



The University of Chicago

An Analysis of the Empirical Assumptions v. the Reality of Noncitizen Children Encountered at the U.S. – Mexico Border

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June 2022

A paper submitted in partial fulfillment of the requirements for the Master of Arts degree in the Master of Arts Program in the Committee on International Relations

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ABSTRACT

The United States' treatment of undocumented refugee minors violates many international refugee and asylum laws and treaties. It further perpetuates and encourages scientifically proven harm and trauma inflicted upon vulnerable populations. Regardless, U.S. policies, specifically Title 42 protocols, continually reinforce these violations. This paper seeks to address the discrepancy between published media accounts of border encounters with children and the reality of these children and broader factors which led them to migrate. Through an examination of international treaties and national policies, a relevant literature review, and an analysis of U.S. Customs and Border Protection (CBP) and the Department of Homeland Security (DHS) media publications and data, this paper argues that the negative treatment and perception of child migrants is a result of an assumption that these undocumented children crossing the Southern border are inherently bad and in the United States as a result of their guardians careless decisions. I explain how this conception is enforced by border control's the media narrations.

I. Introduction

Physical, emotional, and mental trauma plague communities of child migrants who, for a plethora of reasons, are fleeing hazardous and even life-threatening circumstances from what may have once been home in Central and South America. The border media continually claims that these children are in the United States as a result of their parents’ senseless, careless, and wanton decisions. The stories documented by the media do not offer any insight into the political, social, and economic turbulence that often leads migrants to seek a different future nor do they address the policies that have led to children entering unaccompanied.

The hostility towards this category of children¹ is only on the rise, as revered and renowned politicians’ and other public figures’ rhetoric becomes more hostile, insulated, and threatening towards the migrants’ geographical position within the United States. In turn, policies and legislation reflect the stated political goals, and encourage this bigoted language and exclusionary action. The policies legalize and activate this dialect; for instance, the Migration Protection Protocols (MPPs) and Title 42 are an embodiment of a strongly established desire to insulate the United States from undocumented migrants with securitization of the nation as the grounding rationale of enforcement. Although presented as an assurance of safety for the United States, these policies have put countless unaccompanied children in dire and life-threatening situations.

Title 42 presents a unique challenge to the lives of migrants and asylum seekers, especially noncitizen children. With the intention of eliminating the spread of communicable diseases (COVID-19), the protocols have adverse effects on those attempting to migrate from Southern and Central America to the United States. Title 42 justifies prohibiting migrants, who would be held in congregate settings from entering the United States. However, the CDC protocols make an

¹ These children are interchangeably referred to as noncitizen children or unaccompanied migrants.

exemption for unaccompanied minors. Children traveling across the border alone may enter the country. The CDC states “that expulsion of unaccompanied noncitizen children is not warranted to protect the public health.”² Therefore, many families who are escaping to the United States from violence and political upheaval, among other factors, find themselves making the grim decision of sending their children alone across the border with nowhere else to turn and the goal of securing their child’s safety.

Contrary to the goal of enforcing security and safety, these policies are in fact largely problematic, harmful, and detrimental. They inflict immense trauma onto migrant children and violate the United States’ international agreements and legal obligations. The policies counter multiple international treaties to which the U.S. is a signatory. International organizations such as the United Nations work to establish treaties and laws supporting migrants in flux as well as to affirm the rights guaranteed to children. Ultimately, empirical assumptions about migrants are created through government officials’ rhetorical confirmation and media publication, most especially in publications by border organizations and officials as they are representative of governmental action. These assumptions often claim that noncitizen children threaten the United States’ national security (especially the public health security given Title 42’s rationale). Furthermore, asserting that the children are here as a result of an ill-thought out plan and of reckless parenting. The media omits any account for the motivations of asylum seekers and the position their guardians are in as a result of Title 42’s limitations on migrant families.

Asylum seekers at the Southern Border are denied provisions, most especially the security of both themselves and their families when they make the perilous journey into the United States.

² “CDC Newsroom.” *CDC*, 1 Jan. 2016, www.cdc.gov/media/releases/2022/s0311-title-42-termination.html. Accessed 26 Apr. 2022.

It is only reasonable to wonder what the effects are on the migrant community, particularly on children. I aim to investigate how the lack of migrant narrative and the detention of noncitizen children is a result of security-oriented policies, in this case Title 42. Further, how the media perpetuates false empirical assumptions and provides a space for border patrol's confirmation bias of this narrative. This bias was especially poignant during the pandemic era, which produced policies that led families to make incredibly difficult decisions.

I argue that children are being detained and caged as a result of the collateral damage of Title 42, however, this detainment is not focused on in the media. They are not detained because they are an empirically proven threat, rather because of the assumption that they and their families are a threat. The media does not clearly articulate detainment, rather the saving they undertook towards a child. There are various reasons that migrants may be perceived as a threat. I am specifically curious about the CBP rationale. Oftentimes, the U.S. Customs and Border Protection (CBP) claims that children are here solely because they were trafficked or they are being used to smuggle an illegal good across the border, coming to the United States with the intent to cause harm. This perception is occasionally confirmed through published and promoted CBP media about the cases that align with this assumption, as opposed to the ones that dismantle it such as the cases of the children who are seeking asylum from gang violence, political upheaval, and so on. I specifically examine the way in which child-adult, and American-foreigner, relationships are explored in the media in tandem with how the CBP portray themselves as heroic figures in the narrative and the Central/Southern American guardian as a villain endangering their child.

Many Americans believe in detaining undocumented minors for public safety due to a securitized rationale. This notion is continually enforced through the narrative that asylum seekers and migrants alike at the United States Southern Border are threatening to the well-being, safety,

and especially the security of the American population. However, this not necessarily the reality, CBP and DHS media enables and augments this discrepancy through their anti-migrant rhetoric. This is most especially prevalent in the way in which the stories are framed, where the agents are in a savior position, saving migrants in distressing situations as a result of careless and harmful decision making. The problem with this is that key details and contextual information are omitted, so as to deter readers from grappling with the reality that systemic factors themselves, such as poverty and corrupt political systems, are what really led to a migratory crisis.

This landscape is painted by American politicians, officials, and citizens in order to validate the harmful mechanism deployed by the CBP, and DHS, among other organizations. Through a media analysis of DHS and CBP articles published during the time of Title 42 (2019-2022), my claim is that children's security is harmed as a means to justify the protection of an insulated, "secure," sovereign nation; idealizing the nation's protection from external and foreign threats while glorifying CBP agents and assuming the guardians to be villains. Children who have statistically proven to pose no threat, are in fact being punished as a result of how migration and asylum is conceptualized as an American security dilemma. This is a result of the way in which border media captures the narratives of unaccompanied child migrants, omitting pivotal details of migrants' stories and experiences. Lastly, this omission and portrayal strengthens CBP and DHS employees as heroic actors in a fight and struggle for security, reinforcing colonial sentiments that the American people can conquer, exclude, punish, and dominate those from the south.

This paper is set up as follows: first, the paper provides a history and description of relevant legal and policy documents. These documents emphasize the United States' international legal agreements. The paper then delves into a comparison between these agreements, as outlined in the Universal Declaration of Human Rights, the 1951 United Nations Convention Relating to the

Status of Refugees, and the 1967 Convention's Protocol Relating to the Status of Refugees to current relevant policies, such as the Migration Protection Protocols and Title 42. It analyzes the discrepancy between domestic and international law. Second, the paper examines relevant discussions by scholars on the topic of asylum seekers, refugees, family detention as well as national security and securitization of the border, grappling with the lack of connection between assumption and experience. Third, the paper assesses the Americanized saviorism and anti-migrant sentiment by analyzing how the organizations managing migration first hand (border media) discuss the topic. The media analysis examines four articles that discuss border enforcement encounters with unaccompanied children during the Title 42 period (2019-2022), by looking at photos and language which seek to tell a very specific story, one that disregards the plethora unaccompanied children's actual realities and challenges migrants face. To emphasize how narrow in scope the border media is, the paper juxtaposes a case of border enforcement violating children in the same context where they were supposedly saved, dismantling the savior-complex of the border patrol agents. In conclusion, the paper seeks to convey that the United States' securitized rhetoric and action, especially officials' speeches and border media sources, comes at the cost of human security. More specifically, it comes at the cost of the most vulnerable of human populations- children- in the name of safety at the southern border sacrificing their well-being.

