

CHILDREN OR JOB SEEKERS?

The Debate over Underage Migration

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Three recent books delve into the tough issues posed by underage migrants –and illuminate their oft-misunderstood reasons for coming here.

No issue polarizes the immigration debate like the increasing number of undocumented migrants under the age of 18. Legally these are children, so shouldn't we welcome them with open arms? If they show up at the U.S. border without a parent, aren't they running away from danger? Or given the fact that a large majority are teenagers, eager to find work, are they just another category of foreign job-seeker?

Underage migrants arrive from all over the world, but currently the majority are Guatemalans, Salvadorans, and Hondurans. To explain why, advocates point to Central America's homicide rates, among the world's highest, surpassing the annual toll once taken by the region's civil wars. Escaping from Mara Salvatrucha (MS-13) and other street gangs has become a refrain in the stories told by Salvadoran, Honduran, and Guatemalan border-crossers. Yet the majority seek to join relatives who are already in the United States, some come from localities without a gang presence, and there is no mistaking their keen interest in U.S. jobs.

This is no surprise because, in economies undercut by globalization, nothing attracts like the dollar. Like so many others around the world, Central American youth are glued to their Facebook accounts and iPhones, so they live in a media-scape defined by U.S. consumption standards. Yet jobs in manufacturing and other value-added endeavors, which could boost their purchasing power, have been underbid by the cheap-labor industries of East Asia. Facing \$5- or \$10-a-day futures as security guards or vendors, they dream of new lives in Los Angeles, Houston, or New York.

In those same dream destinations, meanwhile, international wage competition is turning more occupations into jobs that only immigrants are willing to do. The "giant sucking sound" that billionaire populist and presidential candidate Ross Perot denounced in 1992, of U.S. jobs going south to Mexico, is now sucking young Central Americans north. They are encouraged by employers who want cheap labor, relatives who are hungry for remittances, and immigrant-rights advocates who, while highly critical of U.S. capitalism, still wish to believe that the United States is a haven for the downtrodden.

Forced Out and Fenced In: Immigration Tales from the Field
edited by Tanya Maria Golash-Boza
Oxford University Press, 2017,
272 pp., \$24.95

Migrant Youth, Transnational Families and the State: Care and Contested Interests
by Lauren Heidbrink
University of Pennsylvania Press, 2014, 208 pp., \$24.95

The Far Away Brothers: Two Young Migrants and the Making of an American Life
by Lauren Markham
Broadway Books, 2017, 320 pp., \$16.00

As for the majority of Americans, we shrug. Doesn't the first generation of immigrants always suffer? Doesn't the second generation always do better? And so millions of border-crossers and visa-overstayers, without legal status, have been allowed to settle into lower-class American life. Here they are barred from social benefits such as food stamps, but they can access emergency rooms for medical crises, any newborns are U.S. citizens, and through citizen children they can stake shaky claims to benefits and legal status.

Should these underground migration streams, improvising their own admission into American society, be legalized or uprooted? The answer from the U.S. political system is successive mood swings of leniency and punishment, which have turned the U.S. government's immigration bureaucracy into a legal gauntlet. Woe to anyone who runs afoul of an opaque exclusion or deadline. Some unauthorized border-crossers and visa-overstayers are waved forward to legal residency; others are deported.

Three recent books delve into the tough issues posed by underage migrants. One is Tanya Maria Golash-Boza's highly readable *Forced Out and Fenced In*. In short, dramatic chapters, more than 20 sociologists and anthropologists sketch portraits of a wide range of people facing deportation. Like so many current migration scholars, Golash-Boza and her contributors obey Nicholas De Genova's injunction to focus on the "legal production of illegality." If this strikes you as tautological, given that nothing is illegal unless there is a law against it, De Genova is arguing that, unlike laws against burglary that protect the boundaries of your home and laws against sexual harassment that protect the boundaries of your person, laws that protect the boundaries of your country have only injurious effects and therefore serve no defensible end.

Whatever you make of that, Golash-Boza and her contributors provide plenty of detail about their subjects, so you can make up your own mind about whether each of them deserves a break. Some are victims of ethnic profiling; others are involved with illegal drugs; still others blame vendettas by relatives for their predicament. Consider Paloma, one of tens of thousands of Mexican citizens whom the U.S. government has deported to the Mexican city of Mexicali. Growing up on both sides of the border, Paloma produces three U.S.-citizen children with an undocumented husband, who then makes a unilateral decision to legalize himself by marrying someone else—a neighbor who has U.S. citizenship.

