

US-Mexico Border and Gender

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U.S.-MEXICO BORDER AND GENDER

The U.S.-Mexico border and borderlands are the politically defined boundary between the southern-most region of the continental United States and the northern-most region of Mexico from the Pacific Ocean to the Gulf coast of the Atlantic Ocean. The history and analysis of the U.S.-Mexico border is necessarily the intersection of race, class, gender, and sexuality. These power differentials manifest in border enforcement, protection, and management, perpetuating gendered violence and exclusionary practices. The historical background of the U.S.-Mexico border and its enforcement methods show the long-standing correlation between the operationalisation of gendered thinking and gender-based violence, both of which continue to impact individuals before, during, and after the border crossing.

Living in the borderlands and at the border crossing affects women, female-passing, and queer populations intensely. Gender violence in the form of sexual assault and harassment is inflicted on these populations regardless of their documentation status. Regular border crossers, such as transborder students living in Mexico attending school in the United States, share how they are harassed at ports of entry (PoEs) from an early age. Even more brutal sexual violence is inflicted on women trying to cross without legal documentation. They may experience sexual violence throughout their journey to and across the U.S.-Mexico border and within U.S. detention centers if detained. Migrants and governmental officers alike are responsible for these violent practices. Gender-based violence is also suffered by the border population living in this region, particularly women working in transnational factories and as sex workers.

This entry discusses the link between gender and the U.S.-Mexico border by analyzing the operationalisation of gender practices and acts of violence since the establishment of this border, discussing gender violence present in regular and irregular

border crossings, analysing gender violence and mobility at this border, and examining how queering the U.S.-Mexico border provides an alternative to imagined more inclusive and complex possibilities. This entry also discusses queering the border as a way to understand the U.S.-Mexico border through a more complex and inclusive lens while providing a zone of inclusive political possibilities.

Defining a Border

Borders, boundaries, and borderlands are created in localized and spatial context. Borders are points of contact between multiple political entities, policies, and systems, leading to cooperation and tensions. As complex ecosystems, borders cannot be fully grasped through a single approach. Instead, they can be assessed and distinguished through the analysis of overlapping perspectives to create a comprehensive understanding of borders as boundaries and spaces. Boundaries refer to the geopolitical limits of a nation where sovereignty is exercised. Meanwhile, a borderland is a space between these borders and boundaries. Borders encompass processes on both sides, involving an international dimension in a localized context. This distinction highlights the importance of considering national and global contexts when studying borders, as the practices within borders, boundaries, borderlands, or spaces respond to at least two political forces.

The presence of multiple forces and the amalgamation of power at work on borders raises tensions. Sovereign boundaries are inward facing, focused on the national level, and governed by specific policies and rules that organize society within that territory, for example, the United States or Mexico. In contrast, borders are a shared space that a single country or political project cannot control. The more differences between political entities and their social characteristics, the more tensions there are between them. Similarly, as these differences increase, the people living in borderlands experience borders and boundaries

more saliently. This leads to practices of differentiation and exclusion by the most dominant force. Practices within the established geopolitical boundaries and borderland spaces create disputes and opportunities for new interactions or exchanges. Transborder exchanges, localized sociopolitical and cultural interactions between both sides of the border, play a crucial role in reconstructing and resignifying this space. Furthermore, the overlapping of boundaries and border sites results in border-crossing dynamics that deal with practices of racialization, differentiation, and gendered oppression and operationalization, which are present in the U.S.-Mexico border.

In this context, gender is a socially constructed category that establishes expected and differentiated political, economic, social, and cultural behaviours from individuals. Gender is also used to hierarchize bodies, reflected in public policies and social behavior, among other practices. For example, some women, mostly in Western countries, had access to political and economic rights in the mid-1900s while others still do not have access to these same rights in the 21st century. In this sense, gendered thinking is usually transferred and operationalized by governmental systems, institutions, and society, creating a system of structural violence. The history of the U.S.-Mexico border and enforcement practices show the historical link between gender operationalization and violence that continues to be experienced before, during, and after border crossing.

Historical Context

The history of the U.S.-Mexico border is complex and multifaceted, marked by the intersections of colonialism, imperialism, and resistance. In 1848, the signing of the Guadalupe Hidalgo treaty and the subsequent Gadsen Purchase in 1853 established the current geopolitical border and ended the two-year Mexican American War. The treaty mandated the transfer of roughly 500,000 square miles of territory, including the states of

Arizona, California, Colorado, Nevada, New Mexico, Texas, and Utah. Approximately 100,000 people faced the decision to remain in the United States or to relocate south to Mexico. Both countries made compelling campaigns offering citizenship and cheap land in exchange. Of those who remained in the United States, only white men acquired citizenship as women, people of color, and indigenous populations were excluded from such a privilege. Mexico and the United States began a project of national identity formation that was also relational. Mexico had recently become an independent country, so having a strong sense of nationalism and sovereignty was imperative. Meanwhile, the United States —although independent for longer—required some political reconfigurations after significant amounts of newly acquired territory in their westward expansion due to manifest destiny ideals.