Ultimately, this analysis is a call for a greater recognition of the dangerous dilemma that migrants face at the border and a changed course of dialogue and media evaluation when addressing such a vulnerable population whose narrative should not be exploited in order to provide border officials a "heroic" story. Migrants deserve a whole truth that preserves their dignity and humanity while also capturing the systemic ill from which they are fleeing.

II. *The United States' Legal and Policy Commitments Over the Years*

(2.1) International Laws and Treaties

The United States is party to many international agreements seeking to protect both the rights of sub-categories of migrants, such as refugees and asylum-seekers as well as families and children. According to many of these treaties, unaccompanied refugee minors are guaranteed many of the protections they lack at present in the U.S. The most significant treaties and agreements that speak to the United States' position on noncitizens include: The Universal Declaration of Human Rights (UDHR), The 1951 United Nations Convention Relating to the Status of Refugees (CRSR), and the Convention's Protocol Relating to the Status of Refugees.

Among the rights protected by the UDHR, specific protections for asylum seekers and refugees exist. These rights are a milestone for global human rights, particularly for migrant rights, given that refugee crises have been on the rise in recent years. Article 14 outlines that “everyone has the right to seek and to enjoy in other countries asylum from persecution.”³ In addition, Article 12 emphasizes the right to family and Article 13 states the right to movement by peoples.⁴ These articles are particularly applicable to the migrant crisis at the Southern Border, where asylum seekers are not only denied access to the United States by the MPP and Title 42, but also denied their own personal security, and the right to family is incredibly questionable. As a result, families are being separated in U.S. Immigration and Customs Enforcement (ICE), and in the case of the MPP, being returned to Mexico to await hearings. More recently, Title 42 has dismantled the right to family given its only protection for children and not for the adults who may accompany the youth.

³ “Universal Declaration of Human Rights.” *United Nations*, United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

⁴ *Ibid.*

Similarly, in the wave of post-World War II human rights prominence, the 1951 CRSR, later refined by the Protocol, emphasizes that refugees merit the enjoyment of the widest possible array of rights. This particular convention is a foundational work for global refugee protections and rights.⁵ The Convention's Protocol Relating to the Status of Refugees was adopted by the United Nations General Assembly in 1967, which specified a *non-refoulement rule* as the main obligation of signatories, stating that no state was to return a refugee who was forced to escape a specific situation or threat within their country, including the persecution of race, religion, nationality, membership of a particular social group, or political opinion.⁶ The protocol continues that if a person necessitates refugee status according to this criteria, a state has an obligation to provide the person with refuge. However, in the instance that the United States does not wish to grant refuge to them, they cannot forcibly return to the country they fled from, but they may be transferred to another country so as to follow the convention. The nonrefoulement rule is considered to be a rule of customary international law; essentially, it is an obligation by states to abide by the nonrefoulement practice in accordance with international law.⁷

These international agreements outline protocols and laws for the treatment and assessment of refugees and families as an ideal by respective states. The United States is party to these treaties, yet, there are contested claims as to how adequately the United States engages with their international legal commitments. Many of the United States' counterparts foster migration protocols at their borders. Yet, even those nations with the strictest border security, for instance Australia, are not known to separate children from their families. The way in which the United

⁵ Office of the United Nations High Commissioner for Refugees. "Convention and Protocol relating to the Status of Refugees." UNHCR, 2010.

⁶ Ibid.

⁷ Ibid

States' policies are articulated is very unique on the international realm and merit further consideration.

(2.2) United States Domestic Policies

Most recently, the Migration Protection Protocols and Title 42 actively enforces the security threat of migrants. These policies, through national security claims, forbid the entry of migrants. At the time of these two policies, Secretary of Homeland Security Kirstjen M. Nielsen is quoted, justifying the Migration Protection Protocols, stating that these protocols “will address the urgent humanitarian and security crisis at the Southern border.”⁸ The MPPs allow for the United States to return *anyone* crossing the border without documentation, regardless of asylum seeking status, to be returned to Mexico where they wait an indefinite amount of time until a hearing in the United States. The justification by the DHS is “to better protect our sovereignty and the rule of law.”⁹ However, by returning migrants to Mexico, these protocols have increased the insecurity of the human person and aggravated a humanitarian crisis. The policies strip migrants, most especially children, from basic, life-sustaining necessities, as well as freedoms and provisions granted to them by international law, while simultaneously ignoring the international commitments to refugees has created a crisis in and of itself. Further, violating the nonrefoulement custom in the case that a migrant is fleeing from Mexico.

The COVID-19 pandemic ignited an emphasis on the notion of public health as a question of national security. The past two presidential administrations (President Trump and President Biden) have articulated the securitization of public health amidst the pandemic as a justifiable reason to prohibit migrants and asylum seekers from gaining admission into the United States. The

⁸ “Migrant Protection Protocols.” *Migrant Protection Protocols | Homeland Security*, <https://www.dhs.gov/news/2019/01/24/migrant-protection-protocols>.

⁹ Ibid.

specific public health law, Title 42, was originally written in the 1940s to endow quarantine authority into the hands health authorities. Health authorities rulings would then apply to everyone, including U.S. citizens, arriving from a foreign country. In its original context, the law never mentioned anything about migrants. When Title 42 was issued by the CDC during COVID-19, it specifically constrains only one specific category of people from accessing U.S territory. It bans those entering the U.S. from Mexico or Canada who would be held in “congregate settings” by American authorities.¹⁰

Interestingly, congregate settings refers primarily to the large detention facilities where undocumented migrants and asylum seekers are held at the Southern border while they await asylum processing or the completion of other refugee status forms. Therefore, Canadians and other groups attempting to cross the Northern border will largely be unaffected by such policies. Many Canadians will not seek asylum from their democracy to American democracy, however, more commonly, migrants coming from Central and South America, particularly those who would be protected by nonrefoulement are denied screenings to determine their refugee statuses as such action would take place in a “congregate setting.” Further, nonrefoulement becomes a rather net-neutral result for migrants as many of them are held in similar unsafe conditions they attempted to flee. This policy, introduced by President Trump, remains effective today, and despite President Biden’s campaign asserting that his administration would end it, he continues to enforce Title 42.

As evident in the chart below, there is a major numerical discrepancy between the land encounters at the Northern Border versus the Southern Border - 510 people in the North and 802,638 people in the South - over 1,500 times more. This policy was written to target a specific population, to asses a complex issue of migration in the guise of protecting public health.

¹⁰ *US Department of Health and Human Services Centers for ...* https://www.cdc.gov/quarantine/pdf/CDC-Order-Prohibiting-Introduction-of-Persons_Final_3-20-20_3-p.pdf.



U.S. Customs and Border Protection (CBP) Encounters
 US Border Patrol (USBP) Title 8 Apprehensions,
 Office of Field Operations (OFO) Title 8 Inadmissibles,
 and Title 42 Expulsions for FY2022

USBP Monthly Enforcement Encounters: Title 8 Apprehensions* and Title 42 Expulsions**									
	Northern Land Border			Southwest Land Border			Land Border Total		USBP Total Land Border
	Title 8*	Title 42**	Total	Title 8*	Title 42**	Total	Title 8*	Title 42**	
OCT	44	55	99	66,417	92,699	159,116	66,461	92,754	159,215
NOV	34	63	97	79,165	87,874	167,039	79,199	87,937	167,136
DEC	84	31	115	90,861	79,742	170,603	90,945	79,773	170,718
JAN	63	14	77	70,488	77,260	147,748	70,551	77,274	147,825
FEB	70	52	122	68,888	89,244	158,132	68,958	89,296	158,254
MAR									
APR									
MAY									
JUN									
JUL									
AUG									
SEP									
FY22TD Total	295	215	510	375,819	426,819	802,638	376,114	427,034	803,148

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The United States’ cyclical history of adjuring a national security justification through policies prevents the entry of migrants at the border. Title 42 justifies the expulsion and prevention of migrants via the Southern Border through the call for securitization and protection of the American population, regardless of whether it is a physical or health protection. These policies create an insecure environment for migrants, most especially for children, and prove detrimental to the health and safety of the refugee at the cost of the United States’ supposed security; they are continually enforced and supported by media at the border as well as by important, influential political figures.

