
South Asian and Indigenous Experiences at the US–Mexico Border

From US v. Thind to the War on Terror

ABSTRACT This essay addresses the cultural politics of US Empire as it appears at the site of the US–Mexico border. I offer a reading of *United States v. Bhagat Singh Thind* that situates the case within the ongoing violence of US settler colonialism and border imperialism. To do this, I juxtapose two texts—a fictional short film and an interview—located at the borderlands. These texts highlight not only the violence South Asians confront as a result of the global War on Terror, but also how the expansion of the US security state in the post-9/11 era has further dispossessed Indigenous communities located at the US–Mexico border. The short film *Thank You, Come Again* (2020) was written by, directed by, and stars South Asian American Nirav Bhakta in a story about an undocumented South Asian convenience store clerk. In this short, the clerk contends with the memories of the loss of his father at the hands of border police in the immediate aftermath of 9/11. The second text, an interview with Tohono O’odham activist Ofelia Rivas, emerged from a 2006 project entitled “O’odham Against the Wall.” In this interview, Rivas situated the construction of a border wall on the Tohono O’odham land within the context of post-9/11 racial anxieties. Together, these two texts offer us a meditation not only on the state of South Asian America 100 years after *US v. Thind*, where race-making continues to shape the lives of the diaspora, but also the settler logics that are entangled with this historic case and the ways in which South Asians have also become complicit in settler colonial processes. However, I suggest these two texts offer the diaspora the possibility to radically rupture their complicities by forming a relational politics against the white settler nationalism that continues to target both South Asians and Indigenous communities for domination at the border and beyond. **KEYWORDS** border imperialism, security state, war on terror

To abolish all borders is to refuse the social organization of race and citizenship.

—Harsha Walia

The United States . . . was not a place, or a set of relationships in a place. It was, more precisely, a set of threats about what would be done in and to the places it described.

—Manu Karuka, *Empire’s Tracks*

INTRODUCTION

Stefano Sollima’s (2018) *Sicario: Day of the Soldado* begins at the US–Mexico border. The audience is brought into the opening scene through the surveillance camera of a US Border Patrol helicopter. The camera’s night vision pans the vast and expansive southern desert prior to capturing a group of migrants attempting a border crossing. Stirring up the desert dust, the Border Patrol—on the ground and in the air—descend upon the migrants,

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stopping them in their tracks. Soon after, an unidentified member, who moments later is identified as Muslim, flees from the larger group. The helicopter's surveillance camera follows the man as he runs through the open desert. The agents cautiously approach this man as he kneels on the ground reciting "Alhamdulillah" (Praise be to God) and "Allahu Akbar" (God is Greater). The agents ask to see his hands, to which he reveals a detonation device in his right hand. The man immediately explodes, taking the officers down with him. The morning after the explosion, the Border Patrol recovers a few Islamic prayer rugs during their investigation. The movie immediately cuts to Kansas City, where three suicide bombers set off multiple explosions in a grocery store—killing some of the shoppers.

In an interview, Sollima explains that this introduction to the film helped "link the border with terrorism."¹ It echoes the primary concern that many US political leaders have had since the onset of the War on Terror, but has most recently been expressed by Marco Rubio (R-FL), who has called for increased border security to manage and contain the influx of Afghan refugees.² We never come to know the ethnic or national background of the men in the opening scenes of *Sicario*, but the sound of their prayers and the images of their prayer rugs are enough for the audience to racially infer who they are and what they represent: the Muslim terrorist. While the War on Terror has been imagined to be taking place in some far and distant land, the opening scenes suggest a cause for panic closer to home. *Sicario*, along with Rubio's comments, suggests that the threat of the Muslim terrorist not only exists at the border but has already infiltrated the heartland of America—in places like Kansas City as depicted in the film—to disrupt daily American life, such as at the grocery store.

The so-called invasion of the Muslim terrorist has enabled the security state to visualize the border as both a theater and laboratory of the War on Terror. As media studies scholar Camila Fojas describes, the border becomes a way of seeing—an optic—for the security state.³ This optic is captured, and reproduced, in cinema and popular culture as a way to circulate images of the border as a site of criminality, terror, and disease. For instance, like the surveillance camera on the opening scene of *Sicario*, Sollima's film camera also affectively generates the US–Mexico border as a visual and productive space of policing and security. In this way, this distinct theater of war captured by film, media, and popular culture mobilizes the technologies of the security state up and against the potential terrorist threat at the US–Mexico border.

Visual regimes of race and security have historically been produced alongside the national security concerns of the US settler state. Recent concerns about foreigners, immigrants, and other criminalized populations are not new phenomena; rather, they echo America's past haunting as they shape the colonial present. Mainstream media and politicians conjure images of racial threats—the criminal, rapist, gangster, and terrorist—to produce a moral

1. Zack Sharf, "Sicario 2' Director on Opening 'Day of the Soldado' with One of the Year's Most Disturbing Acts of Violence," *IndieWire*, July 2, 2018, <https://www.indiewire.com/2018/07/sicario-2-director-opening-scene-terrorist-attack-1201980388/>.

2. "Rubio to DHS: Prevent Terrorists from Crossing the US–Mexico Border," US Senator for Florida, Marco Rubio, August 24, 2021, <https://www.rubio.senate.gov/public/index.cfm/press-releases?id=3F49EE6D-BE6A-4D99-94C8-A1CA3DE51F9E>.

3. Camilla Fojas, *Border Optics: Surveillance Cultures on the US–Mexico Frontier* (New York: NYU Press, 2021).

panic around the southern border. While many Americans resisted anti-immigrant discourses and practices during the Trump administration, under the Biden administration these projects to militarize the border continue uninterrupted. In this essay, I situate the post-9/11 racialization of Muslims within a genealogy of border security that is intimately tied to the nineteenth- and early twentieth-century imperial formation of the border and its attendant anti-immigrant laws and surveillant technologies used to regulate both Indigenous populations and migrants.

