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The Ambivalent US Context of Reception and the Dichotomous Legal Consciousness of Unaccompanied Minors

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Abstract: This paper examines the effects of immigration laws on unaccompanied minors from Honduras, El Salvador, and Guatemala who migrate to the United States and encounter a context of reception that is ambivalent towards them: they are considered deserving of protection as unaccompanied minors, yet also subjected to exclusion and state legal violence as undocumented immigrants. Apprehended at the US-Mexico border, they are categorized as “Unaccompanied Alien Children” (UACs), and they interact intensively with multiple immigration agencies. Interactions in these institutional spaces teach youths about US laws and behavioral norms expected of young humanitarian claimants deemed deserving of protection, which are construed in opposition to discourses that stigmatize their co-ethnics as “bogus minors/refugees,” “bad” immigrants, and deviant Latino teenagers. I highlight how these institutional encounters shape youths’ sense of belonging and their commonsense understandings of the law or legal consciousness. I argue that the legal consciousness of unaccompanied minors is dichotomous and characterized by the following elements: (1) a combination of trust and fear in the state; (2) concurrent feelings of deservingness/rights and stigma/subordination; (3) information and misinformation about US laws. This dichotomous legal consciousness shapes how UACs claim belonging and rights, both in everyday social interactions and during their applications for legal status in humanitarian adjudication bureaucracies. They do so by leveraging knowledge about their rights and normative notions about desirable teen and migrant behavior, and by perpetuating stigmas about co-ethnics as they distance themselves from these to signal their own societal belonging and deservingness of discretionary humanitarian relief.

Keywords: legal consciousness, immigration law, unaccompanied minors, legal violence, stigma.

The Ambivalent US Context of Reception and the Dichotomous Legal Consciousness of Unaccompanied Minors

Between 2012 and 2018, 227,897 unaccompanied minors from Honduras, El Salvador, and Guatemala were apprehended at the United States-Mexico border (CBP 2018), categorized as “Unaccompanied Alien Children”¹ (UACs), and detained by the Office of Refugee Resettlement. Upon release, they navigate removal proceedings in immigration court, usually applying for two forms of relief: asylum with procedural protections that translate into higher odds of winning their cases as compared to adults (Galli 2018); and Special Immigrant Juvenile Status for children abandoned, abused, or neglected by their parents. In contrast to teenagers who migrate independently but are never apprehended, thus remaining outside of state systems (Canizales 2015), and to undocumented adults who may live in the shadows for years (Galli 2019), youths categorized as UACs are subjected to receiving state vigilance from the time when they first enter the US and start their processes of incorporation (i.e. adapting to and gaining membership in the receiving state [Brown 2011]). This is because this form of state legal categorization requires youths to interact intensively with the immigration bureaucracy. Based on ethnographic research and interviews with UACs², I demonstrate the effects of these bureaucratic interactions in shaping how youths understand the law, perceive their relationship with the receiving state and position in its social hierarchy, and make claims for membership and belonging.

UACs embody two social and legal categories: as children/minors, the state considers them deserving of protection; as immigrants/non-citizens, the state seeks to exclude them. Accordingly, the context of reception awaiting UACs is “ambivalent” (Bhabha 2014) and contradictory, characterized both by enforcement laws that inflict “legal violence” (Menjívar and Abrego 2002) on immigrants and by laws exempting unaccompanied minors from some, but not all, aspects of this enforcement. This ambivalence is reflected in the distinct mandates of the different state agencies in charge of processing UACs (see figure 1), where youths interact with bureaucrats whose training and professional identities mirrors each agency’s mandate. I demonstrate that these spaces serve both as sites of legal socialization that teach UACs the laws and behavioral norms of the receiving country and as sites of state power, where “legal violence” is inflicted (Menjívar & Abrego 2012). I argue that interacting intensively with different branches of the US immigration bureaucracy causes UACs to internalize the stigma identities associated to their subordinate social group in the US and shapes their “legal consciousness” or commonsense understandings of the law (Merry 1990).

After reviewing the relevant literature and methods, this paper is structured in four empirical sections that analyze, in turn, the socialization that occurs in each of the following four spaces. First, at the border, UACs interact with bureaucrats from Customs and Border Protection, an agency with the mandate of *policing state sovereignty*. There, UACs learn about the suspicion reserved for humanitarian claimants and internalize the associated stigma of “bogus minor/refugee”. Second, UACs are detained in Office of Refugee Resettlement (ORR) facilities, an agency with *dual mandates of care and control* (Heidbrink 2014, Terrio 2015) (i.e. to care for them because they are children and to control them because they are immigrants). In ORR, youths interact with social workers who transmit notions about desirable teen and migrant behavior, and they learn to distance themselves from the stigma identities of “bad” immigrant

¹ Individuals with no lawful immigration status, under age 18, for whom no parents or legal guardians are available in the US to provide care and physical custody (6 U.S.C. 279(g)(2)).

² I refer to my respondents as UACs to highlight the salience of legal categorization in their lives.

and deviant Latino youth. These normative notions of deserving citizenship combine with, and become inseparable from, youths' understandings of the law. Third, the state continues to exercise control over UACs after they are released from ORR custody to their, mostly undocumented, immigrant family members who carry out a mandate of *delegated care and control*. Paradoxically, the state simultaneously constructs the "illegality" of family members (De Genova 2002), while also entrusting them to monitor youths' behavior and compliance with immigration law. Upon release to family, UACs' legal consciousness is influenced by the misinformation and fear of the state that circulate in their communities. Fourth, UACs' legal consciousness is shaped as they pursue legalization in a process that exercises the mandate of "*discretionary humanitarianism*" (Fassin 2011), granting status to few while discrediting most to limit overall levels of immigration³; in this context, UACs learn to signal their deservingness for discretionary humanitarian relief by distancing themselves from the stigma of "bogus refugees" or liars who cheat the system.

Past studies on unaccompanied minors have focused on the workings of the immigration agencies that process youths categorized as UACs (Heidbrink 2014, Terrio 2015), without analyzing the effects of the socialization that occurs in these spaces on youths themselves. This paper highlights how navigating interactions at the border, in ORR custody, with family members, and in the legalization process shapes what I call the *dichotomous legal consciousness* of unaccompanied minors, which is characterized by contradictory elements: (1) both fear and trust in the receiving state; (2) both stigma and deservingness; (3) both misinformation and knowledge about US laws. This study builds on scholarship that has examined how immigration laws shape the lives of immigrant adults by demonstrating how state legal categorization as "Unaccompanied Alien Children" (UACs) shapes the lives of immigrant youths, causing them to interact intensively with different state agencies, where they learn about the law and the behavioral norms expected of young immigrants deemed deserving of membership in the United States. I argue that this process has significant consequences: to claim rights and belonging and vis-à-vis the state and in everyday social interactions, UACs perpetuate stigmas about co-ethnics.

[Figure 1 about here]

Theorizing the power of law in the immigration context

Existing analyses have focused on the effects of immigration law and legal categorization (e.g. "illegal" immigrant, see De Genova [1992]) on adults rather than minors, leading scholars to argue that immigration laws inflict suffering on immigrants while normalizing this violence through legal practices and formal procedures so that it seems inevitable and acceptable to society at large and even to immigrants themselves. Menjivar and Abrego (2012) refer to this exercise of state power through immigration law as "legal violence," a form of violence with structural and symbolic dimensions. Exclusion is *structurally* embedded in immigration enforcement laws that police the state's sovereign borders to limit unauthorized entries and its national membership boundaries to limit access to legal status and citizenship and, in doing so, inflict suffering on immigrants deemed undesirable, for instance, by restricting their cross-border mobility and family reunification (Dreby 2010).

