

Sección de jóvenes investigadores

Latin American Immigrant Juveniles in the U.S.: an Army of Delinquents or the Victims of a Racist System?

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Introduction

Leaving one's homeland in pursuit of a better life has always been a difficult experience and such experience becomes even more intense when the ones who undergo this ordeal are children. But even though immigrants might expect this move to a foreign country to present some difficulties, such as struggling with economic stability, adapting to a different culture or learning a new language, they are not always prepared for the racist treatment the recipient land gives to them. Teun A. van Dijk (1991) defines racism as a system of group dominance which is both structural and ideological. This system embodies, first, political, economic, and socio-cultural structures of inequality along with processes and practices of exclusion and marginalization and, second, socio-cognitive representations required by said structures and processes. The aim of this paper is to portray, expose, analyse and provide examples of racist discourses and practices toward Latin American immigrants in the United States, specifically juveniles, in three interrelated spheres: the labor area, Immigration Law, and the Press.

The first two sections of this essay deal with what Van Dijk (1991) describes as 'structural inequality' which involves limited access to material and symbolic resources. Specifically, the first section portrays the labor situation for Latin American immigrants in the United States and in more detail the experience of undocumented people of Mexican origin. The second section of this paper introduces the main group of interest of this project which is immigrant juveniles. In order to

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analyse the situation of immigrant juveniles of racial minorities in the U.S., racism towards them is portrayed firstly within the context of the American Juvenile Justice System showing how at different stages of the judicial process, this Judicial System created specifically not to try minors as adult criminals, considers immigrant juveniles as adults in order to deport them.

The last two sections of this paper deal with the reproduction of racism by the American press since, as Van Dijk (2012) explains, despite some legal and moral constraints, the notion of western, democratic or pluralist freedom also allows for considerable freedom to discriminate. The third section exposes how immigrant juveniles are demonized by the American press as dangerous members of organized youth gangs threatening society. And, the fourth and final section of this paper analyzes the racist discourse towards immigrant juveniles in the article 'Flood of Illegal Immigrants Now Includes Gang Members' from the online magazine *The New American* using as a guide the elements employed in the reproduction of racism by the press that Teun A. Van Dijk describes in 'Racism and the Press' (1991).

Labor situation for immigrants in the U.S.A. The disadvantaged situation of Latin Americans in the American labor market

International migration is not a new phenomenon in Latin America. In the past few decades, it has become a region of emigration of workers that are characterized by subordination and social vulnerability (Canales, 2007). The aim of this section is to analyse the poor labor situation of Latin American immigrants in general and, more specifically, of Mexican undocumented people.

In *Inclusion and Segregation: The Incorporation of Latin American Immigrants into the U.S. Labor Market* by Mexican economist and demographer Alejandro I. Canales (2007), it is explained that there is a double process of segregation in the U.S. which places the Latin American community in a vulnerable social and economic situation. This process consists of, first, excluding Latin Americans from high-salaried positions in spite of being qualified and experienced enough and, then, placing them in job

categories receiving lower remunerations than the national average. As a consequence, Latin American immigrants are doomed to occupy predominantly low-skilled, precarious and unstable jobs regardless of their educational level, and also have very few chances of advancing in their jobs or moving to better ones.

Not all Latin American immigrants go through the same experiences. Based on the 2002 Current Population Survey, Canales (2007) claims that certain immigrants, mainly those moving from Mexico, El Salvador, Honduras and Guatemala, occupy a higher percentage of unskilled job positions than newcomers from countries such as Panama, Chile, Argentina and Costa Rica, who occupy more professional and supervisory jobs. Nevertheless, even immigrants that have professional jobs cannot compete with natives who are, most of the times, favored solely because of their American origin. In contrast with the 'Supply-side reasoning stresses competition' view that says immigration debilitates the position in the labor market of some natives (Linton, 2002), in reality, immigrant workers are not even able to vie with natives not only because the latter are usually preferred among employers, but also because natives are generally reluctant to fill the jobs commonly performed by immigrants and because immigrants create new jobs by producing different goods and services.