To do this, I offer a reading of *United States v. Bhagat Singh Thind* that situates the case within the ongoing violence of US settler colonialism and border imperialism. I juxtapose two texts—a fictional short film and an interview—located at the borderlands. These texts highlight not only the violence South Asians confront as a result of the global War on Terror, but also how the expansion of the US security state in the post-9/11 era has further dispossessed Indigenous communities located at the US–Mexico border. The short film *Thank You, Come Again* (2020) was written by, directed by, and stars South Asian American Nirav Bhakta in a story about an undocumented South Asian convenience store clerk. In this short, the clerk contends with the memories of the loss of his father at the hands of border police in the immediate aftermath of 9/11. The second text, an interview with Tohono O’odham activist Ofelia Rivas, emerged from a 2006 project entitled “O’odham Against the Wall.” In this interview, Rivas situated the construction of a border wall on the Tohono O’odham land within the context of post-9/11 racial anxieties. She explained how the US government tapped into these anxieties to justify their counterterror campaigns to build a wall on sovereign Indigenous land.

Together, these two texts offer us a meditation not only on the state of South Asian America 100 years after *US v. Thind*, where race-making continues to shape the lives of the diaspora, but also the settler logics that are entangled with this historic case and the ways in which South Asians have also become complicit in settler colonial processes. I suggest these two texts offer the diaspora the possibility to radically rupture their complicities by forming a relational politics against the white settler nationalism that continues to target both South Asians and Indigenous communities for domination at the border and beyond.

SITUATING *US V. THIND* AT THE SETTLER BORDER

American studies scholar Manu Karuka proclaims, “There is no ‘national’ territory of the United States. There are only colonized territories. There is no ‘national’ U.S. political economy, only an imperial one, which continues to be maintained, not through the rule of law, contract, or competition, but through the renewal of colonial occupation.”⁴ Indeed, there is no national territory and no economy without the ongoing conquest of Black and Native life that is maintained in the genocidal structure of settler colonialism and antiblackness that procedurally unfolds in the daily practices that uphold white supremacy and white settler nationalism.

4. Manu Karuka, *Empire’s Tracks: Indigenous Nations, Chinese Workers, and the Transcontinental Railroad* (Berkeley: University of California Press, 2019), xii.

The mythology of American national development is predicated on conquest that is fundamentally constituted by what Karuka calls the “war-finance nexus” or what Roxanne Dunbar-Ortiz names as the “fiscal-military state.”⁵ Both scholars point to a unique relationship between the state and capital, as well as to the ways in which the state and capital co-constitute each other in the building of the nation by way of accumulating property through conquest, genocide, and enslavement. In other words, continental expansion is nothing short of an imperial process that relies on militarized power and force to enslave Africans and eliminate Indigenous populations. The commodification of bodies and land anchored by the logics of anti-blackness and settler colonialism structure the proprietorial development of the frontier into the nation. As such, national borders are a relational construction between white settlers and the so-called vast, open, and empty frontier. It is in the historical and ongoing processes of elimination and occupation of these spaces where whiteness is constituted.

As Karuka explains, the frontier is “not simply a place; like capital, it can be understood as a process and a relationship.”⁶ The conquest of the frontier is the process wherein the relationship between the white desire to settle land—to tame it of its Indigenous savagery—is “[consummated].”⁷ Settler colonialism, then, could also be understood as an aspiration, one yet to be completed, but always in constant negotiation between the proprietorial logics of whiteness and its racial others. Because of this “dynamic and continuous” process, as suggested by Rita Dhamoon, the settler state must reinforce, if not enhance, its militarized technologies of security and bordering to protect capital and manage racialized populations that could potentially unsettle the nation.⁸ In this sense, conquest never ends with the occupation of the frontier because the borders that enclose this space are always formed in opposition to a racialized other.

Nevertheless, borders are always site of contestation among migrants, Indigenous communities, and the imperial state. As scholar-activist Harsha Walia reminds us through her theorization of “border imperialism,” this process is steeped in “overlapping and concurrent structurings” that produce the border as a site where the intersecting logics of security and racial capitalism collide to displace, discipline, exclude, and exploit surplus migrant populations.⁹ According to Walia, “while borders are understood as the lines demarcating territory, an analysis of border imperialism interrogates the modes and networks of governance that determine how bodies will be included within the nation-state, and how territory will be controlled within and in conjunction with the dictates of global empire and transnational capitalism.”¹⁰ This understanding of the border does not simply demarcate territorial sovereignty but sees border formation as historical and relational processes marked and produced by the settler expansion of capital, militarism, and white

5. Karuka, *Empire's Tracks*; Roxanne Dunbar-Ortiz, *Not “A Nation of Immigrants”: Settler Colonialism, White Supremacy, and a History of Erasure and Exclusion* (Boston: Beacon Press, 2021), 11–15.

6. Karuka, *Empire's Tracks*, 169.

7. Karuka, *Empire's Tracks*, 169.

8. Rita Dhamoon, “A Feminist Approach to Decolonizing Anti-Racism: Rethinking Transnationalism, Intersectionality, and Settler Colonialism,” *Feral Feminisms*, no. 4 (2015): 32.

9. Harsha Walia, *Undoing Border Imperialism* (Oakland: AK Press, 2013), 12.

10. Walia, *Undoing Border Imperialism*.

supremacy. For Walia, the border encapsulates the historical and contemporary violence of empire and racial capitalism in four ways:

First, the mass displacement of impoverished and colonized communities resulting from asymmetrical relations of global power, and the simultaneous securitization of the border against those migrants whom capitalism and empire have displaced; second, the criminalization of migration with severe punishment and discipline of those deemed “alien” or “illegal”; third, the entrenchment of a racialized hierarchy of citizenship by arbitrating who legitimately constitutes the nation-state; and fourth, the state-mediated exploitation of migrant labor, akin to conditions of slavery and servitude, by capital interests.¹¹

In other words, through conquest and occupation, the war-finance nexus facilitates border imperialism by maintaining, fortifying, and securing the relations between propertied white settlers, the land, and labor. Borders, then, assign political meaning to the land enclosed within them by signifying not only what land constitutes the nation-state, but also what bodies are entitled and have the right to exist on the land—a deeply racial, gendered, and colonial process. In this case, the frontier—the land awaiting conquering—always stretches beyond border formation, and it is this space that the settler state sees as necessitating constant security and containment.

