoughtful reassurance and mentorship are an invaluable addition to Farzaneh Hall; and to Dr. Chie Noyori-Corbett, for the compassion and candor with which she leads.

This thesis would be either a wisp of an idea or a chaotic slew of half-thoughts were it not for the guidance and feedback of my incredible thesis committee: Dr. Miriam Gross, whose nocturnal office hours and willingness to chat have proved an immense source of both baked goods and reassurance to many an insomniac graduate student; Dr. Misha Klein, whose commitment to social justice consistently challenges me to think more critically and act with more empathy; and Dr. Emma Colven, thesis chair and human extraordinaire, who has been the most supportive, encouraging, and inspiring role model throughout my graduate studies.

Finally, my profound gratitude to Myint and Su for sharing their stories and their time, and for steering their lives towards hope. If there were ever a reason to keep fighting for justice, these women are it.

Abstract

Since President Trump took office in 2017, he has implemented dozens of restrictive immigration laws at the expense of women and people of color. The rapid barrage of policies has confounded international and domestic commentators alike, prompting outrage and a sense of powerlessness. In this thesis, I interrogate the historical underpinnings of Trump-era immigration policies to demonstrate the deep-seated racism and sexism that have informed American immigration policy dating back to the nineteenth century. I apply an intersectional framework to the 2020 birth tourism regulation, which discriminates against women from non-Western countries, and well as interviews with two women resettling as refugees in Oklahoma City who navigate the U.S. resettlement program's emphasis on employment at the expense of language. In doing so, I present immigration policy as a political tool that disproportionately impacts women of color and whose structural violences continue long past a migrant's arrival in a new location. In centering intersectionality and agency alongside structural violence, I contribute to literature on "borderscapes," which seeks to amplify the possibilities for hope, opposition, and counter-hegemonic political agency in the context of exclusionary globalization.

Keywords: birth tourism, borderscapes, forced migration, Visa Waiver Program, refugee resettlement, intersectionality, immigration policy, birthright citizenship

Chapter One. Making Sense of U.S. Immigration Policy: Violence, Agency, and Intersectionality in Policy, Past and Present

Despite the expansion and increasing flows of people, capital, and ideas across borders under the current moment of globalization, the past three decades have witnessed an acceleration of border construction and the re-entrenchment of the nation-state's role in geopolitical order. In addition to physical barriers, state and non-state actors implement legal mechanisms, economic restrictions, and myriad other means of controlling, denying or deterring entry into certain spaces. Border conflicts the world over, ranging from India and Pakistan's disagreement over Kashmir to Russia's annexation of Crimea from the Ukraine, both Hong Kong's and Taiwan's contested sovereignty from China, and First Nations' centuries-long fight to reclaim sovereignty from North American governments, have profound implications for people living within and outside of state borders. These conflicts and the violence they inflict upon human and nonhuman lives are enabled —indeed, created— by the systems of political power that the territorial boundary of “the border” represents.

As a relatively recent phenomenon, what are the long-term implications of borders, especially for people seeking to move across them? In this thesis, I zoom out from “the border” to view the actors, structures, and environments that surround it. I look at the ways in which economic, political, and historical contexts converge to re/produce, challenge, or otherwise engage with the border as not simply a physical boundary, but also a discursive and political mechanism of control and contestation.

In doing so, I frame the Trump administration's restrictive approach to immigration policy within critical border studies scholarship that rejects the border as inevitable or apolitical,

and instead interrogates the material, discursive, and processual attributes that make borders sites of conflict, violence, generation, and hope. I focus on the 2020 birth tourism regulation and the U.S. refugee resettlement program to demonstrate that the Trump administration uses immigration policy as a political tool that produces both deliberate and inadvertent violence against certain bodies according to race, nationality and geopolitical relationships, and gender. Through policies that securitize and externalize America's physical borders, the Trump administration pursues exclusionary prerogatives in ways that align with the generally taken-for-granted role of national borders.

Borders in Context: Material and Immaterial Processes of Power

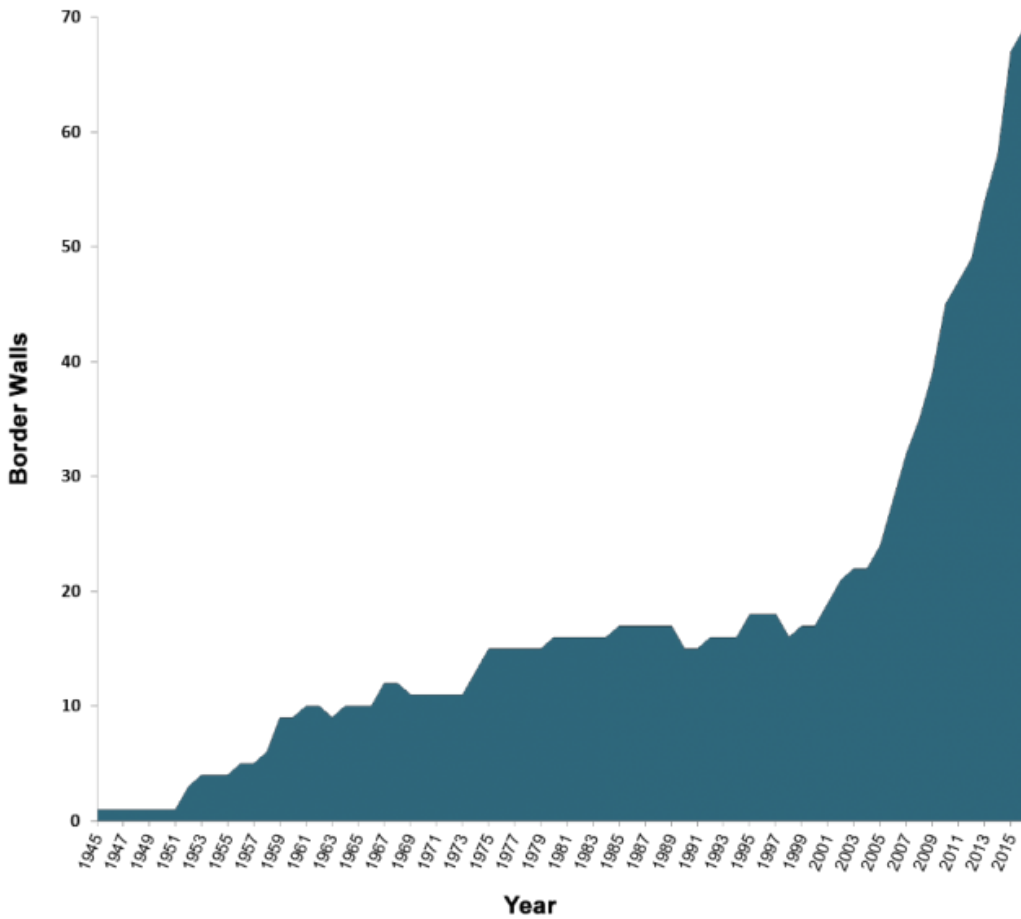
Although the contemporary state system assumes that people belong in particular states, the linkage between territory and sovereignty is a relatively recent phenomenon (Betts, 2015). Marking the end of the Thirty Years' War in Europe, the 1648 Treaty of Westphalia codified what is now referred to as the Westphalian state system, or the use of territorial boundaries to denote sovereign entities. Through European colonization, the practice of denoting realms of governance with territorial demarcations proliferated into the current Westphalian state system (Jones et al., 2017; Benton, 2010). However, borders are not arbitrary lines drawn on maps or carved into earth; rather, they are the material and immaterial assertions of power that seek to contain, deter, or otherwise control human mobility. Borders can therefore be biopolitical as a way to control life or necropolitical as a way to control death (Foucault, 1979; Mbembe, 2003). In their many material and immaterial forms, borders are therefore inherently political sites of state sovereignty and power.

The Materiality of Borders

Physically, borders inhibit or enable the movement of people, capital, and goods across space. In recent years, states have increasingly constructed structures such as walls and fences to mark their borders. Figure 1 below shows the exponential increase of global border walls since the end of World War II. Rather than timeless or inevitable, the proliferation of border walls is historically recent.

Figure 1

Number of Border Walls Globally, 1945-2015



Source: Update by Elisabeth Vallet, Zoé Barry, and Josselyn Guillarmou of statistics included in Elisabeth Vallet, ed., *Borders, Fences and Walls: State of Insecurity?* (Farnham, UK: Ashgate Publishing, 2014).

Furthermore, physical borders have taken on increasingly securitized and explicitly violent forms, particularly since September 11th, 2001. Border securitization in the U.S. has included the expansion of fences at the southern border by 2,639 miles between 2006 and 2016 (Jones, 2016, p. 37); mass deployment of Customs and Border Patrol (CBP) officers and military forces (Pierce, 2019); and the deployment of military troops (Jones, 2016). These trends are not unique to the U.S.: Hungary has constructed a border fence between it and Serbia, India has reinforced its borders with Bangladesh, and Greece has even considered erecting a floating border off its shores (Goździak, 2019; Jones, 2009; Reuters, 2020). Nations therefore seek to deny transnational movement by making their physical borders larger, more formidable, and more dangerous.

Borders are also materially enacted in the spaces surrounding borders, thereby extending the physical reach of the border. For example, the U.S. policy of “prevention through deterrence” prevents undocumented migrants away from crossing into the U.S. at safe border sites; in doing so, the policy essentially channels people through the harsh, arid Sonoran Desert in the American southwest on a journey that many do not survive (De León, 2015). While the border itself may be a discrete line or structure, spaces surrounding it also become “fertile territories for understanding how exception is constructed and contested by different actors” (De León, Gokee, and Schubert, 2015, p. 453). These borderlands become spatial extensions of border conflict, with often violent implications for the people living in the borderlands (Anzaldúa, 1987; Grundy-Warr, 1993; Sundberg, 2008; De León, 2015).

Borders as Process

In addition to its material attributes, critical border studies scholars also interrogate the immaterial attributes of borders, focusing especially on the border as a process and as discourse. In his seminal article “The Territorial Trap: The Geographical Assumptions of International Relations Theory” (1994), John Agnew argues that, in conceptualizing statehood as a fixed unit whose territorial bounds contain society and separate the foreign from the domestic, analyses obscure important economic, social, and other components of global affairs. Similarly, in their introduction to a *Geopolitics* special issue entitled “Critical Border Studies: Broadening and Deepening the ‘Lines in the Sand’ Agenda,” Parker and Vaughan-Williams (2012) express their ambition to decenter the border –that is, “to problematise the border not as taken-for-granted entity, but precisely as a site of investigation... [the border] is never simply ‘present’, nor fully established, nor obviously accessible. Rather, it is manifold and in a constant state of becoming” (p. 728). These scholars and others understand the border not as a static line demarcating state territory, but as a dynamic and deliberate execution of political power that is simultaneously ongoing and inextricable from prerogatives of domination and control.

This “processual turn” expands the analytical rigor of critical border studies in two key ways. First, treating borders as an ongoing process can help explain the changing attributes of particular borders; for example, the U.S.-Mexico border prior to 9/11 is difficult to reconcile with the increasingly violent, militarized border today. Understanding this border beyond its role as a spatial demarcation requires attention to the shifting geopolitical contexts and the ways in which those transform the character of the border. Second, understanding borders as processes necessitates attention to the actors involved in re/making borders. Rather than treating borders as inevitable or apolitical, the border-as-process perspective interrogates the power-laden

construction of borders. Following this “processual turn” in critical border studies, I therefore refer to the practices of constructing, enacting, and reinforcing borders as *bordering*.

According to Brambilla and Jones (2019), “the border produces, contains, and is traversed by complex entangled tensions in a condensed form that make the border itself a prime field to advance understanding of violence and conflict” (p. 3). Images of machine-gun wielding border patrol officers, barbed wire, or electric fences are explicitly violent and evoke visceral responses of fear, dispossession, and division (Correa, 2013). However, border violence is also structural¹ and implicitly experienced across sites and scales. For example, Walia (2013) identifies the West as the progenitor of borders via not just colonization, but also settler colonialism, military occupation, and neoliberal imperialism that produce and sustain systems of geopolitical inequality. Jones (2016) also identifies the violent structural implications of the border, stating that:

The existence of the border itself produces the violence that surrounds it. The border creates the economic and jurisdictional discontinuities that have come to be seen as its hallmarks, providing an impetus for the movement of people, goods, drugs, weapons, and money across it. The hardening of the border through new security practices is the source of the violence, not a response to it. (p. 5).

Border violence is embedded within, and constitutive of, inter-ethnic conflict in postcolonial Africa, land disputes in the Americas, and racism against people of color predating the founding of the U.S. This paper focuses predominantly on the co-constitution of structural violence and bordering systems in order to demonstrate the insidious, often taken-for-granted violent underpinnings of exclusionary immigration policies.

¹ I follow Farmer (2005) in defining structural violence as “a broad rubric that includes a host of offenses against human dignity: extreme and relative poverty, social inequalities ranging from racism to gender inequality, and the more spectacular forms of violence that are uncontestedly human rights abuses” (p. 34).

Securitization, Externalization, and Humanitarian Governance

Border studies scholars understand borders as differentially porous (Paasi, 2012; Mezzadra and Neilson, 2011; Paasi, 2018). That is, resources, capital and goods as well as *certain* bodies move unimpeded across borders, while other bodies are rendered immobile in ways that present risks to life. Despite arguments from globalists such as Thomas Friedman (2005) that globalization has leveled global inequality as capital, ideas, and people move rapidly across borders, people *do not* have equal access to these forms of mobility, further marginalizing the already marginalized and aggravating social inequalities. Whether a person's citizenship status prevents them from leaving and re-entering a country (as was the case for a family member of one of this study's participants), a city's lack of public transportation prevents some residents from accessing grocery markets, or the rapid spread of a pandemic leaves asylum seekers stranded in unsafe environments due to closed borders, crossing borders is not uniformly accessible.

This differential porosity is not apolitical; rather, political actors rely on the practices of border securitization, border externalization, and the cooptation of humanitarian discourse to shape borders aligned with their prerogatives. While state actors and governments are by no means the sole actors involved in constructing this discourse, I focus here on state policies and practices that work together to legitimize restrictive policy and practice, especially regarding immigration and transnational movement. Supported by the media and crisis language, the practices of border securitization, externalization, and pseudo-humanitarianism converge in the increased traction of anti-immigration discourse globally.

Especially since the terrorist attacks of 9/11 and the advent of post-9/11 geopolitics, states increasingly use discourses of national security to consolidate national borders (Bigo and Tsoukala, 2008; Hyndman and Mountz, 2008). According to Karyotis (2007), security is a speech act that “occurs when a political actor pushes an area of ‘normal politics’ into the security realm by using the rhetoric of existential threat, in order to justify the adoption of ‘emergency’ measures outside the formal and established procedures of politics” (p. 3). That is, political actors can co-opt the language of security to *produce* threats. When a state does this, it creates the opportunity to act in ways that would otherwise be normatively unacceptable (Agamben, 2003). Hyndman and Mountz (2008) argue that this discourse enables governments to shift immigration issues from the legal to the political domain, making transnational (im)mobility subject to volatile political contexts.

For example, states use the security discourse to legitimate policies and practices that deter, redirect, or detain migrants as they attempt to cross transnational borders (Hirsch and Bell, 2017; Effeney and Mansouri, 2014; De León, 2015). Australia, for example, has forged agreements through which it provides financial support to Indonesia, Nauru, and other states who, in exchange, house asylum seekers that would otherwise seek to enter Australia. Similarly, El Salvador, Guatemala, Honduras, and Mexico have consented to accept asylum seekers at U.S. borders, regardless of whether or not that is in the best interest of the asylum seeker. States rely on the discourse of national security to present these policies as protective measures and, in making migration political rather than legal, create new opportunities to control mobility and subtly erode human rights norms.

The use of border securitization has also enabled a process of border *externalization* in which states “offshore” their national borders beyond their territorial bounds. Examples include

U.S. Customs and Border Protection pre-screening sites in airports abroad, European Union (EU) processing centers in North Africa that aim to separate legitimate from illegitimate asylum claims before arrival in the EU, and even a plan to implement a floating barrier between Turkey and Greece to deter migrants from entering Europe. These measures, which at the least risk invading privacy and at the worst result in loss of life, are presented as necessary for national security. What is critical, however, is that these efforts transport the border *outside* of territorial bounds, therefore further complicating the character of “the border” and its role in global systems.

Further, reflecting Jones’ (2016) argument that the border itself generates the violence that surrounds it, the externalization of borders too generates and exacerbates violence. For example, Lemberg-Pedersen (2017) discusses the EU’s construction of processing centers in Libya that indefinitely detain or redirect asylum seekers, forcing asylum seekers into extended precarity. Instead of providing a solution to displacement, these processing centers aim to solve the EU’s influx of asylum seekers by externalizing its borders and containing asylum seekers between the territory of the EU and of Libya. Through securitization and externalization, state actors reproduce, extend, and otherwise shift the spatial and political character of the border from a territorial marker to an extraterritorial site of biopolitical exclusion.