Mexican immigrants are distinctive for their low earnings and high poverty rates (Hall et al., 2010). Half of the Mexican community is employed in low-paid, precarious and unskilled jobs. Based on the 2017 estimates by the Pew Research Center, there are 5.3 million unauthorized Mexicans among the unauthorized immigrant population in the U.S. This lack of legal authorization to work and stay, the authors explain, leaves them exposed to a labor system in which employers avoid abiding by regulations on the protection of workers, such as the minimum wage and overtime pay. Furthermore, undocumented laborers cannot unionize and, therefore, are not able to demand better working conditions or any type of benefit. As a result, the authors conclude, employers maximize their profits by taking advantage of the vulnerability of Mexican undocumented immigrants.

In addition, the situation of immigrant workers is further affected by public opinion. The labor market segmentation divides the American society in an everlasting debate on immigration policies and the effect which they have on society. The current government openly supports the abovementioned 'Supply-side reasoning stresses competition' view and takes measures to that effect. For example, President Donald Trump rescinded programs created by former President Obama that protected undocumented children and their parents from deportation (Sink, 2017). This administration's political speech and actions awaken and reinforce the ideas of many Americans that feel threatened by newcomers and, thus, contribute to the marginalization of immigrants –the deportation of immigrant juveniles and the feeling of 'threat' that many Americans have due to the negative portrayal of immigrants in the media will be later addressed in the paper.

As a conclusion, Latin American immigrants in the U.S. and, more specifically, undocumented Mexican people are a tool in a labor system that exploits and benefits from them due to the vulnerability that these people face. On the one hand, employers only consider them a 'cheap labor force' and use them for their own profit. On the other hand, these newcomers are generally in charge of low skilled jobs that natives would not perform, since the latter have better possibilities due to the sole fact that they have been born in the U.S. American society should acknowledge that its labor system feeds on Latin American immigrants and also recognize the value of "unnoticed" jobs that make their everyday life easier.

Immigration Law in the U.S.A. The U.S. Juvenile Justice System, not so fair with immigrant juveniles

The primary goals of the U.S. Juvenile Justice System are skill development, habilitation, rehabilitation and successful reintegration of youth into the community (Juvenile Justice official webpage). But, even though the rights of juveniles are protected by statutes, there are grey zones that result in the detriment of immigrant juveniles and also intermediate decisions in the judicial process that are affected by racial bias. The aim of this section is to portray how the U.S. Juvenile Justice System

fails to provide equal protection for noncitizens and to further exemplify the presence of racism within said system setting as an example the documentation of noncompliance.

In the criminal context, juveniles can demonstrate rehabilitation and be granted expungement or erasure of their record. But expungement of records is not honored in the immigration context: minors involved in the Juvenile Justice System can suffer serious immigration consequences (Phipps, 2016). The Justice System for juveniles in the United States was founded on the differences that distinguish children from adults. Depending on the age of the juvenile and the nature of the crime committed, states may bypass juvenile court entirely and charge the juvenile as an adult. Pursuant to the Immigration and Nationality Act of 1952 (INA), adjudications of juvenile delinquency are not convictions for purposes of immigration law, thus, they do not trigger conviction-based grounds of removability or inadmissibility, but convictions of juveniles tried as adults carry all of the implications that they would carry for any adult. All states have their own provisions by which juveniles may be transferred to adult court, consequently, a child who commits the same crime in one state could be tried as a juvenile while in a different state he/she could be tried as an adult and deportation would follow accordingly.

Although the Board of Immigration Appeals (BIA) has held that ‘juvenile delinquency proceedings are not criminal proceedings, acts of juvenile delinquency are not crimes, and findings of juvenile delinquency are not convictions for immigration purposes’, under INA, certain juvenile delinquency adjudications can result in severe immigration consequences, since they trigger conduct-based grounds of inadmissibility or removability. Here, Phipps (2016) finds that a paradox arises since, for example, minors who receive juvenile delinquency adjudications for violent crimes or theft will face no per se bar to lawful immigration status; but a child who has an adjudication for possession of marijuana or for selling marijuana and other similar or less serious conduct can pose a complete bar to almost any avenue to lawful status. What is more, even when the conduct underlying the adjudication of a juvenile does not trigger a conduct-based ground of removal, it still has direct and adverse

consequences in the immigration context influencing immigration judges' discretionary decision-making. Because the INA provides that judges may grant a discretionary relief when evaluating an individual's lawful status called 'an act of administrative grace', any previous evidence of poor moral character or bad conduct can weight against such finding regardless of whether the individual was convicted for such conduct. The solutions that Phipps (2016) proposes are: first, that juvenile adjudications that have been expunged pursuant to a state's juvenile justice law should not be considered convictions for purposes of the INA, and second, that juvenile proceedings must remain confidential and not be divulged to immigration authorities since, as a matter of constitutional rights, states must provide all juveniles with the opportunity to prove that they deserve a fresh start and juvenile records should not affect immigrants in their adult life if they took the right path despite their past as juvenile delinquents.

