US-Mexican Borderlands: A Region in Crisis?

A conversation on contemporary US-Mexican border policing, its historical precedents, and its socio-political, cultural, ecological and humanitarian repercussions.

JAYSON GONZALES SAE-SAUE, JULIA NITZ

US plans to end the COVID-era order blocking asylum seekers at the Mexico border have refueled discussions about the causes and effects of Title 42, which when it was invoked by the Trump administration on March 20, 2020, suspended the fundamental right to seek protection and asylum for people who arrived at the US border with Mexico. The execution of Title 42 and increased border policing in the recent past led to millions of migrant expulsions and unimaginable suffering of those awaiting processing, not to mention the separation of hundreds of children from their parents, many of whom have still not been reunited. In addition, tighter border control has grave consequences for Indigenous communities whose territories predate the settler colonial political border between the United States and Mexico, which was drawn irrespective of Indigenous land claims. The border region seems to be in crisis indeed. However, looking at the violent past of the southern border, we might consider it as "just" part of an ever recurring, albeit no less disturbing, familiar pattern of racialized white supremacist border politics. This interview was conducted to explore this ongoing state of emergency and to understand its underlying cultural politics.

Julia Nitz: Let me ask you a somewhat broad question to start us off. Can we indeed talk of a border crisis in the United States and if so, what does it entail and whom does it affect in your opinion?

Jayson Gonzales Sae-Saue: This is a slippery question because the United States has been dealing with a border "crisis" since the political formation of this boundary as a result of military force and annexation in 1848. Indeed, these wars, characterized by years of land grabs through violence and power, are in many ways the original crises. Still, I would use scare-quotes here to communicate how many of the crises associated with the border have been politically and culturally manufactured to maintain white supremacy in the US American West, and many early strategies to secure the border and to police race at the political divide are visible today. Let me explain by way of an example that connects contemporary hysteria to an episode from 150 years ago:

The first federal law responding to a "national crisis" in the US American West and which is associated with the border is the 1875 Page Law, a piece of federal legislation which targeted immigration of Chinese and other Asian women by way of Congress imagining them as prostitutes who threatened the national moral order and who risked infecting the nation with infectious disease. Indeed, there were Chinese prostitutes working in places like San Francisco, but on a national scale, Chinese women didn't work in the industry more than any other immigrant group, and certainly there was no need to enact full blown federal legislation against an entire racial group for a state—no, a city issue.

The Page Law set in motion subsequent Chinese Exclusion Acts (1882, 1892) to further limit Chinese immigration. They were meant to prevent perceived racial others from entering the country and reproducing the nation through family formations, or even through racial mixing with whites via a labyrinth of antimiscegenation laws that spanned more than a hundred years in the area. These laws are important reference points that highlight how racial hysteria corresponded to federal border management at the US-Mexican divide. Indeed, the consequence of these laws inspired by racial fears generated the formation of not only contemporary large-scale management of immigrants in the West, but also the conditions to formalize border security and immigration agencies in 1891. This includes the policing of border spaces to restrict illegal entry at the border proper. In short, the call to police the border against a specific immigrant group was conditioned on a fabricated need to limit the restriction of Asians which the nation imagined as an existential threat to the country. The policing regime was being born, one can say. To bring this point to bear note how when Congress passed the Johnson Reed Act in 1924, which basically restricted all immigration from Asia, it established the Border Patrol a year later as part of the immigration service, showing how border policing is not unrelated to how the United States policed (and continues) to police race at the border.