Governments also selectively use humanitarian rhetoric and policy to offset any perceived severity of securitization measures. That is, humanitarian policies accompany securitizing policies in ways that do not necessarily alleviate the impact of securitization but rather give the appearance of valuing human rights norms. Miriam Ticktin (2011) interrogates French immigration policies that allow undocumented migrants with life-threatening illnesses to obtain documentation while rejecting all others. According to Ticktin, the French discourse of

humanitarianism enables the government to provide care to a few at the expense of many, while appearing to outwardly maintain support for ostensibly humanitarian policies. Similarly, Little and Vaughan-Williams (2016) demonstrate the ways in which Australia uses the language of “compassion” in conjunction with restrictive border policies to quell potential opposition, arguing that allowing irregular migrants into Australia would promote human trafficking. The following questions that Fassin (2011) raises capture this tension between the use of humanitarian governance as a way to either protect human rights or circumvent more comprehensive, systemic changes to international migration:

What, ultimately, is gained, and what lost, in the deal when we use the terms of suffering to speak of inequality, when we invoke trauma rather than recognizing violence, when we give residence rights to foreigners with health problems but restrict the conditions for political asylum, more generally when we mobilize compassion rather than justice? (p. 8).

The use of humanitarian governance therefore not only seeks to offset potential public opposition to restrictive policies, but also does so by implicitly making biopolitical decisions of whose life matters and whose does not.

Finally, the use of crisis language by the media and political elites often represents migration as an unabated, overwhelming process that threatens the stability of the West. For example, Hungary’s far-right media has reinforced Prime Minister Viktor Orbán’s portrayal of Muslim asylum seekers as fundamental threats to Hungary’s Christianity (Goździak, 2019); Israeli Prime Minister Benjamin Netanyahu called African asylum seekers a “growing influx that threatens Israelis’ jobs and changes the character of the state” (Greenberg, 2011); and U.S. President Donald Trump has repeatedly criminalized both voluntary and forced migrants of color (Arce, 2019). In the media, FOX News propagates anti-immigrant rhetoric, while both FOX News and CNN present people from the Middle East as irrational threats to democracy (Gil de

Zúñiga, Correa, & Valenzuela, 2012; Guzman, 2016). As Vaughan-Williams and Pisani (2018) argue:

This securitized narrative has been reinforced by a powerful visual repertoire of radicalized and gendered representations of the geopolitics of the ‘crisis’ that emphasize unprecedented mass movement and play on the common theme of unruliness, invasion and besiegement. (p. 3).

In reinforcing discourses of national security, the media intensifies public fear of immigrants, thereby “paving the way for xenophobic reactions, de-empowering the concerned populations, and de-politicizing” transnational displacement (Bettini, 2012, pp. 63-64). Therefore, the border system —and the states, economies, media, and other actors constructing it— inflict violence through border securitization, border externalization, and the mobilization of humanitarian and crisis language.

Immigration Policy in the Trump Era

Since his 2016 presidential campaign, Donald Trump has tapped into existing sexism, racism, and ethno-nationalist discourses to rally supporters, whether by joking about sexual assault, demanding that four Congresswomen “go back home” —despite that the women to whom he referred are all American-born or naturalized citizens— or making other remarks that degrade women and people of color. Trump has made especially inflammatory remarks surrounding immigration, targeting immigrants generally and people from what he has termed “shithole countries.”² Throughout his presidency, Trump has labeled immigrants —especially those from the Global South— as “criminals, drug dealers, rapists, etc.,” “ISIS-affiliated,” and generally inferior to white Americans. In presenting immigrants as threats to American

² In a 2018 meeting with U.S. senators, Trump referred to Haiti, El Salvador, and some African nations as “shithole countries.” See Ibram X. Kendi’s article in *The Guardian*, “[The Day Shithole Entered the Presidential Lexicon](#),” for an important discussion positioning Trump’s remarks within hierarchical global systems.

sovereignty and national security, Trump exploits a system of structural racism that is already pervasive in and underpins American society.

Beyond rhetoric, Trump's statements have been accompanied by restrictive policies that enact various forms of exclusion based on race, gender, religion, and sexuality. For example, Trump's Executive Order 13769 (known colloquially as "the Muslim Ban") initially barred migrants (including refugees) from the Muslim-majority countries of Iran, Libya, Somalia, Syria, and Yemen, as well as from North Korea and Venezuela, and was expanded in 2020 to include people from Nigeria³, Myanmar, Eritrea, Kyrgyzstan, Sudan, and Tanzania (Pierce and Selee, 2017; Kanno-Youngs, 2020). The Migrant Protection Protocols —or "remain in Mexico"—policies and asylum cooperation agreements with Guatemala, Honduras, and El Salvador force asylum seekers from the U.S.-Mexico border into protracted vulnerability as they are required to remain in Mexico while they await asylum interviews (Rose, 2019). The same-sex partners of diplomats have been denied visas, pregnant women have been detained by Immigration and Customs Enforcement (ICE), and perhaps most tellingly of the increasing hostility towards migrants, the U.S. Customs and Immigration Services (USCIS) changed its mission statement to remove the phrase "nation of immigrants" (Pierce, 2019).

Witnessing this rapid barrage of policies that have violent implications for human and nonhuman life, I have found myself, as a scholar-activist committed to mobility justice, struggling to both articulate the gravity of these policy trends and maintain hope and motivation for change. Between academic literature on borders that emphasizes violence while overlooking

³ Tellingly, Nigerians are the most educated immigrants in the U.S., supporting the argument that the travel bans are *not* about a country's socioeconomic status but rather about race.

hope, and bleak media reports of migrant deaths and abuses, it becomes difficult even to imagine a nonviolent border system. As one participant in my research told me, it often feels impossible to “balance the good with the bad” without becoming overwhelmed. How is it possible to frame the injustices —both witnessed and experienced— in ways that catalyze not just anger and hopelessness, but also subversion, opposition, and hope? How can those of us with access to the privileges of higher education, voting rights, proximity to policymakers, analysts, and decision makers use those spaces not just to oppose the violence engendered by borders, but also to recognize and honor agentive moments of hope and generation? This thesis thus reflects my own attempts to make sense of the violence that characterizes borders and the spaces they infuse, and to narrate the perspectives of those people who navigate these spaces, in ways that generate hope without dismissing violence.

Borderscapes

I frame my argument within Chiara Brambilla’s (2015b) conceptualization of the borderscape, which draws on critical border studies and Appadurai’s five dimensions of global cultural flows.⁴ According to Brambilla, the borderscape is an analytical concept that accounts for the border’s ongoing construction, spatial and multi-scalar dispersal, and co-constitution with political subjectivity. Brambilla argues that the borderscape:

Offers us an opportunity to adopt a multi-sited approach not only combining different places where borderscapes could be observed and experienced —both in borderlands and wherever specific bordering processes have impacts, are represented, negotiated or displaced – but also different socio-cultural, political, economic as well as legal and historical settings where a space of negotiating actors, practices, and discourses is articulated. (p. 22).

⁴ Ethnoscapes, mediascapes, technoscapes, financescapes, and ideoscapes (Appadurai, 1996).

The borderscape concept presents the border as an iterative process situated within the many interacting contexts of globalization. The *-scape* suffix therefore serves two purposes: first, to emphasize the dispersed contours of bordering processes (i.e., the noun form of *-scape* as in landscape) and, second, to center the actors interacting with those processes (i.e., *-scape* as a verb meaning to shape or mold). As a concept, the borderscape provides necessary analytical flexibility for interpreting the physical, symbolic, discursive, and other manifestations of borders and bordering processes.

I also use the concept of intersectionality throughout the thesis, particularly as it applies to women of color. Building on her previous work that investigated ways in which protective legal frameworks overlook women of color, Crenshaw (1990) defines structural intersectionality against women of color as “the ways in which the location of women of color at the intersection of race and gender” informed lived experiences. Intersectionality refers to the multiplicity of identities as well as social relations and structures of power (Crenshaw, 1990; Anthias, 2012; Hopkins, 2019). Intersectionality is also implicit within the borderscapes concept as it locates specific positions in which injustice occurs *as well as* sites of struggle or contestation.

In the context of human mobility generally and migration into the U.S. specifically, an intersectional lens is necessary to understand the convergence of structural violences on women of color. Because women often shoulder the role of intergenerational knowledge-sharing, they disproportionately bear the brunt of maintaining that knowledge in new contexts (Anthias, 2012). In societies such as the U.S. in which xenophobia and racism are rampant, transmitting ethnic, national, or cultural knowledge may be particularly difficult or risky as it signals Otherness in inhospitable surroundings. Furthermore, the female body often becomes a vehicle for enacting racist “nation-building” prerogatives (Mollett and Faria, 2013). Nonetheless, sites of

intersectional exclusion can also generate resistance, solidarity, and other forms of agency. Finally, adopting an intersectional framework is critical to scholarship on migration, as it requires ongoing engagement with dynamic structures of power and inequality. As a white woman conducting research on fundamentally race- and gender-based policies, this project has required me to constantly engage with questions of intersectionality, privilege, and “situated knowledges,” which has in turn informed my analysis and presentation of gender and racial exclusion (Haraway, 1988).

Research Methods

I use primarily qualitative methods in this thesis, which I supplement with analyses of State Department statistics. The paper begins with an analysis of the January 2020 birth tourism regulation, which denies B visas to applicants expressing their sole purpose of travel to be giving birth and obtaining American citizenship for the child. I position the policy within exclusionary American immigration policies dating back to the 1882 *Chinese Exclusion Act* and the 1882 *Immigration Act*, and the racialized and gendered policies that both acts preceded. I adapt U.S. State Department statistics of B Visa grantees’ country of origin and analyze the U.S. Visa Waiver Program (VWP) to demonstrate the racial and geopolitical underpinnings of the regulation.

Beginning from the perspective that public policy emerges from dynamic discursive contexts, I also analyze political discourse surrounding the regulation, including Trump’s campaign and presidential promises to overturn the 14th Amendment’s citizenship clause, the gendered underpinnings of the regulation, and the emergence of sensationalized media accounts of “maternity hotels.” This involves linking the regulation’s anticipated impacts, which are symbolic rather than practical, to the history of the 14th Amendment and recent opposition to it,

news outlets' treatment of non-resident mothers giving birth in the U.S., and the relationship between state sovereignty and the female body. This chapter primarily uses existing research and secondary news sources. In tracing the historical precedents, media coverage of birth tourism, and anticipated outcomes of the birth tourism regulation, I also identify its continuities with structural violence that has been part of the American immigration system since 1882. I therefore present the current administration's use of immigration policy as a way to pursue racist, gendered geopolitical prerogatives with deep historic roots.

In Chapter Three, I draw on qualitative interviews conducted during fall 2019, when I began volunteering as an English as a Second Language (ESL) instructor's assistant at nonprofit Spero Project nonprofit in Oklahoma City (OKC), which works primarily with resettling refugees. Throughout the fall months, I joined the weekly advanced-level class composed of the instructor, seven women from Myanmar, and one woman from Ecuador. Occasionally, one of the women would be accompanied by her husband. In addition to building relationships with class participants, I used this time to introduce my research project and solicit participants. While all of the class participants kindly offered to participate in individual interviews at a later date, their time was extremely limited: as full-time working mothers, their daily obligations included not only children and employment, but also homemaking, community outreach, religious involvement, language learning, and preparation for citizenship exams. As such, only two women were willing and able to share their time in an interview, and I interviewed each woman three times for approximately one hour per interview.

The first two interviews with Myint⁵, a sixty-four-year-old Burmese woman, took place in the ESL classroom, while the last one took place at her home nearby. The first and third interviews with Su, a twenty-six-year-old Burmese woman, took place in the ESL classroom, while the second took place in a local coffee shop. All interviews were held at participants' location of choice to ensure that they were as comfortable and in control as possible. These interviews were semi-structured and consisted of questions regarding participants' experiences in their country of origin (in both cases, Myanmar), any transit countries/states they traveled through, and their life following resettlement in Oklahoma City. The questions were designed to elicit memories and imaginaries of the various geographical, social, legal, and other spaces through which participants moved. For example, participants were asked to describe any sounds, smells, or images that they associated with "home," and to describe those associations. Similarly, participants were asked about ongoing relationships with different spaces, including in the country of origin, transit spaces, and across the U.S. I also asked participants about their experiences in Oklahoma City, allowing the conversation to traverse experiences of comfort, anxiety, eagerness, nostalgia, and other emotional landscapes.

While not intentional, these conversations elicited stories of violence and trauma in those situations, and I offered the opportunity to stop the interview or to shift to a different conversation if the participant felt more comfortable doing so. However, in each instance, the participants stated that it was important to them to share that part of their experience, and neither became visibly distraught. Furthermore, while participants shared examples of instances that I would categorize as "violent" (as discussed in Chapter Three), those instances were not retold as laden with the visible emotional upset that I expected; in terms of positionality, this was a

⁵ Note that all names used in this thesis are pseudonyms.

valuable reminder that these participants may not feel comfortable or obliged to share their emotional experiences with me, nor should I assume that every violent encounter induces emotional distress and, lastly, that my own understanding of what distress looks like may not detect cultural or emotional differences in expression.

During these interviews, I followed Dunn’s model of the researcher as “interventionist,” meaning that I entered the interview with general questions and topics to discuss, but followed the participant’s lead in directing conversation, intervening/redirecting only when necessary (cited in Hay, 2010, pp. 110-112). After each interview, I wrote down field notes, thoughts, and follow-up questions that I used to inform subsequent interviews before transcribing each interview. Because participants steered conversation in ways meaningful to them, the resulting interviews provide rich, complex, and often unexpected perspectives despite their relative brevity.

By centering the perspectives of women who have lived the experience of resettling from Myanmar to the U.S., I am able to extend the analysis of structural violence in the migration process both geographically —through parts of Myanmar, Malaysia, and the U.S.— and temporally —from British colonization through Su’s and Myint’s imagined futures. This demonstrates the ongoing impact that forced migration has on these women’s lives as well as the historic inequalities that led to their displacement. Furthermore, because the interviews prompted stories of struggles and triumphs alike, they enabled me to link experiences of hardship and hope with structural violence and agency. Alongside an analysis of the 2020 birth tourism regulation, my interviews with Myint and Su enable me to trace “the migration process” beyond movement alone to identify political, social, temporal, and geographic contexts that converge to inform experiences of transnational movement within immigration policy.

Outline of the Thesis

This thesis proceeds as follows: in Chapter Two, I analyze the 2020 birth tourism regulation within the geopolitical contexts of U.S.-China, U.S.-India, and U.S.-Brazil relationships and the use of reproduction restrictions to enact national sovereignty. I argue that the 2020 regulation builds on legal precedents of race- and gender-based exclusion and signals disregard for lives at the intersections of certain nationalities, races, and genders. In using immigration policy as a geopolitical tool without regard for the violence it produces, the Trump administration continues an ethnonationalist approach to American sovereignty. In this chapter, I focus especially on the political and economic motivations for the birth tourism regulation, using Brambilla's (2015b) borderscapes concept the birth tourism regulation as a reproduction and advancement of existing bordering practices.

In Chapter Three, I discuss participants' experiences with migration-violence intersections. Although structural violence receives substantial attention in this chapter, I also pay close attention to the acute *moments* of violence it incurs. This enables me to ground structural violence in embodied experiences. My goal here is not to sensationalize violence, but instead to stay true to participants' intimate understandings of their own experiences. Here, I focus particularly on the act of *scaping* the border, or the various ways in which actors engage with bordering processes. As such, I devote a substantial portion of this chapter to disentangling agencies and subjectivities that are in constant tension with the structural violence of bordering processes. This focus on structure and agency reflects my desire to bring to light reservoirs of resistance, solidarity, and other meaningful connections that characterize processes of "belonging and becoming" (Brambilla, 2015b, p. 30).

Chapter Two. Re/Producing Exclusion: Legal and Discursive Precedents of the 2020 Birth Tourism Regulation

The U.S. Visitor Visa, or B visa, facilitates non-immigrant visits by allowing foreign nationals to enter the U.S. for up to ninety days for tourism or business.⁶ In January 2020, the *Federal Register* published an amendment to B visa policies in the United States (U.S. Department of State, 2020). The amendment empowers consular officers abroad to deny a B visa for business or pleasure to any person suspected of travelling to the U.S. for the sole purpose of giving birth and obtaining American citizenship for their child. Although analysts anticipate that the regulation will be difficult to enforce, it nonetheless reflects a disturbing national discourse of race-based exclusion and surveillance of the female body (NPR, 2020; Lee and Long, 2020). This discourse values whiteness over the lives of people of color, demographic control over reproductive rights, and elite state prerogatives over human rights. In this chapter, I position the birth tourism regulation within the context of past immigration policy to demonstrate the legal and discursive precedents upon which the regulation draws, arguing that the policy is rooted in the intersectional violence of racism and reproductive injustice which have been used to assert American sovereignty in the past.

