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Tracing Invisibility as a Colonial Project: Indigenous Women Who Seek Asylum at the U.S.-Mexico Border

Sara Riva^{a,b}

^aSocial Sciences and Humanities, Spanish Research Council (CSIC), Madrid, Spain; ^bUniversity of Queensland, Brisbane, Australia



ABSTRACT

In the United States, Central American Indigenous women who seek asylum are officially classified as Latinas or Hispanic. The erasure and consequent invisibility of Indigenous identity not only causes assimilation but also jeopardizes Central American Indigenous women's procedural rights. Using a transnational feminist lens combined with a Critical Latinx Indigeneities framework, and drawing on fieldwork research, I address the complex relationships of migrants whose identities are intertwined with geography, different states, and racial representations, while I claim that the invisibility of Indigenous women from Abya Yala who cross borders responds to the white settler colonial project.

KEYWORDS

Refugee;
asylum;
border;
invisibility;
indigeneity;
migration;
Critical Latinx
Indigeneities;
transnational feminism;
Abya Yala

In answering the question “When is an Indian not an Indian?” María Josefina Saldaña-Portillo (2017) claims “in the United States an Indian is not an Indian when s/he is also African American or Latinx” (139). Indigenous women from Abya Yala¹ who cross the U.S.-Mexico border seeking asylum are officially non-existent—if they are classified² at all, they are considered “Hispanic” or “Latina”. This paper analyzes the ways in which official regulations and on-the-ground practices enacted on Indigenous women from Abya Yala at the border contribute to their invisibilization. Practices of invisibilization of Indigenous Peoples take place all around the world. The fact that global disaggregated data on how these populations are affected by conflict and displacement does not exist, or how these are left out of global discussions on humanitarian crisis attests to those invisibility practices (Minority Rights Group International, 2017, 12). In addition to the effects of poverty, gang violence, corruption and insecurity, Indigenous communities are made more vulnerable to issues such as climate change, lack of land rights, and resource extraction projects. For these reasons, these populations feature in disproportionately high numbers among refugees and internally displaced persons (Minority Rights Group International, 2017, 11). Indigenous Peoples threaten the stability of the nation-state by disrupting and questioning its legitimacy, borders, laws, language, and so on. In particular, in the United States, Indigenous Peoples sabotage the myth of its construction as a nation-state was based on an empty land, or a “nation of immigrants”. It was through genocide, land dispossession, disease and enslavement that the U.S. became the nation that currently is (Rifkin, 2014). Today, international and national treaties, agreements, and conventions, protect Indigenous Peoples all over the world from the violence inflicted in them in the past. However, their invisibilization has not been left in the past, as Patrick Wolfe (2006) rightly points out white settler colonialism is “a structure not an event”. Indigenous Peoples today continue to endure violence and exclusion worldwide and are more likely to be displaced by free-trade agreements, the environmental crisis, neocolonial

CONTACT Sara Riva  sararguezriva@gmail.com  Social Sciences and Humanities, Spanish Research Council (CSIC), Madrid, Spain; University of Queensland, Brisbane, Australia

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interests, and neoliberal-oriented development projects (Sassen, 2014). Rather than an attempt to exclusively eliminate these groups physically, other colonial means that were used in the past are still used today, such as the cultural and political eradication of certain groups (Alfred & Corntassel, 2005), and erasure and dispossession (Baker, 2017, 146).

In this paper, I rely on language as the sole indicator of Indigenous identification. This identification may or may not match the one of their countries of origin. For instance, there have been cases of Garífuna Indigenous women who only spoke Spanish—which is valuable to note when presenting the case of a woman, especially if she is suffering persecution for being Indigenous—but for the purposes of this paper I will only be referring to women whose first language is not Spanish or Portuguese. I am aware that relying on language as the sole indicator of Indigenous identification, both the NGO and I can contribute to making indigeneity one-dimensional while invisibilizing other Indigenous Peoples—such as Garífuna women. However, I do not mean to collapse these two experiences together, but rather, my reasons for correlating indigeneity and language are twofold. On the one hand, they are practical. I use the same categorization employed by the NGO I was conducting research: women whose mother tongue is not Spanish i.e. Indigenous Language Speakers (ILS). On the other hand, by focusing on language I want to highlight how it is a significant dimension of identity that serves to racialize individuals and groups. And as M. Bianet Castellanos (2017) argues, to note “the difficulties involved in articulating racial formations, especially when they are underpinned by distinct racial systems and histories” (220). This paper intends to illuminate how language as an indicator of identity contributes to notions of race and culture (Charity Hudley, 2017).

Through the lens of invisibility—which is neither interested in killing nor assimilating yet kills and causes assimilation—I analyze how Indigenous refugee³ women from Abya Yala are erased from official records. By drawing attention to the lack of acknowledgement of their victimization, its normalization shows that nothing is void of history and politics (Shalhoub-Kevorkian, 2010, 4). Different technologies of power are in place to contribute to erase the presence of Indigenous Peoples in the Americas. The lack of acknowledgement from U.S. authorities of the presence of Indigenous Peoples from Abya Yala at the U.S.-Mexico border is one of such technologies of power. This is the result of a direct spill over from postcolonial U.S. policies regarding its own Native American nations. I argue that this invisibilization is an ongoing tool of the colonial project that erases indigeneity. Although the postcolonial usually addresses the relation between European colonial powers and their former colonies, in this case I address the postcolonial as an ongoing relationship within the American continent and its effects on Indigenous Peoples from within and from outside the U.S. (Arvin et al., 2013; Gutiérrez-Rodríguez, 2007, 61). Using a combination of two theoretical frameworks, transnational feminism and Critical Latinx Indigeneities, in this paper, through the workings of border imperialism (Walia, 2013) I trace the effects of colonialism in current U.S. institutions. For this research, I used reports, news accounts, academic literature, participant observation and information gathered from the interviews I conducted for my research at a U.S. immigration detention center at the Southern U.S. border.