However, unaccompanied minors are subject to "ambivalent" (Bhabha 2014) receiving state policies, which concurrently include elements of protection and exclusion. Thus, examining the experiences of unaccompanied minors has important theoretical implications that nuance our understanding of how states exercise power on immigrants. Unaccompanied immigrant minors

³ The 2017 approval rate for UAC asylum claims was 39.5% (USCIS 2017)

embody two social roles and legal categories: as undocumented immigrants (non-citizens), like adults, the state inflicts legal violence on them as it seeks to exclude them. As children (minors), however, they are considered deserving of protection, which has led to the introduction of the 2008 Trafficking Victims Protection Act and other protective policies that I discuss in the paper. By exempting youths from some aspects of the punitive enforcement reserved for adults and facilitating their access to legal status, these policies interact with, and to a certain extent attenuate, structural legal violence. Given the ambivalent context of reception for undocumented youths categorized as UACs encoded in policies at the macro-level, this paper asks: How does state power play out in bureaucratic encounters in state agencies at the micro-level? How do these interactions shape UACs' understandings of law and their place in the receiving country society, and how they claim rights and belonging vis-à-vis the state?

I operationalize the *symbolic* dimension of legal violence by using the concepts of stigma and legal consciousness to illustrate how normative behavioral models of citizenship are both imposed from the top-down and internalized and reproduced by immigrants from the bottom-up. "Symbolic violence" reflects the imposition of dominant categories of thought on subordinate groups who, not only internalize existing unequal social hierarchies, but also unintentionally contribute to their perpetuation (Bourdieu & Wacquant 2004). Immigration laws inflict symbolic violence as they consolidate immigrants' marginalized positions in the membership hierarchy of the receiving state and legitimize these inequalities by attributing stigma identities to them.

According to Goffman (1963), stigma identities are attributed to certain categories of individuals through social interaction at three different levels: social identity (i.e. how society sees you); personal identity (i.e. who you are and what people know about you); and felt identity (i.e. how you think about yourself). This paper shows how immigration bureaucrats and family members transmit stigmatizing notions about the social identity of immigrants and Latino youths, which shape how UACs present their personal identity and experience their felt identity.

Existing sociological literature has identified various ways in which subordinate groups present their personal identities in relation to their ascribed social identities to manage societal stigma. Women on welfare internalize and reproduce stereotypes that construe other welfare mothers as culpable for their poverty, while justifying their own use of welfare as a consequence of bad luck and structural inequality (Seccolme et. al 1998). West Indian immigrants (Waters 1999) and Liberian refugees (Brown 2011) engage in racial distancing from US-born blacks, who are stigmatized as lacking work ethic and taking advantage of state benefits, to highlight their own belonging, respectively, as hard workers who contribute to the economy and as worthy welfare beneficiaries due to their protected status as refugees. Unaccompanied minors similarly engage in stigma management through distancing; they internalize the stigma identities tied to their subordinate social group in the receiving country (i.e. "bogus" minors/refugees, deviant Latino teenagers, "bad" immigrants) during interactions with immigration bureaucrats and family, and then signal their own deservingness by presenting themselves in opposition to these.

Yet, as noted previously, youths categorized as UACs are not only subjected to state power through enforcement laws but they also benefit from laws that protect them. The latter laws construe them as a deserving rather than a stigmatized social group, more similarly to refugees than undocumented immigrants. Unlike refugees, however, whose protected status has already been recognized when they enter the US, UACs find themselves in legal limbo and must engage with the humanitarian bureaucracy to seek rights and belonging. As scholars of unaccompanied child migration have argued, because their deservingness is based on Western notions that see minors as inherently vulnerable and lacking agency (Terrio 2015; Heidbrink 2014), UACs are

subjected to expectations that victimize and infantilize them in the humanitarian bureaucracy (Galli 2018) that exercises “discretionary humanitarianism” (Fassin 2011), granting status only to few humanitarian claimants who demonstrate exceptional vulnerability and deservingness. While this literature has focused on the perspectives of state agents, and of the immigration lawyers who mediate youths’ encounters with the state, this paper shifts attention to youths’ own understandings of the law and state power or their “legal consciousness” (Merry 1990).

Different cohorts of immigrants have distinctive types of legal consciousness because they interact with different receiving state institutions during their incorporation (Abrego 2011). Adults incarcerated in detention centers for long periods develop “legal cynicism,” and their distrust of the law dissuades them from claiming rights (Ryo 2017). Undocumented adults socialized in workplaces with the constant risk of raids fear the state and are also deterred from claiming rights (Abrego 2011). Undocumented children who migrated with parents at an early age (i.e. the “Dreamers”) are socialized in the inclusive space of US schools (Abrego 2011) and, when they learn they are undocumented (Gonzales 2011), become activists who challenge their subordinate position by contesting immigration laws and procedures to seek policy changes and disrupt deportations (Patler 2018). Immigrants seeking to acquire legal status in the immigration bureaucracy make lasting life decisions to conform to normative behavioral models learned from their attorneys (Menjivar and Lakhani 2016).

In sum, immigrants have different levels of trust in law and legal institutions, from individuals who are “with” the law and feel they can claim rights and belonging in the receiving state, to those who are “against” the law, distrustful of legal institutions, acutely aware of their subordinate position, and dissuaded from claiming rights (Ewick and Silbey 1998). I argue that youths who are categorized as UACs and navigate multiple receiving state institutions (i.e. border processing centers, ORR, adjudication bureaucracies) have a *dichotomous legal consciousness*, which encompasses elements of: (1) fear and trust of the state; (2) stigma and deservingness; (3) misinformation and information about US laws. While seemingly contradictory, UACs’ *dichotomous legal consciousness* reflects the ambivalent receiving context that awaits them, characterized by both legal violence that inflicts suffering and stigma on them and by protective laws that position them as deserving, allowing them to seek belonging.

Data and methods

This paper is based on ethnographic and interview data. From January 2015 to April 2017, I carried out ethnographic fieldwork at a legal aid organization in Los Angeles that I call Center for Legal Aid, where I observed meetings between lawyers/paralegals and their UAC clients who were applying for Special Immigrant Juvenile Status (SIJS) (n=11 cases) and asylum (n=31), following 8 asylum cases until completion. After studying the legal process from attorneys’ perspectives as a researcher and volunteer (e.g. conducting interviews, translating documents), between January and August 2017, I conducted n=20 formal semi-structured interviews with UACs from Guatemala, El Salvador, and Honduras to understand their perspectives on the legal process. I recruited interviewees through Center for Legal Aid and other local service providers.