The Birth Tourism Regulation

The birth tourism rule empowers consular officers to deny B visas to “any person whom the consular officer has reason to believe is traveling for the primary purpose of giving birth in the

⁶ The State Department lists business activities such as attending conferences or consulting with business activities, and tourism activities such as vacation/holiday, medical treatment, and non-paid participation in amateur sports and music (note that this is not a comprehensive list).

United States to obtain U.S. citizenship for their child” (U.S. Department of State, 2020). The central tenets to the rule as published in the *Federal Register* are as follows:

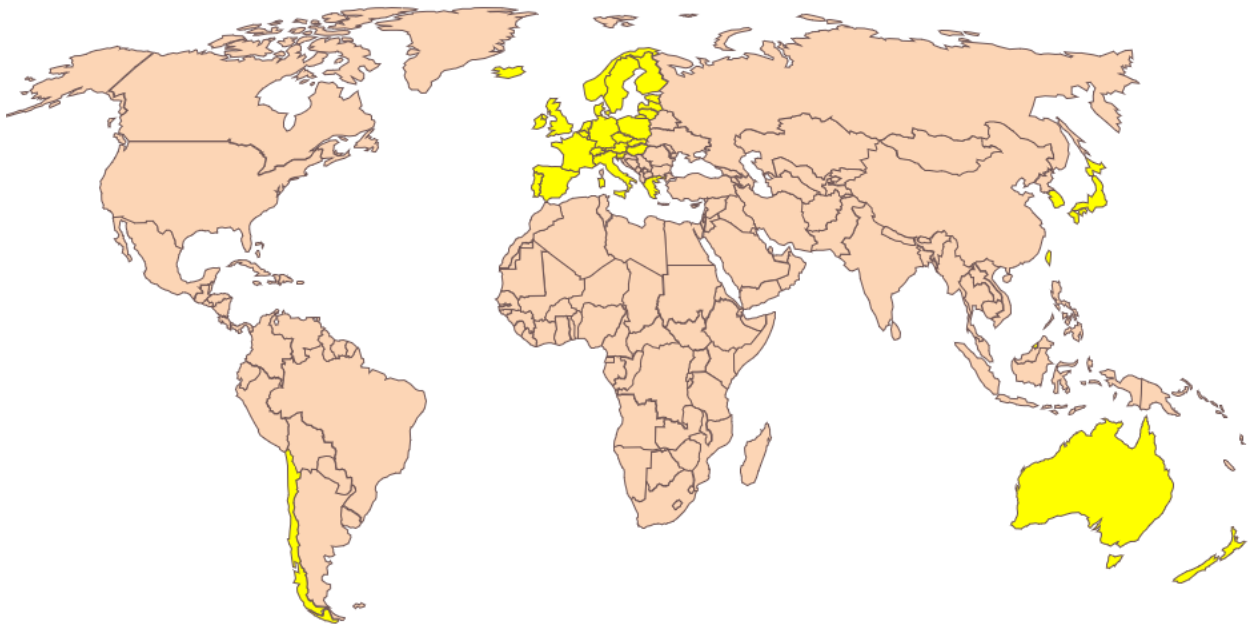
1. The rule requires consular officers to deny B Visas to persons whose explicit purpose of obtaining a visa is to give birth in the U.S. in order to secure birthright citizenship for their child. Consular officers are not required to ask *all* women whether they are pregnant, but rather rely on visual cues to determine whether an applicant is pregnant.⁷
2. The rule establishes the rebuttable presumption that a pregnant applicant is pursuing a visa for the sole purpose of attaining birthright citizenship. This means that, if a consular officer suspects that an applicant is pregnant, the applicant is responsible for providing evidence to the contrary, thereby placing the burden of explication on the applicant themselves.
3. If an applicant’s primary purpose of application is to secure healthcare access (whether maternity-related or otherwise), the applicant must demonstrate that healthcare is inaccessible in or near to their country of origin *and* that the applicant demonstrates the financial capacity to undergo medical treatment. Furthermore, the applicant must provide a documented agreement with a U.S. medical provider to undergo treatment.
4. The B Visa, which permits business- or pleasure-related travel to the U.S. for up to 90 days, is *not* required for residents of 39 countries with whom the U.S. has a Visa

⁷ Under the regulation, consular officers are required to ask whether a person is pregnant *only* if there is a reason to believe they are pregnant (such as visible pregnancy).

Waiver Program (VWP) agreement. These countries, listed in Table 1, are predominantly Western and almost entirely European (U.S. Department of State, n.d.).

Figure 2

Countries Included in the U.S. Visa Waiver Program (VWP)⁸.



Birthright Citizenship and the Politics of Birth

The 14th Amendment establishes *jus soli* citizenship, which guarantees birthright citizenship to any person born on U.S. soil. The 14th Amendment is both enshrined in the Constitution and entangled within the U.S. history of slavery and civil war: as part of the post-Civil War reconstruction efforts, the 1868 Citizenship Clause of the 14th Amendment sought to

⁸ Andorra, France, Liechtenstein, San Marino, Australia, Germany, Lithuania, Singapore, Austria, Greece, Luxembourg, Slovakia, Belgium, Hungary, Malta, Slovenia, Brunei, Iceland, Monaco, Spain, Chile, Ireland, Netherlands, Sweden, Czech Republic, Italy, New Zealand, Switzerland, Denmark, Japan, Norway, Taiwan, Estonia, South Korea, Poland, Finland, Latvia, Portugal.

ensure that newly emancipated former slaves received American citizenship.⁹ Birthright citizenship is also protected in thirty-five other countries, including Canada, Fiji, and much of Central America (World Population Review, 2020). However, the citizenship clause of the 14th Amendment is not universally supported; in 2010, for example, Senator Lindsey Graham proposed amending the Constitution to end birthright citizenship, stating:

I may introduce a constitutional amendment that changes the rules if you have a child here. Birthright citizenship, I think, is a mistake, that we should change our Constitution... people come here to have babies. They come here to drop a child. It's called 'drop and leave.' To have a child in America, they cross the border, have a child, and that child's automatically an American citizen. That shouldn't be the case. That attracts people here for all the wrong reasons. (PolitiFact, qtd. in Gouliamos and Kassimeris, 2013, p. 18).

As far back as 1995, the House Judiciary Committee introduced the “Citizenship Reform Act of 1995,” which if passed would have ended the constitutional right to birthright citizenship for children of nonresidents (H.R. 1363, 1995). More recently political figures such as Senator Mitch McConnell deplore the clause’s alleged abuse of American taxpayers (Preston, 2010). President Trump has repeatedly used the abolition of birthright citizenship as a way to garner support for exclusionary policies and practice. For example, during his presidential campaign in 2015, Trump stated that “we have to start a process where we take back our country” by ending birthright citizenship (Diamond, 2015). Right before the 2018 midterm elections, Trump revamped his call to end birthright citizenship, threatening to do so with an executive order (Davis, 2018); and in August 2019, Trump called birthright citizenship “a magnet for illegal immigration” (Lyons, 2019). These opponents of birthright citizenship detach the citizenship

⁹ The Citizenship Clause has also notably been denied to Native Americans and African Americans at times throughout history (Chavez, 2017).

clause from its roots in the 14th Amendment and slavery abolition, instead presenting it as an unfair way for foreigners to obtain American citizenship.

The birth tourism regulation therefore represents the Trump administration's attempt to deliver on campaign promises to overturn the 14th Amendment of the United States Constitution. Legal scholars, however, have repeatedly reiterated the implausibility of eliminating birthright citizenship as a constitutional right: because the 14th Amendment is constitutionally protected and rooted in violent histories of racism, its repeal would likely be a lengthy and divisive process (Everett and Oprysko, 2018; Jacobson, 2018; Hesson, 2018). With the amendment's repeal unlikely, the birth tourism regulation effectively seeks to circumvent rather than overturn the 14th Amendment. However, by using visual cues to trigger a process that determines a woman's ability to obtain a visa, the birth tourism regulation increases the U.S. government's surveillance of the foreign female body.

The birth tourism regulation also draws on recent discussions surrounding "maternity hotels": rented rooms advertised to foreign nationals wishing to give birth in the U.S. These accounts of "maternity hotels" have proliferated in recent years: in 2013, NPR covered the frustration of neighborhood residents in Chino Hills, California where a subdivided mansion was rented out primarily to expectant Chinese mothers (NPR, 2013); in 2015, California police raided a similar building in Irvine as part of a scheme uncovering three competing "maternity hotel" operations (Seida, 2015); and a 2019 report by USA Today profiled a Florida-based agency that arranges care for expecting Russian women to travel to the U.S. to give birth (Stashevskaya, 2019). These accounts demonstrate that there are cases of birth tourism and even "maternity hotels;" however, these accounts rely on the unfounded problematization of birthright citizenship.

Ostensibly, the birth tourism regulation seeks to prevent large-scale birthright citizenship and the presence of “maternity hotels.” However, the rule does not actually facilitate the regulation of maternity hotels as it applies only to individuals applying for visas. Furthermore, women interviewed in the media cases above stated that their visa applications included fraudulent statements about their purpose for travel (NPR, 2013; Seida, 2015). This is because, even before the birth tourism regulation, consular officers were unlikely to issue a visa for someone who states that their sole purpose of travel is to give birth. Agencies that facilitate women’s stay in “maternity hotels” often provide coaching on how to convince consular officials that the purpose of their visit is *not* to give birth (Blankstein, Schechter, and Connor, 2015). While committing and encouraging visa fraud are both illegal, the practice of soliciting customers and providing pregnancy-related services (room and board, transportation to doctor’s appointments and scheduling assistance, etc.) is not. Furthermore, according to women who have used these services, the entire process can cost between \$20,000 and \$80,000 (Stashevskaya, 2019; Jordan, 2019). Because this practice is so lucrative for these agencies and because customers often commit visa fraud to circumvent consular officers’ suspicion, the likelihood that the regulation will prevent similar fraud from continuing seems slim.¹⁰

The federal government also *does not collect data* on the number of “birthright citizens” born annually. The Center for Disease Control estimates that approximately 9,300 children with at least one nonpermanent resident parent are born annually in the United States; this statistic does not, however, disaggregate by visa status or nationality (Hesson, 2020). Others, such as that of the anti-immigration think tank Center for Immigration Studies, estimate the number of

¹⁰ It is also worth noting that the U.S. does not keep data on the reasons for which B visa-holders enter the country, nor on the number of children born annually to nonresident parents who subsequently leave the country

birthright citizens born annually in the U.S. to be closer to 20,000¹¹ (Camarota, 2020). Furthermore, the rule's architects have yet to fully explicate the rule's procedural ambiguities. For example, a successful B visa application is valid for ten years; under the new rule, a consular officer could conceivably deny a visa to an applicant who is *not* pregnant, if that applicant is unable to affirm another primary purpose for travel. On the flip side, a successful visa applicant might become pregnant, travel to the U.S., and obtain birthright citizenship for their child any time within the visa's ten-year validity. All other arguments aside, the rule creates a temporal and legal "gray zone" that may either circumvent the law's application (as in the case of a person who becomes pregnant) or prevent people of "child-bearing age" from travel to the U.S. at all (as in the case of a person who *may* become pregnant).

What, then, is the impetus for the birth tourism regulation, given that it lacks foundations in empirical data and relies on the dubious assumption that consular officers can detect visa fraud from applicants who are themselves trained by businesspeople with serious financial stakes in their success? The U.S. has historically asserted its sovereignty by mobilizing nationalism through restrictive immigration policy and practice (Agnew, 2008). The birth tourism regulation is therefore an extension of that history. I follow Wang (2017) who argues that citizens' perceptions of "maternity hotels" are contemporary manifestations of historic racial exclusion:

Political arguments ostensibly about the present must always rely on a (re)telling of the past and a vision of the future. Said differently, temporality itself is constitutive of politics in the present, and it is precisely the collapsing of the past and the future that distinguishes the contemporary mode of biopolitics. (p. 2).

¹¹ Note that this think tank previously released estimates of up to 36,000 American citizens born to non-resident parents, but revised their methodologies following criticism from other analysts.

Within this context of collapsing past and future into a singular political argument, the birth tourism regulation draws upon economic, social, and geopolitical tensions to produce the foreign fetus as an inherent threat to national security.

The Page Law (1875) and the Advent of Gatekeeping

Exclusionary immigration laws draw on social attitudes about who belongs and who does not (Wang, 2017; Molina, 2014). The 1875 *Page Law* was the first federal immigration law that explicitly restricted a group of people from entering the U.S. (Page Law, 1875). In response to fears (likely fueled by xenophobia) that Chinese women were disproportionately employed as prostitutes, the *Page Law* banned Chinese women suspected of being prostitutes from entering the U.S. (Peffer, 1986). According to Peffer (1986), the *Page Law* skewed the proportion of Chinese women to men for nearly a century because, although the law targeted Chinese prostitutes specifically, the consular officials in charge of enforcing the law used it to restrict Chinese women generally.¹² The *Page Law* therefore created long-lasting demographic effects by barring Chinese women access to the U.S. while Chinese men were, at least for a time, still permitted. Finally, the *Page Law* also set a precedent for excluding women from immigration, and the 1903 *Immigration Act* (also known as the *Anarchist Exclusion Act*) extended the ban on the entry of potential prostitutes to all nationalities (Immigration Act, 1903).

Chinese Exclusion Act of 1882

¹² See also: Peffer, G. A. (1992). From under the Sojourner's Shadow: A Historiographical Study of Chinese Female Immigration to America, 1852-1882. *Journal of American Ethnic History*, 41-67 and Murphy, E. L. (2005). "Prelude to Imperialism" 1: Whiteness and Chinese Exclusion in the Reimagining of the United States. *Journal of Historical Sociology*, 18(4), 457-490.

In 1882, the *Chinese Exclusion Act (CEA)* joined the 1875 *Page Law* in barring all Chinese nationals from entering the United States (CEA, 1882). As its name implies, the *CEA* barred the entry of Chinese nationals into the U.S. for ten years and was renewed by the *Geary Act* of 1892. In addition to introducing specifically nationality-based restrictions into U.S. federal immigration law in what has been referred to as a “watershed moment” in U.S. immigration history, the *CEA* contributed to a system of racial categorization by establishing Chinese immigrants “as the models by which to measure the desirability (and ‘whiteness’) of other immigrant groups” (Lee, 2002, p. 37; Murphy, 2005). The *CEA* also had a socioeconomic component, as a substantial portion of agricultural and railroad jobs were held by Chinese workers (Zhu, 2013). The discriminatory policy was therefore legitimized by presenting Chinese men as threats to American livelihoods.

According to Lee, the *CEA* was also rooted in—and then codified—the language of “gatekeeping,” which relies on racializing immigrants, containing the perceived danger of immigrants, and protecting the American nation from that racialized threat (2002, p. 38). The key premise of “gatekeeping” is territorial exclusion whereby racialized bodies can be filtered before entering the U.S. to separate desirable from undesirable immigrants (Lee, 2002). Often referred to as a “watershed” moment in American immigration policy, the law laid the foundations for race- and class-based restrictions on immigration. Examples of these include the 1892 Geary Act, which extended the *Chinese Exclusion Act* to 1902; the 1917 Immigration Act, which barred immigration from the Asia-Pacific region and introduced literacy tests into immigration admissions; the 2001 Patriot Act, which increased surveillance of foreign students and broadened the grounds of terrorism; the 2002 *Homeland Security Act* which constructed the Department of Homeland Security which, in 2003, included CBP, ICE, and USCIS; the 2006 Secure Fence Act,

which funded the extension of border walls along the U.S.-Mexico border; and the 2017 travel ban and its subsequent iterations, which deny people from thirteen countries entrance into the U.S.

Immigration Act of 1882

In addition to creating a federal head tax on immigration, the *Immigration Act of 1882* established the public charge principle enabling the immediate refusal of entry to anyone deemed a “convict, lunatic, idiot, or person unable to take care of himself or herself without becoming a public charge” (*Immigration Act*, 1882). The public charge principle joined local and state practices of denying entry to anyone likely to be a public charge; however, the 1882 law itself provided no definition of what constitutes a “public charge” (USCIS, updated 2019). The lack of a clear definition enabled immigration officials to deny migrants entry on an ad hoc basis, resulting in disproportionate impacts on women, Jews, and other racial or ethnic minorities at various times throughout U.S. history (Moloney, 2012). The public charge principle also set a legal precedent for future exclusionary laws including the 1996 Personal Responsibility and Work Opportunity Act, which drastically reduced immigrants’ eligibility for public assistance programs (Singer, 2004), and the 2020 iteration of the public charge rule, which grants immigration officials the authority to deny admission or status adjustment to applicants who might use, or who have already used, social welfare benefits (Capps, Gelatt, and Greenberg, 2020).

These policies and others form the exclusionary foundations upon which the 2020 birth tourism regulation is built. The xenophobic racialization of Chinese immigrants formed social perceptions of Chinese women as prostitutes, which became the justification for the exclusion of

Chinese women from entering the U.S. Furthermore, the *Page Law* was later expanded to all immigrant women suspected of being prostitutes, making gender into an excludable category in immigration law. Finally, the 1882 *Chinese Exclusion Act* created categories of admissible and inadmissible migrants based on racializing a migrant's country of origin. Together, these laws laid the foundations for a racialized American immigration system enacted through the female body.