Not only are racial bias and unfairness present in final decisions, but these also play a decisive role in intermediate decisions of the judicial process. Juvenile probation officers have the duty to recommend the least invasive disposition that they deem will rehabilitate the youth while protecting the community; also, they monitor and document progress of juveniles within the terms established by a judge (Clear et al., 1992, in Smith et al., 2009). Technical violation charges *may* be brought against the juvenile to formally address behavior problems and noncompliance, consequently, such decision is discretionary (Smith et al., 2009). The determination of whether a youth complies with the rules set forth for community supervision or not is an intermediate decision made by probation officers which has a great impact on the final outcome of each case. So, when a juvenile violates the terms of probation, officers evaluate a series of factors, such as the nature of new offenses, the threat of future delinquent behavior and the family's willingness and capacity to cooperate with the probation department, but, the authors explain that, since answers to these factors are not always straightforward, decisions are made in contexts of uncertainty where trust and prejudice play an important role. Subtle racial biases are likely to surface resulting in black youth and youth from poorer neighborhoods being especially likely to have noncompliance documented.

In order to prove that the amount of discretion involved in the documentation of noncompliance is highly influenced by race and class to a greater degree than the visible court outcomes, Smith (2001) carried out a study using data sources from juvenile court records in Arizona (including disposition reports, progress reports and psychological evaluations) connected with the juveniles' residential zip codes with 2000 census data which provided insight into demographic characteristics – such as education level, income level, marital status, occupation, religion, average size of a family, etc. The study showed that 14 % of youth's case files include a documented comment noting noncompliance with community supervision terms, of which 65 % involved males out of which 21% were of black youth, with a notable underrepresentation of white youth given that 55 % of the offenders were white. As the results showed, black youth's files are 4.121 times more likely to include documentation of noncompliance compared to white youth.

Even though African American and Latino youth, in the justice system are more represented than white juveniles, Bryant (2011) claims that the reasons for them to behave violently are not inherent. Youth violence emerges in the presence of traditional risk factors, such as child abuse, poverty, drug use, family instability, delinquent peers, poor academic performance and parental criminality among others; the author argues that these factors behind youth violence do not account entirely for the disproportionate overrepresentation of African American and Latino males. Bryant emphasizes the impact of 'internalized racism' –embracing Whiteness, the acceptance of negative stereotypes, etc.– in the propensity of non-white juveniles to violence. He further argues that it is the combination of traditional risk factors behind violence and the cultural adaptation to them that are responsible for the overrepresentation in incidents of violence of non-white young men, since this adaptation may lead them to adopt oppositional culture embracing a powerful informal system that rules violence use (also known as the 'code of the street'). As a consequence, Bryant explains these boys' minds are inflicted with negative attributes defined as internalized racism which distorts their developmental pathway.

In such a delicate matter as determining the future of minors, states choose to apply the harsher rules to immigrant children to justify their deportation, treating them as adult felons and failing to protect their rights. Also, since juvenile records are not confidential, these play an important and negative role when immigration judges decide the status of immigrants whether or not their conduct concluded in a conviction. Furthermore, many intermediate stages of the juvenile judicial process – such as the documentation of noncompliance– are defined at the discretion of officials whose perception of families indicate attitudes that support racial bias and ultimately operate to justify the system’s tendency of treating immigrant youths and youths from minority families more formally and harshly. Since race, ethnicity, and class impact intermediate decisions, these same factors have an impact on final outcomes that doom immigrant youth and youth of minority origins to a circle of illegality and inequality, leading them to engage in delinquent behavior as adults. The American legal system for juveniles, though created to protect minors from being treated as adults, fails to act in the best interest of immigrant juveniles.