While security technologies did rapidly expand in the post-9/11 era to confront the threat of terrorism, they have also historically developed alongside colonial expansion. Recent fears of the foreigner, criminal, and terrorist that are implemented to regulate migrants are, in fact, historically tied to the settler colonial and anti-Black racial logics that structured domestic security cultures; a culture that continues to be embedded in the whiteness of policing and bordering to manage, control, and eliminate global racialized threats. This domestic security culture, oftentimes called “national security,” is a settler formation that relies on the logic of elimination and exclusion.

In many ways, the US–Mexico border represents an old and a new frontier. Its historical formation in the late nineteenth century with the signing of the Treaty of Guadalupe Hidalgo between the two states “signaled not only a new political order but also prefigured the coming of a new industrial and capitalist order.”¹² At this new frontier, industrialist elites from both sides of the border constructed a railway transportation system that connected both states to a much larger “network of multinational railway transportations, port cities, oceanic lines that fanned out beyond the North American continent.”¹³ However, with the arrival of the tracks along with Black, white, European, and Asian workers from across the continent and the world, the borderlands were transformed from what was going to be a site of division and separation to one that was transnational and global. The development of the borderlands into a region of global

11. Walia, *Undoing Border Imperialism*.

12. Julian Lim, *Porous Borders: Multiracial Migrations and the Law in the U.S.-Mexico Borderlands* (Chapel Hill: University of North Carolina Press, 2017), 22.

13. Lim, *Porous Borders*, 23.

capital and trade furthered, if not deepened, the settler colonial processes of Indigenous removal and genocide, a deportation regime that continues to this day.

“Railroads, it turned out, depended on Indian removal,” writes legal historian Julian Lim. Against the colonial accounts that narrativized the wilderness of the American landscape, Lim along with other historians of Native America, remind us that “long before any American set foot on the desert ground, the area had been inhabited and marked already by the footprints of Indigenous peoples and Spanish and Mexican colonists, each imposing their own visions of borders and boundaries on the lands with varying degrees of success.”¹⁴ Mexican and American colonialists and industrialists did not arrive at the borderlands to a vast and empty land that they had imagined. Instead, they were met with a vast and powerful network of Indigenous nations that claimed sovereignty to the lands of that region. In resisting the invasion of Mexican and American settlers, these Indigenous nations rightfully asserted control over the borderlands by exerting “extensive economic, military, and cultural control over the region.”¹⁵ In doing so, the figure of the Native warrior began to dictate the development of not only the border, but also state military and security technologies to police, if not eliminate, this threat. Faced with a dominant raid-and-trade network among Indigenous nations as well as other forms of resistance, both the US and Mexican state adopted a physical removal and confinement policy, and often “[opted] for extermination where confinement would not suffice.”¹⁶

The nineteenth-century expansion into the borderlands clearly defined the state’s first terrorist threat: the Native. While Indianness has always functioned to “ontologically ground” the settler colonial project, it has also mediated the creation of national space as well as its borders and boundaries, as both María Josefina Saldaña-Portillo and Jodi Byrd (Chickasaw) remind us.¹⁷ In becoming synonymous with savagery, discovery, and expansion, Indianness also became a paradigm, as Byrd explains, of the transit of empire. It was through Indianness where nation became empire by providing the racial language and geographical knowledge to map territory, and in its “very constitutionality [produce] the nation.”¹⁸

The racialized construction of the Native as a terrorist, at the borderland and beyond, inaugurated the imperial security state that bolstered technologies of control and expansion. The figure of the Native warrior produced, as Joanne Barker (Lenape) suggests, “an affect of terror” that shaped the conditions of state security, and ultimately, state-sanctioned death among the American settler public:

The kind of Indigenous produced by citizens united is the Indigenous who is not absent or erased but is made particularly present—at the ready—to be killed. The public protected depends not on a dead Indian, a corpse whose image can readily represent

14. Lim, *Porous Borders*, 24.

15. Lim, *Porous Borders*, 29.

16. Lim, *Porous Borders*, 31.

17. For a discussion on US settler colonialism and Indianness, see: Byrd, *Transit of Empire*; Saldaña-Portillo, *Indian Given*.

18. Byrd, *Transit of Empire*, xxi.

state's criminal barbarity and so their own (for having produced such a state), but on an Indian who is murderable—permanently in the state's line of sight, the citizen's gun locked and loaded.¹⁹

The presence of Indianness in the American imaginary is constantly made visible to justify ongoing removal of not only Native lives but also migrant lives whose arrival at the border is a result of being displaced due to global empire. These structures of removal are set in place at the borderlands—structures that make visible technologies of death and control that mediate the incommensurability between Americanness and the menacing threat of foreignness.

Thus, while railroad colonialism facilitated settler expansion, capital accumulation, and industrial innovation, it also developed into what historian Ethan Blue describes as “mobile, carceral spaces” of the deportation regime.²⁰ The settler state not only dispossessed Indigenous nations of their lands with the arrival of railroad colonialism, but it also engaged in global campaigns to “[lure] fresh workers from around the globe to extract wealth from the land.”²¹ Irish workers, Chinese workers, Black workers, Mexican workers, all contributed to the development of the rail system in multiple ways, but, ultimately, their presence threatened white settler identity, and policing or deportation became a way for the settler government to enact exclusionary laws of the late nineteenth and twentieth century.

The 1923 *Thind* case is situated within the scope of this historical development of the borderlands as a site of expansion and control. While South Asian American Studies, more recently, has taken up the question of South Asian settler complicity, situating the *Thind* case and its legacy within a deportation regime that continues to target South Asians for exclusion is an important task in producing alternative political formations and relationalities—one that is in solidarity with Indigenous communities rather than complicit in settler colonialism.²² After all, especially in the aftermath of 9/11 and the deepening of anti-Asian and anti-Muslim racism, South Asians are not simply targeted for exclusion, but also elimination due to their racialization as potential terrorists. In this way, South Asian Americans may find that the *Thind* case and its settler logics continue to structure life in the United States, and complicity is not a way out but rather an investment in elimination and exclusion.