Following the call to think through ideologies of indigeneity within the local, regional, and hemispheric contexts (Castellanos, 2017b; Castellanos et al., 2012, Lai & Smith, 2010; Stephen, 2007, 2012), I claim that this article is important for several reasons. First, existing scholarship has mainly focused on Indigenous communities living in the U.S. (see for instance Fox & Rivera-Salgado, 2004), or Indigenous communities that live at the border, such as the Tohono O’odham tribe. There has been overwhelming attention to the formation of the “Spanish borderlands” and Chicana and mestiza cultures but not so much attention has been given to other cultures traversing that space. This paper contributes to the call to bridge the divide between North and South colonial engagements by promoting a hemispheric dialogue (Castellanos, 2017a; Speed, 2019). Second, critical discourses regarding refugee women who enter the country through the Southern border have centered the oppressions faced by Spanish speaking asylum-seekers (Castellanos, 2017b). However, this focus has inadvertently left out the experiences of non-Spanish

speaking women from México and Central America who seek asylum, such as Quiché, Mixtec, Chuj, or Mam speakers. Therefore, the intersection between indigeneity and refugees in the Southwest border has been left unexplored. The experiences Indigenous speaking women go through during, both the U.S.-Mexico border crossing, and the U.S. asylum-seeking process, and how these differ from Spanish speaking women, points to the need of a more nuanced examination of difference. Third, the dire conditions that Indigenous women face in their home countries have their roots in colonial intervention and forces them to seek asylum elsewhere. In this sense, it is important to question and consider for further research why Indigenous Peoples displacements have generally not been categorized as forced migration or refugee movements and to analyze whether/how this is part of the invisibilization strategy. And fourth, as scholars, we should not participate in facilitating these forms of colonial erasures but rather, illuminate how state technologies of power work at the border (Speed, 2019, 12-13). Moreover, as a feminist researcher it is not only important to center analysis around the experiences of women, but also it is a political obligation to talk about the injustice and suffering that is taking place at the border (Shalhoub-Kevorkian, 2010, 4).

This paper proceeds in five parts. The continuities of forms of colonial violence that cross borders justify the need to use a combination of Critical Latinx Indigeneities and a transnational feminist framework to analyze how practices of visibility contribute to systemic oppression of made-vulnerable populations. I describe this framework in the first section where I detail my methodology. Second, I describe the asylum-seeking process at the U.S.-Mexico border for those who are apprehended and confined in detention centers. I detail how this experience varies from Spanish speaking women and for Indigenous speaking women. Third, I describe how it is not possible to know the exact number of Indigenous border-crossers, and how the process of identifying Indigenous language speakers falls on the NGO that works in the detention center. In this part of the paper I also explore the difference between U.S. official regulations, and the practices that take place at the border. Fourth, I provide some background in regards to the socioeconomic conditions in Central America, and more specifically to how Indigenous Language Speakers (ILS) have come to occupy a socially devalued space in their countries of origin that make them subject to precarity among other types of violence that is forcing them to leave. Additionally, I claim that “invisibility” is a relevant category to analyze indigeneity at the border. Finally, I conclude by arguing that invisibility is a tool used by the state that continues its colonial project and point to the consequences of becoming invisible at the border.

1. Methods and theoretical frameworks

Over the years, the number of women and girls migrating into the U.S. has increased (American Immigration Council, 2020). Similarly, there has been an intensification of Indigenous Peoples from Abya Yala arriving in the United States (Blackwell, 2017, 159; Delugan, 2010, 86). Given that data regarding Indigenous populations who cross borders is not always available, we can infer that the number of Indigenous women crossing the Southern border has also increased. Indigenous women in the Americas are subject to extremely high levels of violence that make them both vulnerable and invisible (Speed, 2019). The racism, gender violence, and economic injustice women from Abya Yala experience in their countries of origin accompanies them in their migration processes. And once they reach the United States, these women go through added layers of discrimination around race, gender, and immigration status (Riva, 2021). Focusing on Indigenous women from Abya Yala is important, not only because the arrival of this population into the United States has increased over the years, but also because it is a key site to understand state power. In this case, how borders—with their technologies of power—work as colonial structures that continue the process of Indigenous erasure and invisibility.

Critical Latinx Indigeneities is “an interdisciplinary analytic that reflects how indigeneity is defined and constructed across multiple countries and, at times, across overlapping colonialities” (Blackwell, Lopez, and Urrieta 2017, 126). Since there is no agreed-upon definition,

indigeneity as a social category can be delineated in different ways. It is a constellation of aspects relating to ontology, axiology, and epistemologies (see Nohelani Teves et al. 2015) and can refer to common experiences of diverse groups. As I mentioned earlier, in this paper I refer to Indigenous women as those whose mother tongue is not Spanish. Critical Latinx Indigeneities (CLI) understands the complexity of how multiple modes of power and colonialities can take place simultaneously at different times and contexts and can allow “us locate the disappearance of the Indian in this trifurcated study of race and ethnicity” (Saldaña-Portillo, 2017, 143). It is a tool that enables simultaneously a local and hemispheric approach. For instance, even though in some of the asylum-seeking women’s sending countries Indigenous population are numerous, neoliberal policies, years of colonial violence, policies of genocide and erasure have still forced Indigenous people from Abya Yala to leave their lands. A CLI framework recognizes how Indigenous women who cross borders navigate different colonial systems of race and indigeneity and how these communities are racialized differently across different settler states, what Maylei Blackwell (2017) has called “hybrid hegemonies” (174). This lens illuminates the material consequences of how racial hierarchies work by, for instance, making Indigenous Peoples subject to exploitation in the global economy. This framework is especially equipped to make visible indigeneity in other research areas⁴. In this vein, few migration studies scholars draw attention to how contemporary refugees are a consequence of neocolonial policies and practices, as well as how Indigenous Peoples forced displacements are rarely categorized as a refugee movements (Fynn Bruey, 2019). In this paper, I center the issue of Indigenous women from Abya Yala who migrate to the U.S. and how once they enter the territory the Latinx or Hispanic category takes over their Indigenous identity (for more on the difference between indigeneity and Indigenous identification/categorization see Jeff Corntassel (2003)). This is an assimilation attempt that spills directly from making Indigenous populations invisible throughout the Americas. Indigenous men, women, children, and youth are made non-existent in Mexico, Guatemala, El Salvador, Honduras, Nicaragua, Panama and the rest of Latin America, including its borders, through practices such as governmental policies, national rhetoric and racialized classifications. This erasure takes place in their homelands and throughout their migration processes and are reproduced at the U.S.-Mexico border. In this sense, CLI is an important analytic that examines how colonial discourses and discursive practices overlap and intersect.

Additionally, I frame my research within a transnational feminist framework. This analytical lens helps focus on state power and practices at the border conceptualizing state power as an amorphous entity rather than a stable one, where on-the-ground practices do not necessarily follow a top-down hierarchy (Valdez et al., 2017). A feminist transnational framework is a helpful tool to analyze practices—the material—and contextualize how Indigenous women as individuals experience processes while acknowledging that identities are embedded in power relations (Briggs et al., 2008; Grewal & Kaplan, 2001, 663). This lens is especially well suited to explore border spaces because it helps us link the form of discrimination and invisibility analyzed in this paper to the long lineage of genocide, erasure, exploitation, confinement and oppression of Indigenous people throughout the hemisphere. Transnational feminism is a reaction to capitalism, neoliberalism, globalization; it is an anti-colonial struggle that takes into account how dimensions of identity, such as race, class, sexuality, or ability, travel across borders (Briggs et al., 2008; Sudbury, 2005). Institutions such as slavery, the reservation system, the mission system, or internment camps, what some authors call colonial projects (Byrd & Rothberg, 2011), evidence how some groups—such as refugee Indigenous women—have been, and continue to be, targeted due to their ethnicity and race (Davis, 1988, 361). Transnational feminism draws attention to how oppressive regimes “are shaped by global capitalism, dominant and subordinate patriarchies, and neocolonial racialized ideologies” (Sudbury, 2005, xiii). Colonialism, imperialism, racism, capitalism, neoliberalism, and sexism, have different effects on women in the Global South context (Mohanty, 1988). Using a transnational feminist framework combined with a Critical Latinx Indigeneities lens to analyze transnational migration in the context of linguistic divisions among

women (Stasiulis, 1999) illuminates how the processes of “othering,” technologies of representation, and logics of racism” (Gutiérrez-Rodríguez, 2007, 61) come together in the U.S. context.