My respondents migrated to the US as minors without parents or guardians, between the years 2012 and 2016 (during the Obama administration), and they were apprehended at the US-Mexico border and categorized as UACs. At the time of the interview, my respondents had all been released from the Office of Refugee Resettlement (ORR) to the custody of family members; they had been residing in the US between 1 and 3 years (in one case, 5), and they were at different stages of their applications for humanitarian relief from deportation: some had been

awarded status (n=12); others awaited decisions (n=2); some had been denied and were either appealing decisions and/or applying for different forms of relief (n=4) or they were undocumented (n=2). They had applied for the following forms of relief: asylum (n=19); SIJS (n=3); T-Visa for victims of trafficking (n=1). The vast majority of UACs nationwide (91%) are released from ORR to parents and family, while the remaining 9% are placed in long-term foster care (ORR 2014). I did not interview the latter youths because foster care facilities act as institutional gatekeepers, making them a difficult to access population; this is a study limitation.

I allowed youths to decide where interviews should take place (e.g. their homes, coffee shops, parks) and whether they were more comfortable being interviewed alone or with their parents/guardians. In the latter instances (n=3), parents also participated in interviews. My positionality as a first-generation immigrant and as a volunteer in legal aid organizations shaped the knowledge that was co-produced during interviews. As an immigrant – albeit middle class and far more privileged– my interviewees perceived me as someone who understood their experiences of encountering the strangeness of a new country. As a volunteer referred by the organizations assisting them, youths perceived me as someone who, like their advocates, was on their side, which made gaining the trust necessary for interviews feasible in an increasingly anti-immigrant context. My ambiguously accented Spanish not only made communication easy but also made youths curious, prompting them to ask questions about my origins and immigrant trajectory. To ensure an ethical exchange with youths and that interviews were not re-traumatizing, I asked for permission before broaching each new topic and stressed that youths did not have to answer questions that made them uncomfortable (e.g. some decided not to explain why they fled their countries). I obtained consent from youths and also from their parents/guardians if they were minors at the time of the interview. Interviewees received a 30\$ Target gift certificate. Interviews were audio recorded, lasting between 40 minutes and 3 hours, and focused on the following themes: migration decision-making; perceptions of interactions with US bureaucracies; post-release experiences of school, work, and family life; future goals.

I coded interview data using an abductive approach (Timmermans and Tavory 2012), which consists in several rounds of iterative coding where categories of analysis are elaborated both deductively through a review of the literature – in this case, theories of legal violence, stigma, and legal consciousness – and inductively, by paying attention to the themes that emerge from the data itself (e.g. relationship with sponsors; coming of age through work versus school). Given the sensitive nature of the interview topics and the vulnerable group being studied, as approved by IRB, I use pseudonyms to protect the confidentiality of my research participants.

[Table 1 about here]

Policing state sovereignty: socialization during interactions at the border

The 2008 Trafficking Victims Protection Act (TVPA) grants unaccompanied minors from countries other than Mexico the right to be initially admitted to the United States without needing to pass a credible fear interview like asylum-seeking adults do. Rather than attempting to evade apprehension at the US-Mexico border, most of my interviewees recounted actively seeking out border patrol agents. This was sometimes because they were afraid of making their way through the desert alone and, other times, because they had some pre-migration legal consciousness, usually limited to partial information on US policies acquired from relatives and/or *Coyotes* (i.e. smugglers) about the fact that they would be allowed entry rather than being immediately deported. Cecilia, a 15-year-old Salvadoran asylum-seeker, noted that she wanted to be apprehended and was amazed that she had to wait several hours after crossing the Rio Grande

for the border patrol to find her, “*there are people who don’t want to be seen, and they find them in a couple minutes. I had to walk until it was dark!*” The act of willingly declaring their presence to Customs and Border Protection (CBP) reflects the trust these young migrants place in the receiving state, expecting or hoping it will protect them. However, once apprehended, migrant trust is immediately met with state suspicion, and CBP officers commonly accused my respondents of lying, in particular regarding their age, an accusation with significant implications: misclassifying a minor as an adult is a means to deny her entry rights established by TVPRA. Alicia, a Salvadoran asylum-seeker, relates how officers questioned her age, attempting to illegally coerce her into signing a deportation order.

[Alicia]: “*The officer didn’t believe my name or age. I was 16, and he thought I was, like, 21. He asked me for my fingerprints and said, ‘you’re going to sign and leave. You know that if you’re lying, we can put you in prison for so-many years?’ I said, ‘I’m not going to sign because I have rights to stay here.’ I told him I didn’t want to go back to my country, and he said, ‘I don’t care why you came here, just give me your identifying information.’ It was really ugly because they were angry, and they treated people as if they were not people, just because they were from immigration, and they had their uniforms. Many people signed but I didn’t because I wasn’t going to let them intimidate me. If I lose my case that’s different but I wasn’t going to leave then.*”

Alicia challenges CBP’s mistrust and questioning of her identity by affirming her rights, despite relating that she felt treated as if she were “*not a person*” by officers who accused her of fraudulently trying to pass as a minor. Alicia fled El Salvador after a gang member had tried to force her to be his girlfriend; her cousins were brutally murdered after similar interactions. By claiming he is not interested in Alicia’s story, which would have clearly flagged her as a rights-holding humanitarian claimant, but only in her identifying information, the officer positions Alicia solely as an alien body to be registered and monitored by the state. Indeed, Alicia arrived without any documentation, posing a challenge to CBP’s mandate of policing state sovereignty, which inflicts legal violence on immigrants. Despite her resistance in the face of intimidation at the border, Alicia is acutely aware of the state’s power over her ultimate acceptance in the US. Reflecting her understanding of “discretionary humanitarianism” (Fassin 2011), she no longer mentions rights when speaking about the adjudication process, acknowledging that her petition may be denied. While only Alicia reported that CBP illegally tried to coerce her into signing a deportation order, this is not an isolated case; the ACLU (2014) filed a complaint denouncing 116 similar instances of CBP misconduct and rights violations toward minors.

In contrast to Alicia, a Guatemalan youth named Manuel was carrying his birth certificate when apprehended. Yet he was also faced with officers who denied he was a minor. When I met Manuel at the Center for Legal Aid as I was helping him fill out his asylum application, he showed me the birth certificate he had shown the officer, which looked exactly like many others I have seen, making it unclear why its authenticity would be questioned if not to deny his rights.

[Manuel]: “*One of the agents didn’t believe I was 17. He said I was 18, that I was lying. They put me in this small room, by myself, which was like a punishment so that I would tell the truth. It was cold, they didn’t give me water or anything to eat. I felt hungry when they took me out to ask me again. I always told them I was 17. It was the whole truth.*”

Manuel had no prior knowledge of US protections for UACs. Thus, unlike Alicia, his reaction is not so much an affirmation of the rights that (he did not know) were denied to him but, rather, an affirmation of his identity, even in the face of punishment that violates legal standards for the detention of minors. Eventually, CBP processed him as a minor, and it was

unclear to Manuel what made them change their minds. Yet he remained deeply marked by the suspicion he was treated with. Indeed, when I asked if he would change something about the legal process during a later interaction, I was expecting a response about the treatment he received from US institutions like CBP, which I knew had been punitive. Instead, he replied by positioning himself in the role of the immigration bureaucrat, reproducing the “bogus” minor stigma, and distancing himself from it to perform his own worthiness as a truth-teller:

[Manuel]: *“Others sell a different story each time, different to what they lived, and they let them stay. But I prefer to say the truth, stick to my word, not like those who spend time inventing lies to pass as a different person. I don’t like that about certain people.”*

During their very first interactions with the state, UACs face CBP, an agency that inflicts legal violence as it exerts state power coercively while policing sovereign borders and that has been denounced for violating minors’ rights. As bureaucrats trained to implement this mandate, CBP officers negate youths’ identities to deny them entry and impose dominant categories of thought that discredit youths’ credibility. While youths react to these interactions and gain admission either by using the law to claim rights or by asserting their true identities, they also learn lasting lessons: their social category is deemed untrustworthy (“bogus” minors/refugees), and they must position themselves as truth-tellers, a deserving exception to the supposed norm. Youths internalize and reproduce stigmatizing discourses imposed on them by bureaucrats tasked with guarding access to the territory, unwittingly becoming complicit in symbolic violence and lending legitimacy to the state’s exclusionary practices as they reproduce such tropes.

