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Reproductive injustice across forced migration trajectories: Evidence from female asylum-seekers fleeing Central America's Northern Triangle

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**Abstract:**

During forced migration, women are exposed to a complex web of oppressions which impose and enact violence on their bodies and lives, inevitably impeding their sexual and reproductive autonomy and decision-making. Hence, this dissertation sought to uncover implications of reproductive injustices across women's forced migration trajectories by applying the theoretical reproductive justice framework to an empirical case study exploring experiences of female asylum-seekers fleeing Central America's Northern Triangle. Analysis found reproductive injustices can directly and indirectly prompt women's decisions to flee. During flight, reproductive injustices are exacerbated by an "unauthorized" migratory status inflicted by high-power actors intent on managing reproduction pursuant to their desired body politics. Women persistently resist oppressions, asserting their rights to self-determine their reproductive paths.

**List of Abbreviations**

Central America's Northern Triangle – CANT

Department of Homeland Security – DHS

Forced migration trajectories – FMTs

Immigration and Customs Enforcement – ICE

Office of Refugee Resettlement – ORR

Reproductive justice – RJ

Sexual and reproductive health and rights – SRHR

Unaccompanied female minors – UFM

United Nations High Commissioner for Refugees – UNHCR

United States – US

Violence against women – VAW

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## 1 Introduction

In 1994, African American intersectional feminists coined “reproductive justice” to address complex inequities shaping the “reproductive destinies” of racialized and gender-diverse populations (Ross, 2007). By combining core tenants of reproductive rights, human rights, and social justice, reproductive justice (RJ) is a theoretical framework advocating for sexual autonomy, gender freedom, and bodily integrity for all (Ross & Solinger, 2017). It involves three interconnected human rights: “the right to have a child,” “the right not to have a child,” and “the right to parent children in safe environments” (Ross, 2017, p. 290). RJ addresses systemic inequalities and power imbalances influencing sexual and reproductive health and rights (SRHR). Originally applied to African American women’s lives (Ross, 2017), RJ’s application has expanded to understand experiences of other populations that are marginalized. Intersections between RJ and migrant justice are evident as interconnected forms of violence underpinned by misogyny, colonialism, racism, and other hierarchical oppressions exert control over women’s bodies and self-determination, forcing migration as a “survival strategy.”

While previous research has explored forms of violence motivating women’s flight and encompassing migratory journeys, gaps exist on how reproductive injustices become entangled across these experiences. This dissertation will investigate if reproductive injustice influences migratory decision-making and how an imposed “*unauthorized*” migratory status compounds with existing oppressions during forced migration to further hinder RJ. By applying the RJ framework to a case study involving female asylum-seekers fleeing Central America’s Northern Triangle (CANT), it answers: *how is reproductive injustice implicated in women’s forced migration trajectories (FMTs)?* Per RJ’s intersectional feminist origins, this research will expose systemic inequalities manifesting violence and control over female asylum-seekers’ reproductive destinies, specifically in their pre-departure, in-transit, and detention experiences.

It is additionally important to recognize agency and power of asylum-seeking women in the face of extreme adversity – to emphasize solely vulnerabilities would further their “Otherization” (Lahman et al., 2011). Thus, a secondary question is: *how do women display resiliency and resistance to reproductive injustices throughout their FMTs?* By highlighting

intersections between RJ and migrant justice, this research uncovers the oppressive forces infringing on female asylum-seekers' full realization of bodily integrity.

## **2 Methodology**

This dissertation seeks to understand how reproductive injustices are implicated within women's FMTs. The theoretical RJ framework was applied to the empirical case study of women fleeing CANT and migrating through Mexico towards the United States (US). By fostering an "in-depth, multi-faceted understanding of a complex issue in its real-life context" (Crowe et al., 2011), case studies contribute meaningful evidence to social science scholarship by situating "out-of-touch" theories within people's lived realities (Siggelkow, 2007). To ensure findings' relevancy and reliability, the case study was carefully selected in alignment with research questions and theoretical approach (Rowley, 2002). The various forces motivating flight and present throughout migration made the experiences of CANT female asylum-seekers a rich and novel case study to examine the intersections of reproductive injustice and forced migration.

This case study employed a qualitative constructionist approach involving desk-based research and a critical literature review of relevant secondary sources. Through an iterative process of data familiarization, indexing, charting, mapping, and interpreting (Goldsmith, 2021), this design uncovered the intricate reproductive injustices encountered on women's FMTs and their acts of resiliency and resistance navigating these adversities. This evidence elucidated if and how threats to RJ influence migratory motivations and vulnerabilities across FMTs.

### **2.1 *Evidence***

This research utilized a targeted search approach to collect secondary data, drawing on peer-reviewed academic articles, books, governmental documents, and reports from international and non-governmental organizations. Scholarly literature was sourced from relevant social science databases including Scopus, HeinOnline, and Google Scholar. Three search criteria were utilized and where applicable, connected using AND/OR Boolean logic. Scoping searches contained key words related to:

- (1) Forced migration (e.g., “asylum seek\*”, migrant\*, refugee\*, “undocumented immigrant”, displace\*).
- (2) RJ and its three human rights (e.g., “reproductive justice”, “reproductive injustice”, “reproductive oppression”, pregnanc\*, contracept\*, abortion, parent\*, mother\*).
- (3) Countries of interest (e.g., “Central America\*”, “Northern Triangle”, Hondura\*, “El Salvador”, Guatemal\*).

As research unfolded, reference chaining and additional searches were employed when an interesting empirical lead presented itself. Relevant organizations’ websites were also explored.

Applicable evidence was collected until data saturation was achieved within the scope of this dissertation. Sources were used if they met these inclusion criteria (Becker et al., 2006):

- (1) Gave a clear description of its research question and process.
- (2) Peer-reviewed or from a credible organization.
- (3) Explicit about its ethics process, particularly in primary data collection.
- (4) Presents evidence pertinent to this dissertation’s research questions.

Sources utilized a wide range of methods including interviews, participant observation, surveys, and policy analyses. Collecting and triangulating methodologically diverse secondary evidence limited confirmation bias (Balzacq, 2014). Valuable to this dissertation was inclusion of research that employed qualitative primary data methods, amplifying voices of female asylum-seekers themselves. Drawing on lived experiences of vulnerable populations through storytelling and narratives are key components of RJ practice, allowing researchers to “imagine the life of another person and to re-examine [their] own realities” (Ross & Solinger, 2017, p. 59).

Critiquing the ethical practices of secondary evidence was critical given the imposed vulnerability of the focus population. Ideal ethical practices included “culturally responsive relational reflexive ethics” encompassing informed consent and reflexivity, “gaining sociocultural consciousness” through active learning, and researchers’ commitments to acting as “agents of change” (Lahman et al., 2011, p. 313). Likewise, this author recognizes the privilege and implicit biases that come with being a white, cis-gender female researcher from Canada. Important to RJ is acknowledgement of hierarchical relations of power shaping scholarship on reproductive capabilities, including the us/them dichotomy present within the researcher/researched relationship (Hernández & De Los-Santos-Upton, 2019). To enhance transparency, this author engaged in reflexivity during data collection and analysis through active reading of women’s

personal narratives (Etherington, 2007). She interrogated underlying power imbalances and roles of the Global North in perpetuating reproductive injustices within FMTs, highlighting how women navigate these adversities.

This dissertation has several limitations. Evidence was restricted to secondary sources available in English. This inevitably excludes key voices given the majority Spanish-speaking populations, plus Indigenous groups with their own languages, comprising CANT. However, sources utilized Spanish in primary research with focus populations, later translating findings. While women who only speak Indigenous languages remain excluded, data collection in a language the majority of CANT female asylum-seekers speak facilitates culturally competent scholarship, critical to shaping inclusive RJ practice (Ross & Solinger, 2017). Additionally, this study would have benefited from its own primary data collection (e.g., interviews) with the study population. Although this may have enhanced its scholarly authority, this tactic was infeasible given logistical barriers related to time, travel, and languages. Regardless, this critical review imparts valuable insights on implications of reproductive injustices within FMTs, providing groundwork for future primary data collection.