Reading the *Thind* case within this context reveals how anti-immigrant laws extend far beyond national belonging and border enforcement. These practices operate, as Iyko Day

19. Joanne Barker, *Red Scare: The State's Indigenous Terrorist* (Berkeley: University of California Press, 2021), 27.

20. Ethan Blue, *The Deportation Express: A History of America Through Forced Removal* (Berkeley: University of California Press, 2021), 4.

21. Blue, *The Deportation Express*, 7.

22. For more on South Asian settler complicity see: Shaista Patel, “Indian American Engulfing ‘American Indian’: Marking the ‘Dot Indians’ Indianness through Genocide and Casteism in Diaspora,” in *Unsettling Canadian Art History*, eds. E. Morton (Montreal: McGill-Queen's University Press, 2022); Nishant Upadhyay, “Making of ‘Model’ South Asians on the Tar Sands: Intersections of Race, Caste, and Indigeneity,” *Critical Ethnic Studies* 5, no. 1–2 (2019): 152–73; Rita Kaur Dhamoon et al., *Unmooring the Komagatu Maru: Charting Colonial Trajectories* (Chicago: University of Chicago Press, 2021).

argues, “on a moving spectrum,” between elimination and exclusion.²³ In building on Patrick Wolfe’s work on settler colonialism, Day triangulates the settler-indigenous relation by adding “alien” as the third category in a project of settler colonial capitalism:

African slaves and Asian migrants historically represented *alien* rather than settler migrations. This shared status in no way implies an equivalence in the heterogeneous racial experience of African slaves and Asian migrants. Instead, it clarifies their historical relationship to North American land, which was as exclusive and excludable alien labor forces. Their unsovereign alien status was a *precondition* of their exploitation and intersects with the multiple economic logics that require and reproduce alien-ness in settler colonies. While African slaves represented a system of forced migration, unfree alien labor, and property, the later recruitment of indentured and “free” Chinese labor incorporated provisionality, excludability, and deportability of alienness . . . [Thus] the governing logic of white supremacy embedded in a settler colonial mode of production relies on and reproduces the exploitability, disposability, and symbolic extraterritoriality of surplus alien labor.

For the settler state, the racialization of Asians is conditioned by industrial capitalism that relies on the logic of exclusion to furnish a vulnerable and alien labor force that can be managed by the immigration law and border control. In this way, the border demarcates settler land as well as a structure to manage and control alien labor forces.

While the *Thind* case granted the state unlimited deportation power by racially classifying Asians, particularly South Asians, as “aliens ineligible to citizenship,” it also was part of a series of legal, administrative, and institutional practices that deployed the border as a disciplinary site to exclude and eliminate threats to national security. Unlike the Chinese Exclusion Act of the late nineteenth century, which specifically restricted Chinese labor migrants, the Immigration Act of 1917, through its “Barred Zone” act, significantly expanded the state’s deportation regime. Part of the logic undergirding this added component was the anticolonial radicalism of South Asians within the United States, most notably the Ghadar Party. According to South Asian American Studies scholar Seema Sohi, the Ghadar Party was one of “the most widespread anticolonial organization[s] in North America, which called for the direct overthrow of British rule through armed revolution.”²⁴ The Ghadar Party’s radical activity and recruitment of South Asian soldiers on North American soil caused great anxiety for the settler state. The passage of the 1917 Immigration Act and the “Barred Zone” provision was a deliberate attempt to crush the revolutionary potential of these anticolonial movements. By restricting migration, the state also eliminated “the potential for political radicals to foment revolution from within the United States,” and deportation became the swiftest and most punitive method.²⁵

23. Iyko Day, *Alien Capital: Asian Racialization and the Logic of Settler Colonial Capitalism* (Durham: Duke University Press, 2016), 25.

24. Seema Sohi, *Echoes of Mutiny: Race, Surveillance, and Indian Anticolonialism in North America* (Oxford: Oxford University Press, 2014), 3.

25. Sohi, *Echoes of Mutiny*, 174.

The assault against Asian American immigration continued a year later with the passage of the Johnson-Reed Act of 1924, which barred Asian immigration for almost four decades, and also created the US Border Patrol as part of the Department of Labor. In the aftermath of World War I, this act appeased the white settler nationalists who saw Asians as an inferior race, and their migration to the states as a threat to the nation's white sovereignty. By 1952, with the passage of the McCarran-Walter Act, Asian immigrants were afforded the possibility to naturalize. Despite these legal reforms, Asian migrants continued to face immigration restrictions to the United States, and racism for those already within the nation's borders. In the years after World War II, amid the Red Scare of the Cold War, Asian migrants continued to be perceived as undesirable aliens and potential communists.

While border security initially developed to contain the Native terrorist during its early days, in the era of anti-communism and post-9/11 terrorism, it expanded to include a whole host of different groups. The detention and deportation of communists and leftists coincided with the expansion of the US military across the Pacific Ocean into Korea and Vietnam. While the border and immigration law were the technologies used to regulate and manage the flow of racialized bodies from across the Third World, they also helped sustain US empire-building in the Cold War era through processes of racialization that have become central to the surveillance and policing of Asian migrants to this day.

In other words, *US v. Thind* was not only a monumental case for how it revealed the limitations of US national belonging and citizenship, but it also helps us think about the racial logics at the center of the US security state. The ruling of the court to not grant Bhagat Singh Thind naturalization because of his race must be regarded as a systematic effort by the settler state to uphold and protect the nation's whiteness. This logic reveals the centrality of race in the development of US law and infrastructure to manage land, capital, and labor, and the border is a vital site where and how this logic unfolds.