Racism in the American press: Immigrant Juveniles, the scapegoats

In the previous section, the reproduction of racism at a macro-level was discussed setting as an example the unequal treatment given to immigrant juveniles in the U.S. Juvenile Justice System. In the various fields in which racism can be reproduced, the press plays a key role since discourse is used to problematize, marginalize, exclude and limit the human rights of ethnic out-groups by directly or indirectly writing and speaking negatively about the Others (Van Dijk, 2012). The aim of this section is to analyse how the American press in general demonizes immigrant juveniles especially as members of young gangs presenting them as a threat to the community and consequently contributing to the prejudices installed in American society.

News media can be defined as the ‘Fourth Estate’ of government, having become an indispensable element of Western society: it is envisioned as a guardian of public interest (Moriearty, 2010). Until the late 1980s, the American media maintained a posture of confidentiality and restraint toward child lawbreakers until the ‘Central

Park Jogger’ case in 1989 caused a change in discourse, Moriearty explains. After a young girl who was jogging was found dead, having been raped and beaten to death, seven teens –all Latino and African Americans– were arrested and charged with rape, assault, and attempted murder; thirteen years later another convicted rapist confessed to the crime, and with DNA tests matching, the juveniles were acquitted –though not without having spent their adolescence years in prison for a crime they had not committed. The outcome of the ‘Central Park Jogger’ case aside, Moriearty remarks the importance of how from this case onwards, the American press introduced terms in the crime lexicon such as ‘wilding’ –for the pastime of youngsters to assault without motives- and ‘super-predators’ for morally impoverished youth who had grown up surrounded by deviant, delinquent and criminal adults in abusive, violence-ridden, fatherless, Godless, and jobless settings (Dilulio, 1995, in Moriearty, 2010).

The ‘superpredator’ narrative, Moriearty indicates, had three predominant elements: first, juvenile offenders were violent and were referred to with terms such as ‘gangbangers’, ‘street thugs’, ‘hoods’ and ‘monsters’, among others; secondly, they were morally depraved, and; lastly, ‘superpredators’ always had a “cast” in the form of a perpetrator and victim. So the perpetrators were, most of the times, portrayed as black or brown and the victims as white. While white youth appeared more often in health and education stories, minority youth appeared more in crime news. Ever since the 1990s, in the areas of the country where white Americans and immigrants and people of color live practically segregated lives, most of the information whites obtain about members of other races does not come from direct experience but from the news media. And, the author highlights, the more homogenous the communities, the more dependent they are on the media and the more punitive their attitudes are; this had already been found by Hartman and Husband (1974, in Tovares, 2002) in a study that proved that when individuals lack direct interaction with members of minority groups, there is a greater tendency to accept portrayals of those groups as presented by the news media.

When portraying youths in general and members of group minorities, researchers have found that news stories tend to be greatly exaggerated by selecting the most

sensational and dramatic stories and allowing recognized authority figures to provide their interpretation of events involving young members of minority groups, thus favoring mainstream of stereotypes and prejudices (Tovares, 2002). Tovares (2002) further argues that the negative image of, for example, Mexican youths as violent drug users unable or unwilling to conform to society's rules can lead to police surveillance, arrests, unreasonable searches and suspicion all justified in the fact that an individual happens to be young and of Mexican origin. Since the information gained from the media contributes to the development of ideas, attitudes and perceptions about people different from 'us', the author observes, information that constructs a determined group as 'a growing problem', 'out of control' and 'a threat to the community', as youth gangs are portrayed, can have the aforementioned detrimental consequences for the targeted group.