Standing in the way of this strategy is not so much Paloma and her children but the husband's record of domestic violence against her. To get around this, the husband accuses Paloma of being abusive and addicted and gets the children sent to foster care. When Paloma goes to court to reclaim her children, the *Migra*—Spanish slang for immigration officers—have been summoned by her husband and she is grabbed. As of 2009, both Paloma and her husband have been deported, leaving their U.S.-born children on the U.S. side of the border in foster care.

Couldn't all this enforcement, trauma and expense have been avoided by granting Paloma and her husband legal status? That's the very sensible conclusion of the sociologist who tells her story, Heidi Sarabia. Wouldn't it be great not to spend \$20 billion a year on border enforcement?

Like Golash-Boza's other contributors, Sarabia conveys the family situations that bring migrants to the United States and send them into the nets of the legal system. This is a background that tends to be heavily edited once migrants tell their stories to advocates advising them how to meet requirements for legal status. Illustrating this important point is anthropologist Lauren Heidbrink's research on unaccompanied minors in foster care in her book *Migrant Youth, Transnational Families, and the State*.

Heidbrink shows that migrating youth are actors in their own right, not just pawns in family migration strategies. They are eager to join the labor force, not least to pay back the money their families have borrowed to send them to the United States. But they are prevented from working by the fact that, having been caught crossing the border under the age of 18, they are wards of the U.S. government. Heidbrink gains access to such youths, detained against their will, inside foster-care shelters. We learn a lot about how they interact with officialdom, but only occasionally about their relationships with their families, who were tough to locate and therefore tend to fade into the background. Toward the end, Heidbrink concludes:

... unaccompanied children and youth are intensely embedded in kinship and social networks, which facilitate migration and shape their everyday actions. While there are certainly migrant children who are alone, fleeing abuse, violence or poverty and seeking employment, education and opportunity, more commonly children and their families leverage social and financial capital to facilitate their transnational migration and settlement (even if temporarily) in the United States.

In short, parents are using their children to speculate on the potential high returns of U.S. jobs and legal status. Don't such parents deserve some of the skepticism that Heidbrink reserves exclusively for the U.S. government?

Thus when the parents of 11-year-old Goz tell him to withhold information from U.S. authorities, Heidbrink concludes that "state policies and practices" are separating Goz from his family. What about the role played by his parents? With parents conveniently crouching out of sight, Heidbrink verticalizes the responsibility for their children to the U.S. government. It sounds as if she would prefer a more *laissez-faire* approach, in which family networks are allowed to send junior members into the U.S. labor market. Given her subjects' age, should they, their families and their employers be allowed to violate U.S. laws against child labor? If the answer is yes, the next question is, should they be considered children at all? The U.S. legal system prolongs childhood in ways that Central Americans do not. But if such migrants shouldn't be considered children, why should they get special treatment?

Lauren Markham's *The Far Away Brothers* raises an even more uncomfortable issue about underage migration from Central America. In 2014 Markham was a counsellor at Oakland International High School, across the bay from San Francisco. One fourth of its students entered the United States as unaccompanied minors. Among them were a pair of identical twins from El Salvador, whose ordeals brought them to Markham's attention. Ambitious to write her first book, Markham

not only befriended Ernesto and Raul but went to El Salvador to interview their family. This enables her to reconstruct the decision-making that sent them north from a small town where MS-13 had begun collecting *renta* or extortion payments.

Family networks in this milieu are vast, but they foster feuds as well as cooperation. Competition for income is intense and physical violence is often a possibility. The town's first MS-13 members are invited by a local *patrón* who happens to be the twins' own Uncle Agustín. Two of MS-13's first victims are another uncle, who is a drunk, and a cousin, who is a thief. Then Uncle Agustín fails to pay the twins fairly for picking coffee. He also turns out to be a moneylender and coyote who smuggles migrants to the United States.

The human smuggling is why Uncle Agustín hires MS-13 as bodyguards and why local youth start to hang out with these new role models. By the end of the book, Cousin Juan is leading the local MS-13 chapter and Brother Ricardo is a wannabe gangster. And so Markham documents how paranoia over gangs ("they are everywhere") pervades not just Salvadoran society, but the kin network of her two subjects.