THE WAR ON TERROR: ANTI-MUSLIM RACISM AND INDIGENOUS DISPOSSESSION

US v. Thind established a legal precedent that cemented whiteness as not only racially superior but also a political position that is defined by its heteropatriarchal claim of the land and monopoly on the means of violence. In the case of Thind, the Supreme Court decision to exclude South Asians from naturalization is a form of racial violence that not only upholds whiteness but also cements its historical formation through conquest, genocide, enslavement, and exploitation within US political, societal, and cultural institutions. That is why the case defined the racial formation of South Asian immigrants regardless of religion.

Within the same decade, the court drew upon the *Thind* decision to argue against two cases made by John Mohammad Ali (1925) and Re Feroz Din (1928) for naturalization. Ali, an Indian Muslim, and Din, an Afghan Muslim, both argued that they should be granted citizenship because they were Muslim, and not Hindu. However, the court referred to the *Thind* decision to reject the claims made by these two cases. Based on the precedent set by *Thind*, the court rejected their naturalization cases because their skin

was not white and appeared to be more Hindu. As such, “Hindu” became a racialized category in the early twentieth century to classify all South Asians—Sikh, Hindu, or Muslim.²⁶

Similarly, in the post-9/11 era, “Muslim” has become a racial category assigned not only to Arab Americans, but also to South Asian Americans and African Americans. While Arabs and Palestinians have been racialized under the logics of terror, it is the racial figure of the Muslim in general that haunts the American and Western imaginary. Within the United States long before the War on Terror, Islam was widely understood through its relationship with Blackness, Black protest, and global anticolonialism. Between the 1940s and 1960s, some Black Muslims began forging internationalist anticolonial political alliances with other Muslims and non-Muslims throughout the Third World, including with the Palestinian struggle.²⁷ This internationalism of Black radicals and the political intimacies forged with the so-called Muslim world became the greatest security threat to the United States. The United States responded to these internationalist political alliances by containing and domesticating the insurgent energies of Black radicals through Cold War liberal policies, policing, security, and prisons—giving shape to the “Black criminal.” While the rise of the “Black criminal” curtailed the radical internationalist political formations, simultaneously the global emergence of the “Muslim terrorist” as a result of the 1979 Iranian Revolution supplied the US military the ideological and political capital to intervene and dominate the so-called Muslim world. The global anticolonialism of Black and Brown Muslims along with the deeply rooted Orientalist knowledge of Islam inherently structured Muslim racialization in the decades to come. Consequently, producing a unique “racial-religious” form of Muslimness as not only being despotic, irrational, and immoral—to recall Edward Said—but also unruly and rebellious.

In the post-9/11 era, the racial figure of the of Muslim under the rubrics of counterterrorism has become central to the production of the national security state. Part of what structures Muslim racialization in this period, and makes it unique from other racial processes, is the racial-religious understanding of Islam as a pathological religious system that shapes the monstrous and rebellious sensibilities of Muslims. According to this logic, Muslims are not simply racially different because of their skin color, but they are targeted by an entire security infrastructure for what they may become in the future: a terrorist. The security state is a response to this unpredictable threat—a threat that is said to have “no borders” and a threat that has its political roots in Black protest and internationalism. In our day and age, the racial figure of the Muslim terrorist has become “neither national, transnational, nor regional, but global, whereby being everywhere and nowhere at the same time.”²⁸ In this way, the racial figure of the Muslim is unbounded to any geographical or temporal cartographies as well as disciplinary boundaries. This tension between the

26. Junaid Rana, *Terrifying Muslims: Race and Labor in the South Asian Diaspora* (Durham: Duke University Press, 2011), 44–45.

27. Sohail Daulatzai, *Black Star, Crescent Moon: The Muslim International and Black Freedom Beyond America* (Minneapolis: University of Minnesota Press, 2012); Sylvia Chan-Malik, *Being Muslim: A Cultural History of Women of Color in American Islam* (New York: NYU Press, 2018).

28. Patel and Nasir, “Asianist is Muslim.”

global and domestic makes the racial figure of the Muslim central to the practices of white supremacy and global empire. This tension is made real at the site of the US–Mexico border.

In his 2020 short film titled *Thank You, Come Again*, South Asian American filmmaker Nirav Bhakta visually captures the anti-Muslim logics of post-9/11 South Asian racialization. This racial logic is shaped by the imperial racism of the US-led War on Terror that renders Muslims and communities that exhibit racialized qualities of Muslimness (Black, Brown, immigrant, Latinx, Arab, Sikh, Hindu) as global threats. It is a logic that encapsulates the border imperialism of the United States that has shifted in different moments in time to eliminate and exclude the object of settler fears and anxieties, namely the savage, criminal, alien, enemy combatant, and terrorist into a “zone of nonbeing,” or a borderland where racial-colonial violence and warfare structure the physical, psychological, and spiritual landscape. The US empire builds and expands infrastructures of security and control to contain Muslims and those who appear to be Muslim within a zone where counterterror technologies are omnipresent, namely in the form of drones, detention, and disappearance.

Bhakta’s film is an emotive narration of the imperial politics of the US–Mexico border and the anti-Muslim racial logics it employs to deport, detain, and sometimes disappear communities suspected as potential terrorist threats.²⁹ While a whole host of communities were targeted because of 9/11, Bhakta’s film specifically situates South Asians at the borderlands where race, citizenship, and empire collide to produce diasporic precarity and untimely death.