These analytic lenses are paired up with fieldwork research I conducted in 2016 at a U.S. family immigration detention center at the Southern border while volunteering for a nonprofit organization. I conducted 13 semi-structured interviews with the legal advocates working in the facility over the course of nine months. I complemented the interview method with participatory observation and a critical engagement with secondary literature. As a researcher, I am aware that knowledge is always situated (Haraway, 1988), and thus I want to clarify my positionality. I am not an Indigenous woman or have an Indigenous background, and I do not intend to speak on behalf of Indigenous women, rather, as a feminist researcher I engage with the praxis of making visible the things that the postcolonial project is trying to ignore. While I was conducting research at the detention facility, I was also working with an NGO who enabled refugees access their rights (Riva & Hoffstaedter, 2021). This humanitarian organization working in the detention center—CARING (pseudonym)—was formed by legal advocates, a category that includes all personnel and volunteers. Like other researchers, I critically engaged in activist research during my time at the detention center (Cabot, 2013, 455; Coutin, 2007; Speed, 2019, 8). I had the opportunity to build personal relations with the legal advocates, as well as greater awareness of the challenges the organization faces while working with confined populations. CARING’s work at the border constitutes another on-the-ground practice. By identifying Indigenous women from Abya Yala exclusively through their mother tongue, the organization (inadvertently) affords a recognition of symbiosis with the state. It contributes to making indigeneity one-dimensional while invisibilizing other Indigenous groups. However, as I argue elsewhere, CARING also engages in less visible forms of contestation in critical ways through, for instance, ensuring Indigenous women access to legal representation (Riva & Routon, 2021).

As a feminist researcher working in a humanitarian organization with women who have experienced the violence of the asylum-seeking process, my intention during my fieldwork was to center my research on the practices that affected these women without exposing them to more scrutiny. I thus decided to interview legal advocates—rather than detainees—who were working with the confined population. It was only later in my research that I realized the large number of Indigenous women from Abya Yala who were crossing the border were nowhere to be found in the official statistics. For this reason, in this article, it is through the work of the legal advocates that we get a glimpse of Indigenous women’s voices. Hopefully, by focusing on the work of the humanitarian organization via legal advocates, participant observation, and official regulations I make Indigenous women from Abya Yala the protagonists of this research.

2. Border-Crossing in the Americas

The socioeconomic conditions in Mexico and Central America are forcing people to flee from their countries and look for refuge elsewhere. The majority of the women who travel by feet to the United States come from Mexico, Guatemala, El Salvador and Honduras (U.S. Border Patrol, 2020). These women are often subject to different types of violence—economic, physical, symbolic, gang, verbal, sexual, cultural, structural—in their home countries. They travel, sometimes for months, to arrive to the U.S. In order to leave their countries, they need money for the trip—to pay for multiple buses and the *coyote* [smuggler] that will cross them from Mexico to the U.S. In many occasions the money is gathered through friends and family, other times through loans. This is an expensive and very energy consuming trip where women and children are constantly subject to different types of violence, including rape. Many news media accounts and academic literature have documented the atrocious stories that take place during this journey (Spagat, 2019).

As I detail later, due to the prevailing colonial structures of these women’s countries of origin, where dominant white elites and majorities have imposed white/Western legal structures, policies, economies, and languages, most Indigenous speaking women who cross the border come from

low socioeconomic backgrounds. In opposition to their non-Indigenous colleagues where a vast majority (although not all) pay for a coyote, many of these women do not have the financial means to pay for someone to help them cross the border. “They don’t have money to pay for a coyote, they do what they can” legal advocate Dana (pseudonym) recounted “Many end up dead in the desert, it’s a tragedy”. Non-Spanish speaking women who seek asylum often lack the means to make the trip from their countries of origin to the U.S. directly, they usually need to work during their trip north. “They stop to work for some time in each country they cross, can be a couple of weeks, can be a month, can be more... they gather some money and then they continue the journey” Dana told in an interview. “I asked an Indigenous woman from Guatemala how she had found her way here and she said: ‘I asked a man “Where is the U.S.?” and he pointed the direction with his finger’. She told me that’s how she got here” legal advocate Rosalía (pseudonym) recounted. Women with low economic means often find the route to enter the U.S. on foot by asking people for directions (Bade, 2004). The fact that some of these women cross the border on their own, without anybody’s help, but also, without being subject to the specific type of violence traffickers sometimes enact on their clients, evidences a very different experience from those who can afford a people smuggler.

Once they enter the U.S., women who travel with their children are apprehended and locked up in temporary holding cells where they can be held for days, sometimes for weeks, and they are humiliated and mistreated by the Border Patrol Officers (Riva, 2017). They are later transferred to one of the three family immigration detention centers in the U.S. If they are lucky enough, they will be transferred to the one where CARING works. Once in the center, these women need to pass a Credible Fear Interview (CFI) or asylum interview, where an asylum officer determines whether the woman has a claim to asylum or not, i.e. whether that woman’s fear to return to her country is real. The officer evaluates her story and decides whether she is telling the truth, and whether her claims fall under one of the five aforementioned categories. A second difference between Indigenous-speaking women and Spanish-speaking women is that Indigenous women do not go through the asylum interview since there are no interpreters available for them. This means that they can leave the detention center as if they had gotten a positive decision in their asylum interview. The women who get a positive decision in the asylum interview can leave the facility after either paying a bond—usually range between \$1,500 and \$6,000, although they can go up to \$30,000 (Speed, 2019, 100)—or agreeing to wear a *grillete* [ankle monitor] that is free of economic charge. The overwhelming majority of Indigenous women do not have the means to pay the bond, so they leave the center wearing an ankle monitor. This, of course, is common to other non-Indigenous women who do not have the possibility to paying the bond. The *grillete* makes sure they are surveilled at all times once they leave the detention facilities—as Yasmin Jiwani (2015) argues, some bodies are only made visible through surveillance technologies when they become a threat. If a woman gets a negative decision from the asylum interview she can appeal to an immigration judge who will hear her case and reaffirm or vacate the asylum officer’s decision. If the judge reaffirms the asylum officer’s decision the woman will be deported⁵, if not, she will be able to enter the U.S. and start the asylum process which can last for years. While confined in the immigration detention center, these women are still at the border⁶, they have not yet entered the U.S.