This story informs how we might view crises at the border today. To be sure, this logic of racializing and hyper-sexualizing immigrants at the border to regulate their entry and to justify extreme forms of federal policing has proven extremely flexible and durable. Indeed, the sexualized and racialized logic found in early legal and policing discourses for Chinese are but a historical precursor to how elements of the United States government deploy the rhetoric of disease and sexual deviancy associated with contemporary migrants, even to the degree of imagining the end of the nation. We need only think of presidential candidate Trump announcing that "Mexico is sending its rapists" and drugs across the border, and later stating that "[T]remendous infectious disease is pouring across the border [and] without a border we have no nation." These announcements came years before the COVID pandemic! Of course, the contemporary discussion to re-litigate constitutional rights for birthright citizenship and the fantasy of "anchorbabies" infiltrating our societies are but other examples of how recent hysterical and gendered iterations of sexual deviancy become associated with migrant women and families to limit their entry.

Still, there are legitimate and on-going crises to address. For example, although much business has moved to Asia, NAFTA and the seeming foothold of neo-liberalism has conditioned opportunities for transnational corporations and export factories to open maquiladoras (factories) at the border to take advantage of lowpaying labor, lax environmental laws, and waste management policies. Add to this the heinous forms of gendered violence the maquiladora economy has generated as a result of the predominantly female workforce migrating to the region. Femicide and the ecological crises, for example, are largely overshadowed by the social and political matters of immigration which, like the "Mexican rapist," are largely imaginary. Unlike the sexual predator, murder and the environmental crises are real matters at the border. In fact, the wall itself is an expression of this latter type of violence, for the construction requires developing and altering the landscape, pumping groundwater in ways that threaten species habitations and biodiversity.

There are other crises, too, obviously. The recent waves of immigrants seeking asylum only to find themselves in political limbo, or worse, further victimized by vicious policies that have seemingly little to do with security or sanctuary, presents another crisis. For example, as part of a zero-tolerance immigration policy, federal authorities separated children from their parents or guardians at the US-Mexican border between 2017 and 2019, moving the latter to federal holdings for prosecution, while placing their children within the Department of Health and Human Services. Because this policy never included a strategy for reuniting families, many children remain without the guardianship of their parents or family custodian. The American Civil Liberties Union (ACLU) estimates that as part of its immigration policy the United States has separated approximately 5,400 children from their families on US American soil, including toddlers and small children ages twelve and younger. It's unfathomable. Just as horrific is the fact that we now have instances of migrants, including children, experiencing sexual abuse and even dying while in the custody of US Customs and Border Protection for conditions such as the flu. In these instances, restrictionists turn to issues of "hygiene" and "health" to place blame on the dead by once again borrowing from the abstraction found from over 150 years ago of a diseased and sick migrant population at the border. However, the lack of medical professionals in holding environments and a lack of medical supplies coupled with the conditions themselves, such as concrete floors and cramped quarters, one would think, would largely be responsible for the string of recent deaths. State media here in Texas recently reported a holding facility in which a child died as there was only one medical professional for about 150 migrants!

I've probably spent too much time on this question; there are certainly more crises to relate, but it's important to distinguish between legitimate and manufactured crises. Manufactured crises take hold of the US American imagination and influence how the United States legislates and polices the border, including the people from across the Global South trying to cross it, who find themselves negotiating United States border policies at odds with their search for sanctuary and security.

The gap between how the state manages the transnational flow of commodities and finance in ways that make the border a "porous" space on one hand, and how the nationalist policies with which it polices people of color and labor and which militarize the border as a "non-porous" space on the other hand, will inevitably contribute to on-going dilemmas. Add to this environmental disasters across the hemisphere, which generate and intensify population flows into the area, and matters seem unlikely to be resolved any time soon.

Nevertheless, linking a contemporary history of border policing to that of the early twentieth century reveals that immigration hysteria and gatekeeping policies are never exclusively economically motivated. Instead, border history reveals how perceived economic, social, and cultural dangers associated with Mexicans, Central Americans, and with other migrants of color condition the perception of their illegitimacy, and the need for their exclusion.

JN: In Border Land, Border Water: A History of Construction on the US-Mexico Divide (2019) C. J. Alvarez from the University of Texas suggests using the term "border region" instead of the border because "the border" denotes a political division between two nation states that ignores the complex history of the region and its built and natural environments. Do you agree? And in how far would the narrative of a border crisis be a different one when keeping this conceptual change in mind?