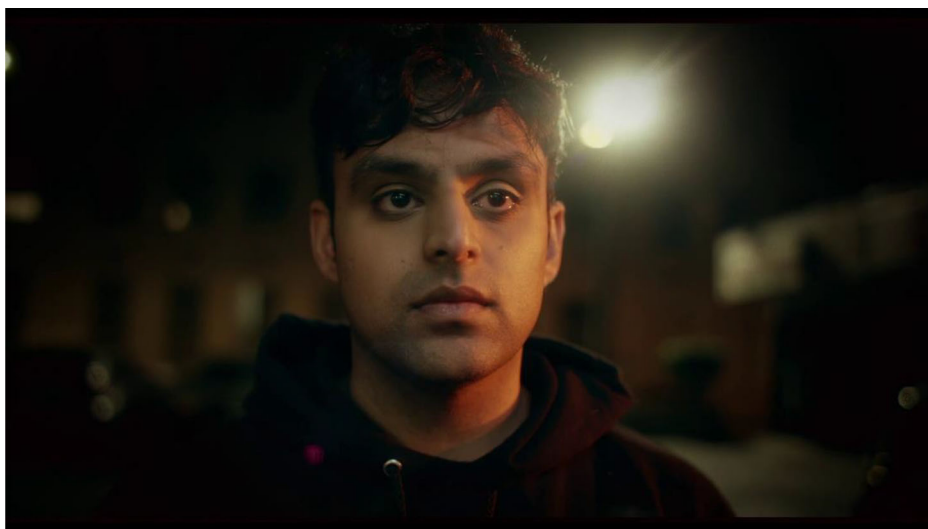


FIGURE 1. Nirav Bhakta looks past the camera. Video Still from *Thank You, Come Again* (2020).

29. Each shot of the short film deserves serious inquiry as they are so beautifully crafted and executed. For the sake of this essay, though, I will not be doing that here. Rather, I focus on the narrative Bhakta crafts in the film—a narrative about the haunting and memories of loss as a result of state-sanctioned violence, specifically at the border.

The film begins with a shot of Nirav Bhakta, as actor and director, with a look of defeat on his face. His father's convenience store has been vandalized in the aftermath of 9/11. Large blue words are spray painted on the store's front window, "GO HOME SAND NIGGER," a racial slur calling for the removal of Brown bodies from US society. While the use of "Sand Nigger" is specifically directed at South Asian and Arab communities in this context, it also connects the imperial histories of anti-Black racism and chattel slavery to colonialism. In doing so, this racist slur reveals the intertwined logics that are at the center of the white supremacist formation of the United States, which is territorially and necropolitically mapped on and through the imperial construction of the borderlands—a zone between life and death.

The only verbal communication in the film takes place as a monologue with Bhakta speaking to what we later learn turns out to be a memory of his father. As he sweeps the floor, Bhakta tells his father in Gujarati that he should have called the police only to mumble to himself in English a few seconds later, "I don't understand why you're so scared of them."

It is only through the following scenes that the audience learns that the father may perhaps be afraid of the police due to his undocumented status. This fear is a result of border policing agencies, such as Immigration and Customs Enforcement (ICE), which systematically target undocumented migrants for deportation. Thus, Bhakta naively encourages his father by saying that they will catch the "assholes" who vandalized the store themselves. After the matter, the two jokingly begin to search for the "assholes" through acting out the classic children's game "Cops and Robbers."

As father and son hunt for each other in the middle of the convenience store, Bhakta encounters a young version of himself, who hauntingly appears to warn him to hide. The tone of the film immediately shifts from lightheartedness to a solemn darkness. The lights



FIGURE 2. "GO HOME SAND NIGGER" spray painted on convenience store window. Video Still from *Thank You, Come Again* (2020).



FIGURE 3. Unnamed character played by Nirav Bhakta and his father clean their ransacked store. Video Still from *Thank You, Come Again* (2020).



FIGURE 4. Unnamed character played by Nirav Bhakta encounters younger version of himself. Video Still from *Thank You, Come Again* (2020).

immediately turn off, as Bhakta runs to escape the ICE agents who have infiltrated the store. He looks on as his father tells the younger Bhakta that he must go to a “far far place for a little while,” but that he will return. The playful yet problematic game of “Cops and Robbers,” turns out to be an actual hunt between ICE agents and criminalized migrants.

The border regime of the post-9/11 security state transforms the convenience store into the borderland as ICE agents take the father into custody. This form of racialized

immigrant enforcement, however, has historical precedent that can be charted to *US v. Thind*, but also beyond. While *US v. Thind* did render South Asians as nonwhite, and thus noncitizens, the case represents only the racial logics that are at the center of a larger border regime that maintains detention and deportation as effective solutions to protect the nation's security. In fact, Latinx studies scholar David M. Hernández explains how racial anxieties around certain populations are key to the construction of a border regime that relies on race and detention at specific moments in time. More specifically, with the formation of the Bureau of Immigration in the 1890s, detention was a vital component of immigration enforcement infrastructures to contain and manage the racial anxieties of white settlers:

Following the formation of the Bureau of Immigration in the 1890s, we see an unbroken chain of racist immigrant anxieties leading to persistent detention and deportation campaigns against varied groups of immigrants. . . . Racialized immigration enforcement, abetted by surrogate detention partners, discretionary practices of the executive branch, secrecy, and invented legal categories—such as “aliens ineligible to citizenship,” “internee,” and “enemy combatant”—has thus been a fundamental and flexible tool in the detention process, often uninhibited and thus advanced by the courts, since the inception of the Bureau of Immigration in the late nineteenth century.³⁰

Noncitizens were deemed threats to national security, and the racialized terrorist in the post-9/11 era is no exception to this political order. Nevertheless, the racial anxieties posed by the figure of the Muslim terrorist abroad have been inflected within the domestic milieu of American society. That is, securing the homeland from a foreign threat not only meant securing the border, but it also meant expanding that border, along with its militarized apparatus, into the Greater Middle East. Thus, migrants, who are the subjects of border regimes, face the consequences of this racialized infrastructure that has blurred the boundaries between the domestic and the international. In other words, outside the geographical border of the United States, communities are displaced due to the violence of capitalism and empire, and as migrants to the United States or elsewhere, they are targeted as potential terrorists by Border Patrol, local law enforcement, surveillance systems, and white vigilantes, who have all come together to consolidate the settler state's power.