3. The structuring of indigenous invisibility at the border

According to the organization’s former advocacy manager the percentage of Indigenous women who arrive in that facility is between 6 and 7 percent. Even though Indigenous migrants are not a homogeneous group in terms of places or origin, peoples and cultures (Oyarce et al., 2009, 147) as mentioned earlier CARING exclusively identifies Indigenous women as those who speak a language different to Spanish or Portuguese. This racialization of language—the correlation between indigeneity and language—takes place for practical reasons. In the asylum interview process, the interviewee—the detained woman—has the right to an interpreter, since without an

interpreter it would not be possible to conduct the interview. It is relatively easy to find a Spanish-English interpreter, that is why interviews in Spanish always take place. However, it is not as easy to find one for other languages, such as Q'anjob'al or Akatek. For this reason, the majority⁷ of the non-Spanish speaking women from Abya Yala do not need to pass their asylum interview but automatically given a positive outcome and released—most of the time—wearing an ankle monitor. As I mentioned earlier these are two differences between Indigenous women and their Spanish-speaking counterparts.

The process of identifying who is an Indigenous speaker is not a simple one. Once the women are gathered in the detention center to hear about the organization's work, volunteers from the organization ask if anyone present speaks a language other than Spanish. "You need to be aware of who doesn't speak Spanish. Because they are ashamed to say they don't speak Spanish because it's like a bad thing, it's seen as low class for them, so you need to ask a few times until you identify them" says Dana. Due to the stigmatization of being Indigenous (see for instance Adler, 2015) experienced in their home countries—and because sometimes it is synonymous of written illiteracy (Speed, 2019, 96)—many Indigenous women do not disclose that they do not understand or speak Spanish. For this reason, it is sometimes hard to identify who is an ILS. CARING's job is to make them aware that as ILS they will be granted a positive outcome in the initial process and released into the community. The process of seeking asylum is complex enough as it is, but without interpreters most Indigenous language speakers have trouble understanding the pathway they need to go through (Speed, 2019, 96).

That Indigenous speaking women end up in detention facilities despite the fact that they are going to be released immediately without having to pass their asylum interview proves that there is a deficiency in identifying them at the border. Only a percentage of the people who cross the border are sent to immigration detention facilities, "if these [asylum-seeking] women are being put here to make profit⁸, why would they detain someone who has to be released asap once she is identified as an Indigenous speaker?" asks Rosalía. Although they would still make profit out of them through the ankle monitor or the bond.

Even though the work related to identifying who is an Indigenous language speaker should be carried by Immigration Customs Enforcement (ICE) or Customs Border Patrol (CBP) officers it is done by the humanitarian organization. The reason for this is that the Department of Homeland Security does not train its personnel in the identification of Indigenous languages and does not have tools or access to interpretation if an Indigenous language is identified (Wallace & Hernández, 2017, 146). For Border Patrol agents that apprehend immigrants in open country there is no mandated foreign language training other than Spanish, and for those that apprehend immigrants at Ports of Entry there is only partially mandated foreign language training other than Spanish, but no Indigenous languages (Gentry, 2015, 14). Even for the mandatory Spanish training that Border Patrol cadets have to take the standards are low—8 weeks of training (U.S. Department of Homeland Security 2016, 4). Additionally, Indigenous speaking peoples are sometimes humiliated due to their lack of Spanish skills (Loza, 2016, 52) and thus most of them say they do speak Spanish. This would make it harder for the authorities to identify them as ILS. The insufficient preparation and interest on the part of the authorities, the humiliation that Indigenous speakers are subject to from those same authorities and the stigma that comes with being an Indigenous speaker, makes the identification almost impossible and almost exclusively dependent upon individuals (Gentry, 2015, 12). As the 2020 "ICE Language Access Plan" says: "ICE's ability to fulfill the requests for indigenous language services remains limited" (U.S. Immigration and Customs Enforcement 2020, 8). The absence of policy for field agents underlines the existing language hierarchy where Spanish is dominant. This error gets carried from the first point of contact that an official has with an Indigenous language speaker, sometimes until that person gets deported without anyone ever detecting it or caring.

However, in immigration detention centers a policy was created in 2000, the Limited English Proficient Policy (LEP). This policy applied to the entire U.S. immigration system of enforcement, detention, and the immigration legal proceedings. However, it was only in 2014 that the

Department of Homeland Security (DHS) issued its own policy guidance to cover CBP, ICE, USCIS, and contracted providers (including family detention centers) with LEP tools. The government subcontracted companies to design the tools that would be implemented in the centers. The tools were: “I speak” cards, “I speak” posters, a 3-page guide for DHS employees, a power point for DHS employees, a re-issued 2011 guidance, and LEP resource guide for law enforcement. The guidance encouraged CBP and ICE to present immigrants with the “I speak” cards translated into 69 languages, and to post “I speak” posters in “intake offices that could state that free language assistance is available” (Gentry, 2015, 8). The “I speak” cards are just to identify the language of the person speaking it has written “I speak” followed by a language (for example: *Yo hablo español*). Even though in 2019 more than 90% of the people who were apprehended at the border came from Mexico, Guatemala, El Salvador and Honduras (U.S. Border Patrol, 2020) who combined have over eighty languages, only four indigenous languages from those countries are recognized by DHS’s “I speak” outreach effort (Gentry, 2015, 13). These two recommendations—cards and posters—did not consider education norms for speakers of indigenous languages: most of them do not read or write in their language. Both failed to address the most basic LEP language needs. “In my experience working here, I have never seen one of those cards or posters” says Dana “but even if they were here, I don’t think most [Indigenous] women here can read...”. Moreover, LEP programs in CBP and ICE have been identified as having inadequate standards, non-mandated, and non-compensated language training for staff. Additionally, “sometimes we even have the problem with the three-way translation on the phone with the interpreter: the client speaks in Mam, then it is translated to Spanish and then the Spanish is translated into English. God only knows how much information gets lost!” says Rosalía. The policy is coordinated but has no evaluation or monitoring for effectiveness. The entry point for an ILS into the US immigration system is with agencies under DHS authority (CBP and ICE). DHS policy does not explicitly recognize ILS’s right to communicate in their own language.

4. Invisibility as a colonial project

The socioeconomic political conditions in Mexico and Central America have been widely documented (see for instance Brenden et al., 2017; Jütersonke et al., 2009; Cruz, 2011). Gang violence, gender violence, impunity for criminal organizations, corruption, the war on drugs, government corruption, and endemic poverty are some of the symptoms of colonialism forcing people to leave their countries of origin. The particular historical and political contexts in the U.S. and Central America and their inter-relations update the forms of racialized stereotyping that affect people who seek asylum. Mexicans and Central Americans—even children—are viewed as criminal, violent drug dealers, smugglers, and gang members. Stereotypes that are built upon years of militarism, neoliberal policies, and U.S. geopolitical imperialist intervention in Central America and become visible at the border. These histories, along with capitalism and “the colonial and ongoing establishment of a sharp boundary between the United States and Mexico”, result in the particular transnational racial formations that we encounter today (Loyd et al., 2013, 3). Indigenous women from Abya Yala who seek asylum are automatically placed along this continuum of violence that connects race and confinement in the U.S. (Riva, 2017).