JS: I do agree. The border, in this instance, is the political divide between Mexico and the United States stretching nearly 2,000 miles. Alvarez's work is unique in that it assesses the construction and architecture of the border, including the fences and barriers, the water management projects, and the policing infrastructure that have collectively restructured hemispheric economies and the natural landscape itself by severely impacting and sometimes destroying the natural world. At a glance, "border region" seems related to a critical term that is in many ways foundational to border studies, namely "the borderlands." Of course, this critical concept comes from the groundbreaking work of Gloria Anzaldúa's Borderlands/La Frontera, which spells out explicitly a distinction between a political "border" and the "third-spaces" of the borderlands which denote the heterogeneity, fluidity, and the spaces of "in-betweenness" that arise from the economic, political, cultural, linguistic, spiritual, and even gendered conditions of the United States and Mexico colliding and contrasting. This operative term has become foundational for all forms of critique that address the political border in order to account for the ways it over-determines material life and for the ways that communities conceptualize and imagine that life at and far from the geographical particularity of the border regions.

Of course, it's also important to note how it's not just border management which exceeds the immediate territories of the political border with check points and immigration raids far from the geographical coordinates that mark the division between Mexico and the United States. Indeed, recent ICE deportation raids continue to take place in urban centers of the nation far-removed from the border itself. People experience and carry the conditions of the border while in and out of close proximity to this geography. In this way, the "borderlands" as a critical concept helps articulate ways border constituents internalize life as matters of both material conditions of their existence and as consciousness itself, no matter how close or how far one ends up from the border, and regardless if one is a migrant or not.

"Border region" seems related to this concept, yet emphasizes how the political border impacts the material territory at and well-beyond the immediate border areas. In this way, it highlights the construction and development of the border as it expands not just West to East and East to West, but also across the region in all directions, all of which impact the material spaces and politics of these amplified areas, including how people and species negotiate these built environments. If anything, such a critical maneuver highlights the "material stuff" of peoples' lives, showing how border region populations and species imagine (and survive) the cultural, environmental, and economic shifts such environments generate. Indeed, when we think about how Anglo-settlers restructured local ranch economies across the border regions to make way for large-scale agri-business, and in doing so clear and restructure the chaparrals and other biospheres of these landscapes a hundred years ago, or if we consider more recently the dams the United States has built to accommodate emergent local industries at the border, the ground water it has pumped, the mountains it has blasted away and the physical barriers and range of border patrol infrastructure it has built, one cannot ignore the sheer violence on the region's ecologies and how these constructions wreak havoc on local species and on the people who call these spaces home. As such, the border as a political divide born of war and treaties, the borderlands as a critical concept with which to theorize the liminal and transitory spaces of life and how it is imagined by the cultural communities in the region, and the "border region," which addresses the materiality of development and policing are all seemingly necessary for assessing the totality of the US-Mexican border as a political, cultural, economic, social and environmental/ecological category.

JN: Moving away a little from such conceptual questions, I wonder how recent attempts to fortify the border fit into a longer history of border control and border policing, thinking, for example of the 1990s border fence building projects?

JS: This question demands that we consider and assess recent border wall hysteria within a longer history of border management. I already spoke about the origins of border management in the context of Chinese exclusion. But recent calls and attempts to "build the wall" highlight the complex history of the fortification itself. There is a difference between the logic and rationale for building the 14 original miles of the wall in 1993 and recent chants to erect more miles

of wall today. In 1993, the United States erected the first fourteen miles at San Diego/Tijuana, one of the busiest crossing points of the border at that time. Of course, this was just one year prior to the signing of NAFTA. By no means was this a coincidence.