Dual mandates of care and control: socialization during custody in ORR

The Trafficking Victims Protection Act (TVPRA) stipulates that UACs must be released from detention at the border after a maximum of 72 hours and transferred to the custody of the Office of Refugee Resettlement (ORR), an agency that is tasked with the dual mandates of care (for children) and control (of immigrants) (Terrio 2015). ORR detains UACs in facilities called “shelters” (i.e. supposedly child-friendly sites where only UACs are detained), which serve as key spaces of legal consciousness formation where staff teach youths, not only about US laws, but also about desirable behaviors expected from future citizens and “good” rather than deviant teenagers. My interviewees’ disparate characterizations of being in ORR custody reflected the agency’s dual mandates. Some described shelters as “exasperating,” “sad,” “like being an orphan” or “prisoner,” reflecting ORR’s control mandate. In contrast, reflecting ORR’s care mandate, others experienced shelters as safe havens, where some indeed received important services, such as access to therapy, with one youth going so far as to claim, “*I was in love with that place. All of them were super good people.*” 14-year-old Cesar’s account illustrates how interactions with ORR social workers reflected both of ORR’s contradictory mandates:

[Cesar]: “[The social worker] *told me, ‘everything will be fine here son. You won’t have any problems here, unless you look for problems.’ And he always asked me how I was doing, if I wasn’t behaving badly, things like that.*”

The social worker exercises the care mandate as he reassures Cesar of his future life in the US and asks about his current wellbeing. At the same time, he exercises the control mandate as he monitors Cesar’s conduct and designates him as responsible for avoiding “deviant” youth behaviors. Indeed, Cesar, who fled El Salvador after gang members tried to forcibly recruit him, was worried about gangs in the US. As his social worker reassured him, he also taught him a lesson, noting that, if anything bad happened to him in the US, it would be his own fault for “*look[ing] for problems.*” These institutional encounters teach newly arrived immigrant youths

expectations about how they should behave, both in the shelter and after they are released. As Terrio (2015) notes in her ethnography of ORR, youths who accepted behavioral restrictions in shelters “were rewarded with extra food or recreation, stepped down to low-security shelters, and fast tracked for release,” while those who challenged authority, “were categorized as security, terroristic or criminal threats, transferred to more restrictive facilities and detained for longer.” Thus, “good” youths are exempted from enforcement whereas “bad” youths are targeted by it.

Melvin, who migrated at age 17 from Honduras, recounted the advice he received from ORR staff on the importance of good behavior after release, which he expected would be rewarded with acceptance and/or legal status:

[Melvin]: *“They told me the most important thing was to behave well, to show the government we’re good people who came here for a good life. That we’re not coming, like many others, to hurt people. I don’t know why they hurt innocent people like that.”*

Through seemingly benevolent advice, ORR staff actively police membership boundaries by transmitting normative models of appropriate behavior that reify notions of deserving citizenship and perpetuate stigmatizing discourses about minority groups (i.e. the “bad immigrant” stigma). Melvin reproduced the social workers’ stigmatizing discourse during our interview, and leveraged it to claim his own belonging as someone who came to the US for a better life, in opposition to “many” other immigrants who “hurt innocent people.” As youths like Melvin manage stigma through distancing mechanisms by reproducing discourses that disenfranchise people in their social category, they inadvertently become complicit in symbolic violence.

From the viewpoint of the state, reflected in ORR’s control mandate, unaccompanied minors are on the brink of adulthood⁴ and, as such, potentially deviant subjects (Heidbrink 2014). The structure of life in ORR shelters teaches youths compliance with authority and discipline, through the enforcement of numerous rules and a tight schedule, which from respondents’ descriptions appeared militaristic. Some rules seemed meant to teach compliance itself:

[Cecilia]: *“The girls couldn’t brush each other’s hair or give each other hugs, those things made them angry. [...] They said those were the laws of that place. Girls couldn’t brush each other’s hair, except once a week, on beauty day. But in our room, we couldn’t do it. They said these were the laws of that place and we needed to respect them”*

Cecilia called the rules enforced inside ORR facilities *leyes*, which translates to laws rather than rules. As social workers teach immigrant youth to respect the “laws” of the facility, they prepare them to comply with the laws of the country, by going to court and being traceable by the government. Other rules marked specific behaviors as unacceptable (e.g. promiscuity):

[Cecilia]: *“On Saturday, they did a dance, and they would take the boys to that too, but they were separated from the girls. They could dance together but [...] the staff walked between them, so they wouldn’t get any closer than one meter.”*

Cecilia migrated to the US with her 14-year-old brother but was separated from him and placed in a shelter for girls, while he was placed in the neighboring boy’s shelter. One of the few opportunities for interaction with the opposite sex was during the weekly supervised dance where rules that Cecilia deemed silly were enforced. Nonetheless, exposure to such rules, and to advice, teaches youths that adults are suspicious when they associate with their peers, and not only those of the opposite sex. For instance, another respondent recounted that social workers warned her of the dangers she risked because “there is a lot diversity in this country and a lot of fun as well,” reflecting racialized notions that perceive minority youths as a dangerous “others”.

These messages continue to influence youths’ dispositions after their stays in ORR. When I

⁴ In 2014, 63% of UACs in ORR custody were ages 15 to 17 (ORR 2014).

asked Dominic, a Guatemalan UAC who had left the shelter three years earlier, who he was living with, he felt the need to let me know that he was staying away from the “problem behaviors” that social workers warned youths against. This was particularly important since he was sharing an apartment in Los Angeles with his teenage immigrant friends, who he thus described as “good” kids: *“my friends are chill. They don’t drink or smoke, or do anything. Sometimes, if we get bored at home, we go play [soccer].”* In an increasingly hostile receiving context where Central American youths are not only stigmatized but also criminalized as gang members, and even risk deportation on these grounds, Dominic’s demeanor is understandable.

To conform to the normative behavioral models internalized during interactions in ORR, youths sometimes go beyond merely presenting their actions in certain ways, and they alter their coming of age objectives away from pre-migration goals. Luis, who migrated from Guatemala at age 17 recounts how, during his stay in ORR, his future plans shifted from work to school:

[Luis]: *“I came here to work, make money. When I got here, things changed. Every time lawyers came to us, they said: ‘if you want to stay here, you need to study because life is not easy, if you want to fight your case, the only thing you have to do is study.’ I’m obeying the law they told me about; it’s what I have to do. I have to study because I want to do something with my life.”*

School attendance is pushed by ORR (and immigration attorneys) as an indicator of good future citizenship and an appropriate coming of age objective, according to its care mandate that enshrines middle class norms that see childhood as a time for school rather than work (Heidbrink 2014). When I interviewed him, at age 22, Luis was about to complete his high school degree. However, he was undocumented and had aged out of eligibility for any form of immigration relief for children. Despite the fact that there is no law mandating that adults complete high school or any immigration benefits for students apart from Deferred Action for Childhood Arrivals, for which Luis was ineligible, he refers to the *advice* he received in ORR as *law*. He frames his decision to go to school as obeying the law, as well as something he wishes to do to fulfill his ambitions. Knowledge about laws and notions about desirable behavior learned by interacting with different state agencies often become so entwined that youths cannot tell laws, rules, and advice apart. Yet all this coalesced information combines to form the *dichotomous legal consciousness* of UACs, characterized by both misinformation and information, and by both stigma and deservingness, shaping how youths claim belonging in the receiving state.