The context for these policies is embedded within a rather long history of anti-migrant political history which justifies securitizing America and its national sovereignty. Most notably in the 1850’s the Chinese Exclusion Act limited the number of Chinese migrants arriving to the

¹¹ “Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions | U.S. Customs and Border Protection.” *www.cbp.gov*, www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics.

West.¹² Similar Exclusion Acts continued into the 1940s with securitization as the determining factor of enforcing these protocols. Securitization was especially embodied in the Immigration Act of 1924, which claimed that uncertainty over the first World War was the reason for limiting migrants into the United States, especially migrants coming from Asia as they could be spying or acting on behalf of foreign governments.¹³

These acts are merely utilized as a few of many examples showing how the United States' securitization has been the grounding force for anti-migration policies for more than a millennium. There are contested claims surrounding how the United States has engaged with these acts. Ultimately, the state prioritizes national security over international humanitarian interests. These past policies grounded and set the precedent for the more recent acts.

III. Literature Review

Unlike prior authors who focus on migration topics with strictly a narrative or a legal action point of view, I seek to understand the discrepancy between media and policy rhetoric and ideals versus migrants' truth. Many scholars tackle these questions with a plethora of angles and through a variety of research methods, all of which contribute to my own understanding of the topic. I diverge from this analysis by breaking down the empirical assumptions, comparing security notions to more broad understandings of refugees and migration in order to contextualize my argument and the DHS and CBP media which I evaluate.

I examine the literature on two themes: refugees and national security. My aim is to unveil the way in which authors contemplate refugees' experience from these perspectives. The main arguments that emerge from the literature articulate legal complexity of the policies, the

¹² *U.S. Department of State*, U.S. Department of State, <https://history.state.gov/milestones/1866-1898/chinese-immigration>.

¹³ <https://history.state.gov/milestones/1921-1936/immigration-act>

contradictions these policies have to the established codes of international law and international treaties, the harsh conditions migrants face when they arrive at the border, regardless of whether they are allowed to cross, and the way in which politicians have successfully used security in order to justify anti-migrant and asylum policies. Although it is robust, the available literature does not consider how the border's media during the period of Title 42 inaccurately contributes to a false narrative; a narrative that enables the punishment of migrant children. The literature specifically disregards an investigation into how assumptions are not fact-based, rather focusing on these terms' protraction over time.

(3.1) Refugees

Scholars of all disciplines investigate topics of refugees and migration as well as the broader impact that these actions have on the well-being of the migrant. The literature in this section captures the interdisciplinary nature of refugees and asylum as a subject matter. Literature has lacked depth of investigating Title 42 most likely because of its recent implementation. Therefore, specific insights are gleaned through observing how asylum has been written about during and prior to a Title 42 world and how migration policies impact the well-being and health of migrant communities. Both topics are important to contextualize the way in which policies similar to Title 42 are studied and understood.

Matthew Price's book *Rethinking Asylum* is a decent starting point for this discussion. Price articulates that, for the majority of history, asylum has been a political topic as opposed to a humanitarian one, embedding asylum as a key concern of international politics.¹⁴ Price examines the history of the concept of asylum as a political rather than a humanitarian subject. This argument contextualizes the current U.S. response to asylum seekers in the midst of a global pandemic.

¹⁴Price, Matthew E. *Rethinking Asylum: History, Purpose, and Limits*. Cambridge: Cambridge University Press, 2009.

American leaders refuse refugees asylum as part of a broader political agenda, without considering the humanitarian implications of this action. Price's characterization of asylum is poignantly applicable to how migration has been treated during the pandemic. Looking to the present and future, the Ukrainian refugee crisis will challenge the assumptions of asylum, blurring the lines between humanitarian and political interests while also emphasizing the discrepancy of how the United States politically assesses refugees from the West versus the South.

Similarly, Bill Frelick discusses the public influence on the treatment of refugees. Frelick questions how the political climate may impact public perceptions of refugees. He emphasizes that the Cold War welcomed a new American culture, and with that came a deep suspicion of refugees.¹⁵ Public opinion and political action are largely connected in a democratic society. Therefore, the public assumption that asylum seekers are a suspicion, or are by nature disreputable, only perpetuates policies that reflect this, without real or substantive evidence that this is the case with the refugees in question. I posit that Frelick's proposal is especially applicable to the way in which the CBP media discusses migrants. This discussion and media publication contributes to a suspicion and trepidation Americans have about children seeking refuge from the Southern border. A suspicion of refugees encourages a removal or prohibition of refugees. It also strengthens the concerns and stereotypes that American people have of the Latin American migrants.

In a different strain of thought, when examining the impact migration has on mental well-being, medical professionals Olivia Shadid and Shawn Singh Sidhu comment on the trauma that family separation inflicts on children. The authors scrutinize the trauma children face in terms of identity formation, psychosocial trauma, as well as disruptive psychological trauma. They state

¹⁵ Frelick, Bill. "Paradigm Shifts in the International Responses to Refugees." *Fear of Persecution: Global Human Rights, International Law, and Human Well-Being*. Edited by James D. White and Anthony J. Marsella. New York: Rowman and Littlefield Publishers, Inc., 2007.

that “ongoing separation from beloved family members” attributes to continued chronic stress and retraumatization for children.¹⁶ In regards to identity formation, the authors examine the dire challenges facing migrant children as they grapple with questions of their identity, their geographic identity as they are in flux, not citizens but asylees. Other identity challenges are that many migrants are “parentless, siblingless” and so on, as they navigate their way, separated from their foundation and their loved ones.¹⁷ The authors conclude by urging policymakers to consider the health implications of family separation policies. However, they do not articulate why these policies prevail despite the scientifically proven harm that they cause.

As of September 2021, there have not been any significant improvements to the treatment of children at the border. I argue it is because the empirical assumption that children pose as a security threat outweighs the nation’s concern for the health and well-being of the migrants. The main discussion of the treatment of migrant children at the border comes from NGOs which typically advocate for this population.

Similarly, Arenas et al. conduct a study measuring the data of separated families and their consequential emotional and psychological health. The authors highlight that a “separation from certain family members produces detrimental consequences for the well-being of immigrants themselves.”¹⁸ Their studies conclude with the findings that, with the exception of loneliness, women generally experienced much higher levels of emotional stress as a result of family separation. Particularly that “leaving a partner and/or offspring behind increased the likelihood of

¹⁶ Shadid O, Sidhu SS. The Mental Health Effects of Migrant Family Separation. *J Am Acad Child Adolesc Psychiatry*. 2021 Sep;60(9):1052-1055. doi: 10.1016/j.jaac.2021.02.018. Epub 2021 Mar 7. PMID: 33691151.

¹⁷ Ibid.

¹⁸ Arenas, Erika, Jenjira Yahirun, Graciela Teruel, Luis Rubalcava, and Pablo Gaitan-Rossi. 2021. “Gender, Family Separation, and Negative Emotional Well-Being among Recent Mexican Migrants.” *JOURNAL OF MARRIAGE AND FAMILY* 83 (5): 1401–19.

experiencing worse emotional well-being, anxiety, and loneliness.”¹⁹ This is an especially important key finding to consider when discussing the Title 42 policy. As mentioned, the CDC makes an exception to this rule for unaccompanied children noncitizens, which often leads guardians, under desperate circumstances, to send children across the border alone in order to guarantee refuge. Despite the data-driven findings that these policies are harmful, and in some manner inhumane, politicians continue enacting them. The authors do not comment on why this may be; however, it is clear that the border officials benefit from their enforcement.