## 2.2 Analysis

Evidence was analyzed by adapting Ritchie & Spencer's (1994) 5-step framework analysis method, in which the first step (familiarization) and second step (identifying a framework) were switched due to the deductive nature of this research. First, the author sought to conceptualize and clearly articulate the RJ framework, as well as resiliency and resistance. This drew on the work of key RJ organizations and intersectional feminist scholars. This initial process of *identifying the framework* and defining core components was necessary to apply the theoretical to the empirical context of CANT women's FMTs. In later analysis stages, this allowed for elucidation of reproductive injustice examples in line with the research question.

Following this initial theoretical articulation stage, the author immersed themselves in empirical evidence through *familiarization*, actively reading to gain an "initial, purposeful understanding of data," identifying key concepts and themes (Goldsmith, 2021). This was followed by *indexing*, where the RJ framework was systematically applied to the evidence

(Goldsmith, 2021). Here, a-priori codes based on the framework's three core human rights were used to interrogate the various policies, structural forces, abuses, and other oppressions uncovered that exemplified reproductive injustices against asylum-seeking women. Additional resiliency and resistance codes were added related to the second research question.

Next, *charting* allowed for a process of systematically "ordering" and "abstracting" the "totality" of the evidence (Goldsmith, 2021). Data was organized and rearranged in a matrix informing the research questions. The rows were labelled with RJ framework components, resiliency, and resistance. The columns painted a picture of women's FMTs. While recognizing the often-non-linearity and heterogeneity of FMTs, five categories were utilized: pre-departure, transit through Mexico, US-Mexico border-crossing, detention and/or application, and undocumented resettlement. Due to the scope of this project and availability of evidence, certain categories were merged or excluded from the final report.

Analysis ended in *mapping and interpretation* where findings were reviewed, condensed, and formulated within and across codes to expose the nature of reproductive injustice within FMTs. Related to research questions, a "compelling story about how data are structured and patterned" emerged (Goldsmith, 2021, p. 2071). Ritchie and Spencer's (1994) critical framework approach to analyzing qualitative data is ideal for this dissertation, laying bare the intricate forces and power imbalances that mold female migrants' reproductive destinies during FMTs.

### **3 Theoretical Framework**

#### **3.1 *Conceptualizing Reproductive Justice***

African American intersectional feminists established RJ in response to the inattention paid by traditional feminism to the unique oppressions dictating the reproductive and sexual lives of people of colour (Ross & Solinger, 2017). Mainstream movements largely assumed the white, middle-class, heterosexual, cis-gendered female experience as universal, failing to recognize additional societal prejudices constricting racialized and gender-diverse bodies (Luna & Luker, 2013). RJ activists assert peoples' SRHR decision-making has always been structured in a landscape of intersecting gendered, racialized, and classist systems of inequality (Ross, 2017).



They viewed mainstream “pro-choice” abortion activism as insufficient because its focus on *negative rights* (e.g., privacy), individualized notions of “choice,” and isolation of abortion from other social justice causes neglected to recognize larger “conditions influencing a person’s decision whether or not to have child(ren)” (Ross & Solinger, 2017, p. 124). While personal autonomy rights are essential, they are inadequate on their own. They fail to recognize *positive rights*, ensuring people can exercise their freedoms through *access*, are also crucial in a society where a complexity of prejudices thrive (Ross & Solinger, 2017). Equally important to abortion and contraception rights are those around childbearing and parenting— infringements to which have disproportionately affected populations who are marginalized.

This research employs *Asian Communities for Reproductive Justice’s* (2005) RJ definition:

“Reproductive justice is the complete physical, mental, spiritual, political, economic, and social wellbeing of women and girls, and will be achieved when women and girls have the economic, social and political power and resources to make healthy decisions about [their] bodies, sexuality and reproduction for [them]selves, [their] families and [their] communities in all areas of [their] lives” (p. 1).

It further applies the three expansive interconnected human rights encompassing the *SisterSong: Women of Colour Reproductive Justice Collective’s RJ Framework*. This involves (Ross, 2017):

1. ***“The right to have a child under the conditions of one’s choosing.”***
2. ***“The right not to have a child using birth control, abortion, or abstinence.”***
3. ***“The right to parent children in safe and healthy environments free from violence by individuals or the state” (p. 290).***

The RJ framework, underlined by reproductive rights, human rights, and social justice is necessary to analyze interconnected forces managing the lives of female asylum-seekers.

RJ utilizes *intersectionality* as a “source of empowerment” (Ross, 2017, p. 286). Intersectionality describes how hierarchies of power structured by dominant groups expose people to multiple and intersecting forms of oppression (Crenshaw, 1990). Those whose various identities reveal intersecting injustices experience violence and marginalization differently than those whose identities allow them to attain some degree of structured power. Employing intersectionality, RJ exposes how various oppressions intersect to control the bodies of asylum-seeking women. Further, RJ recognizes how other social justice causes like migrant rights

intersect with RJ to further human rights as a whole (Abji & Larios, 2021). There is a need to acknowledge the heterogeneity of female asylum-seekers from CANT, identifying how particular identities (e.g., Indigenous), are differently exposed to hierarchical inequalities during FMTs.

Management of fertile bodies has its roots in settler colonialism, hetero-patriarchy, white supremacy, and capitalism. The colonization of CANT, Mexico, and the US by European powers introduced a “coloniality of power” (Quijano, 2000). This reinforced Eurocentric and male domination by structuring hierarchies along various social dimensions, including gender, race, and indigeneity. This has led to the social, economic, and political marginalization of some gendered and racial categories to bolster the superiority of others (Bailey et al., 2014).

Key to maintaining the “coloniality of power” is controlling the *body politic* of the nation via management of reproducing persons. Historically, those embodying *European femininity*, namely middle-and-upper-class white women, have been encouraged to reproduce (Ross & Solinger, 2017). Contrarily, women of colour who are labelled *sexually deviant* by these patriarchal ideals have long felt the wrath of population control measures (Crenshaw, 1990). This has included both the forced reproduction of women of colour in line with exploitative capitalist labour needs and the eugenics methods of the 20<sup>th</sup> century which oversaw the involuntary sterilization of Black, Latina, and Indigenous bodies (Higgins, 2014; Ross, 2017).

The patriarchal, racist, and colonialist oversight of these nations’ populations has undermined the parenting abilities and family dynamics of marginalized communities. This has occurred through economic inequality, disproportionate criminalization, segregation to unfavourable land, and the forced removal and assimilation of children into the *desired* body politic (Ross & Solinger, 2017). Despite structural injustices inflicted on their lives, women have always resisted, asserting their rights to self-determine their bodies’ paths.

Female immigrants have long been targets for reproductive control because they challenge the racist and nativist ideals of countries’ body politics. Along with gender, race, and other social hierarchies, immigration and citizenship status intersect as “key axes of oppression” dictating reproductive lives (Abji & Larios, 2021, p. 246). Speed (2020) contends “settler-capitalist societies are premised on maintaining white dominance... and asserting sovereignty

against the incursion of people deemed ‘Other’” (p. 78). In the US, this has manifested in an inhumane immigration policy landscape focused on deterrence, detainment, and deportation.

The *Otherization* of immigrants spread through “pathological rhetoric” labelling them as “criminals” characterizes them as unworthy and disposable (de Saint-Felix, 2019, Téllez et al., 2018). This feeds gendered *crimmigration*, justifying the use of violent restrictive border enforcement strategies, leading to an overt disregard of factors *pushing* people to migrate (Hartry, 2012; Menjívar et al., 2018; Musalo & Lee, 2017). Crimmigration runs alongside the *androcentricity* of the refugee regime, which has historically discounted claims of violence experienced by women (Edwards, 2010), particularly in private realms (Cianciarulo, 2012). In the US and Mexico, the criminalization of migrant women’s bodies and fertilities has led to cruel treatment and denial of authorized status. Women’s “*unauthorized*” status furthers their invisibility, increasing susceptibility to dangerous vulnerabilities throughout FMTs (Abji & Larios, 2021; Angulo-Pasel, 2019). Nativist immigration policy exerts control over female asylum-seekers, justifying the need to examine reproductive and migrant injustices simultaneously.