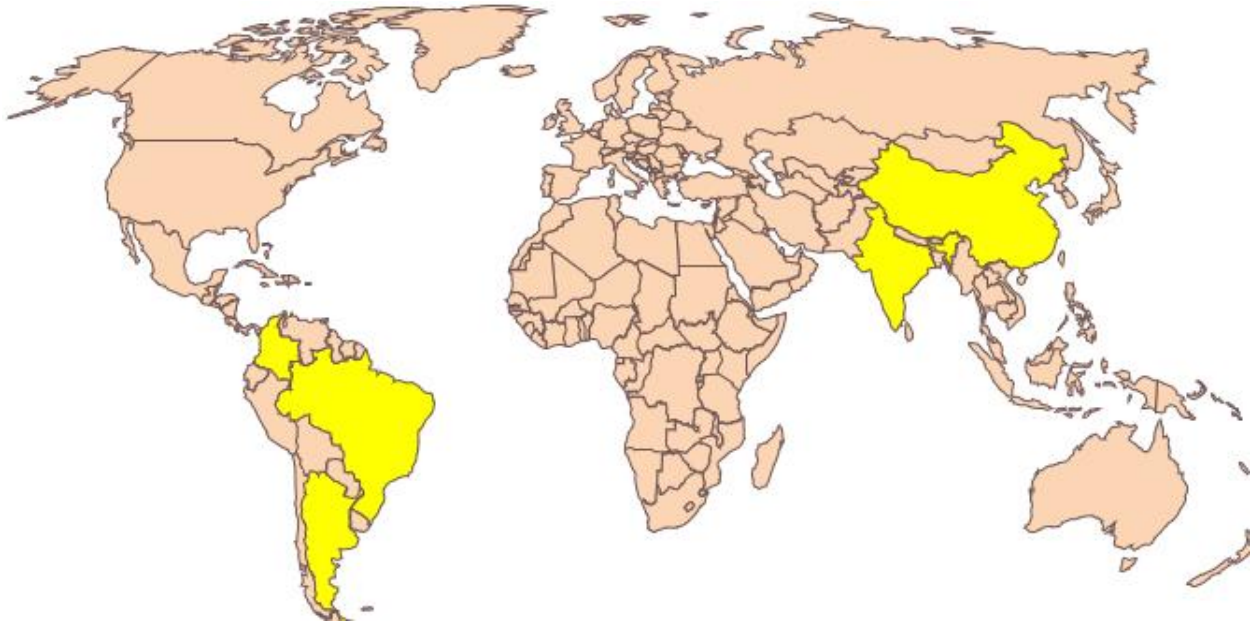
Enacting Exclusion Via the Birth Tourism Regulation

The 2020 birth tourism regulation makes use of these precedents by treating the female body as a site upon which to assert state sovereignty and nationalist prerogatives. Furthermore, the regulation impacts visitors differentially depending on what country they are from. The table below shows the nationalities that received the most B visas annually from 2011 through 2018:

Figure 3

*Countries Receiving the Most B Visas Annually, 2011-2018.*¹³

¹³ China (9,127,520), Brazil (5,543,352), Colombia (2,460,131), India (3,198,002), Argentina (1,780,212).



Source: My analysis of U.S. Department of State Nonimmigrant Visa Statistics, 2011-2018, available from <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics/nonimmigrant-visa-statistics.html>.

In seven of the nine years included in these tables, applicants from China received the highest number of B visas for the year, with Brazil and Japan filling the top spot in the remaining two years. In every year except for 2013 and 2018, India and Brazil each received either the second or third most B visas. The South American countries of Argentina and Colombia were each in the top five most B visas received for every year except 2018. Because people from these countries receive the most B visas annually, it follows that there will be more people from these countries impacted by the regulation than from countries receiving fewer B visas.

According to the U.S. Central Intelligence Agency (CIA) site, which updates global demographic data weekly based on national statistics, the ethnic majorities in China, India, Brazil, Argentina, and Colombia are Han Chinese (91.6%), Indo-Aryan (72%), white (47.7%) and mulatto (mixed white and black, 43.1%), European and mestizo (97.2%), and mestizo and white (87.6%), respectively (CIA, 2020). Of course, these categorizations are problematic in

their own right but, for the purpose of my argument which presents the birth tourism regulation as a *symbolic* or *discursive* enactment of the border, I focus on the dominant American perception of race in each of these countries.¹⁴ Under the birth tourism regulation, women from these countries applying for B visas will be disproportionately impacted by consular officers' scrutiny of their reproductive status. To revisit Wang's (2017) assertion that "the present must always rely on a (re)telling of the past and a vision of the future" (p. 2), the birth tourism regulation does this by using the familiar exclusion of the "Other" and anti-birthright citizenship rhetoric to present a future white imaginary.

The regulation also responds to geopolitical tensions between the U.S. and China, Brazil, Colombia, India, and Argentina. Notably, three of the five countries are part of BRICS, the multilateral group of emerging economies including Brazil, Russia, India, China, and South Africa. The BRICS countries together comprise over 40% of the global human population; the top three countries receiving B visas for tourism annually, Brazil, India, and China, alone comprise nearly 39% of the global human population (Worldometer, 2020). As emerging economies with large populations, the BRICS countries are often presented as competition to the West and existing world order (Li and Marsh, 2016); in its attempt to regulate these countries' access to American citizenship via the birth tourism regulation, the U.S. responds to that perceived competition.

Finally, the birth tourism regulation specifically uses the female body to enforce nativist policy by seeking to prevent nonresident women from giving birth on American soil. According to proponents of the birth tourism regulation, nonresidents' American-born children pose

¹⁴ Acknowledging the limitations of race/ethnicity categories used by American immigration policy, I use these terms without endorsing them.

security threats to the American nation: the Department of State's summary of the rule states that "Foreign governments or entities, including entities of concern to the United States, may seek to benefit from birth tourism for purposes that would threaten the security of the United States," citing fears that children born in the U.S. but raised elsewhere might use their American citizenship to sabotage American interests later in life (U.S. Department of State, 2020). In a statement, White House Press Secretary Stephanie Grisham stated that "Closing this glaring immigration loophole will combat these endemic abuses and ultimately protect the United States from the national security risks created by [birth tourism]" while also protecting "the integrity of American citizenship" (BBC, 2020).

In tapping into the discourse of "national security," actors inflame "the perception of the Other as an attempt on [one's] life, as a mortal threat or absolute danger," which characterizes the contemporary sovereign (Mbembe, 2003, p. 18). In this conceptualization, the Other need not actually threaten a sovereign; rather, the *perception* that an Other both exists and is dangerous legitimizes violence against that Other. As the birth tourism regulation demonstrates, the Other must not necessarily even *exist* to threaten the imaginary of the American sovereign. Instead, the *potential* existence of an Other (the unborn child of a non-American parent) is presented as sufficiently threatening to justify exclusion. Especially because India, China, and Brazil are part of BRICS, which the West perceives as antagonistic competition, the regulation's use of security language reflects geopolitical tensions that rely on presenting potential competition as existential threats to national sovereignty.

Because it is the "carrier" of this perceived threat, it is the female body that the state targets to remove that threat. The practice of controlling the female body in order to reinforce national sovereignty and state authority is not new; indeed, as Smith and Vesudevan (2017)

argue, the concept of birthright citizenship itself is “crucial to producing racialized national futures through the legal and regulatory manipulation of women’s reproductive capacities” (p. 214). Drawing on scholarship tracing the links between nationalist projects and kinship to discuss the role of women in reproducing the state, Yuval-Davis (2004) argues that women are often expected to transmit cultural knowledge and values intergenerationally; as such, “a major part of the control of women as national reproducers relate to her actual biological role as bearer of children” (p. 26). Similarly, Shalhoub-Kevorkian (2009) discusses the Israeli state’s use of the Palestinian female body to control national demography: according to Shalhoub-Kevorkian, the Israeli state regulates Palestinian women’s ability to access healthcare in Jerusalem in order to prevent their children’s documentation and to maintain an Jewish majority population. The Israeli state’s “geopolitical, biopolitical and necropolitical policies are ultimately tied to Israel’s maintenance of sovereignty,” and the female body is the mechanism through which control is exercised (p. 1197). By excluding the offspring of women (of color, from the Global South) from accessing American citizenship, the birth tourism regulation also reinforces the link between women and state sovereignty. That is, the female body becomes a site for upon which the state enacts its borders, while the discourse of national security aims to legitimate exclusionary prerogatives.

Because the 2020 birth tourism regulation applies only to the reproductive female body from specific countries, it applies specifically at the intersection of nationality and sex. Like many policies throughout U.S. history, the regulation aims to exclude “undesirable” immigrants by targeting visa applicants from predominantly non-Western countries such as China, Russia, and India. However, like the *Page Act* of 1875, the law enforces this exclusion through the female body. In doing so, the regulation treats women from specific countries as threats to

national sovereignty and security because of their capacity to reproduce American citizens whose parentage confounds white, ethnonationalist imaginaries.

Implications and Conclusions

As I have shown in this chapter, the birth tourism regulation operates at an individual level and will likely have an insignificant practical impact on a larger scale. However, the *symbolic* implications are profound and, combined with the lack of data on the prevalence of “birth tourism,” raise several key questions: how will consular officers respond to being tasked with adjudicating a person’s reproductive status? Will consular officers act discriminatorily, denying visas without proof (or even well-founded suspicion) of pregnancy? Will international audiences perceive the rule as an indicator that they are unwelcome in the U.S., thereby either making people hesitant to even apply for a visa or provoking other states to retaliate with similarly exclusionary measures? Perhaps most importantly for the democratic rule of law, does the birth tourism regulation mark an accelerating erosion of the 14th Amendment and birthright citizenship in the United States?

Although these questions are yet to be answered, the historical precedents upon which the regulation draws may offer guidance. As Peffer’s (1986) groundbreaking work demonstrates, the *Page Law*’s exclusion of *some* Chinese women was, in practice, extended to *most* Chinese women both through consular officers’ biased adjudication and women’s subsequent reluctance to even apply for entry. As I have shown in this chapter, the 2020 birth tourism regulation uses a racialized discourse of national security to justify differential exclusion. In restricting mobility access in a way determined by the intersections of sex and nationality, the birth tourism

regulation surveils reproduction of certain women to pursue American geopolitical interests and racial exclusion.

Chapter Three. Moving From, Through and Into the Structural Violence of Forced Migration: Myint and Su

Post-2016 immigration policy in the U.S. has dealt significant blows against immigration generally, with both birthright citizenship and refugee resettlement impacted by restrictions. Whereas Chapter Two focused on tracing key historical moments in American immigration policy that enable racialized and gendered exclusion in the 2020 birth tourism regulation, this chapter shifts to interrogate structural violence that occurs throughout the forced migration process. Although the birth tourism regulation does not apply specifically to forced migration, its racial and gendered underpinnings are not unique and, as I discuss in this chapter, also inform the experiences of refugees who have made it to the U.S. Drawing on interviews with women with firsthand experience of resettling in the U.S., this chapter focuses specifically on the ways in which participants experience and interact with structural violence in migration.

In this chapter, I treat forced migration as a temporally and geographically extensive process that continues long past a person's arrival in a safe country. As I was interviewing the participants whose stories constitute the focus of this chapter, whom I call Myint and Su, about their experiences with migration, their narratives oscillated between past, present, and future and across oceans of space: both women linked their friendships in the U.S. with memories of childhood in Myanmar, and infused their daily lives in Oklahoma City with hopes that their children's futures would include quality education that they, their parents, and grandparents had not received. They both also embedded their accounts of their own displacement within a much broader geopolitical context of Myanmar's colonial, military, and religious histories. Narrating one's life experiences is itself an act of linking time, space, and experience. Myint and Su used

those links in ways that were not only descriptive of their experiences but that also highlighted their individual agency throughout the migration process.

This chapter also responds to Brambilla's (2015a and 2015b) call to investigate alternative political agencies and subjectivities engendered by spatial, social, and political bordering. According to Brambilla (2015a and 2015b), the borderscape is not only an exercise of power in space, but also a site where struggles *against* that power can emerge. Similarly, Brambilla and Jones (2019) argue that, as a de-territorialized and processual space, the borderscape can also be viewed as a common good; that is, even while borders represent power, domination, and exclusion, the liminal spaces that comprise borderlands and borderscapes are necessarily inhabited by the subjects of that power, domination, and exclusion and, as a collectively inhabited space, might also become a space of collective opposition. As a site of ongoing conflict in which opposition to the violence of borders might emerge, the borderscape provides an opportunity to deepen understanding of agency and subjectivity. In this chapter, I trace the borders that informed the lives and narratives of Myint and Su, from the national borders that they crossed to the linguistic barriers between family members constructed by that crossing. In identifying the structural violence that the border enacts alongside the agentic responses it elicits, I emphasize the possibilities for generation and solidarity that make the borderscape a site of "belonging and becoming" (Brambilla, 2015b, p. 30). This allows me to not only identify specific ways in which Myint and Su assert agency in the context of structural violence, but also exhibits the relationality of structural violence and agency (Brunet-Jailly, 2005).

Situating the Voices of Participants in Oklahoma City

Myint is a sixty-four-year-old woman from Kachin State Myanmar, who moved to the United States with her husband in 2017. I met Myint in an advanced ESL class, where she was the first person to express interest in participating in my thesis project. The Burmese children in Myint's neighborhood call her *moji*, or grandmother, and she never misses an opportunity to share videos of her one-year-old granddaughter (whom she has never met). Myint is quick with a joke and has a remarkable affinity for sharing both joy and grief in the same breath. Although she is relatively new to OKC and Spero Project activities, Myint has already established a strong network of friends, mentees, and supports by hosting events in her home, frequenting the Spero Project classroom, and bringing both candor and kindness to interpersonal exchanges. Importantly, Myint lived through turbulent and pivotal years in Burmese history including the 1962 coup d'état, transitions to and from socialism, restrictive citizenship policies, economic recession, anti-government riots, the transition to quasi-democracy, numerous leadership and constitutional changes, increasing presence of exploitative Chinese firms, and surges of military and interethnic violence. Myint therefore has extensive knowledge of the history that culminated in her move to the U.S., and that continues to inform her life today.

Su is a twenty-six-year-old woman who has lived in OKC with her parents and siblings for ten years. Originally from Chin State in Myanmar, Su lived undocumented for one year in a Malaysian refugee community before she and her family were resettled in the U.S. For the last several years, Su has worked as the after-school Program Officer at the Spero Project, where one of her primary contributions is serving as a link between Burmese youth and their parents who often have limited experience navigating American systems and the English language. Su's language skills are themselves a constant marvel: not only does she speak at least four languages fluently, but she also uses those languages to bridge communities, connect family members

across generations, and soothe feelings of disorientation and alienation. Because she resettled in the U.S. as a teenager, Su navigates different cultural contexts with expertise, whether in her mostly-American college courses, at the mostly-Burmese church service she attends, or during her many drives to appointments with other resettling refugees. Su's perspectives therefore provide important insights into forced migration from the vantage point of having grown up in both Myanmar and the U.S.

When they first moved to Oklahoma, both Myint and Su first lived into an OKC apartment complex that hosts many resettling families. The units are often shared by multiple families during the early stages of resettlement, and it is not uncommon for more than eight people to share a one- or two-bedroom apartment. While Su derived comfort from having her family close to her, Myint and her husband had recently moved into a more spacious home nearby, which they preferred for its many windows. The two-storied apartment complex hosts two central courtyards that residents use as communal gardens; and, since the complex is largely composed of international families with diverse gardening skills, each garden contains various herbs and vegetables non-native to the United States.

This apartment complex is located within a census tract in which nearly 15% of the population is foreign-born compared to the state average of 10.5%; of the non-U.S.-born residents, 64% are from Asia, 24% from Latin America, 10% from Africa, and 2% from other places in North America (U.S. Census Bureau, 2018). Although I was unable to access a more specific breakdown of nationality, the percentage of residents from Asia is more than double both the county percentage of 26% and the overall statewide percentage of 28%. Nearly 20% of children speak Asian languages at home, while nearly 10% of adults speak Asian languages at home. In terms of education, approximately 92% of residents graduated high school, and about

39% completed a bachelor's degree (compared to the statewide averages of 87% and 25%, respectively).

As this demographic breakdown shows, there is a large proportion of Asian residents living in the apartment complex and surrounding area. The apartment complex is about two miles from the OKC Asian District, which hosts a large Asian grocery store, several smaller international grocers, restaurants, and immigrant-owned businesses. Made official by the City in 2005, the Asian District has been a vibrant fixture in Oklahoma City since 1975 when approximately 3,750 Vietnamese refugees resettled in the area (Muzny, 1985). During the aftermath of the Vietnam War, Vietnamese, Laotian, and Cambodian people continued to seek refuge in the United States and, due to kin and other social connections, the Asian refugee population OKC continued to grow. When working with English as a Second Language (ESL) students from the Burmese community, I often heard class members discuss shopping trips to Asian grocers for spices, vegetables, and other ingredients that they could not find at American grocery stores. Both Myint and Su were pleased that familiar foods were available nearby and that seasonal produce was often easier to access in OKC than it was in Myanmar.