Speaking specifically to policy goals, Jenny-Brook Condon comments that the point of these policies is cruelty itself. She raises three key arguments in her piece about family separation. Although the Biden administration rallied to end family separation via the Zero Tolerance Policy, the act of family separation still occurs in more informal ways. Families at the border face difficult choices of sending their children across alone in order to escape the dangers of the MPP waiting area. The first argument Condon poses is that cruelty is a key component of the government’s policy strategy in order to maintain migrant deterrence. The second is that the harm imposed by family separation is a constitutional violation, imposing cruelty and brutality onto the migrants. The third argues that family separation is torture as supported by international and federal statutory law.²⁰

Ultimately, Condon is draws attention to the grave danger of migrant related policies. Yet, she does not articulate or specify why the United States chooses to prioritize “cruelty” or “torture” over other measures. Here, my research supplements these ideas by explaining that the ideal of viewing migrants as foreign threats assumes a national security narrative, something Americans

¹⁹ Ibid.

²⁰ Condon, Jenny-Brooke. 2021. “When Cruelty Is the Point: Family Separation as Unconstitutional Torture.” *Harvard Civil Rights-Civil Liberties Law Review* 56 (1): 37–76.

feel the need to exclude for the sake of their own protection and national sovereignty. Additionally, the policies may enforce cruelty but they also provide border enforcement employees the opportunity to idealize and champion American national security by “capturing” the migrants who pose said threats and publishing their work to keep the nation “safe.”

The most poignant narrative capturing the effects of the MPP and Title 42 is detailed in the article, “‘Remain in Mexico’: Stories of Trauma and Abuse” written and published in 2021. The article both humanizes and embodies the authenticity of the effects the Migration Protection Protocols Policy and Title 42. The authors, Alfonso Mercado, Luz Garcini, Amanda Venta, and Manuel Paris, utilize the testimonies of two families who are victims of these policies and suffer the consequences of the policies enacted and supported by President Donald Trump and his administration on Capitol Hill. These two families faced the horrors of modern day migration at the United States and Mexico border in the encampments in Tamaulipas, Mexico and Juarez, Mexico. The narratives of these migrants represent the untold tales of the thousands of other migrants who journey from Latin America to seek the opportunities and access to a better quality of life than the ones into which they were born.

The first story recounts the tent encampment in Tamaulipas, Mexico, where, as of July 2021, over 2,500 families were forced to live after seeking asylum in the U.S. The families are forced to wait in until the time of their court hearing. Here, adults and children lack basic necessities to sustain human life: limited supply of food and water, no resources for bathing or using the bathroom, and no proper shelter from the destructive hurricanes arriving from the gulf. Two parents felt they had no choice but to send their children across the border alone to seek asylum after many migrants drowned in the rising waters of the Rio Grande after one hurricane. The protocols made an exemption for unaccompanied refugee minors, stating that children

traveling across the border alone could enter the country. The authors highlight that the future psychological damage caused by this separation to both the parents and children will likely be irreparable. This is damage that could have been prevented, had the health and well-being of the migrants themselves been at the forefront of politicians concerns.

The second story describes a six year old boy, Antonio, who was sexually assaulted in a shelter in the border town of Juarez. Antonio fled from gang violence in El Salvador to the United States and was held in a shelter in Mexico while he awaited his trial. Antonio faced grave psychological repercussions due to these events. The authors state that “Antonio’s case detailed the abhorrent consequences of a series of U.S. policies at the border that placed him in an unsafe environment where he was vulnerable to predation and then returned him to that environment after his family once again sought safety.”²¹ Essentially, the authors claim that Antonio’s experience was a direct result of the United States migration policies that directly put him into a situation of sexual abuse.

The article concludes with a clinical explanation of trauma exposure’s impact on migrant youth. There is minimal, if any, access to mental health care at the border for the entire migrant population. The policies of the former administration which, because of President Biden’s continuation of these policies, are still impacting migrant experience today, even though they are considered by countless psychological organizations to be the cause of mental and physical trauma to migrants. The authors call for the Biden Administration to accelerate a transition, ending the harmful protocols and implementing health and social services, first to first the children, and then to the families and adult individuals at the border.

²¹ Mercado, Alfonso, Luz Garcini, Amanda Venta, and Manuel Paris. 2021. “‘Remain In Mexico’: Stories Of Trauma And Abuse Two Families’ Stories-a Separation at the Border and an Assault in a Migrant Shelter-Show the Horrific Dimensions of US Migration Policy.” *HEALTH AFFAIRS* 40 (7): 1170–73.

A key element of understanding Title 42 is contextualizing the experiences of migrants who live the first hand effects of these policies and laws. Narrative provides an ethnographic centered understanding of how the government's words impact the lives of migrants; it is a personification of the policies detailed. Although much work is to be done on more accurately depicting and humanizing to the stories and narratives of migrants, Title 42 are relatively new policies and as human interaction becomes more pronounced and the pandemic ceases, these gaps will be filled and new narratives will contribute to history and possible future healing.

The authors fail to consider how the empirical assumptions of refugees and migrants impact and shape domestic policy in the United States. My research seeks to fill this gap. The argument in this piece and broad conception of many Americans is that migrants are somehow "bad" for security purposes. At the present time, there is a lack of research comparing the empirical assumptions of asylum seekers promoted by border media to their reality. There is substantive evidence that the current policies, founded on this assumption, are incredibly harmful to asylum seekers, especially children who remain in ICE at the border or in Mexico awaiting their hearings.

(3.2) National Security

Here I link Title 42 to literature examining the intersection of national security topics and migrants. The United States' cyclical history of adjuring to a national security and public health security is often justified through policies which prevent the entry of migrants into the United States. COVID-19, however, has drastically changed public health security as a phenomenon. As Kenwick and Simmons explain, founding policies excluding migrants in order to improve internal public health measures, i.e. Title 42, is a form of border externalization; it restricts travel and closes borders during a pandemic. This exclusion of a vulnerable population may have been justified by a significant health threat, but as Kenwick and Simmons state, border closures are not scientifically

data-driven decisions nor are they based on empirical proof of improved public health.²² The most pervasive threat seems to be the one that asylum seekers face at the border towns in Mexico which are plagued with violence, sexual assault, and crime targeted towards migrants. Criminals often assume that they can threaten this group, under the belief that the ability to migrate means that the migrants had resources to pay for the opportunity to leave.

Kenwick and Simmons claim that this border externalization is executed “despite scientific evidence, unilateral border control is a very tempting tool for sovereign states to wield in the face of a pandemic.”²³ This is exactly the situation of Title 42. It is clear that Title 42 justifies the expulsion and prevention of migrants via the Southern Border through the call for health securitization, however, it does not provide empirical evidence of the health threats posed by migrants amidst the pandemic nor of the improvement to health with their expulsion.

The “Pandemic Response as Border Politics” ethnographic research unveils popularized American opinions of politicized pandemic border policies. The findings emphasize that “despite clear evidence that the virus was already in the US, and as news of its spread mounted, more Americans favored travel bans than domestic migration policies.”²⁴ Essentially, the United States is prioritizing a false sense of securitization at the cost of migrants safety and well-being, especially children refugees and asylum seekers. The findings highlight that the empirical assumption that migrants are a security threat is a mere assumption, not a quantitatively proven ideal. The authors claim that the border closure is a “result of growing anxiety” about border security.²⁵ I aim to expound upon this, contextualizing Title 42 as an example of the externalization by completing a

²² Kenwick, Michael R. and Beth A. Simmons, (2020), “Pandemic Response as Border Politics,” *International Organization*, 74: E36–E58

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

media analysis surrounding its implementation; the way in which the conditions and difficult decisions families endure provide DHS and CBP the opportunity to “save” the United States from the assumed enemy- the migrant, the refugee, even the child. In order to prove my proposal a valid theory I will explain how policies produced amidst the pandemic were strictly targeted at keeping migrants from crossing the border. The policies resulted in children enduring an incomprehensible journey and provided border agents the opportunity to write and publish the narratives of this vulnerable population.