Surely, the US recognized how the liberalization of capital and hemispheric trade would generate labor flows into the United States to match commodity flows in the region. As businesses and export manufacturing plants set up shop south of the border to take advantage of lax labor laws, cheap workers, and weak environmental protections, labor from across the southern hemisphere moved north to fill factories and to serve in the local economies transnational corporate investments opened up. However, while companies, in order to sell their commodities in dollars after paying their labor and rents in pesos, moved commodities back into the United States tax free, laborers and their families found themselves staring down more and more fortifications once they recognized the benefits of following the stuff they built and the commodities they made if they too could be paid in dollars, not to mention how life in the United States might afford more labor securities and promise. Ironically, border security measures in this era also conditioned a need for even more and more security, for it spurred an emergent economy of human smuggling, with cartels filling a niche market to traffic migrants who found themselves dependent on them to cross into the United States, this at the risk of exploitation and death. Unfortunately, the more stringent border patrols become, the more traffickers become in demand. Indeed, illicit trafficking is directly interconnected with growing militarization and "security" at the border.

More fortification also means more death. It's important to say here that migrant deaths nearly doubled between 1993–1994, a year after the final construction of the first fourteen miles of barrier, with over 300 deaths in 1994 alone. Again, this is no coincidence. Migrants continue to find themselves having to trek further and further west into the desert in order to gain entry. Today, there are some 650 miles of barrier (walls, fence, and secondary structures), largely a result of the Secure Fence Act of 2006. With more fortification comes not a halt in immigration, for so long as the conditions of capital exist and express themselves in the Global South as they do, migration and labor flows will be inevitable. So migration in the region has not stopped and will not stop because of the wall. Instead, the fortification will just increase migrant deaths. Between 1993–2020 there have

been between 7,500–10,000 migrant deaths at the border as migrants must risk crossing at ever-more dangerous terrains and deserts to avoid detection and the increased militarization of the border. Some scholars now argue that the United States has outsourced border security to Mother Nature.

All in all, nationalist calls to build more miles of wall appear to me mostly symbolic efforts, despite the fatal consequences actual fortifications pose for migrants. Let me explain. The chants and the wall itself communicate to people of color from the south that while the United States welcomes the objects of their labor, they and their families are not wanted. I say symbolic not to suggest that the wall and the militarization don't affect real pain and death, but to high-light how walls are already in place. Indeed, Trump only built some seventy-five miles of new wall, the majority of his efforts reinforced or repaired structures already standing. Instead, I suggest that building one continuous and unbroken wall, which some are screaming for, is not only architecturally impossible given the types of terrain that mark the border, but useless given how the terrain and elements already serve as more of a deterrent than any steel wall or man-made obstacle could ever be.

JN: Such historic patterns of border militarization also feel reminiscent of early twentieth-century border violence. What would you say, in assessing the Trump administration's November 2018 decision to send military troops to the US-Mexican border? Does it show similarities to the state-sanctioned violence against ethnic Mexican communities in the Texas border region in the 1910s and 1920s when Texas Rangers, local ranchers, and US soldiers terrorized these communities?

JS: These are distinct, yet related episodes in a long history of violence directed at people of color at the border. We know the violence the Texas Rangers waged against Mexican and Mexican Texan populations in areas such as Brownville, McAllen, and other towns along the Lower Rio Grande Valley were brutal and indiscriminate. In many instances, the violence was directed at Mexican American citizens and virtually any Mexican or Mexican American associated with The Seditionist Movement, or, against anyone unlucky enough to be in the area where resistance fighters struggled against Anglo-American encroachment by staging acts of opposition. Many innocent people were murdered, frankly. Fortunately, historians such as Ben Johnson, William Carrigan, Clive Webb, Monica Martinez, and novelists such as Amèrico Paredes, have captured the scale and brutality of the violence, which included deaths by burning, bullet, dragging, and hanging. Put shortly, the Texas Rangers were at war with the Mexican and Mexican American population to preserve and to protect the consolidation of Anglo political and economic domination in the region. Despite this brutal history, the Texas Rangers still enjoy the aura of a just, if not heroic safety enforcement department in our state. Even our professional baseball team is named after them!