### 3.2 Defining Reproductive Justice Framework Components

**Right to have a child:** RJ here emphasizes the right to conceive a child, maintain ideal maternal and fetal health during pregnancy, and freedom from violence during childbirth. It involves freedom from involuntary sterilizations. It includes access to necessities vital for healthy pregnancies, like healthcare, food, and safe environments. It also emphasizes birth justice, the “right to give birth with whom, where, when, and how a person chooses” (Ross & Solinger, 2017, p. 262). This includes freedom from obstetric violence— the “medical appropriation of women’s bodies and reproductive processes during childbirth” resulting from power differentials between medical professionals and patients (Sadler et al., 2016, p. 52). In this asylum-seeking context, one must consider how *crimmigration* of pregnancy violates RJ.

**Right not to have a child:** RJ here involves freedom from different forces facilitating, coercing, and forcing pregnancy against someone’s will. This involves access to SRHR services, including contraception and abortion. It requires “contraceptive autonomy” encompassed by “*informed, full, and free choice*” (Senderowicz, 2020, p. 161). RJ emphasizes consent in sexual relationships

and freedom from sexual violence that would undermine sexual autonomy and potentially result in unwanted pregnancies. RJ maintains rights to sexual satisfaction and pleasure in consenting interactions. This right expands on sentiments of pro-choice movements, ensuring all women have a “choice” to get an abortion in contexts facilitating access (Ross & Solinger, 2017).

**Right to parent:** RJ here involves rights of parents to raise children in environments fostering opportunities, security, and happiness. This entails freedom from physical and structural conditions limiting parents’ abilities to provide necessities including food, education, healthcare, and safe environments free from violence and environmental toxins, for their children (Ross, 2017). RJ includes freedom from involuntary separation of parents from their children. It emphasizes freedom from phenomena compromising parent-child relationships and bonds (e.g., trauma and chronic stress consuming individuals and impacting their parenting abilities) (Fortuna et al., 2017). RJ is achieved when parents can structure a healthy, safe, and sustainable childhood for their children.

### 3.3 *Defining Resilience and Resistance*

**Resilience** is the “potential to exhibit resourcefulness by using available internal and external resources in response to different challenges” (Pooley & Cohen, 2010, p. 34). It involves overcoming and/or lessening negative impacts of adversities by drawing on available resources. To decrease the likelihood of risk in an adverse situation, one can draw on *protective factors* and *strategies* derived from personal characteristics, social environments, relationships, and other tools (Rutter, 1985; Siriwardhana et al., 2014). Female asylum-seekers display resilience as they navigate reproductive injustices in FMTs, seeking to attain control of their bodies and lives.

**Resistance** rests on action in opposition (Hollander & Einwohner, 2004). It is an act of defiance opposing a structure of hierarchical power. Resistance may be overt or covert, individualized or collective, enacted through every day or targeted actions (Hollander & Einwohner, 2004; Lilja, 2022). Resistance occurs in opposition to ingrained patriarchy, racism, colonialism, etc. (Ross, 2017). By displaying resistance to their exclusion and subjugation, women who experience marginalization have always strived to attain their agency and self-determination (Ross &

Solinger, 2017). As oppressive powers exert control over women's lives during FMTs, they resist – asserting their rights to self-determine their reproductive destinies.

#### 4 Context: Female Asylum-Seekers Fleeing CANT

The US-Mexico border has seen an influx of women and girls “seeking sanctuary” in the past decade from interacting forms of violence permeating Honduras, El Salvador, and Guatemala (Obinna, 2021). Common characterizations of their migration as “voluntary” or “economic” fails to recognize root causes and structural conditions perpetuating their societal exclusion (Cook-Heffron, 2019). Whether through direct or indirect violence, most women fleeing CANT are forced from their homes and have well-founded fears of returning. Resembling existing literature on women fleeing CANT, the terms “migrant” and “asylum-seeker” will both be utilized throughout this dissertation since most CANT female migrants are in fact asylum-seekers with merited grounds for refugee protection (United Nations High Commissioner for Refugees [UNHCR], 2015). The *androcentricity* of the American immigration system has long been ambivalent to women's asylum claims, leading large proportions to be rejected and women's *refoulement* to countries they fled (Edwards, 2010; Musalo, 2010).

Along with American and Mexican militarized crimmigration tactics and a pervasive “pathologized rhetoric” towards immigrants, many women are left with no choice but to attempt “*unauthorized*” transit to achieve “sanctuary” (de Saint-Felix, 2019). This imposed illegality on FMTs exposes women to extensive insecurity on migrant trails and during undocumented resettlement. Women's “*unauthorized*” status within the immigration system inflicts an invisibility allowing perpetrators of abuse to act with impunity and high-power actors to deny access to critical services and formal employment (Angulo-Pasel, 2019). All these forces shape women's capabilities surrounding their SRHR decision-making, infringing on RJ.

This analysis will focus on policies enacted during Obama and Trump's administrations. While Obama is often perceived as a greater humanitarian leader than Trump, their immigration agendas were not so “night and day” as is assumed but “rather shades of gray” (Hernández & De Los-Santos-Upton, 2019, p. 2). Obama's use of family detention, workplace raids, expedited removals, and more constituted a “multi-pronged, sustained attack on abilities of Central

American refugees to secure protections” (Musalo & Lee, 2017, p. 151). His administration’s aggressive immigration policies offered a “sober assessment of the deeply consequential institutionalization of antiterrorism” cultivated by previous presidencies (De Genova, 2010, p. 613). This has only been exacerbated by hostile rhetoric and inhumane immigration policies under Trump. Effects of Biden’s administration on female migrants are largely yet to be uncovered. While Biden’s administration has promised to reform the “long-broken and chaotic immigration system” and seemingly prioritized addressing “root causes” of CANT migration, their perpetuation of Trump-era policies and continued anti-immigrant rhetoric speaks otherwise (National Security Council, 2021). Given Obama and Trump-era policies are substantial for this dissertation, future research should tackle this subject under Biden’s leadership.

Reproductive injustices are cultivated by and exist within systems of violence female asylum-seekers are subjected to throughout their lives. Physical and structural conditions are inherently tied to SRHR decision-making (Ross & Solinger, 2017). This analysis must “embed individual biography in the larger matrix of culture, history, and political economy” to fully illustrate reproductive injustice implications in FMTs (Farmer, 1996, p. 272). While exploring experiences of Guatemalan women, Menjívar (2011) identifies five violence types converging to cause female suffering— structural, everyday, political, gendered, and symbolic violence. While analyzing, these violence forms shone through as key forces perpetrating reproductive injustice during FMTs, infringing on women’s rights by exerting control over their fertilities and parenting.

*Structural violence* is a “slow and steady process” fostering repressive conditions of poverty (Menjívar, 2011, p. 30). It is the structural manifestation of ingrained power imbalances within society’s institutions, systems, and policies (Galtung, 1969). These covert displays of hierarchical power underscore extensive socio-economic and other inequities experienced by female asylum-seekers. Structural violence is simultaneously indirect and targeted: “who ends up poor is not an accident; it is the outcome of deliberate policy decisions that cause and perpetuate social and economic exclusion” (Menjívar & Walsh, 2017, p. 224). Although sociocultural conditions of poverty have roots in historical factors (e.g., colonialism), contemporary structural violence often comes via neoliberal and capitalist-driven policies implemented under the guise of “development” (Menjívar, 2011). In recent decades, CANT

governments have collaborated with American allies on policies where primary benefactors have been economic elites and foreign investors (Musalo & Lee, 2017). Resulting stark economic inequality restricts women's agency and access to opportunities, impeding RJ.