The exclusion of migrants was popularized during the former president, Donald Trump’s Presidency. Author Rachel Chernov emphasizes the impact that national security rhetoric has on migration policy. The author examines the numerical impact that the Executive Branch has had on asylum seekers, drawing attention to Trump’s refugee admission ceiling of 18,000 persons in the Fiscal Year 2020.²⁶ The numerical implications of Trump-era immigration policies are starkly clear. The former President’s rhetoric, which continually invoked the threat migrants posed to national security was the ultimate backing of these policies that substantially limited migrants’ access to the United States, even in cases of refugee and asylum seekers. Chernov is among many scholars who studies the impact President Trump’s rhetoric had on migration policy given his unprecedented harmful and exclusionary actions towards the migrant community.

Hugh Hutchison similarly examines the legal implications of securitized migration. Hutchison notes the complexity of determining when a threat can be legitimized as well as the potential problems of migration relying on various international legal channels.²⁷ Of course a President, the ultimate spokesperson and representative of a nation, using anti-migrant language

²⁶ Chernov, Rachel. 2020. “Immigration Reform in Refugee and Asylum Policy: Disentangling Immigration from the National Security Discourse.” *Fordham International Law Journal* 44 (4): 1029–86.

²⁷ Hutchinson, Hugh. 2020. “Continuity and Change: Comparing the Securitization of Migration under the Obama and Trump Administrations.” *Perceptions: Journal of International Affairs* 25 (1): 81–98.

permits and encourages anti-migrant sentiment among the public. Similarly, the President's former allegations and stereotypes of undocumented migrants perpetuated the belief that this group of people come solely to the United States to cause harm and crime.

Examining the perspectives of migrants themselves, Michael Teitelbaum's work claims that international movement is a result of external factors of the person in movement such as political instability and erratic and unequal economic growth.²⁸ Teitelbaum breaks down his argument by examining sending and receiving countries, claiming that sending countries have a large degree of control on outmigration, and this must somehow be managed by improving domestic economic and political conditions.²⁹ Teitelbaum proposes a solution to the United States as a specific problem, without ever articulating empirical evidence regarding why migrants are an issue for the receiving governments in the first place. Teitelbaum posits the security concern of migrants as a concern for the security of US national economic interests. My research seeks to fill this gap. The argument in this piece, and the broad conception of many Americans, is that child migrants are somehow "bad" for security purposes when in reality the idea is nothing more than a continued assumption.

While examining and positing the developed ideals of what it means to be a refugee and the lived experience of an asylee, these authors fail to examine what empirical assumption contributes to perpetuating the ideals associated with the term. Further, national security is a popularized topic, most especially as the nation continues to confront COVID-19, a global health crisis which has also been viewed politically as a global security crisis. As the authors note, there is substantial contribution towards the evolution of national security and migration over time, most

²⁸ Teitelbaum, Michael S. "Immigration, Refugees, and Foreign Policy" *International Organization*, Vol. 38, No. 3 (Summer, 1984), pp. 429-450.

²⁹ Ibid.

especially in the intersection of national-security backed policy and migration. Given the term's ubiquity, there is a rather stark gap between these histories, and the exploration of why they continue to occur, even when they are disproven.³⁰ Below I explore and comment on how DHS, CBP, and more specifically their media publications, perpetuate the assumption that refugees pose an imminent threat to the American sovereign state and identity and further that these people are making senseless decisions. The published narratives of DHS and CBP encounters with unaccompanied children provide an opportunity for CBP agents to narrate the story of noncitizen children, to exploit their journey in order to augment their position in a story of "protecting the U.S. border."

IV. Theory

The accumulation of anti-migrant sentiment in America is not new, nor is the securitization of migration. 21st century media, however, allows for an unprecedented and rapidly growing spread of ideas and beliefs. Such is the case with migration; the way in which America communicates about and characterizes migration, especially children migrants, is based on assumptions that lack sufficient evidence and support. These assumptions only continue to advance and swell as more political figures and border organizations continue to circulate them. In turn, they lead to immense harm facing children at the border. Given the nature of unaccompanied children, who are young, physically, emotionally, and mentally vulnerable, and even more vulnerable by circumstance, CBP and DHS optimized on this circumstance as an opportunity to exploit the population, positing the children as weak, needing to be saved from both their circumstance and their reckless guardians. In doing so, CBP positions themselves as saviors in a

³⁰ See Kenwick and Simmons

story of protecting the United States and rescuing children from circumstances inflicted onto them by their own guardians.

As my empirics demonstrate, I theorize that the assumptions of children migrants are, first and foremost, false. I contest that children are more threatened by the exploitation of border media than they are threats to the United States and its border employees and citizens themselves. In addition to their inaccuracy, assumptions are encouraged and inflated by politicians and the DHS and CBP media, oftentimes invoking language and creating counterfactual narratives that perpetuate the false ideas. These factors enable the trauma and harm that children face in the processes of their migratory experiences, as noted by the authors in my relevant discussion section.

Ultimately, breaking down and understanding these assumptions is crucial in order to reassess and redevelop the existing narrative. Looking forward, modifying and recreating this narrative could serve to protect and provide newfound security to this especially vulnerable group of migrants. Language and media (visuals) are critical to the dilemma children face; understanding that this population is not migrating with an intent to cause or threaten harm and conveying that message, is absolutely essential to protecting these children while also asserting that migration is not a danger to the United States in and of itself. Below, I detail the way in which migrants are treated as an empirical threat, despite the lack of any substantive proof that they cause the assumed harm and danger.

V. Empirics: Media Analysis

In my media analysis I will be examining media sources from the official CBP government website. The sources are all recent publications, spanning from 2020 to present day, 2022. This time period is reflective of the Title 42 timeline, implemented in March 2020 and continuing, with some controversy, today. The Title 42 period is important because the way in which the border

media and officials describe and address child migrants fails to depict the full reality of their situation and the impact Title 42 has on their migratory experience.

I will review CBP and DHS publications which include border patrol employees' statements invoking security justifications and saviorism/heroism with regard to how the migrant community is discussed. I will examine the media sources that are centered around unaccompanied noncitizen children encountering border control and analyze the language used to document this experience. This is where my media analysis will come into play. For instance, Secretary of Homeland Security Kirstjen M. Nielsen is quoted, justifying Title 42, stating that these protocols "will address the urgent humanitarian and security crisis at the Southern border (Nielsen, 2019).

In reality, the crisis at the border is aggravated by these policies, as they perpetuate the aforementioned humanitarian crisis. I believe that this analysis will enforce my theory that the United States is prioritizing an assumed securitization at the cost of child migrants' health and safety, and that the nation is perpetuating an assumption that children asylum seekers are harmful, in order to "protect" the lives of those within the nation. In doing so, the U.S. endangers the lives of these children to further to boost the portrayal of the border enforcement agencies and maintain their positive, heroic status.

(5.1) CBP & DHS Data (2020-2022)

There is a significant lack of data describing the number of released unaccompanied children that have proven to pose some kind of danger or threat. This lack of publication is illustrative of the fact that there is realistically not much of a threat at all. The USCIS defines an asylum-seeker as someone who is suffering under the same conditions as refugees. What specifies an "asylum-seeker" is someone who claims that they are fleeing persecution and are already in the United States, or are seeking access to the U.S. at a point of entry. If a person is outside of the U.S.

and is seeking to be moved into it for protection then they are considered to be seeking ‘refugee’ status.³¹ However, Title 42 limits the opportunity for migrants to even be considered for refugee or asylum status given the exclusion on entering the United States and limit of ICE centers where the asylum and refugee processing occurs.