At that time, women were not only racialized along with men, but also gendered. Gonzalez's work emphasizes the differentiated challenges and oppressions impacting women when their home territories, formerly under Spanish rule, came under U.S. jurisdiction manifested in resistance against laws and norms that came along with U.S. citizenship that were to their detriment. For example, women's lives and economic positions in New Mexico before 1848 included fundamental rights and access to land ownership. Such conditions were the result of constant fight and resistance against Spanish colonial oppression inflicted on these women. With the establishment of the new border, these rights were contested and revoked by a different government, forcing resistance movements to restart. During this time, women developed new strategies to maintain their lands or marry incoming colonizers for the sake of their children. Overall, establishing this international border became integral to constructing national projects in both the United States and Mexico during the 1850s and the beginning of the 1900s. In particular, from 1900 to 1930, U.S. officials implemented heavy practices of racialization and gendered dynamics at this border.

Given U.S. dominance over the border, guardians and protectors were mainly in place

to support the U.S. nation-building project. The U.S. Immigration Service and Border Patrol began surveying and managing the border in 1904, with mounted watchmen initially patrolling from Texas to California. Their objective since then has been to prevent undocumented crossings by humans and goods, beginning with Chinese people attempting to cross from Mexico. The first policy to deem a particular ethnic group “illegal” in the United States was the Page Act in 1875, which was implemented to prohibit the import of Chinese women for purposes of prostitution. The Page Act was significant in that it became the precedent for discriminatory, radicalized, and gendered policies governing the U.S.-Mexico border. Shortly after the Page Act in 1882, the Chinese Exclusion Act declared all Chinese individuals, regardless of gender, illegal in the United States. Then, in 1868, the Fourteenth Amendment to the U.S. Constitution granted birthright citizenship, resulting in women from racially undesirable groups being perceived as a threat; a perception that has remains prevalent in the 21st century. Therefore, sociocultural trends, gendered and racist thinking, within the United States influenced the evolution of the Border Patrol agency.

During the early 1900s, the U.S. Border Patrol took a more militaristic-like turn, projecting a traditional masculinity linked to notions of strength and toughness. Furthermore, this organization wanted to establish dominance over border crossers justified by violence. All of these notions are linked to heteropatriarchy which is a social system in which the dominance of traditional masculinity and heterosexuality are perceived as the norm of behavior. During the 1930s, the Border Patrol shifted to a more familial conception, being viewed as protectors of the nation, akin to fathers. These changes in perception and dynamics resulted in solidifying the gendered and racialized identity of the organization and its operations.

Therefore, the establishment and protection of the border are essentially apparatuses or mechanisms for power differentials used for state formation that increasingly exclude and

racialize border crossers. Those crossing northbound from Mexico are racialized and sexualized, particularly women. For example, on June 28, 1917, the Bath Riots occurred in the Texas-Chihuahua. This social unrest was led by Carmelita Torres, protesting against racialization, fumigation, and sexual harassment endured at the delousing camp operating at this border due to a typhus scare. Border-crossers went through a process of being bathed with gasoline and shaved at the PoE of El Paso. Besides the health implications, women who would cross the border regularly since they were working in the United States as domestic maids were photographed nude by Border Patrol agents who posted their pictures in the local cantine. Carmelita Torres, aware of these extra humiliating circumstances, refused to be stripped naked and fumigated once again and gathered support from other women around her. The protest only lasted for one afternoon but remains highly significant as it exemplifies the intersections of race, class, gender, and sexuality at this border that only heightened in the years to follow.

The Prohibition Era, beginning in 1920, and the Great Depression, beginning in 1929, were two pivotal periods that significantly influenced border ideologies and dynamics. During this time, xenophobic and eugenic movements grew in the United States, with immigrants being viewed as unwanted and filthy and being accused of stealing the few jobs available. The nation also institutionalized a high moral consciousness, which made activities such as alcohol consumption and vice practices illegal. As a result, many people visited Mexican border cities daily where such activities, including prostitution, were legal or tolerated in certain circles. This, however, had adverse effects on border protection and reinforcement. The Mexican side of the border was seen as morally corrupt and home to unwanted immigrants, leading to stricter exclusionary and racialization practices by the U.S. Border Patrol. One major example that arose was warrantless stops and searches of automobiles at the border zone due to reasonable suspicion of having irregular status in the

United States or conducting criminal activities considered to be related to irregular Mexican migrants, including theft, drug trafficking, and human smuggling. In 1975, the U.S. Supreme Court ruled in *The United States v. Brignoni-Ponce*, 422 U.S. 873 that U.S. Border Patrol agents are allowed to stop and search individuals who look like they have Mexican ancestry within a reasonable distance from the border. In other words, having Mexican physical features was considered suspicious and a probable cause to stop and search them without a warrant. Racial profiling of Mexicans and Mexican-Americans by the U.S. Border Patrol was legalized and institutionalized through this ruling.