Delegated care and control: socialization during state-mediated interactions with family

To comply with the 1997 Flores Settlement, which introduced protective standards for the detention of immigrant children, the Office of Refugee Resettlement (ORR) releases the vast majority of UACs to parents (60%) or other family members (31%) (ORR 2014). To take custody of their children, family members assume both of ORR’s contradictory mandates: care and control. They sign “sponsor care agreements” committing to: financially support the minor; sign her up for school; provide for her physical and mental health (care functions); as well as, ensure the minor shows up for appointments with the immigration bureaucracy and complies with a removal order if she were to lose her case (control functions). However, family members may be wary of interacting with state institutions like ORR because they are usually undocumented or have temporary permits, their legal consciousness characterized by fear of the state rather than trust (Abrego 2011). For example, Lisette, an undocumented Guatemalan immigrant, feared declaring her presence to the state to take custody of her 15-year-old son:

[Lisette]: *I was worried because I have two children here, and sometimes people say that I can't take him out, and I wonder what will happen to me with my children. I'm scared for them, and I told the social worker my situation, everything.*

[Author]: *Was the social worker nice? Did he try to reassure you?*

[Lisette]: *Yes, he did, the social worker helped me.*

The main breadwinner of a transnational family, Lisette feels torn between her obligations to her teenage children in Guatemala and her younger US citizen children. Her lack of legal status makes her fearful that claiming her recent immigrant son could put her at risk of deportation⁵. However, she ultimately overcomes her fear and confides in the ORR social worker who gives her the confidence necessary to request her son's custody. Through interactions such as these, the state positions itself between youths and their families, gaining the trust of adult undocumented immigrants before delegating its *care* and *control* functions to them. Paradoxically, the same legal regime that constructs Lisette's "illegality" (De Genova 2002) also designates her as an agent of immigration control, responsible for her son's compliance with the law. This positions parents either as brokers in their children's access to humanitarian protections (when cases are approved) or complicit in their deportation, the most severe form of exclusion and state legal violence (when cases are denied).

When UACs are released to family members, they are influenced by the fear and misinformation that circulate in their migrant networks, which contributes to shaping their *dichotomous* legal consciousness, characterized by both fear and trust in the state and by a combination of misinformation and information about its laws and policies. When I asked Jesus, who migrated from Honduras at age 16, who helped him most since he arrived in the US, his response reflected the role his mother played in his legal consciousness formation:

[Jesus]: *"My mom has helped me, in many ways. [...] She told me that I shouldn't do bad things because, here, laws are very strict, with just one thing that you do, they can deport you. She tells me that I shouldn't misbehave with this country."*

An undocumented immigrant who has lived in the US for over 10 years, Jesus' mother transmits her fear of state power and acts as an intermediary between her recent immigrant son and the receiving country, carrying out her control function. Indeed, Jesus, who was awarded the significant protections of refugee status, nonetheless demonstrates fear and awareness of the law and state power, bringing up the advice he received from his mother and in ORR multiple times during our interview. This advice includes an admonishment that US laws are strict, as regards the control of immigrants, and that, if he misbehaves, he can be deported. Reflecting his internalization of his mother's fear, Jesus describes state power over his life in a way that resembles an unforgiving parent who will not pardon any mistakes.

Yet, at the same time, having fled from home country contexts where they were unprotected by the state to a receiving country context where laws offer them some protections as unaccompanied minors, allows UACs to retain trust in the state despite their family's fear. When asked what they learned about the US since they arrived, youths signaled their trust in US institutions as they commented on feeling: "*at peace*"; secure in a country where "*laws protect children*"; and having more opportunities than in their home countries. Youths' interactions with attorneys while navigating the legal process also contributed to fostering these perceptions. During my fieldwork, I observed how attorneys juxtaposed the "bad"/lawless home country and the "good"/lawful host country when assembling applications and probed youths to reflect on

⁵ Lisette took custody of her son under Obama. Since Trump took office, it has become riskier for undocumented family members to get custody, putting some in increased danger of being targeted by immigration enforcement.

their relative safety and rights in each context (Galli 2018).

The experience of Danny, a Honduran asylum-seeker who migrated at age 15, reflects the combination of trust and fear, of misinformation and information, characterizing UACs' *dichotomous* legal consciousness:

[Danny]: *"I talked to my aunt about how I was going to get out of [ORR] [...] She got a lawyer because [other immigrants] were saying that you needed to be a resident to take out a minor. [...] My friends were taken out by uncles, cousins, friends, the ones who had papers [...] While I was there, waiting so long, I thought they weren't going to be able to take me out. [...] My uncle said, 'I have [Temporary Protected Status], I'm not a resident, I can't take you out'. My aunt said, 'I'll do it.' Her husband, who is a citizen, said, 'I'll support you too.' So they put the papers in with the lawyer and, the truth is, they didn't ask them for documents, they just let me out. My aunt told me, 'I adopted you.'"*

As he moved through the various sites of the immigration bureaucracy, Danny's *dichotomous legal consciousness* was configured as he oscillated between trust and fear of the state. He first expressed trust by voluntarily turning himself in at the border. Once in ORR custody, he was influenced by misinformation circulating in his migrant networks (i.e. only permanent residents can take children out of ORR) and feared being detained indefinitely. Yet, upon release, Danny once again put his trust in the state when he decided to appear in immigration court when summoned for his formal removal proceedings, despite having been exposed to ulterior misinformation from migrants who had been deported or had returned to Honduras who advised him to abscond because he would eventually be deported in any case.

Further, it is quite interesting that Danny reports that his aunt believed she was adopting him when she agreed to become his sponsor. While this is incorrect, as ORR sponsors only become minors' temporary guardians, it reflects his aunt's awareness of the importance of her agreement with the US government, which designates her as responsible for the recently arrived immigrant youth. Indeed, my interviews suggested that most sponsors took their care and control responsibilities seriously, and several youths were subject to strict surveillance at home to ensure their compliance with behavioral models of "good" rather than deviant youths. While undocumented immigrant families may commonly control their children to protect them, in the case of UACs, this control is formally mandated by the state through the ORR-sponsor contract, and the stakes involved are considerably higher because UACs are highly visible in removal proceedings, where non-compliance with behavioral norms could mean case denial and deportation. Alicia describes how ORR staff encouraged her mother's control:

[Alicia]: [The social worker] *told my mom that she should always check on me: who was at home with me, who I was going out with, who my friends were [...] My mom calls me all the time, to see if I got to school, if I ate lunch, when I get out of school. [...]*

[Author]: *Do you mind that she calls you very often?*

[Alicia]: *No, because she pays attention to me, something that didn't happen in El Salvador. My mom is so kind, she gives me too much, she takes care of me, she's really protective of me. I always say she's just like the social worker said she should be.*

Alicia describes her relationship with her mother, who calls her constantly to check on her. Indeed, as we sat at Starbucks, we paused the interview twice in less than two hours when her mother called her. Alicia was 18 when I interviewed her; therefore, legally speaking, an adult, as well as an adolescent who might wish to exercise greater independence from her parent as a marker of her coming of age. Therefore, I was surprised at her answer when I asked her if she minded receiving all those phone calls from her mother. After years of separation, Alicia

perceives her mother's control as a means to catch up for the lost time when she was not able to receive her care, and it is a source of joy to have a mother who is attentively following the social worker's instructions for monitoring her appropriate behavior. In this way, Alicia actively reinterprets the state's motivation for her mother's control (i.e. keeping a potentially deviant teenage immigrant in check) by perceiving it as an act of love.