A note of context, COVID-19 presented an influx of unaccompanied minors. In December 2020, UNHCR and UNICEF reported the following common characteristics of unaccompanied migrant children whom they interviewed in El Salvador, Guatemala, Honduras, and Mexico:

- 54% reported that they considered seeking asylum (compared to 30% of children accompanied by family members), but most children didn’t know how to request asylum.
- 21% reported fleeing death threats.
- 5% reported fleeing gang recruitment.
- 2% reported fleeing from domestic violence.
- 2% reported fleeing from extortion.³²

It appears evident that the asylum seeking process is not only inaccessible to the majority of children, but that those who were valid in seeking asylum were unlikely to find refuge as a result of U.S. policy, which assumes that even asylum seekers are a danger to the United States’ internal interests. These statistics belie the narrative of the CBP. The CBP presents stories that the children have arrived in the United States as if by happenstance of the carelessness of their parents. In reality, that is not the case, the vast majority of unaccompanied minor children are fleeing for a valid reason, one which is protected by the UN. Those who considered seeking asylum simply did

³¹ U.S. Citizenship and Immigration Services. “Refugees and Asylum”.
<http://www.uscis.gov/humanitarian/refugees-asylum>.

³² Dreifuss, Daniel. “Families on the Run.” *Families on the Run* | UNHCR | UNICEF, 2019, familiesontherun.org. Accessed 11 Apr. 2022.

not know how. It is unreasonable for the United States to assume that all children can read and understand Spanish (in terms of literacy, but also Spanish may not be the primary language of an indigenous child) or English, and especially can pay attention when they are in a specifically vulnerable condition. This then leads those who often would qualify for asylum unable to access the opportunity. And, therefore, to do so in an unusual manner in order to navigate the treacheries of the Title 42 policy. Therefore, a difficult decision ensues; there is a vast discrepancy between issue and perception, reality and assumption.

(5.2) Media Analysis

This media analysis examines the ways in which media, particularly DHS and CBP media, which are a perceived legitimized sources of migration news, perpetuates the malicious assumptions of migrants at the border. I will draw specific attention to word choice and how the story is posited in the context of the mission and goals of CBP and DHS. Most notably, the media consistently villainizes rather than victimizes the population of undocumented migrants while endowing upon themselves a savior complex and sense of heroism.³³

These media publications are presented as they include certain characteristics which encapsulate my argument and are reflective of CBP norms, attitudes, and beliefs. First, the four pieces come from 2020-2022 (within the implementation and enactment of Title 42), which was and continues to be a formative years for migration policies, specifically policies that impacted families on a much larger and more difficult scale than previously. Previous policies, such as the Zero Tolerance Policy, were not only incredibly harmful, but also more straight forward than Title

³³ I use the term “Savior Complex” or “Saviorism” to explain how the CBP frames themselves as a saving force for vulnerable populations, aiding unaccompanied minors and blaming the guardians for their malpractice. The Savior Complex is popularized in American psychology. In reality, they posit this narrative in a manner which ignores and excludes crucial details of migrants histories and situations. It is a way for them to act as if they are saving when they are in many ways inflicting harm.

42, making it clear adults could accompany their children. Second, these articles all involve encounters between CBP officers and noncitizen children. This population presents an ideal narrative for CBP given their exposed and defenseless nature. Third, and most importantly, the rhetoric in these articles is consistent in perpetuating only a single-story of noncitizen unaccompanied children. They position the CBP and DHS as heroic figures who protect the United States by capturing and expelling foreigners, enlivening the assumption that these foreigners are harmful in nature, while completely disregarding the reality that many of these migrants are desperately trying to escape harm themselves. Further, the images included are exploitative of the children's situation and posit a stark contrast to the actual experiences of migrants and children held in ICE at the border. The real lived experiences of these children are more likely captured by NGOs, which unfortunately have much less media visibility than the government organizations, and a very different target audience than that of the government.

Before exploring these publications, I would like to include a note of contextualization. When President Biden took office, his administration exempted the expulsion of unaccompanied noncitizen children migrants. This pledge and policy resulted in many migrant families and guardians acting in desperation, beginning in 2020 through and still currently in 2022. While attempting to provide their children with safety and other improved conditions, many families were forced to make the difficult decision to send their children across the border to safety. While this did allow their children to escape from violent and dangerous situations in Mexico encampments where MPPs and Title 42 force migrants to wait, the explicit exception of having to send them alone in order for the children to be deemed unaccompanied is inhumane and unnatural for a child's health, wellbeing, and development. For lengths sake, only four pieces are presented. However,

there are thousands more chilling stories of unaccompanied migrant children crossing the border and encountering border patrol agents.

(5.3) Article I: “Smuggler Abandons 7-Year Old Child at the Border”

A 2021 CBP article titled, “Smuggler Abandons 7-Year Old Child at the Border” recounts a child smuggler who attempted to climb a rope ladder from the Mexico border wall to the U.S. side. The CBP frames this story by accentuating that the potential for harm was inflicted entirely by the smuggler. The story states, “agents immediately recognized the dangerous situation created by the human smuggler.”³⁴ Although the situation was clearly dangerous, there is no recognition that the 30 foot border wall and migration policies that often force parents to make the decision to send their child across the border alone given the exceptions for unaccompanied minors is the real cause of the story and the issue. The end of the article quotes Chief Patrol Agent Gregory K. Bovino who states that “smugglers will always view children as a commodity to gain a profit, disregarding the safety and well-being of any individual except their own.”³⁵ This narrative, however, does not depict a fair or comprehensive reality. It criminalizes the smugglers and punishes the children, assuming that the choice to send one’s child across the border alone was an ill-thought out plan or even a mistake, when in reality, the Title 42 regulations present a severely a limited scope of opportunities for families to provide their children with possibilities of migration to America and access to safe conditions.

Child smuggling is a ubiquitous term in CBP media vocabulary. The media and border agents alike continually troupe child smugglers as criminals or villains in migratory stories, bringing illicit goods across the border or planning criminal actions on behalf of a larger organized

³⁴ “Smuggler Abandons 7-Year-Old Child at Border.” *U.S. Customs and Border Protection*, 12 Oct. 2021, www.cbp.gov/newsroom/local-media-release/smuggler-abandons-7-year-old-child-border?_ga=2.217178710.170932576.1649348592-1635497110.1646174303. Accessed 7 Apr. 2022.

³⁵ *Ibid.*

criminal or group. Cases exist where smugglers abuse migrants, cases also exist where smugglers care for and provide safety to migrants. Child smuggling is an incredibly complex relationship that cannot be assumed in any situation, nor can children as a whole villainized for the exploitation at the hands of another. As the Migration Policy Institute states “at times, the relationship can be mutually beneficial or even lifesaving; at others, it can be predatory and dangerous.”³⁶ Oftentimes, migrants have resorted to smugglers for the sake of their own protection. The route to the United States is not safe; “criminals and corrupt law enforcement officials kidnap, extort, and attack the travelers as they pass [through]” and it is often in the hands of smugglers to bring the migrants to the border.³⁷

This perspective and narrative is not apparently considered and certainly not acknowledged by the media, but it is crucial to understand that child smuggling is not a black and white experience. It is unfair and limiting to assume that all children who have been smuggled share a universal experience. The narrative that the border patrol presents, is grounded in the idea that they are “saving” children from the danger and harm on the other side of the border, and leaves no room for a middle ground, or explanation for the systemic underpinnings of migration. Leaving out an entire perspective and piece of the story silences migrants’ voices and imposes a toxic, and in some manner colonial,³⁸ American perspective onto their migratory experience. This is far too common throughout these media sources, as they continue to enforce a false and harmful narrative of undocumented migrants.

(5.4) Article II: “USBP Rescues 2 Abandoned Children”

³⁶ Gilardi, Jasper. “Ally or Exploiter? The Smuggler-Migrant Relationship Is a Complex One.” *Migrationpolicy.org*, 4 Feb. 2020, www.migrationpolicy.org/article/ally-or-exploiter-smuggler-migrant-relationship-complex-one.