Immigration policies recognize the U.S.-Mexico border as an apparatus of racialization, a filter of classist sociocultural practices, and a sexual boundary. Since the 1900s, men, queer but in particular women crossing the border with or without documentation, are hypersexualized. The influence of race, class, gender, and sexuality in border protection and reinforcement practices continued when the U.S. Customs and Border Protection (CBP) organization was created in 2003 in response to the terrorist attacks on the World Trade Center on September 11, 2001. Most existing agencies dedicated to border protection merged into this new law enforcement organization that still holds limited accountability with an excellent capacity for action, impacting all types of border mobilities and immobilities.

Women and Border Crossings

The population inhabiting the borderlands are heterogeneous, relating to the border in multiple ways and at different intensities. This includes irregular and regular border crossings, with their respective challenges.

Irregular Border Crossings

The risk that women, or female-passing individuals, endure crossing the border without lawful documentation is incredibly high. They experience higher rates of violence (physical and non-physical), discrimination, and harassment throughout. The thousands of narratives of women crossing this border show that rape and sexual harassment from other immigrants and immigration agents, from both Mexico and the United States, is an everyday reality during their journey. Women who begin their trip north from the south of Mexico take birth control to prevent pregnancies as they are aware of the gendered and sexual violence, they are most likely to experience while migrating and when reaching the U.S. border. In addition to experiencing sexual violence, they are at high risk of dying when crossing the border undocumented and being left behind.

Once at the U.S.-Mexico border, women detained in migration centers continue to report sexual violence from U.S. CBP officers. The neoliberal system influenced the U.S. governmental decision to privatize prisons and immigration detention centers. In these centers, the bodies of women and female-passing people are exploited through confinement and sexual exploitation practices. For example, research and testimonies show how some officers request sexual favors to give women back retained documentation or in exchange for food.

In 2016, 99 years after the Bath Riots, several Facebook groups of former or active U.S. CBP agents were made public. In these groups, the agents posted pictures of women crossing the border irregularly or inside detention centers, along with misogynistic and racist comments. Both episodes, almost a century apart, demonstrate the prevalence of gendered practices and the role of sexuality in border enforcement, protection, and management.

Regular Border Crossings

Some border commuters live on one side while conducting in-depth activities on the

other side regularly, even daily. For example, some people living in Mexican border cities have documentation to work or study in the United States. The U.S.-Mexico border is intrinsic to their life condition and daily practices, making them transborder.

Transborder students living in Mexico cross the border often or daily with or without adult supervision. In certain Mexican border cities, such as Mexicali and Tijuana, a high number of transborder students who are also minors cross the border to school accompanied by friends and peers, making them particularly vulnerable to the hardships present at the PoEs and checkpoints. In an empirical study conducted by Mitxy Meneses from 2017 to 2019 in both cities, participants who self-identified as women shared how, as minors, other border crossers and U.S. CBP officers would make sexual comments on their uniforms and other insinuating questions. None of these aggressions were reported by participants who self-identified as men or who were male-passing. This shows that gender violence when crossing the border is prevalent regardless of whether one holds a valid entry document. In this sense, the violence inflicted on women or female-passing individuals when crossing the border, with or without a visa or passport, is related to their perceived or identified gender rather than to border protection. The narratives around the latter are used only to justify the former. Such violent and oppressive practices are prevalent in the population living at this border, even if they do not cross it.

Gender, Sexualities, and Mobility

On January 1, 1994, the North American Free Trade Agreement (NAFTA) entered by the United States, Canada, and Mexico was implemented. The reduction of trade tariffs and differentiated industrialization were pivotal for the success of NAFTA. The Agreement reflected the already ongoing manufacture-based border economy. Since the 1960s, transnational factories and manufactories have been relevant economic and demographic

drivers in Mexican border cities. In their 2016 book, Paul Ganster and David E. Lorey noted that from 1978 to 1993, maquila or manufacture-based employment registered a rate of 14% annually. From 1995 to 2006, the rate was 6.9%, affected by several economic recessions suffered by both countries. After the implementation of NAFTA, Mexican women were the most wanted workers in the United States, contrary to what many scholars believed would happen. Companies in the United States now had access to cheaper labor that could be outsourced thanks to NAFTA, and maquiladora owners on the U.S. side of the border were no different in seeking such labor on the Mexican side of the border. Mexican women took on jobs across the U.S.-Mexico border in maquiladoras, garment factories, and cleaning jobs. The demand for women in the workforce flooded the U.S.-Mexico border. As a result of the increased gendered workforce's border crossing, women became more vulnerable to violence through exploitative practices at the U.S.-Mexico border. The demand for women across the border had exacerbated gender and sexual violence experienced by border crossers, which resulted in increased femicide and the sex trafficking of young Mexican girls. Maria Cristina Morales and Cynthia Bejarano show that just between 1993 and 2004, more than 600 women were killed due to serial sexual murders in Ciudad Juarez. The border became a transnational place of opportunities and gender conquest, representing women's resistance and contestation practices.