*Political violence* also harrowingly impacts women's self-determination (Menjívar, 2011). Social inequality characteristic of CANT has been historically exacerbated by mass human rights abuses perpetrated by the state, often with US-complicity (Musalo & Lee, 2017). In Guatemala, leftist forces fighting to transform systemic inequalities battled US-backed government forces for three decades (Obinna, 2021). Ending in 1996, state-sponsored violence left ~250,000 people dead, ~1,000,000 displaced, and thousands more traumatized by overt uses of sexual violence (Carey & Torres, 2010; Musalo & Lee, 2017). These methods, disproportionately perpetrated against Indigenous Mayans, constituted *genocide* (Menjívar, 2011). Similarly, El Salvador experienced a brutal civil war between 1980-1992 killing ~75,000, displacing ~1,000,000, and inflicting rampant sexual violence (Cohen et al., 2018; Obinna, 2021). Most abuses were committed by the US-backed Salvadoran state and economic elites (Musalo & Lee, 2017). Further, Honduras was utilized as a "staging ground" for US-interference into other regional conflicts, bolstering US-funding for its military (Menjívar & Walsh, 2017). This laid groundwork for a militarized crackdown post-2009 coup. Gender-based violence perpetrated by Honduran forces has been well-documented since by female activists (Gervais & Estevez, 2013).

Political violence continues to be feature of "post-conflict" life in CANT because several violent state actors were given immunity for their crimes and integrated into the newly developed "democratic" institutions (Cruz, 2011). This has contributed to a normalization of political violence, where militarization, corruption, and organized crime involvement in government institutions reigns free (Musalo & Lee, 2017). When people attempt to flee these forces, they are met with further political violence via militarized state crackdown on "illegal" immigration by Mexico and the US. As state terror enables impunity for violence against women (VAW), women's reproductive destinies hang in the balance.

Additionally, *everyday violence* via interpersonal interactions and organized crime allows violence to permeate daily experiences women have in their communities and homes (Menjívar, 2011). In CANT, everyday violence is facilitated through extensive gang control by locally grown

*pandillas*, transnational *maras*, and drug traffickers. Extremely unequal societies with high unemployment levels and disruptions to family structures from intergenerational trauma fuels searches for belonging and thus gang participation (Williams & Castellanos, 2020). Widespread violent tactics utilized by gangs including murder, rape, kidnapping, and extortion has led CANT to have among the highest homicide rates worldwide (Muggah & Aguirre, 2022; Obinna, 2021). Organized crime evidently places constraints on women's agency, enabling conditions where reproductive injustices are bound to occur. Everyday violence takes new forms as women embark the migrant trail.

Violence described above overlaps to sustain *gendered violence*— the physical, psychological, and verbal abuses limiting women's self-determination (Menjívar, 2011). In CANT, gendered violence is underlined by an embedded *machista* culture where traditional gender roles of female subjugation and male domination continue to dictate the nature of interpersonal interactions and structured inequalities (Hernandez, 2002). Integrally linked to colonialism, the Catholic church, militarization, and organized crime, *machismo* promotes aggressive toxic masculinities under the façade of "pride, honour, courage, and responsibility" (Hernandez, 2002, p. 862). This contributes to normalization of VAW in public and private realms. *Machismo* is integrally linked to high domestic violence, sexual violence, and femicide rates plaguing CANT (Carey & Torres, 2010; Menjívar & Walsh, 2017, p. 222). Gangs embody extreme *machismo* in their brutal and often sexualized methods for "punishing" women who disrupt gender roles or gang interests (Obinna, 2021). Hegemonic patriarchal ideology is ingrained in state justice systems, leading to general victim blaming and impunity for VAW (Jokela-Pansini, 2020; Menjívar & Walsh, 2016). Structures producing gendered violence persist throughout women's FMTs.

These four kinds of violence merge to create *symbolic violence*— "internalized humiliations and legitimations of inequality and hierarchy" (Menjívar, 2011, p. 42). Through the "routinization of suffering," violence becomes standardized and power structures accepted (López-Ricoy et al., 2022). When oppression of vulnerable groups is normalized via an embedded "social order of things," it shapes "cognitive frames through which individuals make sense of the world" (Menjívar & Walsh, 2017, p. 224). When symbolized violence is gendered, it reinforces patriarchal hierarchies, excusing and justifying aggressive male domination. It is an invisible form



of control and stigmatization allowing impunity for VAW in CANT and throughout FMTs (Cook-Heffron, 2019). The persistent devaluing of female lives may result in women's own internalized victimization, sinking them deeper into repressive conditions confining agency (López-Ricoy et al., 2022). Symbolic violence allows reproductive injustices to thrive. One must uncover how women resist normalized oppression and gain greater power over their reproductive destinies.

## 5 Analysis

### 5.1 *Right to have a child*

#### 5.1.1 *CANT Pre-Departure Environment*

Throughout FMTs, a gendered web of violence beginning in CANT frequently undermines childbearing. When women's pregnancies are threatened by dangerous conditions and exclusionary structures, full reproductive autonomy cannot be achieved. The deeply embedded *machista* culture present within CANT often exerts control over women's fertilities via private interactions, like widespread domestic violence (Cook-Heffron, 2019; Obinna, 2021). In a UNHCR (2015) report uncovering migratory motivations of CANT and Mexican female asylum-seekers, 51% indicated a relative or partner embodied an "agent of persecution" in their lives, with these harms factoring into women's ultimate flight decision. Domestic violence is significantly associated with adverse maternal health outcomes, including inadequate perinatal care and miscarriages (Han & Stewart, 2014). Patriarchal hierarchies existing within private realms inhibit women's childbearing control.

Significant VAW in private and public spheres is perpetrated by gang members. Per the UNHCR (2015) study, 66% of female asylum-seekers indicated harms by criminal groups factored into their forced departure. Women's gang involvement is generally forced or coerced, commonly through intimate partners. Aggressive *machismo* underlying gang culture encourages particularly savage methods, like kidnapping, rape, and femicide, to keep women "in line" (Cook Heffron, 2019; Menjívar, 2011). Likewise, common gang tactics of extortion compound with existing economic inequalities, further restricting women's self-determination (Schmidt & Buechler, 2017). One's childbearing decisions cannot be made freely in this environment.

Systematization of gendered violence within gang culture and domestic spaces is perpetuated by complicit misogynistic justice systems, where ingrained norms involving aggressive male domination normalize and allow impunity for VAW. This occurs under state actors involved with organized crime and/or perpetrating their own offences. Attacks on women's bodies and fertilities seen today are a continuation of the "public defilement of life" witnessed during key historical events shaping CANT's present. For example, during Guatemala's *La Violencia*, "removal of the fetus from the body of a pregnant women was a common precursor to assassinations," symbolizing the "symbolic appropriation of the community's future" (Carey & Torres, 2010, p. 157). In UNHCR's (2015) sample, 18% indicated harms by state authorities led to their flight. When authorities themselves commit VAW and are complicit in structures perpetuating exclusion, freely made childbearing decisions cannot occur.

For some, pregnancy "challenges the internalization of violence," motivating migration via a "new sense of agency [derived] in motherhood" (López-Ricoy et al., 2022, p. 226). Schmidt (2018) develops this, revealing most CANT pregnant unaccompanied teen migrants are motivated to flee because of gendered violence perpetrated by intimate parents, relatives, and gangs, with some making direct connections between their pregnancies and exacerbation of violence. While desire to protect one's pregnancy appears to be a flight factor for some, women's migratory motivations encompass resistance to a complex web of oppressive gendered structures exerting power over their bodies and lives.