Ironically, Ernesto and Raul don't realize that running away from gangs is their motivation for going north until they reach the United States. Only there do the twins grasp that this is the theme that immigration advocates are invoking to help them obtain legal status.

As for the household decision-making that sent them to the United States, at least as expressed to Markham, this consists of frustration over Salvadoran income levels in an economy that, since 2001, has been dollarized. The twins' father Wilber is an enterprising small farmer with enough land to support nine children, but not enough to support their future upward mobility. When the twins' older brother Wilber, Jr. passes a university entrance exam, Wilber, Sr. has a better idea—why not go north and send us remittances? Wilber, Jr. reaches his destination, pays off the \$6,000 his father borrowed to pay for the journey, then stops sending remittances and falls out of contact.

Seven years later, 17-year-old Ernesto volunteers to go north. But the plan is complicated by family tensions with Uncle Agustín, as well as with another angry relative who is said to be affiliated with MS-13. After Ernesto naively announces his imminent departure on Facebook, he must flee from his own relatives, whose animosity could also endanger his identical twin brother Raul—so now Raul has to go north too. Paying for all this is \$14,000 that dad has borrowed from another local moneylender, at 20 percent interest and guaranteed by the titles to the family's precious agricultural land.

The twins get as far as the thorny scrub of South Texas before being caught by the U.S. Border Patrol. Still shy of 18, they are classified as juveniles, which means that, pending a future court date, they can be released to a family member. This turns out to be their older brother Wilber, Jr., whose own lack of legal status is no obstacle to his serving as their guardian. All he has to do is pay their airfare from Texas to California and stick them in school, not the labor market—to the chagrin of the twins, who are increasingly anxious about their father's migra-loan.

Fortunately for the twins, they now meet their author/mentor Markham, who connects them with a low-cost lawyer, who knows that family conflicts with an uncle will not qualify them for political asylum. Conceivably they could qualify for Special Immigrant Juvenile Status (SIJS), but this is for kids who have been abused by their parents. Moreover, if they win status as abused minors, their now legally certified abusive parents will never be able to join them in the United States. Neither issue prevents an obliging immigration judge from clearing Raul and Ernesto for SIJS status.

The other big hurdle is that the twins are too independent to settle down to tenth grade in an Oakland high school. They are distracted by iPhones, girls, cigarettes and booze; only their never-say-die teachers and counselors prevent them from flunking out. There is occasional talk of suicide, and occasional threats against others that never cause physical injury. The obvious bright spot is their dedication to the low-level service jobs which many American teenagers now shun and for which American employers now prefer immigrants. Where Ernesto and Raul shine is as a bus-boy and a dishwasher.

Compared to the travails of many unaccompanied minors, this is a success story, thanks to an older brother who provides a temporary home and an immigration judge who sets them on the road to legal residency. Yet the twins debate whether the United States is a better deal than El Salvador. Their first interpretation of an Oakland neighborhood is that it is poorer than their hometown. As for the violence they allegedly fled, it is in Oakland that they get mugged, not in El Salvador. On the migrant trail is where they suffer their worst experiences—in Guatemala Raul is beset by fake policemen who rob him and rape his female coyote, while in Mexico Ernesto witnesses his own coyotes murder a fellow migrant.

Only at the level of consumption—and of prestige in the eyes of Salvadorans who wish to follow their example—is California clearly a big improvement over El Salvador. Every photo the twins post on Facebook excites envy, including financial requests from the gangster relatives who allegedly chased them north. Given the boys' excellent luck with the Oakland public schools and the immigration bureaucracy, their biggest worries lie elsewhere.

Unlike many immigrant-rights advocates, Markham does not ignore the theme that preoccupies so many Central Americans in the United States—the debt and interest threatening their family's patrimony back home. Even after the twins drop out of high school to earn money as fast as they can, a succession of necessities and temptations prevents them from assembling the monthly \$1,000 needed to save the family farm—until Ernesto's impregnation of his 15-year-old Oakland girlfriend, followed by an expensive baby shower, ends this pretense once and for all. Up against the wall, Wilber, Sr., sells one parcel of land in the hope that the cash will save the other parcel.