Policies such as NAFTA were not the only perpetrators of exacerbated gendered violence at the U.S.-Mexico border. Since the Immigration Act of 1891, women were not the only individuals subject to sexual and gendered discriminatory treatment at the U.S.-Mexico border. Policies at the U.S.-Mexico border tend to be broad and implemented at the discretion of CBP officers. As a result, whether people are seen as conforming to gender stereotypes is contingent on officers' perspectives and interpretations of the law. Members of the LGBTQIA+ community were also subject to experiencing harassment, sexualization,

racialization, discrimination, and misgendering. The Immigration Act of 1891 excluded individuals who were “guilty of moral turpitude,” which included people who exhibited “sexually abnormal behavior or appetites.” An example was shown in a 1960 case that discussed the experience of a Mexican lesbian woman crossing the U.S.-Mexico border. Sara Harb Quiroz, was a U.S. resident living in El Paso traveling from Juarez, when she was stopped at the Juarez-El Paso border for “looking like a lesbian.” The close policing of gender and sexual behavior in the United States is reflected in the U.S.-Mexico borders, resulting in repercussions for LGBTQIA+ border-crossing individuals who have to be cautious about whether to reveal or display their gender and sexual identities. This type of U.S.-Mexico border policing closes the border to secure colonial, heteronormative, white ways of knowing and seeing gender.

The act of queering, both as a verb and a theoretical lens, involves uncovering the interconnectedness of race, class, gender, and sexuality. This approach reveals how these overlapping identities give rise to power dynamics and politics of difference. However, queering acts and the voices of queers at then U.S.-Mexico border region started to be uncovered just in the 21st century.

In 2003, Emma Pérez delved into the gaps in the history of the borderlands, particularly in relation to queer, brown voices. Pérez stresses the need to decolonize history and coined the term decolonial imaginary, referring to interpreting and reinterpreting the history and stories of the U.S.-Mexico border region from a more inclusive perspective standing in opposition to traditional norms and forms of power, while uncovering queerness. Pérez's work addresses several topics that have been affected by the colonial gaze, from the white, heteronormative gaze's impact on the borderlands after the border establishment and the implications of capitalism defining policies and experiences of border-crossing. According to Pérez, the white, heteronormative, colonial gaze perpetuates an ideology that

gives the impression of power over those who do not conform to the standard; she argues that a decolonial queer interpretation can unearth the long-silenced voices of the borderlands instead of denying, dismissing, or negating them.

Applying a queer perspective to the U.S.-Mexico border, leads to a deeper understanding of the historically complex power relations at play in this space and subsequent challenges. This goes beyond simplistic approaches that rely solely on neoliberal economics or reductionist views of irregular or regular border crossers. Queering the border uncovers stories and zones of possibilities that allow for the development of more inclusive politics.

Future Scholarship

The link between Gender and the U.S.-Mexico border has been overlooked by scholars who look at this border from different academic fields. The examples provided in previous subsections only uncover some of the gendered practices and acts of violence present in this space, and the way it intersects with race, class, and sexuality. However, significant efforts have been made to bridge such a gap. For example, in her 1999 work Deena Gonzalez, discusses the importance of rewriting history to be more inclusive, noting how, throughout history, those who tell the truths about history are not always the ones with power. Her work expressively notes the implications of previous historical writings that laid the groundwork for authors today to challenge traditional borderland history, such as Gloria Anzaldúa's seminal work *Borderlands/La Frontera: The New Mestiza*, published in 1987. Anzaldúa's work opened the door to the intersectionality of identities in the Latine community in the United States and the borderlands.

As such, several borderlands historians have done great work uncovering the stories of borderlands and border-crossers, emphasizing the meaningful importance of such

narratives to the overall U.S. history. According to scholarly literature, the analysis of sexuality and gender in the U.S.-Mexico borderlands should be defined critically by looking closely at certain periods of time and the narratives of women, female-passing, and queer identities. This would only provide a more complex and rich understanding of the U.S.-Mexico border.

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See Also: Asylum-Seeking Individuals; LGBTQIA+ Refugees and Asylum Seeking; Migration and Gender; Minors and Immigration; Queer Migration

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