³⁷ Ibid.

³⁸ America’s interactions with South and Central America during the colonial era with a Western colonization intention, intent to Westernize and colonize Latin American citizens.

Another 2021 CBP article “USBP Rescues 2 Abandoned Children,” carries the same savior undertones while criminalizing migrants who are forced to make unimaginably difficult decisions at the border, especially criticizing and questioning the judgment and decisions of the children’s guardians. This article begins by describing how border agents “rescued” “abandoned” children in Jacumba, California. The narrative details how the children came to the border with a handwritten note from their mother which included a phone number written on the children’s arms.

It goes unnoticed in the article, that this was not a wanton decision, given the lengths that the mother must have taken in order to ensure that the children were accounted for at some point and had the resources needed to communicate with officials. The most important element in this article is the commentary. The statements denounce the actions taken by the caregivers of the children, yet neglect to include the reality that this may have been the parents’ only option to ensure their child’s safety. CBP Chief Patrol Agent Aaron Heitke states the following regarding the situation, “it is unconscionable that anyone would abandon these small children and those responsible for smuggling events like this will be aggressively prosecuted, thankfully, our agents were able to quickly rescue these siblings.”³⁹ Non-directly condemning the mother of the children, this statement again assumes that the decision of the guardian was a simple one and a careless one. Again, not taking into account that, there are countless political, social, and economic concerns that lead families to send their children unaccompanied across the border. There is a high likelihood that these children would be alone if they wanted access to the U.S., given that if they traveled with their mother, they all would have been returned to Mexico to await a hearing. Whereas under Title 42, if the children were alone, they would be eligible for refuge. The CBP

³⁹ “USBP Rescues 2 Abandoned Children.” *U.S. Customs and Border Protection*, www.cbp.gov/newsroom/local-media-release/usbp-rescues-2-abandoned-children?_ga=2.101913089.1411888656.1648932358-1635497110.1646174303.

makes clear that they rescued the children from a dangerous situation which occurred at the hands of a reckless and careless mother.

Attached below is the image utilized by the CBP. In it, a border agent interacts with the distraught children. This image emphasizes the saviorism that the CBP appears to employ onto undocumented migrant children, while asserting to the readers that these “helpless and desolate children” were “abandoned” by their mother and alone in a desert climate. Again, there is no consideration for the systemic factors that brought the children into this position and the reality of their conditions.



The media’s portrayal of child migrants often inflicts punishments and unwarranted, inaccurate assumptions because of their circumstances. Here, they are seen as incredibly vulnerable due to their mother’s decisions, with no regard to the systemic issues that forced their mother to make a heartbreaking decision to send the children alone. Had the border media communicated the reasons why families face the most difficult decision of sending their children across the border alone, the children would not be exploited as “abandoned” and there would be far more empathetic reasoning for the guardians of these children’s incredibly difficult decisions. However, communicating this message would diminish the position of the agents and would

⁴⁰ Ibid.

further deduct from the savior ability of the agents and potentially even expose the other side of border patrol.

(5.5) Article III: “Agents Rescue Three Lost Unaccompanied Migrant Children”

The third CBP piece comes from August 3, 2021, titled “Agents Rescue Three Lost Unaccompanied Migrant Children.” This article recounts the encounter between CBP agents and three Honduran children who called 911 while lost after crossing the border. While this story captures the same saviorism as the others, it is uniquely presented given the children were not encountered by chance but sought out help and dialed 911. As a result the story is framed as more of a “search and rescue” mission rather than an encounter. It fully disregards the fact that the intention of the children may have been detainment once making it safely across the border, as they were all unaccompanied minors and this would have allowed them to gain refuge and legal processing.

The border patrol agent interviewed in this case says “these children were left alone to fend for themselves without any regard for their survival... crossing the border illegally is dangerous for adults who are prepared for the journey. The children we encounter on their own have often faced a much more perilous voyage. Thank you to our agents for locating the minors and getting them to safety.”⁴¹ Yet, what is “safety?” As mentioned previously, unaccompanied minors are likely to experience severe trauma among other psychological conditions. Additionally, it is likely that these children are being held in an ICE detention center which have incredibly questionable conditions. Further, the CBP addresses the agents’ ability to bring the children to safety, but disregards the fact that the reason the children face such unsafe conditions is a result of their own

⁴¹ “Agents Rescue Three Lost Unaccompanied Migrant Children.” *U.S. Customs and Border Protection*, www.cbp.gov/newsroom/local-media-release/agents-rescue-three-lost-unaccompanied-migrant-children?_ga=2.106624067.1333115713.1649777459-1635497110.1646174303. Accessed 26 Apr. 2022.

Title 42 policy and broader anti-migrant sentiment. Had the United States implemented a program amidst COVID-19 that provided children and families a refuge from crises they were facing, the grave consequences children face today may have been diminished.

(5.6) Article IV: “Unaccompanied Toddler Abandoned at Border in Rio Grande Valley, Texas”

The last and most recent article recounts a two-year-old found near the Rio Grande. Interestingly, but not surprisingly, the CBP title describes the child as “abandoned” in the title of the article when later they state that the child was traveling, and encountered, within a group of 38 people.⁴² Similar to the other children encountered, this boy had a birth certificate on him with his father’s information written on the back. Although this article is narrated and written as if the child was discovered alone in the Rio Grande, it is clear given the information he had with him that this was not the case, that he was sent to the United States intentionally and with a group. Yet again, the border media presents a narrative on behalf of the boy, that he was abandoned, alone and saved by the CBP. Often times groups of undocumented migrants travel together to cross the border, it is a planned journey. The positioning of the narrative allows the story to be perceived as another saving experience that the CBP provides to a weak and vulnerable population. Although children by nature are weak and vulnerable, and this is heightened by a migratory journey the experience of these children is exploited to benefit the CBP, saving the United States from a group of citizens who lack documentation.

The article continues on to state that within the Rio Grande Valley agents have encountered over 38,000 NUCs in the first six months of fiscal year 2022.⁴³ (NUC: noncitizen unaccompanied

⁴² “Unaccompanied Toddler Abandoned at Border in Rio Grande Valley, Texas.” *U.S. Customs and Border Protection*, www.cbp.gov/newsroom/local-media-release/unaccompanied-toddler-abandoned-border-rio-grande-valley-texas?_ga=2.106606145.316337581.1650979379-1635497110.1646174303.

⁴³ *Ibid.*

children). This bold number is representative of all of the guardians and children who face the difficult decision to flee their nation and undertake a perilous journey into the United States. Only, Title 42 prohibits undocumented adults from entering or crossing into the United States. The circumstances of Title 42 exacerbate the number of children coming unaccompanied given it is the only guarantee of refuge in the United States.

(5.7) Article Commonalities:

The aforementioned articles contain an indistinguishable basic narrative from the same basic time period. Unaccompanied children are encountered by CBP officers at the border. These children have been abandoned. They are in some way saved by a CBP enforcement officer who brings them to “safety”, in some cases they even find solace as a result of this encounter. The reason that the children ended up in the situation is a result of poor guardianship. The guardians chose to endanger their children, carelessly and senselessly. None of the articles address the systemic issues which have caused millions of Central and South American people to flee their homes. Nor do they acknowledge the immense mental trauma that guardians undoubtedly suffer as they face desperation for an altered future for their child.

(5.8) A Multiplicity of Stories at the Border:

Within this same Title 42 time period multiple sources revealed that children and women were experiencing violence and sexual abuse in ICE custody, the exact place where CBP claims to have brought the children to “safety.” This is not meant to assume that every border agent is inherently bad. However, not only is the narrative of the children encountered at the border omitted in these articles, there is also no recognition that these heroes have also been abusive to the children who are detained after crossing the border. A massive discrepancy exists in the savior nature of these agents and the violent reality that migrants experience.