Patriarchal norms manifest within healthcare institutions, compromising SRHR services. Female sterilization is a heavily utilized contraceptive method across CANT (Hall et al., 2014; Population Reference Bureau, 2010). When performed under contraceptive autonomy, sterilization offers safe effective *clandestine* control over one's reproduction. However, high sterilization rates should be questioned in societies where hegemonic masculinities creep into medical spaces. Intersecting prejudices like race, poverty, and HIV-positive status leaves many women susceptible to reproductive coercion resulting in involuntary sterilization (Kendall & Albert, 2015; Ottenheimer et al., 2022). This occurs through paternalistic and eugenicist ideology transpiring in power imbalances within patient-provider relationships. For some, involuntary sterilization embodies persecution in their asylum claims (Ottenheimer et al., 2022). Thus,

involuntary sterilization violates childbearing rights, and is an example of reproductive injustice directly connected to asylum-seeking decisions.

### 5.1.2 *Migrant Trail through Mexico and US-Mexico Borderlands*

When forced from their homes, an additional identity of “migrant” is imposed on women, creating another axis of oppression compounding with others to fashion SRHR decision-making. As witnessed in CANT women’s experiences on the Mexican migrant trail and the US-Mexico borderlands, various Mexican and US policies enforce an “*unauthorized*” status compelling woman into increasingly dangerous spaces, compromising childbearing capabilities.

The US stretches their hostile *crimmigration* policies beyond their border to militarized deterrence tactics on the Mexico-Guatemalan border. In the 2007 *Merida Initiative*, the US pressured Mexican and CANT governments to explicitly trans-nationalize the “war on drugs” (Musalo & Lee, 2017). US encouraged securitization, militarization, and crimmigration of relevant international borders in the name of ending drug trafficking and transnational crime. The US-backed Mexican 2014 initiative *Plan Frontera Sur* (Operation Southern Border) on the Mexico-Guatemalan border furthered securitized migrants under the façade of migrant protection. In reality, this sought to create “orderly” migratory movements by mimicking aggressive American border enforcement tactics (Angulo-Pasel, 2019). These policies “legally categorize female bodies in clandestine terms,” dictating “embodied illegality creating forced invisibility” exposing CANT asylum-seekers to gendered violence throughout FMTs (Angulo-Pasel, 2019, p. 1).

In-transit, women’s criminalized label of “*unauthorized*” migrant forces physically challenging routes, including through hostile natural environments and notorious *La Bestia* trains. Experiences of horrific VAW on the migrant trail, including sexual violence, assault, kidnapping, extortion, and murder, reign with impunity (Angulo-Pasel, 2019; Cook-Heffron, 2019; UNHCR, 2015). VAW is perpetrated by organized crime groups, human smugglers, state authorities, fellow migrants, and other high-power actors. Pregnancy acts as an additional dimension of vulnerability. Female asylum-seekers cannot autonomously exercise childbearing rights in these turbulent conditions, threatening women’s bodily integrity at every turn.

An “*unauthorized*” label exacerbates structural barriers limiting access to opportunities, facilitating reproductive injustices. CANT women fleeing often leave in poor economic circumstances and/or are robbed during FMTs. Many women seek out temporary employment to continue journeys. Their “irregular” status compounded with other dimensions of societal exclusion, make it difficult to obtain secure employment in formal labour markets (Angulo-Pasel, 2019). They are often relegated to informal markets, including domestic and service sectors, where precarity, low-pay, exploitation, and abuse persist (Angulo-Pasel, 2019; Willers, 2018). Some women also engage sex work, which exists on a “blurry and contentious” spectrum of voluntary to forced (Angulo-Pasel, 2019, p. 12). When women’s labour rights are infringed upon, so are their childbearing rights.

When one’s unstable immigration status exacerbates socio-economic exclusion, it affects abilities to attain effective maternal care. Drawing on Carte’s (2014) research uncovering “everyday restrictions” of *settled* undocumented CANT immigrants in Mexico, pervasive negative institutional interactions often left undocumented women unable to access legal identity and healthcare rights, including perinatal care. Notwithstanding legal healthcare protections under Mexico’s *Seguro Popular* program for undocumented migrants, migrant access is restricted by geographic proximity, costs, discrimination, and deportation threats (Medicin Sans Frontier, 2017). Thus, childbearing autonomy is greatly restricted on the migrant trail.

### 5.1.3 *Interactions with the US Immigration System*

When CANT female asylum-seekers reach the US, high-power actors “heavily mark [their] reproductive lives for management” (Ross & Solinger, 2017, p. 144). This is seen in widespread abusive behaviour by the Department of Homeland Security (DHS), Customs and Border Protection, Immigration and Customs Enforcement (ICE), and private-prison actors who detain and deport pregnant migrants. Trump oversaw a “*gendered necropolitical violence*” resulting in reproductive oppression of pregnant detainees (Heffernan, 2022). In 2017, Trump facilitated removal of language in DHS policy against detention of pregnant migrants. After this, pregnant people detained by ICE rose from 1160 (2017) to 2097 (2018) (US Government Accountability

Office, 2020). Incarceration of pregnant migrants, whose primary “crime” is entering the country “illegally” to seek asylum, is an infringement on childbearing rights.

The traumatizing experience of detention is a continuation of the “*gendered necropolitical violence*” on the migrant trail (Heffernan, 2022), posing dangerous risks to maternal and fetal health, which facilities are undeniably unequipped for. Mistreatment of pregnant migrants in US detention includes physical abuse, racial slurs, shackling, inadequate food, withholding blankets, denial of maternal care, and confiscation of medication (Heffernan, 2022; Physicians for Human Rights, 2019). This “*necropolitics of uncare*” has contributed to several miscarriages, stillbirths, and live births with no medical attention (Heffernan, 2022). This pattern of reproductive oppression persisted under the 2019 Migrant Protection Protocols where individuals were required to wait out asylum processes in Mexico. This left many “stuck in-limbo,” often in dangerous camp conditions, unable to access resources necessary for healthy pregnancies and deliveries (Heffernan, 2022, p. 14). Childbearing rights were further violated under 2020 allegations against a privately-run Georgian detention facility, which alleges disturbingly high hysterectomies and other unwarranted gynecological procedure rates performed under involuntary consent by the “uterus collector” (Project South, 2020). There is a clear institutionalized xenophobic neglect towards fertile persons, attacking childbearing.

Crimmigration of pregnant asylum-seekers is fuelled by prejudiced rhetoric surrounding the “immigrant breeder” and “anchor baby.” Underlined by colonialist, racist, and misogynistic concerns about disruptions to power dynamics inherent within America’s body politic, the *breeder* characterizes immigrants, typically young Latinx women, as “problematically hyper-fertile” (Heffernan, 2022, p. 12). The *breeder* narrative sexualizes the bodies of CANT women, portraying those seeking children as “uncontrollable foreigners” whose offspring are destined to be “public charges” of the state and/or criminals (Gomez, 2015, p. 106; Hiemstra, 2021). *Breeder* prejudices feed into harmful notions of “anchor babies,” referring to children born by pregnant immigrant women in the US as simply pawns in “devious plots” instigated by their undocumented parents to acquire citizenship and/or access public services (Hiemstra, 2021). In Trump’s xenophobic rhetoric, these ideas facilitate dehumanization of pregnant migrants (de Saint-Felix, 2019; Hiemstra, 2021). This justifies aggressive border enforcement tactics and

weakening of key human rights, like asylum-seeking and birthright citizenship. It de-values the “push factors” motivating pregnant women to migrate (Schmidt, 2018), severely compromising women’s autonomous decision-making around reproduction.

## **5.2 *Right not to have a child***

### **5.2.1 *CANT Pre-Departure Environment***

Rights not to have children are consistently infringed upon throughout CANT women’s FMTs. This begins in CANT’s patriarchal political, medical, and legal institutions manifesting some of the most draconian abortion laws worldwide (Braunschweiger & Wurth, 2019; Human Rights Watch, 2021a, 2021b). In Honduras and El Salvador, all abortion is illegal. In Guatemala, it is only permitted to save a woman’s life. Banning abortion only drives it into hazardous spaces. Unquestionably, compelled utilization of unsafe abortion has led to negative SRHR outcomes. Honduran and Salvadoran criminalization of abortion has also led to severe imprisonment for those experiencing unsafe abortions or obstetric emergencies, equating *medical* events to “aggravated homicide” (Braunschweiger & Wurth, 2019).