Not all the youths I met were content with (or begrudgingly accepted) complying with their family members' control. Six interview participants, all of whom were male, had either left or were planning to leave their sponsors (who, in all cases, were not their parents) after a falling out or to have greater independence. This reflects a broader gendered pattern in the data: male UACs more commonly perceived family involvement in their lives as control or surveillance, while females more commonly perceived it as an act of love and a means to catch up for lost time.

Julio, a Salvadoran asylum-seeker who migrated at age 17, reflects the male pattern:

[Julio]: *Basically, since I've been here, I've been living alone. I didn't live with my family for long because I didn't really like how they treated one another. I've learned to take care of myself. I never counted on family members for my legal case. At most, they were a name. I paid for everything for my case, I've been in charge of it myself.*

[Author]: *You said you didn't like living with your family. What did you dislike?*

[Julio]: *In my aunt's house, she interfered with my life too much. There wasn't one day I came home from work that I didn't notice some change in my room. Sometimes I would leave the laptop recording, and I could see when she went in. She observed absolutely everything! And, well, I didn't like that, so I left.*

When I met him at age 19, Julio had left two family members' households and was sharing a small house with two older immigrants. To be independent, he started working in construction almost immediately once in the US. While he claimed his self-sufficiency proudly, he also related that he missed his family in El Salvador and felt overwhelmed having to navigate the legal process alone. He also sometimes missed the care he received in the ORR shelter, which he strikingly claimed he did not want to leave when his 3-week stay was over. Yet as a young, independent migrant worker, Julio is not conforming to ORR expectations. While he said he would like to go to school, it is difficult for him to find the time since he finishes working late, and he cannot financially rely on family to help him pursue coming of age goals that conform to middle-class ideals of childhood (and young adulthood) as a time for study rather than work.

Sometimes, control of youths is motivated by undocumented family members' fear of the state rather than the control mandate entrusted to them by ORR. For instance, Melvin was placed in the custody of his undocumented uncle who disregarded his sponsor agreement and took him out of school after a linguistic misunderstanding, when Melvin got in trouble in class for using his phone, and his teacher called school security to intervene, instead of relying on the teaching assistant who confirmed he was using his phone to complete the assignment:

[Melvin]: *"[The teacher] called security, and they took me away. [...] The teacher told [my uncle] the police had taken me away. I don't know if she could explain because she doesn't speak Spanish and my uncle doesn't speak English. My uncle didn't want to ruin his record. Since he is my guardian, he didn't want me to ruin my record. He thought I ruined it because she said the police took me away. He got angry and took me out of school. He said, 'if you stay, you're going to ruin your record. I want you to be clean.'"*

Upon hearing mention of the "police," which is actually school security, Melvin's uncle becomes fearful for his standing with the US government, as well as that of his nephew, for whom he assumed responsibility. Although using a cell phone in class is hardly a crime, he

escalates the implications of his nephew's conduct and takes him out of school to distance him from scrutiny that, in his mind, would inevitably cause him to eventually ruin his criminal record. Melvin was upset because he loved school, where he was getting good grades, making friends, and learning English. Yet, he ultimately took on the blame for what happened and internalized the "criminal youth" stigma learned from his family member and the teacher:

[Melvin]: *"It's really important to preserve our record. The whole time I've been here, the police never stopped me. I always try not to stay out late at night so my uncle won't get angry. I have friends who have been here for barely a year, and they already have it on their record, like 8 times, that they were caught by the police. I really believe they don't value the opportunity they have to be in this country, they don't put a lot of interest in school. I go to church, so now I have new friends. I don't go out with my friends that ruined their record. It's like they have a magnet for the police, they always get stopped!"*

Like other youths I interviewed, Melvin navigates the US context characterized by racialized notions of young Latino immigrants as deviant by curtailing his mobility and not staying out late to avoid police surveillance, his uncle's anger, and being perceived as a "bad kid". He presents his own exemplary conduct by reproducing, and then distancing himself from, the stigma of "criminal" Latino youth, which he sees expressed in his friends' lack of academic excellence and criminal record. He places responsibility for the latter on his friends: it is the teenagers who are "magnets" for the police, rather than minorities who are profiled by law enforcement.

To protect youths and their own vulnerable positions in the US, mostly undocumented family members ensure that youths comply, not only with the requirements of immigration law, but also with normative models of deserving youth and immigrant behavior, which are construed in opposition to stigmatizing discourses about "bad" immigrants and deviant Latino youths. UACs internalize these behavioral norms, as well as fear of the state and misinformation about US laws from their families, all of which contribute to shaping their legal consciousness.

Discretionary humanitarianism: learning while navigating adjudication bureaucracies

While Trafficking Victims Protection Act (TVPRA) provisions grant Central American UACs the right to enter the US, they are then placed in removal proceedings in immigration court. To avoid deportation and acquire legal status, they must successfully petition for humanitarian relief, such as: asylum for individuals unable to return to their home country because of persecution on account of their race, religion, nationality, political opinion, or membership in a particular social group⁶; Special Immigrant Juvenile Status (SIJS) for children, abandoned, abused, or neglected by one or both parents; or the T-visa for trafficking victims. While youths interact with different bureaucracies depending on the legalization path they pursue, for the purposes of this discussion, I am interested not in the specific legalization processes but, rather, in the mandate that all of these adjudication bureaucracies share: they implement "discretionary humanitarianism" (Fassin 2011), granting legal status to limited numbers of individuals while discrediting most by stigmatizing them as fraudulent claimants or "bogus refugees." In a context characterized by limited approval rates, UACs' interactions with the immigration bureaucracy require that they convince officers of their exceptional deservingness and trustworthiness. They do so, not by challenging the stigma identity "bogus refugee," but by distancing themselves from it by reclaiming truth-telling as part of their personal identity, which marks them among those who deserve to remain in the US, in a context

⁶ Unlike adults who are apprehended, UACs are allowed to first file their claims at the asylum office during a one-on-one interview with an asylum officer that is meant to be non-adversarial.

in which few are allowed to do so. When asked what his experience being interviewed at the asylum office was like, Danny immediately felt compelled to qualify that his story was true:

[Danny]: *“I told my story, which, by the way, was true, and they still asked for proof, and I turned it in. I think that helped a lot, since I had proof and my story was real, not fake.”*

