



## **State Against the Migrant Child: US Government Systems and Legal Processes in Dealing with Undocumented Youth** — Catherine Appleton

Boehm, Deborah A., and Susan J. Terrio, editors. *Illegal Encounters: The Effect of Detention and Deportation on Young People*. NYU P, 2019. 249 pp. \$30.00 pb. ISBN 9781479861071.

At a time when millions of people, including children, are fleeing from poverty, violence, and mortal danger, Deborah A. Boehm and Susan J. Terrio's *Illegal Encounters: The Effect of Detention and Deportation on Young People* adds to a global conversation about issues to do with migrant and refugee children. Donald Trump came to power in the US, promising, when so many are desperately seeking safety, to build a wall to stop illegal immigration from Central and South America to the North. This book clearly outlines the metaphorical wall of inhumane policies and laws that impact the lives of migrant young people in the US, highlighting the clear national mission to keep immigrants out or send them back to where they theoretically came from. *Illegal Encounters* features personal stories that describe how harsh immigration laws mean that families are separated in the deportation of young people, even though some have spent the majority of their lives in the US. Other stories focus on children who witness and suffer the deportation of other unauthorized family members. The tight immigration laws and policies in the US come from a long legacy of national "ideas about race, imperialism, and state power" (6); thus, the government holds much weight in restricting and controlling who is allowed into the country. Currently, the Trump administration has given increased power to immigration authorities by reducing immigrant protections and expanding concepts of "illegality" by blurring the difference between immigration and criminal law (6). The impact on migrant children has been profound, as detailed in Boehm and Terrio's comprehensive anthology.

The *Illegal Encounters* anthology addresses "young people's interactions or encounters with the different legal systems that regulate immigration" (2). The writings come from experts, who describe the complex range

of circumstances that make up this young, powerless migrant category and identify the challenges that these children face. In the US in 2018, of the “11 million unauthorized migrants living in the country, more than 2.5 million” are young people (8). Some undocumented children come into the US illegally with their parents, while almost a quarter of a million come alone. The book offers a multidisciplinary perspective to add to a growing immigration debate. Contributions come from a mix of academics, practitioners, as well as migrant youth, building an alarming picture of the ways youth are mistreated in a system that encourages them to remain vulnerable and outside the American legal system.

The scholars include academics from anthropology, education, sociology, and legal studies, while other contributions come from practitioners who work directly with young people, including social workers, attorneys, and judges. Importantly, the collection is unique in the way that the voices of young people are prioritized to highlight their personal experiences with the immigration process: all authors include quotations, stories, or details from interviews with migrant youth. For instance, the introduction begins with accounts of personal experiences and ends with a quote from a fifteen-year-old Colombian who questions Donald Trump’s campaign to make America great again: “I would tell him that if America was not great, no one would want to come here. And I wouldn’t be here” (14).

The legal systems of control that can apprehend, detain, and deport undocumented youth are strongly biased against them, resulting in many children remaining unauthorized and living on the social fringes. To probe the power imbalances of this system, the book is structured around three stages of government control, labelled in the book as, “in, through, and out” (5). These themes divide the book into three parts, and each has equal weight, consisting of three chapters and two short essays. The collection begins with “Part I – In: Confronting Enforcement, Detention, and Deportation” (15) and describes how youth enter in the government systems when they come into the country. They confront rough laws in the process of moving through, discussed in “Part II – Through: Navigating Laws and Legal Systems” (73). Finally, “Part III – Out: Responding to ‘Illegality’” (131) addresses how their illegal status keeps them out, either in the process of being formally deported or kept socially “out” due to restrictive laws that limit their opportunities. In bringing these subjects

into dialogue, the editors have compiled an informative, highly comprehensive, and coherent anthology.