The invisibility of Indigenous Peoples is a shared practice in the Americas. Despite the fact that many countries in Latin America contain large populations of Indigenous Peoples⁹—for instance, more than 40% of Guatemala’s population is Indigenous—in this region, these communities have been the main victims of social exclusion and ethnic discrimination for centuries. This continuum of violence has its origins in the colonization of the Americas in the fifteenth century. Latin American states have engaged in *Indigenismo* and *Mestizaje* (racial mixing) projects that erase indigeneity by “absorbing it into the body politic” (Castellanos, 2017a, 778). These programs mark Indigenous Peoples as outsiders to the nation. The material consequences of these projects are all over the Americas. In Nicaragua, for instance, Ladino (non-Indigenous)

authorities and landowners tried to dispossess Indigenous Peoples of their lands by claiming that they had become mestizos (i.e. participants in mainstream culture) (Gould, 1998). Similarly, in Honduras, the state's Mestizaje project marked dark skin Garífuna as outsiders to the nation (Loperena, 2016). One of the outcomes of understanding Garífuna exclusively as a group associated with blackness is the resource impoverishment caused by land grabs (Brigida 2017; Brondo, 2018). Garífuna activists and land-defenders insist on asserting their identity be tied to indigeneity—with tenure rights—as opposed to only blackness (MacNeill, 2020). Indigenous communities in the Americas face unique issues related to land-displacement, land-expropriation, mining practices, lack of access to justice, and encroachment of their land. These groups are made more vulnerable to neoliberal interests, environmental crisis, racism—including being targeted by law enforcement and resulting in higher rates of incarceration—and the more hyper-visible forms of violence such as gang violence and war on drugs (Burger & Kapron, 2017). Processes and structures that have shaped Indigenous communities in the country of origin transcend border spaces.

In the United States, due to internal colonization technologies such as blood quantum measures, policies that relocated large numbers of Indigenous Peoples from reservations to urban areas with the goal of accelerating their assimilation (Delugan, 2010, 87), only conferring rights to individuals living in ancestral territories (Yescas, 2010), or sending Indigenous children to boarding schools (Tuck & Yang, 2012, 5) Native American societies are deeply underpinned by structured inequality (Delugan, 2010, 84). Due to colonial structures, Indigenous communities from Abya Yala face worse social conditions than non-Indigenous ones. They have fewer opportunities for education, employment, access to health services, and basic social needs. These results in higher rates of unemployment, malnutrition, and overall quality of life (Musalo et al., 2015). ILS from Abya Yala are made more vulnerable than their Spanish speaking colleagues for many reasons. One of them is that they are usually poorer, and many times illiterate because they have less access to education (AILA 2016). To be a monolingual Indigenous language speaker is the result of the neglect of large impoverished Indigenous communities, among other things by not schooling the population. One of the consequences of not speaking Spanish is that once in the United States, Indigenous speaking women encounter isolation (Semple, 2014; Speed, 2019). Indigenous language speakers' presence is erased from the border. Analyzing the "practices of invisibility" of these women in border imperial spaces through a Critical Latinx Indigeneities and transnational feminist lenses illuminates how colonial powers are still currently in place.

Invisibility continues to be a relevant category in the exploration of made-vulnerable populations. As Nadera Shalhoub-Kevorkian (2010) argues when studying the Palestinian context: "[...] focusing on invisibility as the main category of analysis, requires that one remains attentive to each woman in the context of her collective and objective experience of militarization and patriarchy, which play out against the backdrop of colonialism, a violent political economy and the inequities of globalization and racism" (4). On the one hand, the Department of Homeland Security does not identify Indigenous language speakers as a made-vulnerable population within detention; and on the other hand, Indigenous border-crossers are officially classified as "Hispanic" while CBP associates Indigenous migrants with monolingual Spanish speaking immigrants (Gentry, 2015, 18). "They [the authorities] think everyone who crosses the border speaks Spanish, but as you can see, that's not the case" Dana (pseudonym) tells me. "DHS does not report on the numbers of indigenous language speaking families in short term detention, in family detention, or in long term detention" (Gentry, 2015, 21). Since Indigenous migrant families are made invisible by not being counted by DHS agencies, their true population is unknown. However, the high demand of Mayan language interpreters in U.S. courts shows that the number of Indigenous border-crossers is high. "In 2013, Quiché was rated number 25 among the top languages used in immigration courts. By 2015, Mam, spoken by over 500,000 Indigenous Peoples in Guatemala, ranked ninth in the top ten languages used in US immigration court, and Quiché ranked eleventh" (Brenden et al., 2017, 22). All these data points to

the fact that Indigenous language speakers are numerous in the detention centers at the U.S.-Mexico border, despite the authorities' efforts to present them as non-existent. The fact that ILS border-crossers are classified as "Hispanic" invisibilizes them and erases their differential experiences.

Although some authors have described seeking invisibility as a survival tactic (Barenboim, 2016; Engbersen & Broeders, 2009; Maisonneuve & Testé, 2007; Pugh, 2018, Shalhoub-Kevorkian, 2010), for Indigenous populations "being invisible means being deprived of recognition" (Brighenti, 2007, 329). The legal act of not enacting policies, recording, or acknowledging the presence of Indigenous Peoples coming through the Southwest border evidence traces of postcolonial practices. As in the "terra nullius" doctrine, invisibility is being used as the tool that allows the continuation of the colonial project: Indigenous Peoples are non-existent. Reproducing a logic of invisibility that takes place in the Americas, ILS from Abya Yala are not being counted in the United States official statistics—thus not made officially visible. In the United States, erasure of Indigenous peoples manifested through forced removal from homelands to reservations, abduction into state custody, marriage and other practices (Tuck & Yang, 2012, 5). One ceased to be Indigenous as soon as one got married, lived or reproduced with free whites or blacks, or with indentured blacks, and the same for their children (O'Brian 2010). A CLI lens allows us to, on the one hand, work "against the erasure of the Indigenous peoples and homelands that are transited and settled on" (Blackwell, 2017, 158); on the other hand, consider the overlapping and intersecting technologies of power and structures of coloniality that exist across the Americas and produce what Maylei Blackwell (2010) has described as "hybrid hegemonies".