Under the patriarchal influence of Catholic and Evangelical churches, moral regimes governing reproduction and intimate behaviours have co-opted human rights language to exert control over women’s bodies, enshrining foetal rights above women’s rights (Morgan & Roberts, 2012). Through paradoxical notions embedded in “familyism,” high-power actors justify male violence as reasonable within family hierarchies but “supposed violence” against fetuses by mothers as “deviant” (Diossa-Jiménez & Menjívar, 2021). It is problematic CANT state actors, like Honduras’ Congress, frequently idolize abortion bans by evoking incongruous language about their states’ “commit[ment] to continue defending and fighting for life” (Alcoba, 2021). Reality of states’ complicity and perpetration of gendered violence in CANT makes this rhetoric absurd.

The harsh nature of abortion bans is evident in CANT where structured hierarchies violate bodily autonomy. Pervasive sexual violence makes extension of abortion bans to rape and incest cases cruel, serving to further marginalize female bodies. While abortion legalization in these cases is crucial, RJ cannot be achieved until abortion is legally accessible regardless of women’s personal characteristics or circumstances leading to unwanted pregnancies. When

prior occurrences of male domination are required to justify women's need for bodily autonomy, hegemonic masculinities prevail. Although there is little evidence to suggest CANT's abortion restrictions are a direct factor prompting FMTs, abortion bans are part of wider societal structures of inequality contributing to devaluation of women's lives and subjugation of their bodies. Thus, abortion rights restrictions may indirectly contribute to women's flight by further normalizing VAW.

Beyond abortion, access to contraception is crucial to maintaining women's agency. While contraceptive use in CANT has increased in recent decades (Grace, 2010; Hall et al., 2014; PRB, 2010), realities of contraceptive autonomy exist within greater structures of violence. Contraceptive autonomy is not uniform across socioeconomic groups, with factors like geographies, poverty, and Indigeneity negatively associated with access (Grace, 2010; Hall et al., 2014). Unsurprisingly, female-controlled clandestine contraception including sterilization and injectables are consistently CANT's most common contraceptive methods (Grace, 2010; Hall et al., 2014; PRB, 2010). This fits within gender norms, where unequal power dynamics within intimate relationships may complicate negotiating contraceptive use. Autonomous nature of sterilization should still be questioned given institutionalized oppression within healthcare systems. While little available research indicates restricted access to contraception directly contributes to migratory decision-making, constrained contraceptive autonomy is implicated within larger hierarchical inequalities perpetuating VAW, contributing to women's flight.

### *5.2.2 Migrant Trail through Mexico and US-Mexico Borderlands*

Sexual violence is a reproductive injustice infringing on the right not to have children. In addition to pervading sexual violence within CANT often prompting women's flight, "a barrage of power and control is exerted over women's bodies, decision-making, and use of space in the world" throughout their FMTs (Cook-Heffron, 2019, p. 693). Along the migrant trail, women experience "horrific incidents of physical and sexual violence" (UNHCR, 2015). Increased cases of sexual abuse, torture, and rape experienced in-transit are linked to growing occurrences of forced disappearance, human trafficking, kidnapping, and extortion by high-power actors (Angulo-Pasel, 2019). Although difficult to discern the problem's extent given systems of

impunity in which it occurs, between ~60-80% of female Central American asylum-seekers experience sexual violence in-transit (Amnesty International, 2010; Bonello & McIntyre, 2014). Sexual assault is so typical of the migrant trail that many women seek out contraceptives prior to their journey to maintain a degree of agency over their reproductive destinies amidst pre-assumed violence (UNHCR, 2015).

The various colonialist, nativist, and racial hierarchies imposing “*unauthorized*” categorizations on asylum-seeking women pressures increasingly covert dangerous routes where threats of deportability make suffering invisible (Angulo-Pasel, 2019). This criminalization of migration facilitates women’s need to interact with expensive *coyotes* (“guides”), who generally embody exploitative human smugglers. Aligning with neoliberalism and crimmigration, Mexican cartels and others have facilitated growth of human smuggling markets and commodification of female bodies (Téllez et al., 2018). The “border sexual conquest” symbolized by “rape trees” spotting the Sonoran Desert and “drop houses” across Arizona are a culmination of the “chain reaction of violence” enacted by both state actors and smugglers who imitate their systematic devaluing of migrant women (Simmons et al., 2015; Téllez et al., 2018). Especially in the US-Mexico border’s hostile desert environment, *coyotes* exert “almost exclusive control over the people who have paid them” (Téllez et al., 2018, p. 534). VAW is generally at lower levels of “crime syndicate hierarchies” concerning authorities (Simmons et al., 2015). While recognizing the spectrum of female agency existing within the “sexual economy” of the migrant trail, one must interrogate these intimate interactions within an overall system of entrenched structural inequalities (Heffernan, 2022, p. 9).

Exacerbating effects of violence is the difficulty female asylum-seekers have accessing SRH services, including contraception, across their FMTs (Médecin Sans Frontier, 2017). As demonstrated in research involving Central American female sex-workers along Mexican-Guatemalan borderlands, women spotlighted their “*unauthorized*” status as “among the most important reasons they did not receive SRH care they needed” (Rocha-Jiménez et al., 2018, p. 41). Significant numbers of female migrants inevitably become involuntarily pregnant along their journey. This is captured in a CANT woman’s testimony: “young women were crying because they were pregnant but they hadn’t come pregnant... the baby is a consequence of the trip”



(Cook-Heffron, 2019, p. 692). Infringements on women's self-management of their fertilities manifest as inflicted "illegal" statuses leave women increasingly vulnerable to sexual violence in-transit.

### 5.2.3 *Interactions with the US Immigration System*

Denial of abortion rights occurs under aggressive US immigration schemes like the Trump-era policy inhibiting abortion access for detained unaccompanied female minors (UFMs). An increased number of UFMs have fled CANT's gendered violence in the last decade (Krogstad et al., 2014). Some girls inevitably enter the US pregnant. Unlike adult women detained by ICE, UFMs are detained by the Office of Refugee Resettlement (ORR). In 2017, Trump officials asserted the ORR Director "is empowered by Congress to make all medical decisions for unaccompanied alien child[ren] in place of child[ren's] parents" (Tota, 2017). "Strongly anti-choice" ORR Director Scott Lloyd was then authorized to employ "an ultimate veto power over abortion," enabling a "*de facto* ban" for UFMs in ORR custody (*Garza v. Hargan*, 2018, p. 7).

These reproductive injustices became known through Jane Doe's case, where her pregnancy termination decision was denied by Lloyd, emphasizing his "right" to govern Doe's body (*Garza v. Hargan*, 2018). This abusive control occurred via three forms of "*pathological rhetoric*" (De Saint-Felix, 2019). First, an isolating "*rhetorical silence*" was imposed on Doe through surveillance, impeding attorney access, denying release, and threatening deportation. Second, "*paternalistic rhetoric*" was enforced, displaying illogical notions dictating UFMs as both too young to make abortion decisions, "yet sufficiently mature to carry pregnancies and be mothers" (Winterberger, 2018, p. 496). Lastly, "*dehumanizing rhetoric*" was utilized to "override" Doe's humanity, promoting her societal *Otherization* (de Saint-Felix, 2019). Xenophobic judges utilized Doe's "illegality" to contend her abortion would "reward lawlessness," encouraging "abortion tourism" (Leach, 2022; Messing et al., 2020). Doe remained steadfast in her decision, took legal action against state-sponsored abuse, and eventually obtained her abortion. While Doe is one person, her case illustrates intersecting reproductive oppressions controlling CANT migrants.

Undocumented women in ICE detention also likely face “nearly insurmountable barriers” to abortion access (Heffernan, 2022, p. 3). Although ICE claims it will facilitate abortion access in cases of rape, incest, or maternal health risk (ICE, 2013), abortions accessed between 2015-2019 are noticeably few—two (US Government Accountability Office, 2020). Similarly, *undocumented* women’s imposed “illegality” restricts access to abortion in their resettled spaces outside detention, manifesting in trapping socioeconomic, institutional, and geographical barriers (Gomez, 2015). Future abortion access for asylum-seeking women is likely to become more restricted given the US Supreme Court’s recent overturning of *Roe v. Wade*.