Danny, who came from what he described as a *“political family,”* was especially savvy and had a far more developed pre-migration legal consciousness than other youths, as he already knew what asylum was before he came to the US. Once in the US, like other UACs, he interacted with attorneys who further shaped his legal consciousness by teaching him more about the US asylum process. Indeed, he rightly identifies proof as one factor enabling him to win his case. Yet, like other UACs whose cases were awarded, he identified truth-telling, rather than credibility (i.e. the officer’s perception of the veracity of his account), as the most important reason he was awarded status. Youths assume that immigration bureaucrats who make credibility determinations in asylum cases can determine whether their stories are true, an assumption with little grounding in scientific evidence that instead shows that individuals are not skilled at detecting lies (Bohmer & Schuman 2008). Interestingly, Danny was also perceived as suspicious because he was providing what was considered to be too much information, given his young age:

[Danny]: *Whether they affect you or not, [asylum officers] just ask you questions directly. [...] Several times they were really surprised and they said things like, ‘it can’t be a story like this.’ But I told them, ‘I have proof.’ They asked me, ‘how do you know this?’ I told them that it’s not like they think, in Honduras, children already know lots of things. I think that helped me a lot, to stay informed about what happens in my country.*

[Author]: *It sounds like they were incredulous or even suspicious of you.*

[Danny]: *Well, they can’t have a friendly demeanor or anything like that. Because if they do, then you think that they are telling you it’s a yes, that they are going to approve your case. So I think that their work necessarily has to be like this.*

Danny pushes back when the asylum officers infantilize him, stating that people his age have sophisticated understandings of politics in Honduras. However, possibly precisely because he does not consider himself a child, he finds it normal that bureaucrats interviewing minors ask questions that affect them emotionally and have a suspicious demeanor, adversarial characteristics that advocates would denounce as inadequate ways of working with minors who have undergone traumatic experiences. In contrast, youths whose cases were denied, like Hector, a Guatemalan asylum-seeker who migrated at 16, denounced the harsh treatment they received:

[Hector]: *I told [the asylum officer] I fled my country because they were going to kill me, and he said something else. He was very intimidating when he asked questions. He tried to confuse me, talked to me like he was angry, like he didn’t want to see me sitting there. He said he didn’t care what happened to my friends, he only cared what happened to me.*

[Author]: *How did it make you feel when he said that?*

[Hector]: *It made me feel bad because those friends, I loved them like brothers, because we knew each other since we were little.*

Hector describes a dehumanizing interaction with an asylum officer who coercively discredits him by seemingly deliberately distorting his story, producing contradictions that ultimately resulted in a negative credibility determination and denial of refugee status. Unlike Danny, Hector thinks the officer’s *“angry”* disposition toward him was not age-appropriate, and he did not feel at ease disclosing sensitive information to him. The officer further dehumanized Hector when he noted that he did not care about his friends, who were murdered by gang members. The three boys were given a deadline to join, and the gang killed one boy each day.

After his friends were killed, Hector escaped to save his life. Since these facts were directly relevant to Hector's case, by willfully ignoring them, the asylum officer inflicts legal violence as he implements the clearly exclusionary dimension of discretionary humanitarianism.

Having positive or negative experiences in the legal process shapes youths' legal consciousness by enhancing the trust in the state of those awarded relief like Danny, while positioning those denied relief, like Hector, "against the law" (Ewick & Silbey 1998), in other words, causing them to become acutely aware of their place in the disenfranchised group of those considered unworthy of humanitarian protections and distrusting of the legal process. When I met him, Hector's attorney had advised that he seek relief from deportation and the certain death he feels awaits him in Guatemala with SIJS. However, after his trust was undermined by his experience at the asylum office, he felt little optimism about the outcome. While, like all adolescents, he has dreams for the future, he put them on hold while his case is pending:

[Author]: *When you imagine a future here in the US, what is that future like?*

[Hector]: *Finishing high school, going to college, having a good job, helping my family.*

[Author]: *What would you like to study?*

[Hector]: *To become a lawyer. An immigration lawyer, to help people like me.*

[Author]: *Do you have a specific college in mind?*

[Hector]: *No. Since they denied my case, I stopped making plans. I have no hope about anyone or anything, I don't want to anymore. I'm just waiting now, to see what they tell me.*

Hector experiences legal violence so acutely that it effectively freezes his coming of age. He can only contemplate his life goals to obtain higher education, work and help his family (all markers of adulthood) in abstract, when I ask him to *imagine* his future. On the contrary, when I ask him a specific question about *planning* for that future, he tells me that he cannot because he has lost hope. Youths' experiences while navigating the legal process (e.g. being denied or granted relief, facing hostile or kind bureaucrats) inform the degree of trust/mistrust in the state they have during each stage of the legal process, shaping their *dichotomous legal consciousness*. While trust and protections attenuate the effects of legal violence, when protection is denied to youths and trust is diminished, the legal violence UACs experience negatively affects their perception of their rights and position in US society.

Conclusion

Using the case of immigrant youths categorized as "Unaccompanied Alien Children" (UACs), this study makes a theoretical contribution to existing conceptualizations of state power in the immigration context, which have been developed focusing mainly on the effects of the law and "legal violence" on the experiences of undocumented adults (De Genova 1992, Menjivar and Abrego 2012). The US context of reception for UACs is "ambivalent" (Bhabha 2014), in other words, concurrently characterized by laws that inflict legal violence on them (as undocumented immigrants) and by laws that protect them (as unaccompanied children), as well as by state institutions with contrasting mandates that reflect these contradictions. This paper examines how state power plays out in bureaucratic encounters in state agencies in the ambivalent context of reception. I demonstrate that the different branches of the US immigration bureaucracy that process UACs serve both as sites of legal socialization, teaching youths the laws and behavioral norms of the receiving country, and as sites of state power, where legal violence is inflicted.

At the US-Mexico border, UACs interact with Customs and Border Protection officers who question their age and discount their experiences of flight to deny their right to enter the US as unaccompanied minors, encoded in the Trafficking Victims Protection Act (TVPRA), since this

right is at odds with the agency's mandate of *policing state sovereignty* by excluding non-citizens. Youths react these manifestations of state legal violence by claiming their rights as unaccompanied minors and by reclaiming truth-telling as part of their personal identities. Yet, during these bureaucratic interactions, they also internalize the "bogus" minor/refugee stigma.

Next, UACs' socialization while in the custody of the Office of Refugee Resettlement (ORR) is shaped by this agency's *dual mandates of care and control* (Heidbrink 2014, Terrio 2015). Entrusted with protecting minors, ORR staff members carry out care functions by providing services that, according to some interviewees, reflected a true commitment to their wellbeing. Yet, as an institution that simultaneously controls immigrants, ORR staff members enforce strict rules and offer seemingly benevolent advice that serve to teach compliance and transmit normative behavioral models that perpetuate societal stigmas about deviant Latino teenagers and "bad" immigrants. Youths internalize and reproduce these stigmatizing tropes, unwittingly becoming complicit in "symbolic violence" (Bourdieu & Wacquant 2004).

Upon release from federal custody, UACs' lives remain subject to state vigilance as ORR *delegates care and control* to, mostly undocumented, family members made responsible for youths' compliance with immigration law and behavioral norms. Families control youths to protect them but also out of fear of the state and a sense of obligation under the contract incurred with ORR to obtain custody. Through interactions with family, youths further internalize normative models of "good" teen and migrant behavior, as well as the fear of the state and misinformation about US laws that circulate in their communities. Subsequently, UACs apply for relief from deportation by navigating immigration adjudication bureaucracies that implement "*discretionary humanitarianism*" (Fassin 2011), granting legal status to few individuals. To gain membership through this process, UACs learn they must signal their deservingness by distancing themselves from humanitarian applicants stigmatized as fraudulent or "bogus" refugees.