In 2019 news broke of the thousands of sexual assault claims made by children since 2015 in ICE detention centers. NPR's John Burnett stated that "of those complaints, some 1,300 were serious enough to refer to the FBI."⁴⁴ Although government officials denied the allegations, it is evident that there is a chilling level of insecurity and danger in these facilities. Facilities which CBP claims to be "safety" for the incredibly vulnerable noncitizen children.^{45,46} It is also important to note that the data may be an underrepresentation of the reality as some children are too young to understand and articulate what happened to them, not only could they lack the vocabulary, they also lack the mental capacity to understand sexual assault.

In addition to the vast sexual assault claims, the "safety," or ICE detention centers, where the migrants are brought to by border officials are physically very unsafe. Homeland Security's inspector general called for the immediate evacuation of dozens of immigrants detained at an ICE facility in New Mexico.⁴⁷ The report details moldy sinks, clogged toilets, and water leaks throughout the facility. Beyond the dire physical conditions the American Civil Liberties Union (ACLU) documents the narratives of migrants who spent time in the ICE detention facilities during the pandemic. The report quotes migrants speaking about the ICE detention centers. Humberto states: "I still feel depressed and anxious. I think being in detention so long makes me feel this way. Especially because of how they treated me."⁴⁸ Meanwhile, explains the horror of his reality

⁴⁴ "NPR Choice Page." *Npr.org*, 2019, www.npr.org/2019/02/26/698397631/sexual-assault-of-detained-migrant-children-reported-in-the-thousands-since-2015.

⁴⁵ "Violence against Women and Girls in ICE Custody – Global Rights for Women." *Global Rights for Women*, globalrightsforwomen.org/featured/violence-against-women-and-girls-ice-custody/.

⁴⁶ Haag, Matthew. "Thousands of Immigrant Children Said They Were Sexually Abused in U.S. Detention Centers, Report Says." *The New York Times*, 27 Feb. 2019, www.nytimes.com/2019/02/27/us/immigrant-children-sexual-abuse.html

⁴⁷ Sachetti, Maria. "Inspector General, ICE Clash over Conditions at Immigration Detention Facility in New Mexico." *Washington Post*, 22 Mar. 2022, www.washingtonpost.com/national-security/2022/03/18/ice-detention-unsanitary-new-mexico/.

⁴⁸ ACLU. "The Survivors." *American Civil Liberties Union*, 2021, www.aclu.org/report/survivors.

in detention: “I wouldn’t wish detention on my worst enemy, because it truly is horrible...”⁴⁹ The “safety” referred to by the border patrol provides readers with a false sense of security. There is nothing safe about the conditions children face when they are sent to the ICE detention facilities.

It is clear that there are two opposing narratives and experiences articulated. One is articulated on behalf of the migrants by CBP and DHS and the less popularized and articulated experiences by the migrants themselves whose experience an entirely different reality than the one depicted in the border media. This bifurcation addresses the narrowed view the CBP shares with the public of their work, it lacks a full perspective and full picture of the realities of these children. Further, by failing to address severe systemic issues in the United States and abroad the reader of the CBP articles sees one level of the enforcement agents, a level of saviorism, and the villainization of migrants from the South. The articles continue to deem the border enforcement as heroes in a binary story. Unfortunately, there is a lack of opportunity and a lack of access for children to escape problems and dangers in their home regions in any other manner than to journey unaccompanied and cross the border.

The border media is a prime encapsulation of what Chimamanda Ngozi Adichie coins “the danger of a single story.” As a result of omitting crucial details about the child migratory experience the United States government, and border organizations at large, create (through media publications), and promote an assumption of child migrants and their guardians. Adichie states: “stories matter. Many stories matter. Stories have been used to dispossess and to malign, but stories can also be used to empower and to humanize. Stories can break the dignity of a people, but stories can also repair that broken dignity.”⁵⁰ It is absolutely essential that the border consider the many other stories

⁴⁹ Ibid.

⁵⁰ Chimamanda Ngozi Adichie. “Transcript of “the Danger of a Single Story.”” *Ted.com*, TED Talks, 2009, www.ted.com/talks/chimamanda_ngozi_adichie_the_danger_of_a_single_story/transcript.

attached to the migratory experience so as to recognize systemic issues and restore the dignity and humanity of this population.

VI. Conclusion

Through an examination of international treaties and national policies, relevant literary discussions, and an analysis of CBP and DHS media publications, this paper argued that the negative treatment and perception of child migrants is a result of an assumption that these undocumented children crossing the Southern border are inherently bad and in the United States as a result of their guardians careless decisions. I explained how this concep is enforced by border control's the media narratives, which omit key and crucial details about the migratory experience, systemic factors, and broader geopolitical conditions causing individuals to migrate and forcing them into making desperate decisions. The border control's stories and narratives are not necessarily truthful, nor wholistic, and it is important that media becomes more inclusive towards the reality of what is happening at the Southern Border and includes the broader contexts that cause migration at large, such as the adverse social, economic, and political conditions that force individuals to flee Central and South America.

Migration crises are on the rise, transcending far beyond the United States' borders. Although humanized migration programs and policies are something that the broader international community have considered, there is always the possibility for the United States to pave the way. This is an especially poignant topic with the crisis and war in Ukraine. Millions of Ukrainians have become displaced as a result of the war. In April, President Biden announced a commitment to

welcome up to 100,000 Ukrainians.⁵¹ It will be interesting to see the intersection, or lack thereof, of how the United States manages the Ukrainian refugees as opposed to those from Central and South America. Furthermore, how will the media recount the encounters and interactions between Ukrainian refugees, more specifically child refugees, and border patrol; is the same narrative cast onto the Ukrainian children as the one imposed onto the Central and South American children? These questions will further develop and contextualize the media portrayal and categorization of migrants, and noncitizen children at the Southern border. How will the ethnic and racial identities of the migrants influence, if at all, the border patrols interactions? Media, in this case, speaks to a larger representation of American geopolitical interests and how the United States examines and speaks to different populations and international crises. It further perpetuates and influences how future generations will perceive and act towards migrants in the future.

It would be unfair to end this paper on a disheartening note, which is not to minimize the grievance of the migrants, rather suggest an improved future path. Although the media and border patrol at large are incredibly unfair and harmful to child migrants, it is important beyond recognizing this to seek out change. One promising way forward is to urge the media to present a more wholistic narrative of the migratory experience, in order to protect and acknowledge the dignity of migrants, especially of vulnerable youth. More systemically, through the implementation of a refugee compact; something along the lines of a refugee compact would hold the international community, especially the U.S. accountable for keeping pace with the changing global landscape of increased refugee numbers and protecting refugees rights.

⁵¹ “President Biden to Announce Uniting for Ukraine, a New Streamlined Process to Welcome Ukrainians Fleeing Russia’s Invasion of Ukraine | Homeland Security.” *www.dhs.gov*, www.dhs.gov/news/2022/04/21/president-biden-announce-uniting-ukraine-new-streamlined-process-welcome-ukrainians.

The Center for Global Development and the International Rescue Committee put together a study on refugee compacts. Essentially, a refugee compact “brings together multiyear commitments from the host government and the international community, fostering inclusive growth and opportunities for refugees and their hosts.”⁵² Something along these lines would better address the systemic issues that migrants face when entering the United States. Further, it would hold the border control agents accountable for fostering attitudes and goals that would dismantle the present saviorism and create a more equitable experience for this largely vulnerable community.

It is unlikely that amidst the current refugee crisis in Ukraine, the United States would adopt such a policy committing themselves to a vastly different narrative than that which is currently present. Children are the future and their experiences will continue to live on and be formative to how they perceive nation states. As a nation, our American policies and government are causing harm to this future. As Americans, must continue to ask ourselves, when will the cost of human suffering be too high for the United states Border Control to continue to act this way?

⁵² “Refugee Compacts: Addressing the Crisis of Protracted Displacement.” *Center for Global Development | Ideas to Action*, www.cgdev.org/publication/refugee-compacts-addressing-the-crisis-of-protracted-displacement. Accessed 3 May 2022.