In short, the family is liquidating a viable farm in order to send what Salvadorans call a chain of migrants into the lowest level of the U.S. proletariat. But even after three sons have been sent north, the vision of receiving remittances fails to materialize. As guilt gnaws at the twins, back home their relatives are tempted by the latest migration scams to come north themselves. These include 1) paying a

U.S. citizen for a phony marriage or 2) showing up with a small child, which is said to guarantee release with the right to work. But each will require borrowing more money to pay smugglers. The book ends with the twins' older sister receiving a \$500 extortion threat over the phone—possibly from an MS-13 cousin who presumes they are rolling in remittances.

What does Markham conclude from this tangled saga? For her, the most important problem is how to overcome the limits of existing laws, as well as the prejudices of her fellow Americans, in order to ease the path of Ernesto, Raul, and others like them. Only by reaching the United States, she presumes, will they be able to escape poverty and violence. That the United States is no haven from poverty and violence, and that the underground migration industry might be stimulating poverty and violence in Central America by producing MS-13 gangsters who seek to extort remittances . . . none of this seems to have occurred to her.

Yet *The Far Away Brothers* is an honest book, with Markham reporting circumstances that do not support her message. One telling detail is that, even in the supposed safety of Oakland, the twins are unsure of the loyalties of the people around them. Even in the Bay Area, they are afraid someone will come after them Salvadoran-style. Are they just being paranoid? Not if enough Salvadorans join them. In another telling detail, even Markham seems unsure whether one of the twins briefly belonged to a gang or not. If it is this hard to tell, after several years' acquaintance, how are U.S. government officials supposed to identify who deserves to be protected from whom?

MS-13 murders on Long Island corroborate the problem. Since 2014, Long Island has received at least 8,600 unaccompanied minors processed by U.S. migration enforcement, then released to guardians who are usually relatives. Over a span of 17 months, Suffolk County police attributed 17 murders to MS-13, with federally placed unaccompanied minors turning up among the accused. For example, of the 13 MS-13 members arrested for murdering two girls with machetes and baseball bats, seven had federal unaccompanied minor status. Of five MS-13 members who were arrested while attempting to abduct another victim, three arrived on Long Island with federal unaccompanied minor status. Of the latter five detainees, all but one attended Brentwood High School, five of whose students have been murdered by MS-13 members. The mother of one of the victims is suing Brentwood High for failing to protect her daughter from the gang. The school is also being accused of unfairly profiling students as possible gang members by the American Civil Liberties Union.

Seventeen murders, including five in a single high school, raise the question: Exactly who is capable of picking out gang members from a mass migration? Who is capable of doing so without error and without triggering lawsuits by civil libertarians? Which matters more, civil liberties or physical safety? If Salvadorans are fleeing not the Salvadoran state but their fellow Salvadorans, won't a generous policy of admitting Salvadorans reproduce the dangers they face on U.S. soil?

Adding to the underage furor are thousands of Central American parents, usually mothers, who are showing up at the U.S. border towing small children. According to the Department of Homeland Security, the number of “family units” apprehended at the Mexican border has increased 600 percent between spring 2017 and spring 2018. The women say they are running away from gangs or domestic violence. They also have the idea that arriving with child in hand will give them a *permiso* or quick release into U.S. society. The *permiso* is a folk interpretation of how unaccompanied minors and women with small children were handled by the Obama Administration. Underage migrants qualified for a legal hearing, as did migrants who expressed a “credible fear” of persecution in their own country. Under this policy, tens of thousands have been released with temporary legal status, pending a date in immigration court that, thanks to a backlog of 700,000 cases, will take years to arrive.

Now the Trump Administration is striking back with zero-tolerance policies. In May Attorney General Jeff Sessions announced that border-crossers with children will be separated from those children. There was such an outcry that the policy has been reversed—supposedly. In June Sessions made a second announcement with far wider implications: Fear of domestic abuse or criminal gangs will no longer be accepted as grounds for an asylum hearing.

The idea that the United States is a haven for the poor of low-income countries is an enduring feature of American national mythology. In actuality, American capitalism takes quite a toll on immigrants, especially when immigration levels are high, as they are at present. Fortunate outcomes can never be presumed. The consequences of high immigration flows for sending societies are, if anything, even more troubling. Immigration advocates have yet to realize that the migration industry and its remittances are a mighty contributor to the extortions and homicides wracking Central America. As a lucky remittance-receiver in a poor neighborhood wends her way down a rutted lane, chatting on her iPhone, she presents quite an opportunity for enrichment.

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