US racial anxieties over its imperial decline, which had been established through centuries of conquest and plunder, are at the center of why the border has become ambiguous, and yet so ubiquitous. In many ways, the border has become a productive site to not simply govern and regulate migrants but to also articulate and attempt to resolve deep-seated racial anxieties and economic insecurities. However, while the media and scholars have made legible the multiple and overlapping crises at the US–Mexico border, such as the refugee crisis or the migrant crisis, the erasure and violation of

30. David M. Hernández, “Surrogates and Subcontractors: Flexibility and Obscurity in U.S. Immigrant Detention,” in *Critical Ethnic Studies: A Reader*, ed. Nada Elia et al. (Durham: Duke University Press, 2016), 306.

Indigenous sovereignty within the process of border-making and governance oftentimes is overlooked and understudied.

US borders are not created in the vast and empty space of the desert. They are resurrected on Indigenous lands that are depicted and framed as not only underdeveloped but as zones of lawlessness. Thus, the deployment of surveillance technologies, walls, drones, and the Border Patrol are justified as necessary militarized practices to control and secure the United States from the lawlessness of not only migrants but also Indigenous communities—whose underdeveloped borderless space opens up channels of illegality, terror, and criminality to enter the homeland.

However, borders are spaces of ongoing contestation between the settler state and Indigenous communities. One community that has refused the imposition of US border security upon their sovereign lands has been the Tohono O’odham Nation that has lived in the region between Arizona and Sonora, Mexico, long before the arrival of Spanish, Mexican, and American colonialism. In their contestation with US imperial forces, the O’odham people have not only refused border security but have reversed the settler logic that frames the US–Mexico border as a site of security to a site of militarized occupation.³¹

In an interview conducted in 2006, O’odham organizer Ofelia Rivas revealed how the Tohono O’odham Nation in southern Arizona along the US–Mexico borderlands, has been subjected to further imperial invasion by the United States. The traditional O’odham territory is composed of land on both sides of the US–Mexico border, and many O’odham community members rely on an “open-border” to travel across the land into Mexico, and vice versa. Since 9/11, the federal government further invaded and undermined Tohono O’odham sovereignty by constructing a border wall to monitor, police, and control migrants that may be potential terrorist threats.

Rivas explained that the introduction of this wall has significantly altered the O’odham way of life while also limiting community members’ mobility on the land:

Our teachings are based on the land and sacred places on the land . . . the traditional O’odham culture mandated by the Creator, and taught by our Elder Brother I’itoi in our teachings, designated areas of most important to the O’odham. These are areas of significant importance and the overall sacredness of the entire original lands of the O’odham . . . the greatest impact was the loss of mobility upon our land. The O’odham face restrictions to continue vital pilgrimages to holy sites. We are required to carry document[s] to travel on our lands. The dissecting of O’odham land [with the wall] also caused segregation and discrimination against the O’odham.³²

The construction of the wall not only further displaced and eliminated O’odham lives and traditional ways of being, but it has also introduced a whole new military force on to

31. Felicity Amaya Schaeffer, “Occupation on Sacred Land: Colliding Sovereignties on the Tohono O’odham Reservation,” in *Unsettled Borders: The Militarized Science of Surveillance on Sacred Indigenous Land* (Durham: Duke University Press, 2022), 55–80.

32. Jeffrey D. Hendricks and Ofelia Rivas, *Immigration, Imperialism, and Cultural Genocide: An Interview with O’odham Activist Ofelia Rivas Concerning the Effects of a Proposed Border Wall between the United States and Mexico* (Long Beach: Tiamat Publications, 2006), 8–10.

the reservation. Rivas goes on to explain, “After 9/11, the reservation [became] under the department of homeland security control, a police state, just like apartheid in South Africa. O’odham now have to carry documents to prove they are O’odham in order to move around on their own lands.”³³

The rise of the post-9/11 security state transformed the sovereign land of the Tohono O’odham Nation into a settler border further entangling US immigration enforcement with Indigenous dispossession. The invasion of Iraq, Afghanistan, and the Greater Middle East must be read alongside the invasion the Tohono O’odham Nation as it reveals to us how the distant geographical sites relate to the border imperialism that constructs and reconstructs US imperial sovereignty through military occupation and warfare. That is to say, the expansion of the US security state on the land of the Tohono O’odham Nation—and the military occupation of Iraq, Afghanistan, and the Greater Middle East—are extensions of settler logics that characterize US imperial sovereignty, whose borders are never static, but are always shifting in the pursuit of securing white freedom.

Thus, the border becomes an important site to examine the entanglements of race, citizenship, and empire. In the name of national security, the Border Patrol, ICE, and local law enforcement operate in tandem with the US military to uphold the imagined borders of whiteness that are constantly under siege by the racialized other. To put differently, whiteness marks the borders of this nation, and the military and its various enforcement agencies are here to protect it. The racialization of noncitizens, or alien populations, marks not only their immobility but their precarity, vulnerability, and potential disposability. This is what we witness in the countless stories of border killings, and this takes center stage in the final scenes of *Thank You, Come Again*.



FIGURE 5. Undocumented father is taken into custody by ICE. Video Still from *Thank You, Come Again* (2020).

33. Hendricks and Rivas, *Immigration, Imperialism, and Cultural Genocide*, 6.



FIGURE 6. Murdered father holds picture of his family at US–Mexico Border. Video Still from *Thank You, Come Again* (2020).

Bhakta's father disappears from the set as ICE agents deport him off camera. Bhakta is overcome with emotion as he searches for his father through the store. His pain at the loss of his father is palpable as he screams, wails, and is ultimately disoriented by what just took place so much so that the border physically appears inside the store. In the final scenes of the film, Bhakta picks up a shoe, which has appeared within the store and is visibly worn down, damaged, and, most likely, belonging to someone attempting to cross the border. A fence then appears in the middle of an aisle, and on the other side lays his dead father, clutching a picture of his family in his hand.

Thank You, Come Again transforms the intimate spaces of South Asian diasporic families into sites of domination, control, and violence. The memory of his father, their store, and their lives together is fraught with and fractured by the border imperialism that broke the intimacy he shared with his father. It is an alternative archive to the countless border killings the public may read about on social media or in the news. In this alternative archive, Bhakta conjures the ghosts of his character's past to affectively tap into his audience's sensibilities. Consequently, this affective translation of violence transforms the film, and potentially the audience, into political witnesses who encounter a story of South Asian diasporic precarity and untimely death.