In US immigration systems, one must question how denial of abortions in the name of “fetal life” occurs simultaneously within the institutionalized cruelty enabling poor maternal health outcomes. These seemingly paradoxical policies both serve the ultimate purpose of maintaining structural inequalities where female migrants are further marginalized through management of their bodies. US immigration authorities do not care about immigrant “life.” This was obvious in the offer Doe received to “voluntarily depart” and return to her home country to obtain an abortion— a cruel suggestion given abortion is completely illegal in her CANT home (Angulo-Pasel, 2019). Officials are not interested in nurturing the “life” growing inside female asylum-seekers, rather they desire patriarchal and nativist control over migrant bodies.

America’s constrained abortion access for “*unauthorized*” migrants is a “glaring example of constant willful smoke-screening of US responsibility” (Hiemstra, 2021, p. 1705). By encouraging *Otherization* of asylum-seekers, women are blamed for their own “victimization” while US-facilitated violence spiraling into FMTs is ignored. Leach (2022) argues US authorities use “*debilitation*” and “*para-legality*” to join “pro-life” anti-abortion policies with cruel conditions of detention to systematically manage reproduction. Debilitation’s slow violence under para-legality’s “quasi-legal policymaking” of low-to-mid-level providers, “obscures culpability.” (p. 123). These dehumanization tactics command the nation’s body politic by aggressively maintaining key hierarchies of power.

### **5.3 Right to Parent Children**

### 5.3.1 *CANT Pre-Departure Environment*

Parenting is constantly strained throughout FMTs. In CANT where sociocultural norms intricately link motherhood to women's value, unfavourable living conditions for one's children may challenge a mother's identity. While women's identities and decision-making also fall outside their role as mothers, it is crucial to expose how the inherent desire to protect one's children and parent free from chaos influences FMTs. Violations to parenting appear to be a flight factor. Motherhood may also be an axis of oppression through which high-power actors exert control while simultaneously being a source of agency and empowerment. For those who are mothers or desire motherhood, FMTs can be a quest to fulfill the right to parent.

Various factors of structural, political, and everyday violence converge to constrain the parenting capabilities of mothers striving to keep their children safe. Oppressive forces within CANT have cultivated a "crisis of social reproduction," where men's absence in family arrangements increasingly shifts burdens of reproduction and care provision on women (Willers, 2018, p. 62). López-Ricoy and colleagues (2022) research with Central American and Mexican female asylum-seekers demonstrates how Menjívar's (2011) forms of violence "isolate mothers and intensify the burdens of protecting and providing for their children" (p. 212). Dangerous and/or intolerable conditions threatening children are generally a primary motivator for CANT mothers who migrate with their children (Willers, 2018).

Several CANT female asylum-seekers have expressed worry that gangs would harm their children, including by recruiting sons as "foot soldiers" and forcing daughters to become "girlfriends" (López-Ricoy et al., 2022). Captured in a mother's testimony: "I brought my daughter from Honduras so [gang members] wouldn't rape her, I [migrated] precisely to protect her" (Cook-Heffron, 2019, p. 687). Fears are warranted given the disproportionate levels at which children and adolescents comprise CANT's high homicide rates (Musalo & Lee, 2017).

Mothers often become "sole protectors of their families" after male partners are recruited and/or killed by gangs (López-Ricoy et al., 2022, p. 218). Existing economic inequalities meld with single parenthood and gangs' extortions to further economic injustices, exacerbating parenting difficulties. Hegemonic toxic masculinities also extend children's vulnerabilities into private spaces where risk of traumatization, assault, death and being orphaned are real. López-

Ricoy et al (2022) interviewed women who endured domestic violence personally overtime but were ultimately prompted to migrate when these threats turned towards their children.

Although not everyone's experience, motherhood can distort symbolic violence, "interrupting the normalization of suffering many women endure their whole lives," thus being "central" in women's migratory decision-making (López-Ricoy et al., 2022).

Transnational migration is normally a last resort for women and their children, but one that is necessary as assistance from state authorities is virtually non-existent (UNHCR, 2015). Malicious tendencies by high-power actors to paint CANT female asylum-seekers travelling with children as irresponsible unjustly discounts circumstances prompting their flight. Women are aware of the turbulent nature of FMTs through Mexico to the US. To reduce their intelligence on this matter furthers their marginalization. Most are left with "no other option" than to migrate with their children as a "survival strategy" (UNHCR, 2015; Valencia, 2017; Willers, 2018). Migratory decisions for and/or with children are acts of resistance as women seek to gain control over their lives and reproduction, serving as a means to an end of RJ.

### 5.3.2 *Migrant Trail through Mexico and US-Mexico Borderlands*

CANT women undertaking FMTs with their children are particularly vulnerable on the migrant trail. In some cases, high-power actors co-opt the mother-child bond, extorting women or coercing sexual violence under threats of harm against their children. This is seen in a case documented by UNHCR (2015) in which a Guatemalan woman was raped by her *coyote* under fear that "he would kill her or rape her daughter if she protested" (p. 44). Similarly, some women described how perpetrators of abuse on the migrant trail inflicted violence against women's children to further their power over mothers. For example, Willers (2018) documents the story of a migrant mother in-transit who simultaneously experienced her own rape and kidnapping of her son, leaving her "traumatized from everything that had happened to her" (Willers, 2018, p. 65). Women travelling with children over environmentally challenging terrain are also at risk of being left behind by their *coyotes* if they cannot keep up (Angulo-Pasel, 2019).

While CANT mothers endeavour to assure their families' safety in-transit by carefully weighing migratory routes and strategies, their options are limited due to the criminalized

nature of their “*unauthorized*” migration (Angulo-Pasel, 2019). On seemingly more visible and “safe” routes, they risk aggressive border enforcement by governmental authorities who typically ignore the hostile conditions in CANT eliciting their need for asylum. Likewise, more covert, and “dangerous” paths may evade xenophobic officials while exposing women and their children to the violence of human smugglers, gangs, and cartels. These conditions severely restrain women’s abilities to effectively fulfill their parenting duties. The fierce desire for a safe environment in which dignified parenting can occur encourages many families to persevere.

Structural inequalities underscored by women’s precarious “illegality” also compromise parenting. Specific adversities mothers must navigate when travelling with children generally impose additional time, mobility, and financial burdens (Willers, 2018). Along with the limited labour markets accessible to “*unauthorized*” female migrants, their economic insecurity is exacerbated by the need to provide for themselves and their children while simultaneously managing care responsibilities. “*Unauthorized*” migrant mothers who remain in Mexico are likely to encounter “everyday restrictions” on social benefits, manifesting in institutional barriers to legal status, education, and healthcare for their children (Carte, 2014). For kids left at home, these legal, social, and economic barriers make it difficult to engage in reproductive strategies from afar (e.g., communication) or reunification (UNHCR, 2015; Willers, 2018). These various structural forces strain women’s abilities to provide environments of growth and opportunity for their children. Feasible legalized paths of transit are needed for female asylum-seekers to achieve a higher degree of parenting justice on the migrant trail.

### 5.3.3 *Interactions with the US Immigration System*

When CANT asylum-seeking families enter the US, a whirlwind of cruel immigration policies constitutes an “assault on the family unit” (Messing et al., 2020, p. 342). During Obama’s administration, several aggressive tactics were utilized to cultivate fear and deter CANT parents from seeking asylum. This includes extensive family detention where families were subjected to *debilitating* incarceration with several resulting negative child health outcomes (Lutheran Immigration and Refugee Services & Women’s Refugee Commission, 2014). This was coupled with expedited removals, involving accelerated “bare-bones” procedures intent on deporting

significant numbers of migrants, violating refugee rights by hindering legal counsel and hearings (Musalo & Lee, 2017). In some cases, children were intentionally present during their mothers' *Credible Fear Interviews*, preventing women from fully describing traumas prompting FMTs (LIRS & WRC, 2014). Migrant injustices under Obama laid groundwork for Trump's exacerbation of this abuse.