Trump's decision to send 5,000 active-duty military troops to the border operated in a different context, namely that of immigration from Central and South America. The image of thousands of troops fortifying the border with military hardware, vehicles, barbed wire, and weapons and arms was simple to interpret: the US government is at war with immigrants and asylum seekers. To bring this message to bear, Trump and his allies announced, without evidence, that terrorists from the Middle East had infiltrated the groups of migrants to harm Americans. In typical Trump fashion, the deployment was also staged for television, an act to promote an image of authority, of "law and order." And in typical Trump fashion it was a complete waste of money and resources.

Let me, for a moment, put this number of 5000 military troops that Trump deployed in a global context of what actual war zones look like for US armed forces. On average the United States employs some 20,000 border agents, the overwhelming majority are stationed at the actual border in some fashion (around 18,000). When Trump sent 5,000 active duty troops and national guard, the number of US service personnel working the border rose to some 23,000. This is well more than a third of the active military service men and women in the German Army, I believe. The number of personnel working the US-Mexican border is therefore equivalent to or exceeds US American personnel at the South Korea/North Korea divide; it also exceeds or has been equivalent to the number of service men and women in Iraq at certain moments of the war, and even in Afghanistan when the border deployment took place. Think about this. Now consider that the United States and Mexico are not at war, but rather are friendly nations. We are not at war with Mexico, nor is there a threat of an impending conflict. Still the border is one of the most militarized zones the United States government polices.

JN: It is indeed mind-boggling to think about the extent of border security personnel employed at this "friendly" border. Also, it seems clear that supposedly non-military operations have similar severe repercussions for migrants. I am thinking of the "Migrant Protection Protocols" (MPP 1.0)—often referred to as the "Remain in Mexico" program—that was introduced in December 2018 by the Trump administration. It went into effect in 2019 and was used to send nearly 70,000 migrants back to Mexico before it was suspended and then terminated by the Biden administration. Yet it was reinstated in 2021. What does it mean for asylum seekers and others who arrive at the border that they have to return to Mexico to await their court appointments? And let me add another question here. Since these regulations were introduced under the guise of public health protection and supposed to prevent the spread of COVID-19, what do you think about this rationale? How has the COVID pandemic affected the situation at the border?

JS: Put shortly, it means more personal uncertainty and unnecessary pain for those already vulnerable and seeking asylum. It means little difference in terms of border security or health risk management. The administrative nightmare MPP has created is almost unimaginable. The most pointed message here is that the United States is not interested in welcoming asylum seekers and offering even temporary sanctuary to those suffering and seeking to escape violence in their home countries.

To start, MPP essentially put tens of thousands of migrants in political limbo while in Mexico, subjecting them to rape, kidnapping, attempted kidnapping, robbery, violent assault, attempted murder, and murder. Cartels, gangs, and criminals understood well that MPP policies would create large populations vulnerable for exploitation. It created conditions ripe for violence in spaces already struggling with violent crime. Indeed, the numbers of those in protocol who have been victimized are staggering. Upwards of some 70 percent of those held in MPP have been victimized in some fashion. This is nothing to say of the lack of legal counsel or medical support for migrants.

JN: And it gets worse. Title 42, as you know, expelled all asylum seekers and denied them the legal right to file their claim as a result of a declared public health emergency, namely COVID. This happened in March 2020. All asylum hearings were eventually suspended as a result.

JS: Looking at Title 42 in the context of COVID and the Trump administration reveals an interesting and troubling dynamic, to be sure. The Trump administration referenced COVID specifically in order to justify Title 42 and how it would deny legal protections for migrants at the US-Mexican border, regardless of age or motive for asylum. The administration associated this emergent menace of disease with migrants at the border as a public health threat, announcing that

migrants could spread the virus, which resulted in the suspension of thousands upon thousands of asylum applications. The government did this without a court hearing and without official asylum screenings, thereby exposing thousands to exploitation and exclusion. Yet the racialized association of disease with immigrants of color and the separation of families is a durable feature of border management over the last 150 years.