In the first part, topics cover a wide range of challenges associated with the situations that children face being apprehended, detained, and deported. The issues are approached in two ways: the chapters describe either the physical or legal barriers to child and/or parental entry into the US, and the short reflection essays, in contrast, outline the deprivation from which the children are trying to escape and the support that children consequently need to rebuild their lives in another country. In "Risky Border Crossings," Jason De León uses personal stories to illustrate perilous attempts at border crossings. He explains how strategic positioning of border crossings in harsh locations attempt to deter illegal entry. Desperation, however, forces children and adults to take risks and, while authorities have tried to disguise the human cost to the deterrent policy, "the migrant death rate was considered a useful metric to gauge the program's effectiveness . . ." (27). In contrast, those children that have spent a substantial amount of their lives growing up in the US are "social citizens," argues Tobin Hansen in his chapter, "Social Citizens and Their Right to Belong." He considers how their illegal status makes them "face the unique risks of physical, legal, economic, and social exclusion . . ." (34). Alternatively, the youth that are deported suffer the sadness of being permanently separated from important memories and life connections. In "Illegality and Children's Power in Families," Joanna Dreby describes the responsibilities placed on children when left to deal with situations after their parents are placed in detention or deported. Fifteen-year-old Marjorie complains of "growing up too fast" (57); as a result, children suffer a "multitude of negative emotional, sociodevelopmental, and health impacts" from the anxiety and stress placed on their young shoulders (45). In "Entering Multiple Systems," a social worker, José Ortiz-Rosales, and an immigration attorney, Kristen Jackson, reflect on the need for an interdisciplinary team of professionals to deal with the multi-layered problems that children have to deal with on top of their immigration issues, such as education, language acquisition, and trauma recovery. A powerful conclusion to this part of the anthology is a personal reflection by William Guevara Martínez, entitled "Surviving Detention." He describes the abuse he endured from his father that drove him to leave his country. After crossing the border, he ended up in a detention centre for twenty-four days until his brother

took him in and became his guardian. He reflects on the difficulties he endured, finding that they were worth it as migrating turned his life around. Away from the violence, gangs, drugs, and alcohol, he now has opportunities that put the “American Dream . . . in [his] hands” (72). The range of topics and unique personal experiences of the youth outlined in Part I clearly describe the multi-faceted challenges for both the young people and the support services of the US.

Part II begins by outlining the lack of opportunities for illegal migrants in the US and goes on to describe the alarming power imbalances and persecution of young people in the courtroom. The legal system requires the migrant child face unfathomable government procedures and processes, but by remaining illegal and outside the system, young people contend with other major challenges. Indeed, in “The Post-1996 Immigrant Underclass,” Susan Bibler Coutin begins by discussing “a set of noncitizens whose life opportunities are powerfully constrained by a lack of legal status” (79). She explains that with the termination of DACA (Deferred Action for Childhood Arrival), the situation is only getting worse as more young migrants will not be able to work legally and face an increasing threat of deportation. She also notes that undocumented youth are further restricted in that they cannot obtain driver’s licenses, have no rights to educational opportunities, and cannot vote or travel internationally. In “Youth on Their Own,” Nina Rabin and Cecilia Menjívar expand this picture of disadvantage, explaining that migrant children are left alone to deal with the law, making decisions that will have a far-reaching impact on their lives. They argue that there is an urgent need for “low cost, high quality legal advice and counselling” (101). In “Immigration Courts,” Susan J. Terrio boldly condemns the legal procedures that are blatantly balanced against the young person and “the prosecution of unauthorized children [that] raise questions that are central to American democracy” (103). She points to how it is a “rigged system” (107) with the “rocket docket” that fast track hearings, leading to juvenile respondents facing government prosecutors without having attorneys in courtroom proceedings. In Wendy Young and Megan McKenna’s reflection, “Representing Unaccompanied Children,” they are outraged that the country is abandoning important “principles of child protection and due process” (121) by leaving children to represent themselves in an immigration court. To end Part II, Dana Leigh Marks reports on her experiences as a judge in her reflection “Judging Children.” She mentions many reasons why

justice is a challenge to achieve in immigration courtrooms, citing, for instance, an unfair legal system and the fact that young people are often left to represent themselves using a second language. Overall, Part II shows that there is an urgent need for US immigration reform that respects and protects the rights of the child.