Furthermore, in reading the short film alongside Ofelia Rivas's interview, we witness how Black and Brown death at the border intertwines with the suffering and elimination of Indigenous communities and to the victims of US imperial aggression globally. In doing so, *US v. Thind* can be interpreted beyond South Asian racialization and non-citizenship. It can be read within the logics of border imperialism that affectively tie disparate populations together—in relation to one another under an empire that upholds its power through their death.

CONCLUSION

In June 2019, the body of a six-year-old South Asian migrant named Gurupreet Kaur was found near the US–Mexico border. Originally from the Punjab region of India, Gurupreet had been attempting to cross the border into Arizona with her mother along with several other women and children from India. The group had been crossing the desert approximately 17 miles from Lukeville, Arizona, where temperatures were reportedly as high as 116 degrees Fahrenheit (42 degrees Celsius). In search of water, Gurupreet’s mother was forced to separate from the group and her child; she never saw Gurupreet again.

Gurupreet’s heat exhaustion and dehydration resulted from a larger post-9/11 US border regime that has developed unique strategies to police, deter, and ultimately annihilate migrants at the US–Mexico border, all in the name of national security. The high temperatures characterize a border zone where the heat and the natural environment either deter migrants from crossing or kill them on their journey. These desolate routes place migrants in hostile environments where their access to food and water are deliberately cut off by US Border Patrol agents.³⁴ Although this particular strategy of “Prevention Through Deterrence” was introduced in the early 1990s, it has taken a stronghold on migrants at the border in our post-9/11 world where American sovereignty is presented as constantly under siege by terrorists, rapists, and criminals south of the border.³⁵

Lukeville, Arizona, the nearest city to where Gurupreet Kaur died, sits on the edge of the Tohono O’odham Nation at the US–Mexico border. This region of the borderlands has become a major site of border crossings and killings as a result of the Prevention Through Deterrence policy instituted by the US government to redirect migrant flows through the Sonoran Desert, one of the hottest deserts in North America. It is a desert that has been utilized by the US settler state to not only stop migrants at the border but, as anthropologist Jason De León describes, to “swallow alive, erase all traces, and send shockwaves of pain and suffering to loved ones in distant places.”³⁶

De León explains that the erasure that happens at this borderland is not “an ‘accident’ or act of nature. It [is] part of a clearly laid out federal security plan, whose efficacy is measured by how many people it ‘deters.’”³⁷ These border killings, however, are nearly immeasurable, “there are no reliable statistics on the number of people who have gone missing and are presumed dead in the desert,” De León goes on to explain.³⁸ How does one then measure the immeasurable? How do we measure the pain and suffering of those who are erased at the US–Mexico border? Through giving the stories described herein and elsewhere a weight that cannot be captured by any formula or metric, these narratives allow us to think the world anew and beyond the calculation of modernity.

34. Jason De León, *The Land of Open Graves: Living and Dying on the Migrant Trail* (Berkeley: University of California Press, 2017), 23–37.

35. De León, *The Land of Open Graves*, 31.

36. De León, *The Land of Open Graves*, 274.

37. De León, *The Land of Open Graves*, 275.

38. De León, *The Land of Open Graves*, 275.

In situating the legacy of *US v. Thind* and South Asian racialization at the US–Mexico border, this essay’s intention is to chart maps of relationality that make visible how border imperialism entangles disparate communities into its processes. That is to say, the ongoing construction of the border and the killings that occur at that site exemplify the settler colonial logics at the heart of the US imperial project. As such, the legacy of *US v. Thind* in the post-9/11 security state offers those interested in South Asian American Studies in particular the possibility to understand how state power and racial formation continue to shape the lived experiences of the diaspora. What’s more, for Ethnic Studies more broadly, situating the *Thind* case in this context has the potential to produce unlikely coalitions among populations subjected to border imperialism.

For instance, as recently as 2019, the US Border Patrol partnered with a prominent Israeli military contractor, Elbit Systems, to install high-tech surveillance technology on the Tohono O’odham Nation’s reservation.³⁹ The construction of a 160-foot surveillance tower in this region will provide US Customs and Border Protection (CBP) the ability to continuously monitor the border around the clock. Prior to their purchase, many of these surveillance technologies, also developed by Elbit Systems, have already been tested upon the Palestinians in Gaza, the West Bank, and East Jerusalem, and then sold to states attempting to also secure their borders, such as the United States and the CBP.

What then do we make of the legacy of *Thind*, border killings, and Indigenous dispossession if we are to consider these transnational alliances between the United States and Israel? Where do South Asians figure into this when our bodies are also subjected to such type of surveillance at the US–Mexico border and within the domestic sphere of the United States? What’s more, what radical ruptures are produced when we sever our ties to the multiple nation-states that we make allegiance to, especially states such as India who also partner with Israeli military contractors to purchase surveillance technologies to not only monitor and control its borders, but also police Muslim and Dalit populations?

These questions help us rethink South Asian subjectivity from the positionality of the border. This relational way of thinking and being from the position of the border possibly allows us to see ourselves as victims, as well as witnesses of global border regimes that rely on interlocking systems of domination and relational formations of power to subject racialized populations to violence at specific points in time and place. It is a political formation that seeks to abolish border imperialism wherever it manifests. Therefore, South Asian American political and intellectual thought must also call for the abolition of the border because to do so is “to refuse the social organization of race and citizenship.”⁴⁰ Such an organization continues to cement white settler nationalism as the political order of the day. ■

39. Will Parrish, “The U.S. Border Patrol and an Israeli Military Contractor Are Putting a Native American Reservation under ‘Persistent Surveillance,’” *The Intercept*, August 25, 2019, <https://theintercept.com/2019/08/25/border-patrol-israel-elbit-surveillance/>.

40. Harsha Walia, Twitter Post, February 28, 2022, 6:37 p.m., <https://twitter.com/HarshaWalia/status/1498487495079514113>.