As such, I'm suspicious of Trump's interest to arrest COVID at the border because we know now that the Trump administration strong armed the CDC (Center for Disease Control) to support the move to shut the border with Title 42 under the guise of a public health hazard. Don't get me wrong, COVID is real. I'm not suggesting COVID-19 is not a deadly virus, nor that it didn't require a reassessment of migrant controls or even a reassessment of how the US managed everyday forms of international travel. What we do know, however, is that it provided the perfect cover for Trump and members of his staff, such as Stephen Miller, who had publicly announced a desire to close the border years before the pandemic changed the world. Years before the pandemic, these political figures made frequent calls to restrict migration, to close the border and to enact policy and law that would do just that—even in the cases of unaccompanied minors.

Let's consider it this way: On one hand, Trump refuted masks in public spaces, called COVID a typical flu, undermined its health impact in our biggest cities, and was generally suspicious of the threats it posed across the country, even to our most vulnerable population groups. He didn't require the thousands at his rallies to socially distance, or to wear masks, for example. Furthermore, Trump undermined the science of the virus and questioned social policies to protect the health security of the nation. On the other hand, Trump and his staff repeatedly announced a desire to build a wall to stop migrants from reaching the US for years before the pandemic would eventually change the world. Why the grave concern about COVID at the border and the lack of concern within? Why was COVID such a threat at the border, yet nothing but a flu inside it? Given all this, I'm less inclined to think that Trump and his allies were actually interested in stopping COVID at the border more so than stopping migrants of color from entering the United States. To him, COVID was an economic disaster, not a public health emergency, at least not one he really cared deeply about. As such, COVID was an opportunity to do what he wanted to do for years-to close the border to migrants of color.

Recently, the Biden administration began exempting children from Title 42. It's a good first step, but I don't understand the logic of how kids can pose a lesser COVID threat than adults, since the contagion of the VIRUS isn't necessarily associated with age. I don't believe the CDC or the Biden administration has provided a logic or rational for this exception, although it appears that the Biden administration might eventually do away with Title 42 entirely. Cruelly, however, my adoptive home state of Texas challenged Title 42 in district court, which recently ruled that the Biden administration can't exempt children and minors because of the financial burden and harm it places on the state that assumes their costs while they are under the state's custody. Still, even in this drama one can't help but find racialized logics for all this action: news reports have just emerged this week revealing how exceptions are being granted for small Ukrainian and Russian asylum seekers hoping to gain entry from Mexico.

JN: Such racialized logics are also mirrored as well as contested in pop cultural responses to the increased militarization of the border and the accompanying racial profiling and border controls. How do you view pop cultures' handling of those issues and can you give examples?

JS: Capitalism can turn anything into a commodity. We know this; and nothing is off-limits. The rise of TV shows, movies, and even pop songs which take the border and its politics in order to dramatize stories for popular consumption depend on recognizable, predictable, and stock characters and stories to create popular appeal. Such fictions make the messy histories and complicated politics of the border intelligible. The examples are endless. Unfortunately, this means recycling the very images and narratives that have made possible the restrictive and militarized spaces of the border itself. Indeed, the images and the politics are mutually constitutive, for we can find how the menacing images of migrants have dominated political discourses which have set in motion restrictions and exclusionary policies and laws for over 150 years. The menacing image of brown migrants in pop culture or in political culture is not new.

JN: This is certainly true, but I was also thinking of art as a challenge to racial stereotyping and border violence.