In addition to an established Asian community, Myint and Su were involved with the Spero Project, an organization whose mission is to “welcome resettled refugees by connecting our new neighbors to people, resources and learning opportunities that make Oklahoma City a place of belonging.” The Spero project partners with the Oklahoma City Catholic Charities to provide newly arrived refugees with a variety of services such as language learning and citizenship courses, accommodation and transportation, and community events that seek to build supportive relationships between new neighbors and long-term OKC residents (both American and internationally born). The Spero Project is composed of co-Founders Brad and Kim Bandy

along with nine other employees responsible for program development, language learning, after school programming, etc. The Spero Project also hosts an initiative called The Common Network, which utilizes social media to connect OKC residents with resources and social support networks. Recently, the Spero Project connected with the apartment complex, who offered the organization space for a classroom; this classroom is currently used for English, history, culture, and citizenship classes (where I met Myint and Su), as well as an after-school program and special events.

Unlike many nonprofit service organizations, The Spero Project rejects the “patron-client” model and instead seeks to embody a neighborly relationship. The Spero Project strives to create a partnership between the organization’s employees and the neighbors with whom they work, emphasizing mutual growth and reciprocal hospitality. For example, Spero’s website states that:

We [The Spero Project] have in every way been postured to receive welcome from our new neighbors with their unique expression of hospitality, community wisdom, and strength. Spero’s story is the story of the wonder of welcome that happens when we are welcomed into each other’s story and to each other’s tables. (n.d.).

Uniquely, The Spero Project explicitly acknowledges and values the presence of resettling/resettled refugees within the community and seeks to pave avenues for social cohesion between OKC residents. As the preceding quote suggests, The Spero Project strives to celebrate diversity while also promoting unity across disparate stories and experiences. Both Myint and Su used similar language of neighborliness and interpersonal connection when discussing their role in their communities.

Structural Violence in Forced Migration

Nonetheless, both Myint and Su experienced different forms of structural violence during the processes of their displacement. Farmer (2005) defines structural violence as “a broad rubric that includes a host of offensives against human dignity: extreme and relative poverty, social inequalities ranging from racism to gender inequality, and the more spectacular forms of violence that are uncontestedly human rights abuses” (p. 34). This definition acknowledges the many forms structural violence can take, from the overt brutality against Rohingya Muslims in Myanmar to the mundane yet chronic food insecurity plaguing those same people in UNHCR-run refugee camps. According to Jones (2016), violence is endemic to bordering and the border system should therefore “be seen as inherently violent, engendering systematic violence to people and the environment” (p. 10). Both Jones (2016) and Farmer (2005) emphasize that violence is not composed of strictly discrete moments, but that it also becomes embedded within the structures that frame everyday lives. In the context of forced migration, it is therefore necessary to investigate the structures enabling and enacting violence.

Interrogating the contexts in which forced migrants move demonstrates the extent of structural violence far beyond just the moment of displacement to the moment of resettlement. In an analysis of the violence-migration nexus, Bank, Fröhlich, and Schneiker, (2017) argue that migration out of conflict zones should be understood as a movement *out of violence, through violence, and into violence*. Like those of Jones (2016) and Farmer (2005), this framework recognizes that structural violence is processual. In this section, I position the narratives of Myint and Su within this framework to discuss forced migration as a process laden with structural violence that extends into both the past and future and stretching across several key locations, connecting geographically disparate locations such as Myanmar, Malaysia, and Oklahoma City

as pivotal sites in the migration process, while also presenting the interplay between past, present, and future in participants' accounts.

From Violence: Colonization, Military Junta, and Capitalist Exploitation in Myanmar

Violence emerges from particular contexts and, for Myint and Su, some of those salient contexts include British colonization, Japanese occupation, fifty years of rule by the Burmese military (called the *Tatmadaw*), interethnic conflict, state-sanctioned violence against ethnic and religious minorities, and environmental degradation from foreign corporations' resource extraction. Figure 3 shows the timeline of major events in the history of what is now Myanmar that contextualize the forced migration of Myint and Su. In the section that follows, I provide a brief overview of these events that form the context for Myint and Su's displacement.

Figure 4

Timeline of Burmese History, 1886 to Present

1886: Britain claims Burma as a province.

1937: Britain separates Burma from India and names it a crown colony.

1942: Japan invades and occupies Burma, and remains until expelled in 1945.

1948: Burma gains independence from Great Britain

1962: General Ne Win leads successful military coup, establishing a military junta and national socialism.

1989: The *Tatmadaw* changes the country's name to Myanmar, a less ethnically specific term than Burma (which refers to the ethnic Bamar majority).

2008: Government publishes a new constitution allocating 25% of parliamentary seats to the *Tatmadaw*.

2008: Amidst protests from human rights groups, the Burmese government signs contracts allowing four foreign firms to pump gas from Myanmar to China.

2010: Myanmar elects President Thein Sein in the first election in 20 years, and sporadic democratic moves continue through 2013.

2013-2015: Violence against minority Rohingya intensifies, and hundreds flee to neighboring Bangladesh.

2015: National League for Democracy (Aung San Suu Kyi's party) is elected into power.

2016: Aung San Suu Kyi becomes de facto leader.

2017: Military crackdowns kill thousands of Rohingya and displace hundreds of thousands more.

2018: UN Human Rights Council announces investigation into violence against Rohingya, ultimately calling for Burmese officials to face charges for genocidal intent.

2019: The International Criminal Court (ICC) announces full investigation into alleged crimes against humanity; Aung San Suu Kyi leads delegation to the Hague, where she denies allegations of genocide.

January 2020: The International Court of Justice (ICJ) rules that Myanmar must take action to protect the Rohingya.

Like most former colonies, many of Myanmar's contemporary problems can be traced to British rule. Great Britain named Burma a province in 1886, following three wars spanning more than forty years, before claiming it as a crown colony in 1937 (Seekins, 2017). The role of British colonists in integrating then-Burma into a quasi-global economic system is perhaps most salient, as it intensified social stratifications and prompted the environmental degradation and resource exploitation that I discuss below. Indeed, British companies in Burma set a precedent for exporting raw materials for capital gain, building Burmese dependence on exportation and introducing economic justification for land-grabbing and displacement (Mark, 2016; Seekins, 2017). Colonial rule also altered Myanmar's property rights system, although subsequent laws have created an ambiguous legal framework that prompts land tenure conflict often at the expense of ethnic minorities (Mark, 2016). Finally, as I discuss shortly, the military junta's iron-fist approach to governance is also interwoven with the country's colonial history.

When British colonial rule officially ended in 1948, the *Tatmadaw* responded to the "prospect of anarchy and fragmentation" with nationalist rhetoric defending strict order as a means of securing long-term independence (Farrelly, 2013, p. 322). The *Tatmadaw*, whose efforts were central to ending British rule, claimed governing legitimacy and, in 1962, completed a military coup that consolidated the military junta as the nation's leader (Farrelly, 2013; Callahan, 2012). However, national unity has proven elusive, with ethnic and religious minorities facing subjugation. With nearly forty percent of Myanmar identifying as non-Bamar in an ethnically Bamar majority, ethnic minorities persistently seek recognition and autonomy. However, these efforts often turn violent as different groups vie for land rights and sovereignty, in turn legitimating the *Tatmadaw*'s forceful and violent interventions (Jones, 2014; Kipgen, 2015). Based on its role in promoting order following British colonial rule, as well as its frequent

forceful intervention in quashing ethnic conflict, the *Tatmadaw* has maintained extensive scope in Burmese life for nearly seventy years.

Based on Myanmar's complex history as a British colony with ethnically divisive borders, as well as the role of the *Tatmadaw* in prioritizing order over peace, the country continues to experience ethnic violence. Nearly 40% of the country is included in the "ethnic minority" category of non-Bamar (Jones 2014). Perhaps most notable in terms of recent conflict in Myanmar is the ongoing violence against the Muslim minority Rohingya in Rakhine State; at the time of writing, Burmese de facto leader Aung San Suu Kyi was testifying at the International Court of Justice in The Hague, where she vehemently defended the *Tatmadaw* at for their role in perpetrating violence against the Muslim minority Rohingya. From 2017 to 2018, approximately 1.1 million refugees were displaced from Myanmar (UNHCR, 2020a).

Both Myint and Su are ethnic minorities from Kachin State and Chin, respectively. Residents of Chin State face discrimination as both ethnic minorities and religious minorities as Christians in a majority-Buddhist country. Following the 1962 coup d'état and subsequent military rule, Chin people faced mass human rights violations in the form of extrajudicial killing, torture, forced labor and relocation, and systematic rape (Jops, Lenette, and Breckenridge, 2016). Chin State also has a poor education system, which further disadvantages Chin people who seek refuge elsewhere (McWilliams and Bonet, 2016). For Su and the generations of her family that lived in Chin State, these contexts formed the primary impetus to seek refuge elsewhere. In Kachin State, conflict dates back to resistance to British colonial borders and challenges to sovereignty following Burmese independence. The Kachin Independence Organisation and Burmese military have engaged in episodic conflict for decades, and the violent context has forced thousands of Kachin people to seek refuge elsewhere (Dean, 2005; Sadan, 2015).

Finally, capitalist expansion has caused the depletion and exploitation of Myanmar's natural resources including teak trees and natural gas. The Burmese military government has led the charge in exporting the country's natural resources since 1988, often without regard for the Burmese people or environmental health (Seekins, 2017). Governmental deals have granted land use rights to several foreign firms including in spaces inhabited by Burmese nationals (Perlez, 2016; Aung and McPherson, 2020). This was regarded as particularly egregious by Myint, who remembers vibrant forests and predictable weather patterns where there is now deforestation and climatic volatility. For Myint, the permission given by the Burmese government to foreign firms to exploit natural resources, displace local communities, and reap the benefits without regard for the needs and perspectives of the Burmese people is an unforgivable violence; not only does it wreak havoc on the environment without the people's consent, but it also pits Burmese people against each other in vying for land rights. Resource exploitation for capital gain, which is itself enabled by British colonization, capitalist expansion, and the military junta's own prerogatives, therefore inflicts structural constraints against the Burmese populace while the military elite and foreign investment firms accumulate wealth. These factors converge to create the contexts that forced both Myint and Su to seek refuge outside of Myanmar ten years apart, while also demonstrating that the process of forced migration begins with the historical conjunctures that cause it.

Through Violence: the "Space of Non-Existence"

After deciding to leave Myanmar, Su and her family crossed the border into Malaysia. The family lived in a community with many other asylum seekers and stayed in a one-bedroom apartment with several families. Su's father sought work, but neither he nor the rest of the family had legal documentation to live in Malaysia. In addition to preventing a stable income, the lack

of documentation made the family especially vulnerable to corrupt police officers: on their way to purchase soap from the market, Su and her older sister —then both teenagers— were stopped and interrogated by a police officer and had to bribe him for their freedom. When retelling this story, Su shared how shocked and powerless she felt in that moment, and how the feeling of precarity stayed with her while she was in Malaysia; because the family did not have the legal papers to defend their presence in Malaysia, they were unable to access any formal protections.

Without legal recognition in Malaysia but with the acute need for decent housing, stable income, and safety from persecution, Su and her family inhabited what Coutin (2003) calls a “space of non-existence,” or a state of being unrecognized —and therefore unprotected— by the law. For Su, this space of non-existence was characterized by precarity and exploitation, including moments in which the Malaysian state denied Su’s existence —and therefore any responsibility to protect her— and moments in which Su was hyper-visible, such as when she and her sister were arrested. The undocumented portion of Su and her family’s migration process therefore locates structural violence in the state system of documentation and bordering itself that enables discriminatory protection and/or neglect (Coutin, 2003; Mountz, 2011, Jones, 2016).

In narrating her own move from Myanmar to the U.S., Myint did not describe any similar experience of being in a “space of non-existence.” She and her husband were able to register with the UNHCR prior to departing from Myanmar and were resettled directly to the U.S. without first staying in a third country. However, Myint did discuss concerns for other Burmese people living in precarious situations on the border between Thailand and Myanmar. Unable to obtain documentation and basic security to resettle in Thailand and unwilling to return to Myanmar via a voluntary repatriation process, nearly 100,000 people remain in protracted refugee situations; this number does not include the millions of Burmese refugees living in

camps in Thailand and Bangladesh (UNHCR, 2020b). With dim prospects in Myanmar, Myint wondered:

How can they go back to Myanmar? There is no house, no land for them. They left, they fled to the refugee camp, and some of them either sold their property or others have claimed it. So they have no more property, no land, no house. So where could they live?

Stuck between Thailand and Myanmar in impermanent settlements without a clear future elsewhere, the lives of these people are plagued by permanent impermanence and liminality (Mountz, 2011; Perkins, 2019).

The global refugee regime is the primary international mechanism for assisting people whose government has led to their displacement, and these people therefore rely on that regime to realize secure futures. However, the structure of the global refugee regime facilitates just three options for permanence: voluntary repatriation, integration into the host country, or resettlement in a third country (1951 Convention; 1967 Protocol). The narrowness of the global refugee regime leaves people, such as those that Myint mentioned, in prolonged precarity without safe or desirable options. Rejected by Thailand, persecuted in Myanmar, and ignored by the international mechanisms for assisting refugees to permanent solutions, the people in the camps experience bio/necropolitical violence of political inaction (Mountz, 2011; Davies, Isakjee, and Dhesi, 2017).

Moving Into Violence: Extending Violence Into Private Spaces

Following Bank, Fröhlich, and Schneiker's (2017) trajectory of forced migration as a process from, through, and into violence, this section discusses the structural violence that Myint and Su both experienced upon arrival in the United States. The UNHCR, which is responsible for facilitating the resettlement of refugees, defines resettlement as "the transfer of refugees from an

asylum country to another State that has agreed to admit them and ultimately grant them permanent settlement” (UNHCR, 2020c). According to this definition, the resettlement process is complete upon a refugee’s arrival in whatever State has admitted them through the UNHCR. However, both Myint and Su discussed their experiences with resettlement as extending far beyond that initial landing. Both Myint and Su continue to navigate the process of establishing stable, fulfilling lives as Burmese women in the U.S., despite that Myint has lived in OKC for over two years and Su for over a decade. In the following section, I discuss the ways in which the U.S. refugee resettlement program prolongs refugees’ process of building sustainable lives, the role that vitriolic media plays in that process, and the intimate spaces in which the structural violence of the resettlement program are felt.

The U.S. Refugee Resettlement Program

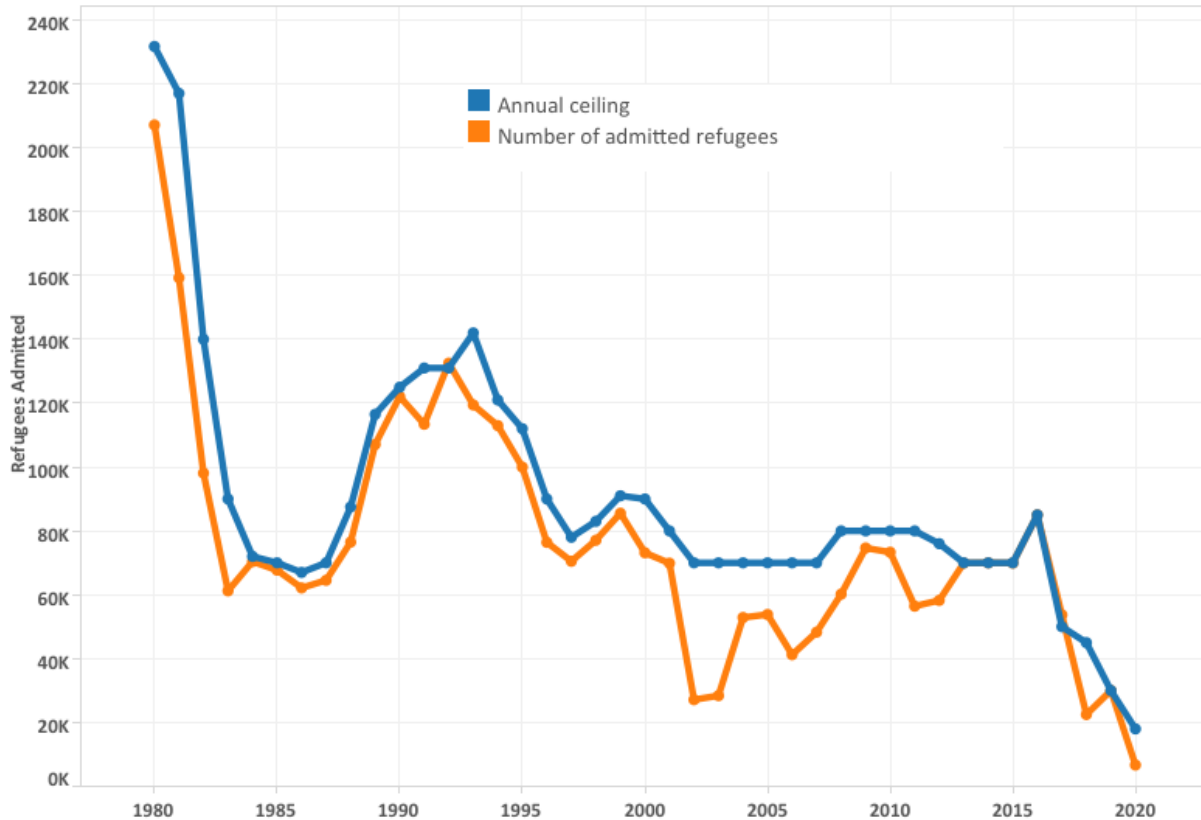
In 1980, the U.S. Congress signed into law the *Refugee Act of 1980*. Adopted under President Jimmy Carter, the *Refugee Act* remains the primary legal mechanism for refugee resettlement in the U.S. Despite President Carter’s intention for the Act to facilitate coordination between Congress and the State Department, it remains largely under the President’s purview; indeed, the President enjoys almost total authority to determine resettlement funding, regulations, and the yearly ceiling on refugee admissions (Libal, Felten, and Harding, 2019). As such, the *Refugee Act* is particularly susceptible to political change: for example, geopolitical conflict and subsequent xenophobia following 9/11 prompted the Bush administration to substantially lower refugee admissions, while the Obama administration sought to counter xenophobic narratives by raising refugee admissions (Berman, 2011; Capps and Fix, 2015). The refugee resettlement program in the U.S. therefore shifts alongside geopolitical contexts and national interest and is used as a political tool.