5. Conclusion

I conclude by returning to Saldaña-Portillos' question with which I opened this essay: "When is an Indian not an Indian?" At the U.S.-Mexico border, answering this question is affected by the white settler colonial logics that shapes the way we understand mobility in the region. Indigenous women have been displaced due to neoliberal and neocolonial processes that take place in their home countries—many originated or adopted from the United States—and have found themselves crossing a border that eliminates part of their identity. As others have noted, "when Indigenous people migrate, they cease to be Indigenous" (Blackwell, Lopez, and Urrieta 2017, 127). Like in many other places (Gupta and Haglund 2015), the presence of Indigenous Peoples in the United States continues to be mediated by settler colonial logics intended to erase their existence in the land. Once they cross the U.S.-Mexico border, authorities classify Indigenous women from Abya Yala as Latinas or Hispanic. These migrants are absorbed into the mainstream and their Indigenous identity made invisible by the U.S. state.

As Yasmin Jiwani reminds us: "Precarious lives are often relegated to the zone of structured invisibility" (86). Representations, discourses and narratives have material consequences. The consequences of not identifying Indigenous language speakers have resulted in women and children living isolated while detained and sometimes even resulting in erroneous deportation (Wallace & Hernández, 2017, 146). Additionally, invisibility causes assimilation and deprives Indigenous women of their rights. These women not only face serious challenges to the procedural rights but also, since they cannot go through the asylum interview, their stories never get heard at the border.

In this paper I have placed Indigenous migration of women from Abya Yala at the crossroad of Critical Latinx Indigeneities and transnational feminist frameworks that address the complex relationships and histories of migrants whose identities are intertwined with geography and multiple state and racial projects. I tried to offer an analysis that links Indigenous migration from Abya Yala to the refugee regime in the U.S. while evidencing the effects of colonialism in state institutions. These women are not counted by DHS agencies as detained (Gentry 2015, 21), and therefore their number is unknown. In this way, the act of crossing the border reveals the connections between racial identities and space (Neely & Samura, 2011) and it is a site to

investigate state power. Invisibility is the result of years of colonial power in the Americas, a tool that allows for the continuation of empire. Indigenous Peoples unsettle the notions of the nation, borders, and sovereignty, they are a reminder of colonization, human rights abuse, and dispossession (Cohen, 2003, 43). The mistreatment of this population in the U.S. is a result of the mistreatment that the state has been enacting on the Indigenous Peoples within its territory. With the added issue that Indigenous Peoples from Abya Yala are “outsiders” already viewed as criminals, and therefore the little interest the U.S. has on its own Indigenous Peoples has spilled over newcomers.

Notes

1. Abya Yala is a term in Kuna language which translates as “earth alive” or “ripen earth”. It is a decolonial term used as an alternative to Latin America for its colonial and racial legacy (Villanueva, 2019).
2. Although the U.S. census has the following racial categories: White; Black or African American; American Indian (including South and Central America) or Alaska Native; Asian; Native Hawaiian or other Pacific Islander. And two ethnic categories: Hispanic or Latino, and Not Hispanic or Latino. The classification for race and ethnicity of Limited English Speakers are: Non-Latino White/other; Non-Latino Black; Non-Latino Asian/Pacific Islander; Non-Latino American Indian/Alaska Native; Latino (Batalova & Zong, 2016).
3. Distinguishing between asylum-seekers and refugees outside legal discourse only functions to center questions of legitimacy (Luker, 2015, 103). And thus here, I use both terms interchangeably.
4. Saldaña-Portillo talks about three particular areas: prison studies, settler colonial studies and migration studies.
5. The U.S. state does not guarantee legal representation to people facing removal (AILA 2016, 17).
6. The U.S.-Mexico border extends a hundred miles North into the U.S.
7. Unless this is not her first time in the U.S., if she has previously been deported then she will have to go through the asylum interview.
8. In the U.S., over 70% of the people are held in privately run detention centers (Freedom for Immigrants, 2018).
9. Due to prevailing colonial structures, it is socially preferred to belong to a non-Indigenous community so it is hard to determine the exact number of Indigenous people in each country—is often done through self-identification processes.

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References

- Adler, R. H. (2015). *Yucatecans in Dallas. Breaching the border, bridging the distance*. Routledge.
- AILA (2016). Due process denied: Central Americans seeking asylum and legal protection in the United States. In AILA Doc. No. 16061461. American Immigration Lawyers Association.
- Alfred, T., & Corntassel, J. (2005). Being Indigenous: Resurgences against contemporary colonialism. *Government and Opposition*, 40(4), 597–614. <https://doi.org/10.1111/j.1477-7053.2005.00166.x>
- American Immigration Council. (2020). Immigrant women and girls in the United States: A portrait of demographic diversity. American Immigration Council, Last Modified June 15, 2021. <https://www.americanimmigrationcouncil.org/research/immigrant-women-and-girls-united-states>.
- Arvin, M., Tuck, E., & Morrill, A. (2013). Decolonizing feminism: Challenging connections between settler colonialism and heteropatriarchy. *Feminist Formations*, 25(1), 8–34. <https://doi.org/10.1353/ff.2013.0006>
- Bade, B. (2004). Alive and well: Generating alternatives to biomedical health care by Mixtec migrant families in California. In *Jonathan Fox y Gaspar Rivera-Salgado (Ed.), Indigenous Mexican migrants in the United States* (pp. 205–247). La Jolla (California), San Diego: Center for U.S.-Mexican Studies/Center for Comparative Immigration Studies University of California.