During Trump's tenure, his "zero tolerance" immigration policy most notably represents parenting injustice. Any parents "illegally" crossing the border were criminally charged and forcibly separated from their children. This policy represented "another cog in the historical American machine of racist, assimilationist policies that have separated children of colour... from their families" (Hernández, 2019, p. 132). Forcibly taken children were placed in unhygienic cage-like facilities where they received inadequate food, water, sanitation, education, and healthcare (Southern Poverty Law Center, 2022). Instances of psychological, physical, and sexual abuse of children within these spaces are well-documented (Haag, 2019). ~3,913 children fell victim to family separations (Interagency Task Force on the Reunification of Families, 2021). Deportation of many parents along with untransparent reporting has complicated family reunification (SPLC, 2022). Commodification of children in detention allows private-prison companies to capitalize on disruptions to social reproduction (Leach, 2022). Family separations resulted in severe trauma with expected long-term impacts on survivors' wellbeing and family structures (Physicians for Human Rights, 2022). This political violence was a cruel intentional exertion of power by US authorities violating RJ.

State authorities justify parenting injustices by promoting "bad parent" narratives against migrant mothers. This prejudice paints immigrant parents as immoral, selfish, and irresponsible (Hiemstra, 2021). It labels "undeserving" mothers as sexually *deviant*, "falling outside a heteronormative, classed, raced, gendered, sexualized American ideal of white, middle-class motherhood" (Hiemstra, 2021, p. 1700). Victim-blaming is levied on parents to justify family separation policies, where migrant mothers are portrayed as irrational for bring children on turbulent FMTs. This characterization allows high-power actors to devalue asylum-seekers' lives, justifying their perpetration of parenting injustices (Messing et al., 2020). Shaming "bad parents" shifts blame away from larger structural oppressions sustained by high-power actors prompting

forced migration in the first place, cultivating hazardous journeys, and trapping families in precarious “(il)legality.”

Combined with the “breeder” and “anchor baby” prejudices, these “fertile figures” destabilize normal conceptualizations of childhood innocence by fostering fears of “contamination” to the nation’s body politic (Hiemstra, 2021; Leach, 2022). For children of *unauthorized* migrant mothers, these notions legitimize crippling detention conditions, *legal violence* within undocumented resettlement, and/or involuntary assimilation of migrant children into “ideal” American families via the foster-care system (Abrego & Menjívar, 2011). Leach (2022) states “undocumented immigrants’ children are not permitted to be simultaneously alive, healthy, and embedded in loving non-white kinship networks and inside the US” (p. 124). US authorities must dismantle these harmful socio-cognitive frames and acknowledge CANT mothers’ courage in endeavouring to better the health and happiness of their families.

## 6 Resilience & Resistance

### 6.1 *Resilience*

CANT female asylum-seekers demonstrate resiliency throughout their FMTs, challenging reproductive injustices. Although women’s migratory decision-making is *forced* by intersecting forms of violence pervasive within CANT, migration represents a protective strategy where women display agency over their desire to control their lives. Women draw on internal strengths to challenge and/or alleviate impacts of oppressive hierarchical structures on their bodies and self-determination. In Lemus-Way and Johansson’s (2019) research, narrative interviews with CANT asylum-seeking women commonly revealed endurance, courage, and goal setting as sources of strength during their journey. These intrinsic strategies often coincided with a religious belief that God was watching over them (Lemus-Way & Johansson, 2020). These intangible characteristics foster women’s ingenuity, aiding their problem-solving and attainment of support, resources, and opportunities. They help women manifest strength and capital, persist in the face of trauma, and propel their journeys forward.

Additionally, CANT asylum-seeking women often draw on family and other available social networks to assist in their mobility. Creation of migrant networks are often facilitated

within another protective strategy, the use of safe spaces like migrant shelters (Lemus-Way & Johansson, 2020). Schmidt and Buechler (2017) assert importance of female migrant networks in cultivating social capital and greater security for women as they proceed through their FMTs. These resiliency strategies provide women with greater safety in numbers, information on viable routes, and employment opportunities (Schmidt & Buechler, 2017). Trump's securitization of migrant caravans to incite nativist fears and xenophobic hate, disregards their realities as migrant networks providing protection to participants on tumultuous migrant trails (Lind, 2018).

These resiliency strategies support female asylum-seekers' battles against reproductive injustices, allowing them to gain better control over their bodies and reproductive destinies.

## **6.2 Resistance**

Throughout FMTs, women engage in defiance, asserting their rights and power to self-determine their bodies and lives. This is seen in resiliency strategies above. Women display resistance to reproductive injustices through collective activism and coalition building. This is exemplified in the maternal activism of the "Caravan of Central American Mothers in Search of Disappeared Migrants," who draw on motherhood as a source of "political empowerment" to resist the various forces enacting violence on their children during migration (Rivera-Hernández, 2017). To oppose injustices, women draw on a "collective identity based on maternal activism, alliances with human rights organizations, and an emergence of a budding politics of visibility" that involves defiantly bringing maternal mourning into public spaces (Rivera-Hernández, 2017, p. 108). Several RJ organizations have explicitly connected RJ and migrant justice—asserting one cannot be achieved without the other (Ross & Solinger, 2017). Some RJ collectives consequently make migrant rights and amplification of migrant voices core tenants of their activism (Zavella, 2016). Collective resistance helps unite women to breakdown oppressive forces and equalize power imbalances perpetuating reproductive injustices.

Female asylum-seekers exhibit individualized resistance through their endurance and courage to persevere despite being subjected to a continuity of violence (Lemus-Way & Johansson, 2020). Some also demonstrate resistance in defiant attempts to secure justice against high-power actors who have harmed them. This includes engaging in legal action or



vocalizing lived experiences with researchers or journalists. Resistance to RJ was exemplified in determined legal actions taken by Doe to hold Lloyd and the overall policy facilitating abuses of power accountable (de Saint-Felix, 2019). This analysis has shown that migration itself is an act of resistance against the structural, political, everyday, gendered, and symbolic violence affecting the lives of CANT women. Through migration, women resist, often drawing on their fertilities and motherhood as a source of agency and empowerment to further their quest for RJ.

## 7 Conclusion

By applying the three interconnected human rights of RJ to a case study involving female asylum-seekers fleeing CANT, this dissertation has revealed the implications of reproductive injustice across FMTs. Overall, a complex web of hierarchical oppressions exposes and enacts violence on women throughout their migratory journeys, restricting autonomous SRHR decision-making. The analysis indicates attacks on fertilities and parenting via direct threats and harms to pregnancies, children, and bodily autonomy can be an explicit driver of forced migration for CANT women. Reproductive injustices can also indirectly motivate flight decisions by existing within and exacerbating the complexity of structural and institutionalized prejudices normalizing VAW and women's societal exclusion. During FMTs, an imposed "*unauthorized*" status on CANT women by high-power actors intent on maintaining existing hierarchies of power inherent within nations' body politics compounds with existing axes of oppression to intensify reproductive injustices. Throughout Mexico and the US, patriarchal, colonialist, racist, classist, and xenophobic forces propel CANT women into physically and structurally violent conditions where states, organized crime, and intimate actors assert dominance over women's bodies, fertilities, and children. To persevere in the face of extreme adversity and assert their rights to control their bodies, women display resiliency and resistance, often drawing on their fertilities, motherhood, and migration itself as a source of empowerment. Demonstrated overlap of RJ and migrant justice urgently calls for dismantling the various ingrained power imbalances dehumanizing female asylum-seekers, criminalizing their reproduction, and de-legitimizing their suffering. This is crucial for these women to achieve the agency, equity, dignity, autonomy, and accessibility comprising RJ and necessary for complete self-determination of their reproductive destinies.

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