JS: By all means, instead of drawing out these one-dimensional images of difference, I think it's worth acknowledging how a few artists and cultural brokers continue to form an important community that raises awareness, recalibrates dominant narratives of invasion, and that even uses aesthetics to imagine solutions to the disasters at the US-Mexico border. For example, in many places, the wall itself has become a memorial, a tombstone where families and friends inscribe personal details of those who have died trying to cross it. It has also become an installation for artists and communities who turn border places into a variety of rich cultural and social spaces to show how borderlands residents have established this political divide as a place not only of painful division, but also as a contact zone where new forms of community emerge. It has a become a wall on which to display art. It has become a sports field where volleyball games were once held in Naco, Arizona and Naco, Mexico, in the early 1990s, in which the fence was the net separating teams (which is of course no longer possible). In Juarez, Mexico and El Paso, Texas, residents meet for a transnational border class in yoga to express solidarity and community. In Sunland Park, New Mexico and Ciudad Juarez, Ronald Rael and Virginia San Fratello designed a functional teeter totter on the wall to demonstrate how actions on one side of the wall have direct consequences on the other. The action emphasizes how the border is a site of division, contact, direct consequence, and co-existence. The most recognizable artist to have worked on the border is probably the French installation/street artist JR, whose work, often on a grand scale, similarly reframes the wall's optics of brutality to open up possibilities of envisioning and enacting community. Clearly, this type of activity contrasts optics of exclusion and division against contact, interaction, and collectivity. People pushed apart by political divisions produce the possibility of imagining and enacting alternative politics of community so that public spaces of policing become re-politicized public spaces of performance and play. This type of work and activity is powerful and worth highlighting.

JN: Thank you very much, Jayson, for these insightful explanations concerning past and present border politics and its effects on migrants and asylum seekers. While this is not your area of expertise, I would like to conclude by drawing attention to the fact that border crises not only exist at international borders, but also at domestic ones. During the COVID-19 pandemic, Indigenous peoples in the United States have suffered immensely. The border town of Gallup, NM, for example, is an important hub for people from the nearby reservation to get supplies and groceries. When the city was closed to outsiders because of COVID, people could not get the things they needed to make it through a lockdown since there are only

a few stores on the reservation itself. The pandemic increased border town violence and racism in areas like Gallup and elsewhere. In addition, intensified border controls led to increasingly arbitrary rulings by border patrols when it comes to legitimate reasons for Indigenous people to cross the border. Consequently, the human right of free Indigenous migration has increasingly been imperiled.

It seems justified to conclude that communities of the border region and border-crossers are experiencing a novel crisis, the root causes of which reach back to the founding of the two nation states, and, in the case of Indigenous peoples, even predate it.

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About the Authors

Jayson Gonzales Sae-Saue is Associate Professor of English and Director of Graduate Studies at Southern Methodist University in Dallas, Texas. He earned his BA in American Studies at the University of California, Los Angeles and his PhD in Chicanx and Asian American Literary Cultures at Stanford University. He has published several works on Chicanx and Asian American literature and history, including a book on the ideological and political significance of Asia Pacific in Chicanx cultural politics. He is now at work on a second book, which examines the legal and cultural history of how the United States has policed racial desire and which highlights how a history of anti-miscegenation laws and discourses in the United States act as a form-determining force in Chicanx literature.

Julia Nitz is Lecturer of Anglo-American Cultural Studies at Martin Luther University Halle-Wittenberg. She has served as Executive Director at the Center for American Studies and is co-founder of the <u>Intercontinental Crosscurrents Network</u> for the study of transatlantic women's networks in the long nineteenth century. Her research focusses on the American Civil War, women's life writing, intertextual cultural studies, and historiographic and museum narratology as well as Anglophone (Caribbean) film and adaptation studies. Her most recent monograph Belles and Poets: Intertextuality in the Civil War Diaries of White Southern Women (2020) establishes the extent to which literature offered a means of exploring ideas and convictions about class, gender, and racial hierarchies in the Civil War-era South.



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