- Baker, W. O. (2017). Democracy, class, and white settler colonialism. *Public*, 28(55), 144–153. https://doi.org/10.1386/public.28.55.144_1
- Barenboim, D. (2016). The specter of surveillance: Navigating “illegality” and indigeneity among Maya migrants in the San Francisco Bay Area. *PoLAR: Political and Legal Anthropology Review*, 39(1), 79–94. <https://doi.org/10.1111/plar.12132>
- Batalova, J., Zong, J. (2016). Language Diversity and English Proficiency in the United States. Migration Policy Institute, accessed November 29, 2020. <https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states-2015>.
- Blackwell, M. (2010). Líderes campesinas: Napanla strategies and grassroots organizing at the intersection of gender and globalization. *Aztlán: A Journal of Chicano Studies*, 35(1), 13–47.
- Blackwell, M. (2017). Geographies of indigeneity: Indigenous migrant women’s organizing and translocal politics of place. *Latino Studies*, 15(2), 156–181. <https://doi.org/10.1057/s41276-017-0060-4>
- Blackwell, M., Lopez, F. B., & Urrieta, L. (2017). *Critical latinx Indigeneities*. Springer.
- Brenden, S., Campbell, J., Dotson, H., Gunderson, M., Murphy, M. A., Raffa, N., Ranjbar, E., Ruiz, S. R., Piton, I., & Schramm, N. (2017). *The cycle of violence: migration from the northern triangle*. University of Washington.
- Briggs, L., McCormick, G., & Way, J. T. (2008). Transnationalism: A category of analysis. *American Quarterly*, 60(3), 625–648. <https://doi.org/10.1353/aq.0.0038>
- Brighenti, A. (2007). Visibility a category for the social sciences. *Current Sociology*, 55(3), 323–342. <https://doi.org/10.1177/0011392107076079>
- Brigida, A. C. (2017). Garifuna flee discrimination and land grabs in record numbers. *Telesur*, February 23.
- Brondo, K. V. (2018). “A Dot on a Map”: Cartographies of erasure in Garifuna territory. *PoLAR: Political and Legal Anthropology Review*, 41(2), 185–200. <https://doi.org/10.1111/plar.12272>
- Burger, J., & Kapron, M. (2017). Drug policy and indigenous peoples. *Health and Human Rights*, 19(1), 269–278.
- Byrd, J. A., & Rothberg, M. (2011). Between subalterity and indigeneity: Critical categories for postcolonial studies. *Interventions*, 13(1), 1–12. <https://doi.org/10.1080/1369801X.2011.545574>
- Cabot, H. (2013). The social aesthetics of eligibility: NGO aid and indeterminacy in the Greek asylum process. *American Ethnologist*, 40(3), 452–466. <https://doi.org/10.1111/amet.12032>
- Castellanos, M. B. (2017a). Introduction: Settler colonialism in Latin America. *American Quarterly*, 69(4), 777–781. <https://doi.org/10.1353/aq.2017.0063>
- Castellanos, M. B. (2017b). Rewriting the Mexican immigrant narrative: Situating indigeneity in Maya women’s stories. *Latino Studies*, 15(2), 219–241. <https://doi.org/10.1057/s41276-017-0057-z>
- Castellanos, M. B., Nájera, L. G., & Aldama, A. J. (2012). *Comparative Indigeneities of the Américas: Toward a hemispheric approach*. University of Arizona Press.
- Charity Hudley, A. H. (2017). Language and racialization. *The Oxford handbook of language and society*, 1, 381–402.
- Cohen, E. (2003). Multiculturalism, Latin Americans and ‘Indigeneity’ in Australia. *The Australian Journal of Anthropology*, 14(1), 39–52. <https://doi.org/10.1111/j.1835-9310.2003.tb00219.x>
- Corntassel, J. J. (2003). Who is Indigenous? ‘Peoplehood’ and Ethnonationalist approaches to rearticulating Indigenous identity. *Nationalism and Ethnic Politics*, 9(1), 75–100. <https://doi.org/10.1080/13537110412331301365>
- Coutin, S. B. (2007). *Nations of emigrants: Shifting boundaries of citizenship in El Salvador and the United States*. Cornell University Press.
- Cruz, J. M. (2010). Central American Maras: from youth street gangs to transnational protection rackets. *Global Crime*, 11(4), 379–398.
- Cruz, J. M. (2011). Criminal violence and democratization in Central America: The survival of the violent state. *Latin American Politics and Society*, 53(04), 1–33. <https://doi.org/10.1111/j.1548-2456.2011.00132.x>
- Davis, A. Y. (1988). Racialized punishment and prison abolition. In Tommy L. Lott & John P. Pitman (Eds.), *A companion to African-American philosophy* (pp. 360–369). Blackwell Publishing.
- Delugan, R. (2010). Indigeneity across borders: Hemispheric migrations and cosmopolitan encounters. *American Ethnologist*, 37(1), 83–97. <https://doi.org/10.1111/j.1548-1425.2010.01243.x>
- Engbersen, G., & Broeders, D. (2009). The state versus the alien: Immigration control and strategies of irregular immigrants. *West European Politics*, 32(5), 867–885. <https://doi.org/10.1080/01402380903064713>
- Fox, J., & Rivera-Salgado, G. (2004). *Indigenous Mexican Migrants in the United States*. J. Fox and G. Rivera-Salgado (Eds.). Center for U.S.-Mexican Studies, UCSD and Center for Comparative Immigration Studies.
- Freedom for Immigrants (2018). Detention by the numbers. accessed November 25, 2020. <https://www.freedomforimmigrants.org/detention-statistics>.
- Fynn Bruey, V. (2019). Development-induced displacement and homelessness in Seattle, Washington. *Artha - Journal of Social Sciences*, 18(2), 1–25. <https://doi.org/10.12724/ajss.49.1>
- Gentry, B. (2015). Exclusion of Indigenous Language Speaking Immigrants (ILSI) in the US immigration system, a technical review. Ama Consultants, 1–64. (Tech.).
- Gould, J. (1998). *Jeffrey Gould, to die in this way: Nicaraguan Indians and the myth of Mestizaje, 1880–1965*. Duke University Press.