Another critical component of the *Refugee Act of 1980* is that it constructs a partnership between the federal government and voluntary resettlement agencies (VOLAGS) built on promoting refugees' economic stability. While the Office of Refugee Resettlement (ORR) conducts the screening processes of potential resettling refugees, a set of VOLAGS across the country organize flights, accommodation, and the dispersal of assistance funds and programs (Libal, Felten, and Harding, 2019). VOLAGS are tasked with using federal funds to assist resettling refugees in attaining economic self-sufficiency. However, with only an eight-month period to do so before refugees become ineligible for refugee assistance programs, VOLAGS must prioritize economic initiatives over other forms of support such as providing English courses and trauma-informed mental healthcare, or hosting workshops on U.S. cultural norms, systems of transportation, public education, and other U.S.-specific areas refugees might not be familiar with.

Since its inauguration in 2017, the Trump administration's approach to refugee resettlement has become increasingly restrictive and reflective of xenophobic discourse. In the first days of his presidency, President Trump halted the refugee resettlement program for 120 days. Furthermore, the generally high number of refugees resettled to the U.S. has plummeted in response to lowered admissions ceilings, with the 1993-2016 average of around 80,000 lowered to the 2020 ceiling set at only 18,000 (Blizzard and Batalova, 2019). The figure below shows this exponential decrease in refugee admissions since Trump took office (MPI, 2020):

Figure 5

U.S. Refugee Admissions and Resettlement Ceilings, Fiscal Years 1980-2020

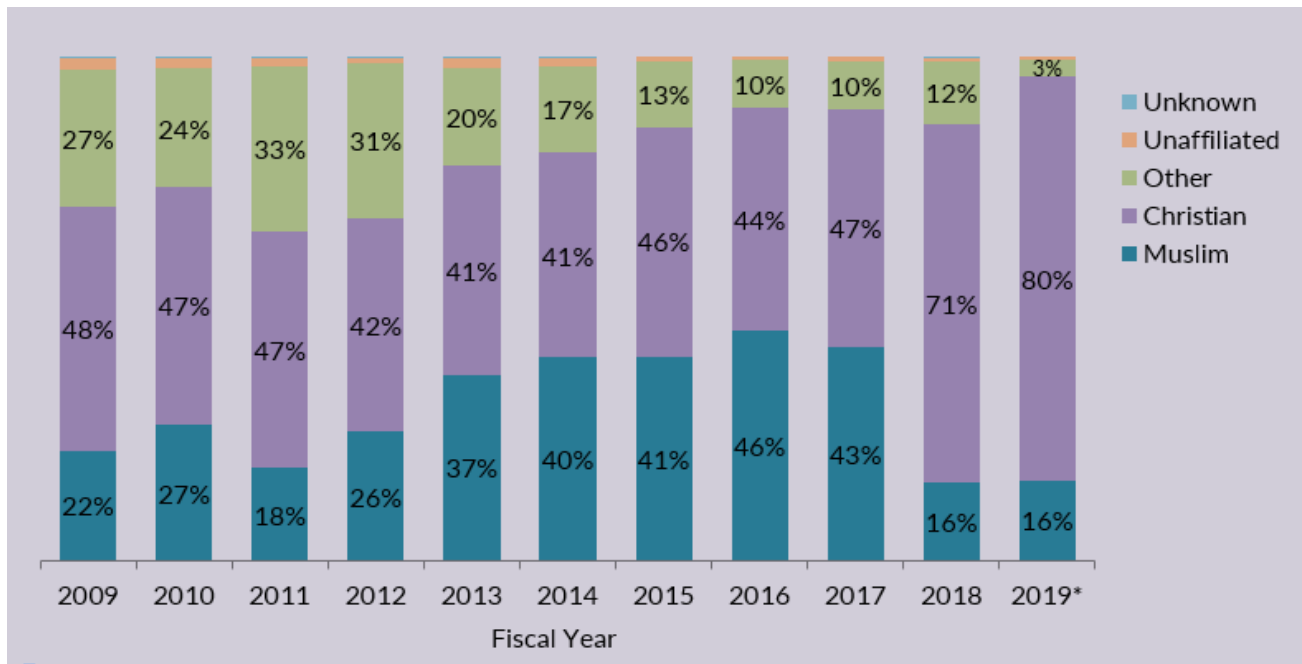


Source: Migration Policy Institute (MPI) analysis of WRAPS data from the State Department Bureau of Population, Refugees, and Migration. Available at www.wrapsnet.org/admissions-and-arrivals/.

According to a 2019 report by the Refugee Council USA, the 2017-2019 changes in refugee policy impacted the entire resettlement infrastructure: in addition to a seventy percent overall decline in refugee arrivals since the first half of Fiscal Year 2017, fifty-one resettlement programs were closed across twenty-three states, and cities dependent upon refugee arrivals faced significant labor shortages (RCUSA, 2019). As the figure below shows, the religious composition of refugee admissions into the U.S. has also changed, with the proportion of Christian to Muslim immigrants nearly doubling, reflecting the impact of anti-Muslim rhetoric on refugee admissions policy (Blizzard and Batalova, 2019).

Figure 6

Religious Composition of Refugees Admitted to the United States, FY 2009-19



Source: Migration Policy Institute analysis of WRAPS data. Available from https://www.migrationpolicy.org/article/refugees-and-asylees-united-states#Religious_Composition_of_Refugees

Finally, the Trump administration’s public charge rule entered into effect in February 2020. Proposed in August 2019, this rule expands the scope of the 1882 *Immigration Act*, which established the “public charge” test as grounds for inadmissibility to the U.S. Under the new rule, immigrants applying for green cards or permanent resident status will be denied status change if they have used public benefits including Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, Supplemental Security Income, federal housing assistance, or nonemergency Medicaid. This expansion of the public charge rule reflects increasingly restrictive immigration policy in the U.S. and has prompted immigrants’ substantial disenrollment from benefits (Capps, Gelatt, and Greenberg, 2020). The policy change has also impacted refugees in the U.S., with three refugees directly citing the rule as their impetus to commit suicide within days of the rule’s announcement and many others disenrolling from public benefits out of fear that they will become ineligible for citizenship (Capps, Gelatt, and

Greenberg, 2020; Awaad, Dailami, and Nouredine, 2020). Critically, however, the public charge rule—even in its most restrictive 2020 iteration— *does not apply to refugees or people granted asylum in the U.S.* That is, under federal refugee law, the U.S. cannot deny citizenship eligibility to a refugee or asylee because they have used public benefits. Language barriers, unfamiliarity with U.S. law, and the economic focus of the U.S. refugee resettlement program all contribute to miscommunication and lack of comprehension that refugees and asylees are safe from the restrictive policy, further compounding the shortcomings of the resettlement program.

Emotional and Linguistic Disconnect in the Home

In both Myint and Su’s narratives, the economic focus of the refugee resettlement program negatively impacted intergenerational relationships within the home. In Myanmar, their homes were vibrant, shared spaces of communication: Myint described the family home as bright, airy, and full of activity with her mother, brother and sister-in-law, sister and brother-in-law, nieces and nephews, Myint’s own three children and their spouses all living in the same home, sharing meals, spaces, and daily life; similarly, Su described her home in Myanmar as a sunny communal space in a neighborhood that she shared with friends from school and church. With multiple generations living together and in close proximity to neighbors with whom they have strong relationships, Myint’s and Su’s homes in Myanmar were spaces of comfort and connection.

In the U.S., however, the sanctity of the home was challenged by communication barriers that created emotional isolation and disconnect between family members. Myint shared the story of a local Burmese teenager who, after suffering from depression and the inability to communicate with her Burmese-speaking mother, committed suicide last year. While Myint

expressed grief for the entire family and the young woman herself, she was most pained that the girl's mother could not even read the note her daughter left her. Myint, who has three grown sons living in Myanmar and who proudly accepts the nickname *moji* ("grandmother"), perceived the home as a space in which families should connect and support one another. However, Myint witnessed the ways in which transnational displacement impacts children and parents differently, making verbal communication and cultural connection difficult. With her own family remaining in Myanmar where their communication was limited to digital platforms, Myint found the inability of families to connect more meaningfully through shared language and culture especially poignant.

Similarly, Su grieved her parents' loss of independence in the U.S.: they never learned to speak English, and so depend a great deal on Su and her siblings to assist them with everything from doctor's appointments to taxes and beyond. Su's parents were happy that their children had opportunities for education and careers, but Su worried that their own happiness had been lost when they moved to the U.S. The home, which Su and Myint understood to be a site of connection and community, therefore became a space also marked by the violence of displacement. The border itself manifested in the privacy of the home, drawing boundaries between parents and their children linguistically, culturally, and emotionally.

Ostensibly, these barriers may appear as inevitable side effects of transnational movement and comparatively benign to the persecution that Myint, Su, and their families might have faced at home. However, Myint and Su's narratives present the home as a space in which "transnational realities intersect to blur the scales of global and intimate" (Hyndman and Mountz, 2006); colonialism, military violence, capitalist resource extraction, international mobility regimes, and all of the other factors that converged to displace Myint and Su *also* manifest in the

intimacy of the home. The structural violence of migration therefore extends across scales, from historic injustices to contemporary hardships, with the result that the border itself becomes embedded within the home. Furthermore, in focusing refugee resettlement programs on economic self-sufficiency, the state ignores the acute and sustained linguistic, emotional, and interpersonal needs of the refugees for whom they have accepted responsibility; through its inaction, the U.S. therefore aggravates the chronic violence embedded within the migration process (Hyndman and Mountz, 2006; Pain and Staeheli, 2014; Davies, Isakjee, and Dhesi, 2017).

Agency in Forced Migration

Whereas the previous section focused on violence itself, this chapter traces participants' agentic responses to those experiences of multiple forms of violence throughout the migration process. To understand this agency in its different forms, I follow Ortner's (2006) assertion that agency encompasses not only resistance, but also other interactions with the "relations of power, inequality, and competition" in which agents exist (p. 131). Against the structural violence of forced migration, Myint and Su both asserted their agency in myriad ways, including maintaining relationships with their families, connecting and supporting other people who experienced forced migration, and building and pursuing imaginaries of vibrant futures. This not only reinforces Brunet-Jailly's (2005) assertion that structural violence and agency are relational, but also demonstrates the ways in which Myint and Su use their own experiences with structural violence to transmit knowledge intergenerationally and across communities.

Uprooting

Although forced migration is characterized by a lack of choice, it is still a process in which Myint, Su, and their families actively engaged. The decision itself to leave Myanmar was a monumental step for Su's parents, whose own families had lived in Chin State for generations, as well as for Myint, who left all family except for her husband behind. Indeed, Myint's decision to leave Myanmar was driven by her desire to provide a bridge for her sons to cross into the U.S., believing that establishing a home and community in America would make it easier for her family to join her. While she certainly misses her family, country, and life in Myanmar, Myint's devotion to her family supersedes her own comfort. Similarly, Su's parents long to return to Myanmar, where they are comfortable with the local language, norms, and people. However, according to Su, they left Myanmar and applied for resettlement so that Su and her siblings could receive an education, forge lives free from persecution, and one day help to improve Myanmar. When describing her parents' decision to leave Myanmar, Su said:

My parents, other parents, they already built roots there. They were already planted. And then, because of me and my siblings, they ripped those roots out. For us. Even if someone wanted to kill them they would stay; it is only for us that they pulled out their roots so we could plant ours.

Even as Su's family was forced out of Myanmar, her parents were actively making profound decisions about what was at stake and how they could care for their children within political and economic constraints.

Despite the constraint of their choice, Su's parents and Myint actively wrestled with the decision of how much they were willing to tolerate in Myanmar, and that decision ultimately revolved around the well-being of their families rather than themselves. Whether it came easily or with grueling deliberation, whether they made it with subversion or resistance in mind, or whether it was simply an last-ditch effort to survive, the decision to leave Myanmar and seek refuge required *rejecting* the Burmese state and *requesting* international support. That is, despite

their constrained choices and lack of power relative to the Burmese state, Myint and Su's family joined the "more or less organized struggles in which migrants openly challenge, defeat, escape, or trouble the dominant politics of mobility" as well as the "daily strategies, refusals, and resistances through which migrants enact their (contested) presence – even if they are not expressed or manifested as 'political' battles demanding something in particular" (Casas-Cortes et al., 2015, p. 80). Rather than remain subjects of violence or, perhaps more poignantly, rather than allow their families to remain subjects of violence at the hands of the Burmese state, Myint and Su's parents engaged in the inherently political act of crossing international borders (Davies, Isakjee, and Dhesi, 2017; Casas-Cortes et al., 2015).

Replanting

Even after the initial decision to move, the forced migration process required continuously taking "political responsibility for pursuit of a decent life" (Agnew, 2008, p. 176). From Su's family navigating life without documentation in Malaysia through both Myint's and Su's resettlement in the U.S., forced migration required action despite the political *inaction* of Myanmar, the U.S., and members of the international community (Davies, Isakjee, and Dhesi, 2017). As I discussed in the section on structural violence within the U.S. resettlement program, arrival in the U.S. did not signal the end of the migration process and, as I discuss here, prompted myriad ways of challenging the resettlement program's shortcomings.

Myint and Su both proudly shared their own successes as well as those of their families and friends. Myint's husband has a well-paying job, so she spends her time homemaking, attending or organizing church events, visiting friends in the community, and attending Spero Project classes. Myint's ambition in America is to be a translator and teacher for the families in

her community to help bridge the familial disconnects that are so prevalent in the resettling community. By using her time to attend English language classes, learn to drive, and build relationships with her neighbors, Myint actively invests in her own future as well as that of the broader community; while Myint articulates this investment of time and labor as an opportunity she is privileged to have, it also enables her to overcome the challenges associated with the refugee resettlement program. In doing so, Myint aims to erode the manifestations of border violence in the homes of other resettled refugees in OKC.

Su is similarly driven by the desire to foster relationships of care and support in OKC's Burmese community. As a Spero employee, she spends time connecting with and assisting resettled refugee families in OKC; furthermore, with her bachelor's degree in Family and Childhood Development, Su plans to eventually return to Myanmar and open a child development center. As I discussed previously, Su's parents and older sister have struggled to adjust to the U.S. due to language barriers and homesickness. Su uses this shared hardship in conjunction with her linguistic skills and education to confront the challenges her family faces; by translating, encouraging her parents to learn English and take the citizenship exam, and trying to preserve as much of her parents' privacy as possible, Su feels that she is reinvesting in her parents' lives much like they invested in hers by moving to the U.S.

Future Imaginaries

Finally, both Myint and Su constructed future imaginaries, or narratives of what their own futures and those of their families might hold. These imaginaries, emerging out of their experiences, are reflections of both anxiety and hope and demonstrate the relationality of structure and agency perhaps more than any of the preceding discussion. As I will illustrate in

this section, the creation of these future imaginaries is indicative of past, present, and anticipated structural violence inflicted against them throughout the ongoing migration process; simultaneously, these imaginaries reflect participants' efforts to take "political responsibility for pursuit of a 'decent life'" for themselves, their families, and the broader displaced community (Agnew, 2008, p. 176).