The final part of the anthology starts by looking at youth that have been deported from the country with no possibility of return and ends with acts of resistance and a story of hope. In “Youth Negotiate Deportation,” Lauren Heidbrink recounts some individual experiences with the sense of failure after deportation and the difficulties in resettling in what is essentially a foreign country. For instance, Julio, who was sent back to Guatemala after his two failed migration attempts, reported, “We mortgaged our land. My family depended on me to work hard and to support our family, but now this. I’m a failure. I don’t know what to do” (143). In “Youth Activism,” Carolina Valdivia shares the story of courageous Norma, who, despite the threat of deportation, has taken big risks in fighting for immigrant rights. Through online tools, social media, and school communities, migrant youth feel more empowered to fight back, realizing that they are not struggling alone, but have shared identities and experiences. Deborah A. Boehm’s “Dreaming across Borders” explains that “Dreamers, or undocumented migrant youth, are undeniably transnational; they were born in one country yet are living in another . . .” (160); yet, they have no easy rite of passage between the two places with the legal restrictions of movement across borders. Abel Núñez and Rachel Gittinger, in their reflection “Looking Forward,” imagine a brighter future in a transnational exchange, “one in which migration is an option, not a necessity” (173). They are professionals, however, working with migrant youth, and they are aware there is much work to be done, especially with the current hostile administration. The final word in Part III is the reflection “Still Dreaming” by Margarita Salas-Crespo, an inspirational story about her successful integration into the US. She completed a university degree after coming into the country as a DACA immigrant and now works for a better future for other undocumented youth. She laments that the difficulties are increasing and “our families continue to be criminalized under restrictive immigration policies” (187), making clear that there are important changes that need to be made but questions how this is going to happen.

Each contribution offers varied and important perspectives on a very disturbing situation. The points are brought together in an extremely powerful concluding commentary, “The Best Mankind Has to Give?” by Jacqueline Bhabba, who underlines the “troubling contemporary reality” that the book presents (191). She gestures to the “irrefutable and overwhelming evidence” (195) that the writers in the volume provide of the abhorrent mistreatment of children in the US migration system, reminding the reader of an important point: this is a country that is “one of the most prosperous member states of the United Nations . . .” (195). She raises the important question about why society is passively accepting such unethical treatment of children and identifies a “political failure” (194) in not addressing the consequential scars of trauma that will resonate in communities.

The anthology adds to an area of scholarship that is unresearched and under-theorized, despite the influx of Hispanic youth coming into the US. The multidisciplinary perspectives outlined in this collection identify the network of challenges and support structures that need to be strengthened for the betterment of the lives of migrating youth and the humane treatment of children in danger. Furthermore, these discussions point toward future directions for research that informs service providers and policymakers how best to support the welfare of this group of migrating young people. By focusing on the lived experience of young people, this collection contributes essential insights into the treatment of migrants and refugees, adding to a critical global conversation. This important anthology will be extremely valuable for researchers, educators, students, and other professionals working with migrants and refugees.

Catherine Appleton has just completed her doctorate (2019) in the Faculty of Education at Queensland University of Technology, Australia. Her research currently centres on the representational issues in retelling an historic, traumatic event as a graphic novel. *The Wounds of Separation* tells the story of a Jewish child forced to leave her family and country on one of the nine Czech Kindertransport trains before the outbreak of the Second World War and the impact the trauma has on her life. The story revisits an almost forgotten moment in history and comes at a very relevant time. The Kindertransport evacuation of children from Europe before the Second World War is a story of forced migration; a tragedy faced by increasing numbers of children across the world today.