A resilient social group despite their vulnerability and unequal power relationship with the state, UACs claim belonging by leveraging information about their legal rights, norms about desired behaviors, and societal stigmas learned during bureaucratic interactions. As they navigate the multi-step process that culminates with their applications for legal status, UACs claim belonging, both within the humanitarian adjudication bureaucracy and in everyday social interactions, by enacting distancing mechanisms that allow them to signal their own deservingness in opposition to stigmas: positioning themselves as truth-tellers and worthy humanitarian claimants, as opposed to "bogus" minors/refugees who cheat the system; as well behaved young people, as opposed to criminal, possibly gang affiliated, youths or "bad immigrants." Youths also claim belonging by making coming of age decisions that comply with normative models of deserving teen and migrant behavior learned from the state and their families, which become inseparable from their understandings of law. However, not all youths are able to conform to coming of age models that reflect middle-class receiving state norms (e.g. privileging school over work), due to lack of resources or familial support. Similarly to members of other subordinate social groups who internalize existing unequal social hierarchies and claim belonging through stigma management (Brown 2011; Seccolme et. al. 1998; Waters 1999), I have shown that UACs are able to claim rights and belonging rights vis-à-vis the state but only at the price of perpetuating stigmatizing tropes that discredit other immigrants like them, with troubling consequences for group-based claims-making and solidarity.

Compared to undocumented immigrant adults (Galli 2019) and unaccompanied teenagers (Canizales 2015) who are not apprehended and remain outside of state systems, youths categorized as UACs interact intensively with multiple state institutions since they begin their

incorporation in the US (i.e. adapting to and gaining membership in the receiving state) (Brown 2011), and, in the process, their dichotomous “legal consciousness” (Merry 1990) is formed. Reflecting the contradictions inherent in the “ambivalent” (Bhabha 2014) milieu that receives them, I have argued that the *dichotomous legal consciousness* of UACs is characterized by: (1) a combination of trust and fear in the state; (2) concurrent feelings of deservingness/rights and stigma/subordination; (3) information and misinformation about US laws.

As youths navigate the multi-step bureaucratic process for reserved for UACs, they experience both trust/deservingness/information and fear/stigma/misinformation, with positive experiences (e.g. case approval) reinforcing the former and negative experiences (e.g. prolonged detention) the latter. When trust is enhanced and protection granted, youths perceive their rights and position in US society in more positive ways, yet when trust is undermined and protection denied, they experience the effects of legal violence. As the Trump administration tries to limit legal protections for unaccompanied minors, we might expect UACs’ legal consciousness to skew toward mistrust and fear, more similarly to undocumented adults.

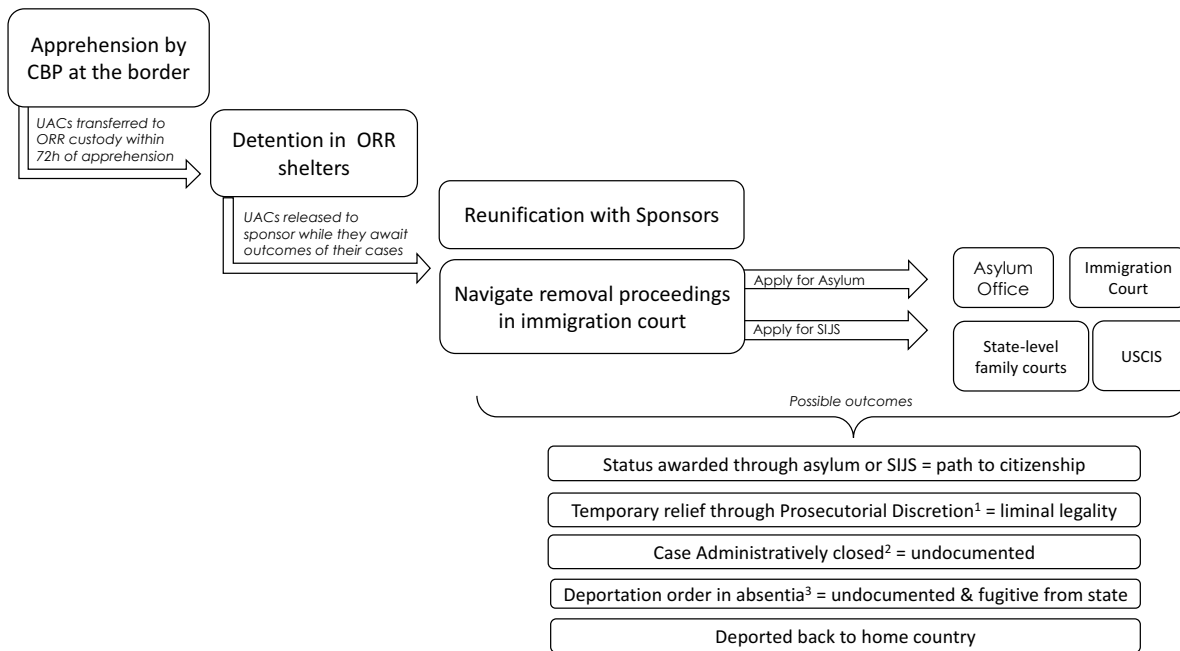
In the current context of heightened immigration enforcement and state vigilance of immigrants and refugees, lessons from this case study may carry over to other groups. Future work can explore how other groups of immigrant youths and adults deemed vulnerable (e.g. asylum-seeking adults, trafficking victims, immigrants with illnesses) navigate similar legal struggles, either in the US or in other receiving state contexts governed by different combinations of protective policies and legal violence vis-à-vis vulnerable groups, by asking whether (and why) claim-making occurs by reinforcing symbolic violence and perpetuating stigmas at the expense of co-ethnics or through group-based solidarity and political action.

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Figure 1. Multi-Step Bureaucratic Process UACs Navigate in the US



1. Prior to Trump, Immigration Judges (IJs) could decide to grant a 2 year work and residence permit (renewable by discretion) to certain UACs ineligible for SIJS/Asylum or with pending cases.
 2. Prior to Trump, IJs could administratively close immigration proceedings while UAC's cases were pending; while this did not confer legal status, it meant UACs no longer had to appear periodically in court.
 3. UACs who fail to show up for hearings and/or loose cases may be ordered removed in absentia³ (i.e. without being present in court), which means that there is a formal warrant for their

Table 1. Sample description (formal interviews)*

| <u>Country of origin</u> | <u>Gender</u> | <u>Age at interview</u> | <u>Age at entry</u> | <u>ORR sponsor</u> | <u>Occupation</u> |
|--------------------------|---------------|-------------------------|---------------------|--------------------|-------------------|
| El Salvador | 7 Male | 13 18 + | 13 | Parent/s | 11 Studying |
| Honduras | 5 Female | 7 15-17 | 8 | 15-17 | 16 Working |
| Guatemala | 8 | | | 12-14 | 4 Other family |
| | | | | 9 | 3 Both |

* Does not include youths I interacted with during fieldwork at Center for Legal Aid but did not formally interview