Both participants narrated concerns about what their futures might hold that were intimately linked with their displacement experience. Myint imagined that she might never meet her new granddaughter and that her sons would stay in Myanmar without stable employment or incomes. This imaginary was also interlaced with prayers for the military regime to relinquish control and promote ethnic and religious equality. Myint also voiced fears that other families will become emotionally disconnected, that elements of their Burmese and familial cultures will be lost, and that the resettlement process will strip away families' shared values. Similarly, Su worried that her parents might reach a level of homesickness where they would return to Myanmar for a visit and, without U.S. citizenship, be unable to return. Su also worried that the U.S. would reject asylum seekers at its southern border without taking the time to understand their circumstances or recognize how constrained their choices are. These fears, which Myint and Su project as possible futures for themselves and others, reflect the power of the Burmese government to constrain livelihoods, the U.S. government's unwillingness to adequately support refugees, and the ongoing multiple forms of violence that forced migration inflicts in the forms of anxiety and fear.

Nonetheless, Myint and Su both also created vibrant future imaginaries that directly respond to fear and anxiety. For example, Myint responds to her own concerns about familial disconnect in the home by taking ESL classes, building relationships with Burmese children and

parents alike, and seeking out possible career paths in Oklahoma for her sons. Su also creates imaginaries of hope which reflect her nostalgia for her childhood in Myanmar as well as her interest in childhood development; when narrating her future, Su envisions leading a childhood development center that focuses on education and youth empowerment with locations both in the U.S. *and* in her hometown in Myanmar. While these imaginaries of hope emerge in part as a way to assuage anxieties generated by being forcibly displaced, they are also productions of possibility and community. That is, these imaginaries are united by their focus on fostering interpersonal connection and community well-being in order to counteract the constraints of the U.S. resettlement program and the broader structural violence of forced migration.

Conclusion

These processes of uprooting, replanting, and imagining futures demonstrate Myint's and Su's ongoing responses to the violence of forced displacement. Myint and Su were both displaced by the Burmese *Tatmadaw* and the government's inability or unwillingness to limit the *Tatmadaw's* power; both Myint and Su's family navigated the UNHCR bureaucracy to register as refugees, and waited uncertainly for resettlement; and both women faced linguistic barriers, emotional trauma, and an overall lack of social support from the U.S. resettlement program. Despite constrained choices and inhospitable environments, both Myint and Su have responded with actions that are not deliberately defiant or subversive, but that challenge injustice nonetheless. By learning English, translating for others, teaching, and forging relationships with other refugees, Myint and Su reject the biopolitical violence of the Burmese state, the international refugee regime, and the U.S. resettlement program, all of which work to disempower the women's lives and communities. In doing so, Myint and Su engage in the

“generative struggles” that subvert border violence and engender a “politics of hope” (Brambilla and Jones, 2019, p. 15).

In this chapter, I have positioned the accounts of two Burmese women, Myint and Su, who were resettled in Oklahoma as refugees within the structures that govern forced migration. I traced the migration experiences of Myint and Su out of, through, and into violence, following Bank, Fröhlich, and Schneiker’s (2017) conceptualizing of forced migration. I began with colonial, capitalist, and military violence in Myanmar that led to Myint’s and Su’s displacement before discussing Su’s experience inhabiting a “space of non-existence” in a Malaysian refugee community (Coutin, 2003), through to the inadequacies of the U.S. resettlement program and the futures both women imagine for themselves. In doing so, I presented structural violence as processual, while also paying attention to the agentive ways in which both women responded to structural violence.

Conclusion: Cultivating Hope

Even as the United States militarizes its southern border to deter migration, it continues to rely on the labor of undocumented migrants without legal protections (Wiggins, 2020). Even as the U.S. participates in imposing structural adjustment plans across the Global South that exacerbate inequality and debilitate local economies, it criminalizes the people most negatively impacted if they try to pursue a better livelihood elsewhere (Mohan and Chiyemura, 2020). Even as the U.S. uses an exclusionary visa system to restrict the access of Brazilians, Indians, Chinese, and other nationalities to American citizenship, it relies heavily on those countries' exports to meet American consumption (Oeler and Gompf, 2020; Gibson, 2018). Finally, even as the U.S. contributes to conflict in Syria or fails to condemn human rights atrocities in Myanmar, it dramatically reduces its refugee admissions ceiling and refuses responsibility for the millions of displaced persons living in refugee camps, crossing treacherous bodies of water, or literally dying at the U.S.-Mexico border.

The United States was founded on these types of contradictions from the first white settlers who, seeking freedom from religious persecution in Great Britain, stole the land and lives of Indigenous peoples. As I've shown in this thesis, the U.S. government has continued to make decisions about who can live on the land it claimed as its own, with the *Page Law*, *Chinese Exclusion Act*, Operation Gatekeeper, refugee admissions reductions, and the 2020 birth tourism regulation being a very select few examples. In securitizing external U.S. borders to restrict entrance into the nation, these policies also make decisions about the people living inside the U.S.: who is part of the American citizenry and who is not, who can become part of that citizenry and who cannot, and what attributes characterize that citizenry.

The 2020 birth tourism regulation aims to decide who can become a part of the American citizenship by limiting visas to women who may give birth while visiting the U.S. Furthermore, because visas are not required for residents of most Western European nations and Oceania, the regulation selectively determines what nationalities can access birthright citizenship. The recent reduction in refugee admissions also clearly makes decisions about who can enter and reside in the U.S. The birth tourism regulation applies exclusively to women for short term visits of up to ninety days, whereas the refugee resettlement program is intended to provide permanent residence to refugees generally; nonetheless, both sets of policies rely on the rhetoric of national security and the presentation of foreigners as inherent threats to American safety. The birth tourism regulation and decreased refugee admissions are therefore both intended to assert U.S. national sovereignty, where “national sovereignty” refers to a majority white, capitalist, patriarchal society.

In asserting national sovereignty as such, the U.S. responds to geopolitical tensions that challenge its position as an international hegemony since the end of World War II. Preventing people from emerging economies such as India, China, and Brazil from accessing American citizenship signals a rejection of those countries as equals, while the reduction in refugee admissions simultaneously signals the United States’ refusal to continue filling a long-term leadership role in the international refugee regime. Both policies clearly reflect ethnonationalist prerogatives and economic protectionism, but also demonstrate unease with perceptions of global interconnectedness.

In light of this apparent unease in which the U.S. responds to globalization and economic integration with protectionism and restrictive immigration policy, I believe that Brambilla’s (2015a and 2015b) borderscape concept provides a productive framework for advancing

scholarship in opposition to border violence. As Myint and Su's responses to their experiences with forced migration show, border violence is not monolithic but rather comprised of infinitely many interacting moments and contexts; as such, there are also many opportunities to challenge, reject, or otherwise counter that violence. That is not to dismiss the impacts of border violence in any of its manifestations, whether as surveillance of the female body, exclusion of racialized bodies, or physical violence including rape, killing, torture, etc.; rather, my point is that even within these violent borderscapes, pockets of dissent can exist and, if mobilized, work against the violence that has become the status quo.

For Myint, that mobilization included learning English and working as a translator to bring family members closer together, thereby refusing to live within the constraints of the economic-focused U.S. resettlement program. For Su, anti-violence mobilization meant questioning whether to remain in the U.S. permanently or to take her skills and education home to Myanmar, thereby challenging the expectation that resettled refugees should be content with whatever provisions they receive from the host country. These are but two examples of Myint and Su's interaction with violent borderscapes, and these two examples alone reinforce Brambilla's argument that interrogating the borderscape can illuminate alternative political agencies and subjectivities.

Finally, I want to conclude by revisiting Su's description of her parents' sacrifice:

My parents, and their parents, they already built roots there [in Myanmar]. They were already planted. And then, because of me and my siblings, they ripped those roots out. For us. Even if someone wanted to kill them they would stay; it is only for us that they pulled out their roots so we could plant ours.

Su's statement is undoubtedly full of violence: the political violence of persecution, the physical violence of the Burmese military, and the emotional violence of wrenching oneself out the homeland. Nonetheless, Su's statement is also infused with hope: her parents' hope that their

children will live safe and fulfilling lives, and Su's own hope that, in tending to her parents' hopes for her, she will cultivate new growth for herself, her family, and the broader community of people experiencing border violence.

References

- Agamben, G. (2005). *State of Exception*, trans. Kevin Attell (Chicago and London: University of Chicago Press, 2005), 36.
- Agnew, J. (1994). The territorial trap: The geographical assumptions of international relations theory. *Review of International Political Economy*, 1(1), 53–80. <https://doi.org/10.1080/09692299408434268>
- Agnew, J. (2008). Borders on the mind: re-framing border thinking. *Ethics & Global Politics*, 1(4), 175–191. <https://doi.org/10.3402/egp.v1i4.1892>
- Anzaldúa, G. (1999). *Borderlands/La frontera: The new Mestiza* (2nd ed). Aunt Lute Books.
- Appadurai, A. (1996). *Modernity at large: Cultural dimensions of globalization*. U of Minnesota Press.
- Arce, J. (2019, 06). Trump’s anti-immigrant rhetoric is about our brown skin. *Time*. <https://time.com/5645501/trump-anti-immigration-rhetoric-racism/>
- Aung, T. T., & McPherson, P. (2020, January 18). Myanmar, China ink deals to accelerate Belt and Road as Xi courts an isolated Suu Kyi. *Reuters*. <https://www.reuters.com/article/us-myanmar-china-idUSKBN1ZH054>
- Awaad, R., Dailami, M., & Nouredine, N. (2020). US policy of public charge inadmissibility and refugee suicides. *The Lancet. Psychiatry*, 7(3), e12. [https://doi.org/10.1016/S2215-0366\(20\)30037-7](https://doi.org/10.1016/S2215-0366(20)30037-7)
- Bank, A., Fröhlich, C., & Schneiker, A. (2017). The political dynamics of human mobility: Migration out of, as and into violence. *Global Policy*, 8, 12–18. <https://doi.org/10.1111/1758-5899.12384>

- Batalova, J., & Blizzard, B. (2019). Refugees and asylees in the United States. *Migration Information Source*. <https://www.migrationpolicy.org/article/refugees-and-asylees-united-states>
- Benton, L. (2009). *A search for sovereignty*. Cambridge University Press. https://books.google.com/books/about/A_Search_for_Sovereignty.html?id=i15gAgAAQB_AJ
- Berman, C. E. (2011). Bordering on conventional: The politics of Iraqi resettlement to the US and Europe, 2003–2011. *Refuge: Canada's Journal on Refugees*, 28(1), 123–136.
- Berthold, S. M., Libal, K., & Mollica, R. F. (Eds.). (2019). *Refugees and asylum seekers: Interdisciplinary and comparative perspectives*. Praeger, an imprint of ABC-Clio, LLC.
- Bettini, G. (2013). Climate barbarians at the gate? A critique of apocalyptic narratives on ‘climate refugees.’ *Geoforum*, 45, 63–72. <https://doi.org/10.1016/j.geoforum.2012.09.009>
- Betts, A. (2015). The normative terrain of the global refugee regime. *Ethics & International Affairs*, 29(4), 363–375. <https://doi.org/10.1017/S0892679415000350>
- Bigo, D., & Tsoukala, A. (Eds.). (2008). *Terror, insecurity and liberty: Illiberal practices of liberal regimes after 9/11*. Routledge Studies in Liberty and Security.
- Blankstein, A., Schecter, A., & Connor, T. (2015, March 3). Feds raid California “Maternity hotels” for birth tourists. *NBC News*. <https://www.nbcnews.com/news/us-news/feds-raid-l-maternity-hotel-birth-tourists-n315996>
- Brambilla, C. (2015a). From border as method of capital to borderscape as a method for a geographical opposition to capitalism. *Bollettino Della Società Geografica Italiana*, 8(3), 392-402 Pages. <https://doi.org/10.13128/BSGL.V8I3.409>

- Brambilla, C. (2015b). Exploring the critical potential of the borderscapes concept. *Geopolitics*, 20(1), 14–34. <https://doi.org/10.1080/14650045.2014.884561>
- Brambilla, C., & Jones, R. (2020). Rethinking borders, violence, and conflict: From sovereign power to borderscapes as sites of struggles. *Environment and Planning D: Society and Space*, 38(2), 287–305. <https://doi.org/10.1177/0263775819856352>
- Brunet-Jailly, E. (2005). Theorizing borders: An interdisciplinary perspective. *Geopolitics*, 10(4), 633–649. <https://doi.org/10.1080/14650040500318449>
- Callahan, M. (2012). The opening in Burma: The generals loosen their grip. *Journal of Democracy*, 23(4), 120–131.
- Camarota, S. (2020, March 13). *A revised estimate of birth tourism*. CIS.org. <https://cis.org/Camarota/Revised-Estimate-Birth-Tourism>
- Casas-Cortes, M., Cobarrubias, S., De Genova, N., Garelli, G., Grappi, G., Heller, C., Hess, S., Kasparek, B., Mezzadra, S., Neilson, B., Peano, I., Pezzani, L., Pickles, J., Rahola, F., Riedner, L., Scheel, S., & Tazzioli, M. (2015). New keywords: Migration and borders. *Cultural Studies*, 29(1), 55–87. <https://doi.org/10.1080/09502386.2014.891630>
- Chang, C. (2013, January 4). *Foreigners visiting “birth hotels” in California draw local ire* (interview by A. Cornish) [NPR transcript]. <https://www.npr.org/2013/01/04/168642107/foreigners-visiting-birth-hotels-in-california-draw-local-ire>
- Chavez, L. R. (2017). *Anchor babies and the challenge of birthright citizenship*. Stanford Briefs, an imprint of Stanford University Press.

- Chinese Exclusion Act of 1882, Pub. L. No. 47-126, 22 Stat. 58 (1882).
- Citizenship Reform Act of 1995, H.R. 1363, 104th Congress. (1995).
- Correa, J. G. (2013). “After 9/11 everything changed”: Re-formations of state violence in everyday life on the US–Mexico border. *Cultural Dynamics*, 25(1), 99–119. <https://doi.org/10.1177/0921374013487268>
- Coutin, S. (n.d.). Illegality, borderlands, and the space of nonexistence. In *Globalization Under Construction: Governmentality, Law, and Identity* (pp. 171–202). University of Minnesota Press. Retrieved May 5, 2020, from <https://www.upress.umn.edu/book-division/books/globalization-under-construction>
- Davies, T., Isakjee, A., & Dhesi, S. (2017). Violent inaction: The necropolitical experience of refugees in Europe. *Antipode*, 49(5), 1263–1284. <https://doi.org/10.1111/anti.12325>
- De Leon, J. (n.d.). *The land of open graves*. University of California Press. Retrieved May 5, 2020, from <https://www.ucpress.edu/ebook.php?isbn=9780520958685>
- De Leon, J., Gokee, C., & Schubert, A. (2015). By the time I get to Arizona": Citizenship, materiality, and contested identities along the US-Mexico border. *Anthropological Quarterly*, 8(2), 445–479.
- Dean, K. (2005). Spaces and territorialities on the Sino–Burmese boundary. *Political Geography*, 24(7), 808–830. <https://doi.org/10.1016/j.polgeo.2005.06.004>
- Diamond, J. (2015, August 19). *Donald Trump: Birthright babies not citizens*. CNN. <https://www.cnn.com/2015/08/19/politics/donald-trump-birthright-american-citizenship/index.html>

- Dunn, K. (2000). Chapter Four: Interviewing. In I. Hay (Ed.), *Qualitative Research Methods in Human Geography* (pp. 50–82). Oxford University Press. <https://philpapers.org/rec/HAYQRM>
- Effeney, L., & Mansouri, F. (2014). Deterrence policies and asylum seekers: The case of Australia. *International Journal of Migration and Border Studies*, 1(2), 217. <https://doi.org/10.1504/IJMBS.2014.066309>
- Everett, B., & Oprysko, C. (2018, October 30). Speaker Ryan: ‘You cannot end birthright citizenship with an executive order’ - POLITICO. *Politico*. <https://www.politico.com/story/2018/10/30/breaking-news-speaker-ryan-you-cannot-end-birthright-citizenship-with-an-executive-order-949387>
- Farmer, P. (2005). *Pathologies of power: Health, human rights, and the new war on the poor* (2005 ed.). University of California Press.
- Farrelly, N. (2013). Discipline without democracy: Military dominance in post-colonial Burma. *Australian Journal of International Affairs*, 67(3), 312–326. <https://doi.org/10.1080/10357718.2013.788122>
- Fassin, D. (2012). *Humanitarian reason: A moral history of the present times* (1st ed.). University of California Press.
- Fix, M., & Capps, R. (2015, October 20). *Ten facts about U.S. refugee resettlement*. Migration Policy Institute. <https://www.migrationpolicy.org/research/ten-facts-about-us-refugee-resettlement>
- Foucault, M. (2008). *The Birth of Biopolitics*, trans. G. Burchell.
- Friedman, T. L. (2005). *The world is flat: A brief history of the twenty-first century* (1st ed). Farrar, Straus and Giroux.