- Grewal, I., & Kaplan, C. (2001). Global identities: Theorizing transnational studies of sexuality. *GLQ: A Journal of Lesbian and Gay Studies*, 7(4), 663–679. <https://doi.org/10.1215/10642684-7-4-663>
- Gupta, M. D., & Haglund, S. P. (2015). Mexican migration to Hawai‘i and US settler colonialism. *Latino Studies*, 13(4), 455–480. <https://doi.org/10.1057/lst.2015.40>
- Gutiérrez-Rodríguez, E. (2007). The "hidden side" of the new economy: On transnational migration, domestic work, and unprecedented intimacy. *Frontiers: A Journal of Women Studies*, 28(3), 60–83.
- Haraway, D. (1988). Situated knowledges: The science question in feminism and the privilege of partial perspective. *Feminist Studies*, 14(3), 575–599. <https://doi.org/10.2307/3178066>
- Jiwani, Y. (2015). Violating in/visibilities: Honor killings and interlocking surveillance(s). In Rachel E Dubrofsky & Shoshana Amielle Magnet (Eds.), *Feminist Surveillance Studies* (pp. 79–92). Duke University Press.
- Jütersonke, O., Muggah, R., & Rodgers, D. (2009). Gangs, urban violence, and security interventions in Central America. *Security Dialogue*, 40(4-5), 373–397. <https://doi.org/10.1177/0967010609343298>
- Lai, P., & Smith, L. C. (2010). *Alternative contact: Indigeneity, globalism, and American studies introduction*. Johns Hopkins University Press.
- Loperena, C. A. (2016). Conservation by racialized dispossession: The making of an eco-destination on Honduras's North Coast. *Geoforum*, 69, 184–193. <https://doi.org/10.1016/j.geoforum.2015.07.004>
- Loyd, J. M., Mitchelson, M., & Burridge, A. (2013). *Beyond walls and cages: Prisons, borders, and global crisis* (Vol. 14). University of Georgia Press.
- Loza, M. (2016). *Defiant braceros: How migrant workers fought for racial, sexual, and political freedom*. UNC Press Books.
- Luker, T. (2015). Performance anxieties: Interpellation of the refugee subject in law. *Canadian Journal of Law and Society / Revue Canadienne Droit et Société*, 30(01), 91–107. <https://doi.org/10.1017/cls.2014.13>
- MacNeill, T. (2020). Indigenous food sovereignty in a captured state: the Garifuna in Honduras. *Third World Quarterly*, 41(9), 1537–1555. <https://doi.org/10.1080/01436597.2020.1768840>
- Maisonneuve, C., & Testé, B. (2007). Acculturation preferences of a host community: The effects of immigrant acculturation strategies on evaluations and impression formation. *International Journal of Intercultural Relations*, 31(6), 669–688. <https://doi.org/10.1016/j.ijintrel.2007.06.001>
- Minority Rights Group International (2017). *No escape from discrimination: minorities, indigenous peoples and the crisis of displacement*. Minority Rights Group International.
- Mohanty, C. (1988). Under Western eyes: Feminist scholarship and colonial discourses. *Feminist Review*, 30(1), 61–88. <https://doi.org/10.1057/fr.1988.42>
- Musalo, K., Frydman, L., & Cernadas, P. C. (2015). *Childhood and Migration in Central and North America: Causes, Policies, Practices and Challenges*. Center for Gender and Refugee Studies.
- Neely, B., & Samura, M. (2011). Social geographies of race: Connecting race and space. *Ethnic and Racial Studies*, 34(11), 1933–1952. <https://doi.org/10.1080/01419870.2011.559262>
- Nohelani Teves, S., Smith, A., & Raheja M. H. (2015). Indigeneity. In Stephanie Nohelani Teves, Andrea Smith and Michelle H. Raheja (Eds.), *Native studies keywords* (pp. 109–118). University of Arizona Press.
- O'Brien, J. M. (2010). *Firsting and Lasting: Writing Indians Out of Existence in New England*. Minneapolis: University of Minnesota Press.
- Oyarce, A. M., Del Popolo, F., & Martínez Pizarro, J. (2009). International migration and indigenous peoples in Latin America: the need for a multinational approach in migration policies. *Revista Latinoamericana de Población*, 3(4-5), 143–163. <https://doi.org/10.31406/relap2009.v3.i1.n4-5.4>
- Pugh, J. D. (2018). Negotiating identity and belonging through the invisibility bargain: Colombian forced migrants in Ecuador. *International Migration Review*, 52(4), 978–1010. <https://doi.org/10.1111/imre.12344>
- Rifkin, M. (2014). *Settler common sense: Queerness and everyday colonialism in the American renaissance*. U of Minnesota Press.
- Riva, S. (2017). Across the border and into the cold: Hieleras and the punishment of asylum-seeking Central American women in the United States. *Citizenship Studies*, 21(3), 309–326. <https://doi.org/10.1080/13621025.2016.1277981>
- Riva, S. (2021). Women for profit: Seeking asylum in the U.S., a neocolonial story. In Jasmin Lilia Diab (Eds.), *Dignity in movement: Borders, bodies and rights*. E-International Relations Publishing.
- Riva, S., & Hoffstaedter, G. (2021). The aporia of refugee rights in a time of crises: the role of brokers in accessing refugee protection in transit and at the border. *Comparative Migration Studies*, 9(1), 1–17. <https://doi.org/10.1186/s40878-020-00212-2>
- Riva, S., & Routon, E. (2021). Reinforcing and contesting neoliberal citizenship: Legal advocates and the asylum interview at the US–Mexico border. *Journal of Refugee Studies*, 34(1), 149–172.
- Saldaña-Portillo, M. J. (2017). Critical Latinx Indigeneities: A paradigm drift. *Latino Studies*, 15(2), 138–155. <https://doi.org/10.1057/s41276-017-0059-x>
- Sassen, S. (2014). *Expulsions: Brutality and complexity in the global economy*. Harvard University Press.
- Sample, K. (2014). Immigrants who speak Indigenous languages encounter isolation. *The New York Times*. Accessed November 28, 2020. <https://www.nytimes.com/2014/07/11/nyregion/immigrants-who-speak-indigenous-mexican-languages-encounter-isolation.html>

- Shalhoub-Kevorkian, N. (2010). Palestinian women and the politics of invisibility: Towards a feminist methodology. *Peace Prints: South Asian Journal of Peacebuilding*, 3(1), 1–21.
- Spagat, E. (2019). *Migrants live in fear at Mexico-US border as violence flares*. AP.
- Speed, S. (2019). *Incarcerated stories: Indigenous women migrants and violence in the settler-capitalist state*. UNC Press Books.
- Stasiulis, D. (1999). Relational positionalities of nationalisms, racisms and feminisms. In Caren Kaplan, Norma Alarcon, and Mino Moallem (Eds.), *Between woman and nation: Nationalisms, transnational feminisms, and the state* (pp. 182–218). Durham, NC: Duke University Press.
- Stephen, L. (2007). *Transborder lives: Indigenous oaxacans in Mexico, California, and Oregon*. Duke University Press.
- Stephen, L. (2012). Towards a transborder perspective: US-Mexico relations. *Iberoamericana*, 12(48), 85–99.
- Sudbury, J. (2005). *Global lockdown. Race, gender and the prison industrial complex*. Routledge.
- Tuck, E., & Yang, K. W. (2012). Decolonization is not a metaphor. *Decolonization: Indigeneity, Education & Society*, 1(1), 1–40.
- U.S. Border Patrol. (2020). U.S. border patrol nationwide apprehensions by citizenship and sector in FY2007. accessed October 31. https://www.cbp.gov/sites/default/files/assets/documents/2020-Jan/U.S.%20Border%20Patrol%20Nationwide%20Apprehensions%20by%20Citizenship%20and%20Sector%20%28FY2007%20-%20FY%202019%29_1.pdf.
- U.S. Department of Homeland Security. (2016). Language access plan. U.S. customs and border protection.
- U.S. Immigration and Customs Enforcement. (2020). ICE language access plan.
- Valdez, I., Coleman, M., & Akbar, A. (2017). Missing in action: practice, paralegality, and the nature of immigration enforcement. *Citizenship Studies*, 21(5), 547–569. <https://doi.org/10.1080/13621025.2016.1277980>
- Villanueva, P. (2019). Why decolonial feminism: New possibilities from Abya Yala. *Toward Freedom*. Accessed June 14, 2021. <https://towardfreedom.org/story/archives/women/why-decolonial-feminism-new-possibilities-from-abya-yala/>.
- Walia, H. (2013). *Undoing border imperialism* (Vol. 6). Ak Press.
- Wallace, M., & Hernández, C. I. (2017). Language access for asylum seekers in borderland detention centers in Texas. *Revista de Llengua i Dret, Journal of Language and Law*, (68), 143–156. <https://doi.org/10.2436/rldi68.2017.2940>.
- Wolfe, P. (2006). Settler colonialism and the elimination of the native. *Journal of Genocide Research*, 8(4), 387–409. <https://doi.org/10.1080/14623520601056240>
- Yescas, C. (2010). Hidden in plain sight: Indigenous migrants, their movements, and their challenges. <https://www.migrationpolicy.org/article/hidden-plain-sight-indigenous-migrants-their-movements-and-their-challenges>