- Gibson, R. (2018). The U.S. Medicine Chest: Implications of Increased Reliance on China. *Annals of Internal Medicine*, 169(12), 873. <https://doi.org/10.7326/M18-2552>
- Gil de Zúñiga, H., Correa, T., & Valenzuela, S. (2012). Selective exposure to cable news and immigration in the U.S.: The relationship between FOX News, CNN, and attitudes toward Mexican immigrants. *Journal of Broadcasting & Electronic Media*, 56(4), 597–615. <https://doi.org/10.1080/08838151.2012.732138>
- Gouliamos, K., & Kassimeris, C. (Eds.). (2012). *The marketing of war in the age of neo-militarism* (1st ed.). Routledge.
- Goździak, E. M. (2019). Using fear of the “other,” Orbán reshapes migration policy in a Hungary built on cultural diversity. *Migration Information Source*. <https://www.migrationpolicy.org/article/orban-reshapes-migration-policy-hungary>
- Greece wants floating fence to keep migrants out. (2020, January 30). *Reuters*. <https://www.reuters.com/article/us-europe-migrants-greece-barrier-idUSKBN1ZT0W5>
- Greenberg, J. (2011, 15). Flow of African migrants poses dilemma for Israel. *Washington Post*. https://www.washingtonpost.com/world/flow-of-african-migrants-poses-dilemma-for-israel/2011/04/14/AFsxuyjD_story.html
- Greenberg, M., Capps, R., & Gelatt, J. (2020, March 3). The public-charge rule: Broad impacts, but few will be denied green cards based on actual benefits use. *Migration Policy Institute*. <https://www.migrationpolicy.org/news/public-charge-denial-green-cards-benefits-use>

- Grundy-Warr, C. (1993). Coexistent borderlands and intra-state conflicts in mainland Southeast Asia. *Singapore Journal of Tropical Geography*, 14(1), 42–57.
- Guzman, A. L. (2016). Evolution of news frames during the 2011 Egyptian Revolution: Critical discourse analysis of Fox News’s and CNN’s framing of protesters, Mubarak, and the Muslim Brotherhood. *Journalism & Mass Communication Quarterly*, 93(1), 80–98. <https://doi.org/10.1177/1077699015606677>
- Haraway, D. (1988). Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective. *Feminist Studies*, 14(3), 575–599. JSTOR. <https://doi.org/10.2307/3178066>
- Hesson, T. (2018, October 30). Can Trump revoke birthright citizenship? Nearly all on left and right say no. *Politico*. <https://www.politico.com/story/2018/10/30/trump-birthright-citizenship-plan-900891>
- Hesson, T. (2020, January 23). Trump administration rolls out new rule to limit “birth tourism.” *Reuters*. <https://www.reuters.com/article/us-usa-immigration-trump-idUSKBN1ZM2G1>
- Hirsch, A. L., & Bell, N. (2017). The right to have rights as a right to enter: Addressing a lacuna in the international refugee protection regime. *Human Rights Review*, 18(4), 417–437. <https://doi.org/10.1007/s12142-017-0472-4>
- Hirschfeld Davis, J. (2018, October 30). President wants to use Executive Order to end birthright citizenship. *New York Times*. <https://www.nytimes.com/2018/10/30/us/politics/trump-birthright-citizenship.html>

- Hyndman, J., & Mountz, A. (2008). Another brick in the wall? Neo-refoulement and the externalization of asylum by Australia and Europe. *Cambridge University Press Government and Opposition*, 43(2), 249–269. <https://doi.org/10.1111/j.1477-7053.2007.00251.x>
- Immigration Act of 1903, Pub. L. No. 57-162, 32 Stat. 1213 (1903).
- Jacobson, L. (2018, October 30). Can Donald Trump end birthright citizenship with an executive order? Probably not. *Politifact*. <https://www.politifact.com/article/2018/oct/30/can-donald-trump-end-birthright-citizenship-execut/>
- Jones, L. (2014). Explaining Myanmar’s regime transition: The periphery is central. *Democratization*, 21(5), 780–802. <https://doi.org/10.1080/13510347.2013.863878>
- Jones, R. (2009). Sovereignty and statelessness in the border enclaves of India and Bangladesh. *Political Geography*, 28(6), 373–381.
- Jones, R. (2016). *Violent borders: Refugees and the right to move*. Verso.
- Jones, R., Johnson, C., Brown, W., Popescu, G., Pallister-Wilkins, P., Mountz, A., & Gilbert, E. (2017). Interventions on the state of sovereignty at the border. *Political Geography*, 59, 1–10.
- Jops, P., Lenette, C., & Breckenridge, J. (2016). A context of risk: Uncovering the lived experiences of Chin refugee women negotiating a livelihood in Delhi. *Refuge: Canada’s Journal on Refugees*, 32(3), 84–94.
- Jordan, M. (2019, January 31). 3 arrested in crackdown on multimillion-dollar ‘birth tourism’ businesses. *New York Times*. <https://www.nytimes.com/2019/01/31/us/anchor-baby-birth-tourism.html>

- Kanno-Youngs, Z. (2020, January 31). Trump administration adds six countries to travel ban. *New York Times*. <https://www.nytimes.com/2020/01/31/us/politics/trump-travel-ban.html>
- Karyotis, G. (2007). European migration policy in the aftermath of September 11: The security-migration nexus. *Innovation: The European Journal of Social Science Research*, 20(1), 1–17. <https://doi.org/10.1080/13511610701197783>
- Kipgen, N. (2015). Ethnicity in Myanmar and its importance to the success of democracy. *Ethnopolitics*, 14(1), 19–31. <https://doi.org/10.1080/17449057.2014.926610>
- Lee, E. (2002). The Chinese exclusion example: Race, immigration, and American gatekeeping, 1882-1924. *Journal of American Ethnic History*, 21(3), 36–62. JSTOR.
- Lee, M., & Long, C. (2020, January 23). US imposes visa rules for pregnant women on “birth tourism.” *Associated Press*. <https://apnews.com/d4c42c5311ba8a6661855cadd12f0fed>
- Lemberg-Pedersen, M. (2017). Effective protection or effective combat? EU border control and North Africa. In P. Gaibazzi, S. Dünwald, & A. Bellagamba (Eds.), *EurAfrican Borders and Migration Management* (pp. 29–60). Palgrave Macmillan US. https://doi.org/10.1057/978-1-349-94972-4_2
- Li, H., & Marsh, L. (2016). Building the BRICS: Media, nation branding, and global citizenship. *International Journal of Communication*, 10, 2973–2988.
- Little, A., & Vaughan-Williams, N. (2017). Stopping boats, saving lives, securing subjects: Humanitarian borders in Europe and Australia. *European Journal of International Relations*, 23(3), 533–556. <https://doi.org/10.1177/1354066116661227>

- Lyons, P. (2019, August 22). Trump wants to abolish birthright citizenship. Can he do that? *New York Times*. <https://www.nytimes.com/2019/08/22/us/birthright-citizenship-14th-amendment-trump.html>
- Mark, S. (2016). Are the odds of justice “stacked” against them? Challenges and opportunities for securing land claims by smallholder farmers in Myanmar. *Critical Asian Studies*, 48(3), 443–460. <https://doi.org/10.1080/14672715.2016.1196888>
- Mbembe, A. (2003). Necropolitics. *Public Culture*, 15(1), 11–40.
- McWilliams, J. A., & Bonet, S. W. (2016). Continuums of precarity: Refugee youth transitions in American high schools. *International Journal of Lifelong Education*, 35(2), 153–170. <https://doi.org/10.1080/02601370.2016.1164468>
- Mezzadra, S., & Neilson, B. (2013). *Border as method, or, the multiplication of labor*. Duke University Press. <http://site.ebrary.com/id/10720550>
- Mohan, G., & Chiyemura, F. (2020). Structural Adjustment. In A. Kobayashi (Ed.), *International Encyclopedia of Human Geography* (pp. 61–69). Elsevier. <http://oro.open.ac.uk/68655/>
- Molina, N. (2014). *How race is made in America: Immigration, citizenship, and the historical power of racial scripts* (illustrated, reprint). Univ of California Press.
- Moloney, D. M. (2012). *National insecurities: Immigrants and U.S. deportation policy since 1882*. Univ of North Carolina Press.
- Mountz, A. (2011). Where asylum-seekers wait: Feminist counter-topographies of sites between states. *Gender, Place & Culture*, 18(3), 381–399. <https://doi.org/10.1080/0966369X.2011.566370>

- Mountz, A., & Hyndman, J. (2006). Feminist approaches to the global intimate. *Women's Studies Quarterly*, 34(1/2), 446–463. JSTOR.
- Murphy, E. L. (2005). “Prelude to imperialism”1: Whiteness and Chinese exclusion in the reimagining of the United States. *Journal of Historical Sociology*, 18(4), 457–490. <https://doi.org/10.1111/j.1467-6443.2005.00264.x>
- Muzny, C. C. (1985). *The Vietnamese in Oklahoma City* [Thesis, The University of Oklahoma.]. <https://shareok.org/handle/11244/5368>
- Oehler, R. L., & Gompf, S. G. (2020). Shortcomings in the US Pharmaceutical Supply Chain: Potential Risks Associated With International Manufacturing and Trade-Related Tariffs. *JAMA*. <https://doi.org/10.1001/jama.2020.1634>
- Ortner, S. B. (2006). *Anthropology and social theory: Culture, power, and the acting subject*. Duke University Press.
- Paasi, A. (2012). Border studies reanimated: Going beyond the territorial/relational divide. *Environment and Planning A: Economy and Space*, 44(10), 2303–2309. <https://doi.org/10.1068/a45282>
- Paasi, A. (2018). Borderless worlds and beyond: Challenging the state-centric cartographies. In *Borderless worlds and beyond: Challenging the state-centric cartographies* (pp. 21–36). Routledge.
- Page Law of 1875, Sect. 141, 18 Stat. 477. (1875).
- Pain, R., & Staeheli, L. (2014). Introduction: Intimacy-geopolitics and violence. *Area*, 46(4), 344–347. <https://doi.org/10.1111/area.12138>

- Parker, N., & Vaughan-Williams, N. (2012). Critical border studies: Broadening and deepening the 'Lines in the Sand' agenda.' *Geopolitics*, 17(4), 727–733. <https://doi.org/10.1080/14650045.2012.706111>
- Peffer, G. A. (1986). Forbidden families: Emigration experiences of Chinese women under the Page Law, 1875-1882. *Journal of American Ethnic History*, 6(1), 28–46. JSTOR.
- Perkins, C. (2019). Rethinking repatriation: Karen refugees on the Thai-Myanmar border. *Anthropology Theses and Dissertations*. https://scholar.smu.edu/hum_sci_anthropology_etds/7
- Perlez, J. (2016, November 27). Animosity in a Burmese hub deepens as Chinese get richer. *New York Times*. <https://www.nytimes.com/2016/11/27/world/asia/mandalay-china-myanmar-trade.html>
- Pierce, S. (2019). *Immigration-related policy changes in the first two years of the Trump administration*. Migration Policy Institute. <https://www.migrationpolicy.org/research/immigration-policy-changes-two-years-trump-administration>
- Pierce, S. (2020, January 26). *Immigration news: "Birth tourism," border wall costs, travel ban expansion* (interview by L. Garcia-Navarro) [NPR transcript]. <https://www.npr.org/2020/01/26/799629241/immigration-news-birth-tourism-border-wall-costs-travel-ban-expansion>
- Population by country (2020)*. (n.d.). Worldometer. Retrieved May 6, 2020, from <https://www.worldometers.info/world-population/population-by-country/>

- Preston, J. (2010, August 6). Citizenship from birth is challenged on the right. *New York Times*. <https://www.nytimes.com/2010/08/07/us/politics/07fourteenth.html>
- Rai, K. (2004). *Immigrants, welfare reform, and the poverty of policy*. Greenwood Publishing Group.
- Refugee Council USA releases comprehensive report on the harmful impact of drastic refugee resettlement cuts. (n.d.). *Refugee Council USA*. Retrieved May 5, 2020, from <https://rcusa.org/resources/refugee-council-usa-releases-comprehensive-report-on-the-harmful-impact-of-drastic-refugee-resettlement-cuts/>
- Rose, J. (2019, July 17). “Vulnerable” migrants should be exempt from “Remain In Mexico,” but many are not. *National Public Radio*. <https://www.npr.org/2019/07/17/742271139/vulnerable-migrants-should-be-exempt-from-remain-in-mexico-but-many-are-not>
- Sadan, M. (2015). Ongoing conflict in the Kachin State. *Southeast Asian Affairs*, 2015(1), 246–259.
- Seekins, D. M. (2017). *Historical dictionary of Burma (Myanmar)* (Second edition). Rowman & Littlefield.
- Selee, A., & Pierce, S. (2017, December 18). Immigration under Trump: A review of policy shifts in the year since the election. *Migration Policy Institute*. <https://www.migrationpolicy.org/research/immigration-under-trump-review-policy-shifts>
- Shalhoub-Kevorkian, N. (2015). The Politics of birth and the intimacies of violence against Palestinian women in occupied East Jerusalem. *British Journal of Criminology*, 55(6), 1187–1206. <https://doi.org/10.1093/bjc/azv035>

- Smith, S., & Vasudevan, P. (2017). Race, biopolitics, and the future: Introduction to the special section. *Environment and Planning D: Society and Space*, 35(2), 210–221. <https://doi.org/10.1177/0263775817699494>
- Stashevskaja, I. (2019, March 19). South Florida’s Russian ‘birth tourism’ boom.’ *USA Today*. <https://www.usatoday.com/story/travel/destinations/2019/03/22/south-floridas-russian-birth-tourism-boom/3244087002/>
- Sundberg, J. (2008). “Trash-talk” and the production of quotidian geopolitical boundaries in the USA-Mexico borderlands. *Social & Cultural Geography*, 9(8), 871–890.
- The World Factbook. (n.d.). Ethnic groups. *Central Intelligence Agency*. Retrieved May 5, 2020, from <https://www.cia.gov/library/publications/the-world-factbook/fields/400.html>
- Tickin, M. I. (2011). *Casualties of care: Immigration and the politics of humanitarianism in France*. University of California Press.
- UNHCR. (2020a). *UNHCR Statistics - The world in numbers*. UNHCR Population Statistics. <http://popstats.unhcr.org>
- UNHCR. (2020b, April 8). *Situation Thailand-Myanmar cross border portal*. Information Management Common Service Portal. <https://data2.unhcr.org/en/situations/thailand>
- UNHCR. (2020c). *Resettlement*. UNHCR. Retrieved May 6, 2020, from <https://www.unhcr.org/resettlement.html>
- U.S. Census Bureau. (2018). *American Community Survey 5-year estimates*. Census Reporter. <http://censusreporter.org/profiles/14000US40109100100-census-tract-1001-oklahoma-ok/>

- U.S. Citizenship and Immigration Services. (2019, August 14). *Public charge provisions of immigration law: A brief historical background*. Department of Homeland Security. <https://www.uscis.gov/history-and-genealogy/our-history/public-charge-provisions-immigration-law-a-brief-historical-background>
- Visas: temporary visitors for business or pleasure, Pub. L. No. 2020--01218, Rule 4219 (2020). <https://www.federalregister.gov/documents/2020/01/24/2020-01218/visas-temporary-visitors-for-business-or-pleasure>
- U.S. Department of State. (n.d.). *Visa Waiver Program*. Retrieved May 6, 2020, from <https://travel.state.gov/content/travel/en/us-visas/tourism-visit/visa-waiver-program.html>
- US steps up scrutiny of pregnant visa applicants. (2020, January 23). *BBC News*. <https://www.bbc.com/news/world-us-canada-51213186>
- Vaughan-Williams, N., & Pisani, M. (2018). Migrating borders, bordering lives: Everyday geographies of ontological security and insecurity in Malta. *Social & Cultural Geography*, 1–23. <https://doi.org/10.1080/14649365.2018.1497193>
- Walia, H. (2013). *Undoing border imperialism*. AK Press ; Institute for Anarchist Studies.
- Wang, S. H. (2017). Fetal citizens? Birthright citizenship, reproductive futurism, and the “panic” over Chinese birth tourism in southern California. *Environment and Planning D: Society and Space*, 35(2), 263–280. <https://doi.org/10.1177/0263775816679832>
- Wiggins, M. F. (2020). Farm Labor and the Struggle for Justice in the Eastern United States. In T. A. Arcury & S. A. Quandt (Eds.), *Latinx Farmworkers in the Eastern United States: Health, Safety,*

and Justice (pp. 227–251). Springer International Publishing. https://doi.org/10.1007/978-3-030-36643-8_9

Yuval-Davis, N. (2004). Gender and nation. In R. Wilford & R. L. Miller (Eds.), *Women, Ethnicity and Nationalism: the Politics of Transition* (pp. 21–31).

Routledge. <http://public.ebookcentral.proquest.com/choice/publicfullrecord.aspx?p=166250>

Zhu, L. (2013). *The road to Chinese exclusion: The Denver Riot, 1880 election, and rise of the West* (Collectible edition). University Press of Kansas.

1951 Convention relating to the status of refugees. United Nations. July 28, 1951. Treaty Series, 189, p. 137. <https://www.refworld.org/docid/3be01b964.html>