Despite the fact that there is an increasing body of research that contradicts the popular stereotype of gangs –groups of highly organized males, members of an ethnic or racial minority and from or settled in urban areas–, Esbensen & Tusinski (2007), reveal through a survey of various newsweeklies such as *Newsweek*, *Time*, *U.S. News* and *World Report* that there is a strong tendency to provide stereotypical depiction of gangs and their members that promote misperceptions. The survey showed that more directly than the representation of gangs as a male phenomenon, newsweekly stories describe gang members as racial or ethnic minorities –whether it be Mexican, Salvadorean, Hispanic, Vietnamese, Chinese, African American or other group–, basically presenting gangs as a non-white phenomenon, with the only exception of the 'Aryan Brotherhood'. This portrayal of gangs as a racial or ethnic minority problem, which the authors found noteworthy, persists across all the analysed stories from 1986 to nowadays. Youth gangs were also found to be described as narcotic organizations proliferating from the parts of the cities associated with the urban lower class –the slum, ghetto or *barrio*– to rural communities, ignoring the significant growth of youth gangs in rural communities and small towns of the past few years. Esbensen & Tusinski (2007) conclude that the youth gang problem was presented as a race/ethnicity problem, downplaying the role of white gangs and, also, the

proliferation of gangs was portrayed as part of a conspiracy to establish satellite sects across America.

After analyzing the interest awakening in the American press in juvenile delinquents in 1980s, how the problem of young lawbreakers was portrayed from the beginning as a racial and ethnic minority one and especially how the news media insists on portraying youth gangs as a non-white phenomenon, what Van Dijk (1991) asserts – that biased news production and news reports are tremendously influential on readers when reproducing ethnic prejudices, especially on people who have no direct personal experiences with minorities or immigrants and therefore use the mass media as a source and legitimation of their prejudice– is confirmed in American society. As analysed in the previous section, once again, children are not equally protected in America and the ones who are the target of marginalization, discrimination and demonization are, not surprisingly, racial and ethnic minorities.

Discourse Analysis of a Newspaper Article: ‘One shower doesn’t make a flood’, Native American Proverb

In sections II and III, the situation of immigrant juveniles in the United States was portrayed by analyzing how the law is enforced in the U.S. Juvenile Justice System and how young immigrants are represented as dangerous members of gangs and as an imminent threat by the news media which targets an audience that, many times, lacks direct contact with racial minorities and, thus, builds their assumptions and prejudices based on what the media presents to them. The aim of this section is to analyze racist elements in the 2014 article ‘Flood of Illegal Immigrants Now Includes Gang Members’ (see appendix) from the online magazine *The New American* using as a guide the elements that according to Van Dijk (1991) are employed by the news media in the reproduction of racism.

To begin with, *The New American* is a print and online magazine published by American Opinion Publishing Inc., a wholly owned subsidiary of the John Birch Society which is a self-defined educational and action organization that promotes

“less government, more responsibility and a better world” (The John Birch Society/Frequently asked questions, 2017). The New American is described as “the essential news source for freedom-loving Americans” and claims to ‘uncover facts the major media want to keep hidden’ (The John Birch Society/About the New American, 2017). The article that will be analysed in this section particularly was written by Warren Mass (2014), staff editor and writer for The New American, graduated from the Catholic Distance University and Middlesex Community College of Massachusetts. The article is found within the ‘U.S.’ section, under the subtopic ‘Immigration’. In addition, as part of the paratextual elements, the only image provided by the article is the portrait of man with stereotypical Latino facial features who has his face covered with tattoos with a rather threatening look in his eyes, described as a MS-13 gang member (see appendix).

According to Van Dijk (1991), headlines are a subjective definition of the situation which influences the interpretation made by readers. Before addressing the body of the article, the headline –‘Flood of Illegal Immigrants Now Includes Gang Members’– presents a negative choice of words and implications, that is, words that have different types of implicitness and indirectness (Van Dijk, 1991). It begins with the word *flood* which has a negative connotation: a flood is a large amount of water out of control that causes damage wherever it goes. Here, illegal immigrants arrive to the U.S. in the form of a flood, a natural disaster; the negative impacts these people will cause to America are anticipated. Then, as regards lexicalization, when labeling people with the term *illegal immigrants*, instead of referring to the actions taken by those people that may be outside the law, the individuals are directly described as unlawful themselves. The presence of the adverb *now* demonstrates that the author takes for granted that the reader is already aware of the ‘flood of illegal immigrants’ the U.S. has to bear, hence, the author is announcing a new element to an old problem; this new element is precisely gang members. *Pressupositions* –such as the aforementioned one– according to Van Dijk (1991) are a strategic means to conceal controversial claims and are unlikely to be challenged by an uncritical reader; also, *pressupositions* are often an expression of an underlying ideology, in this case that immigrants are a burden which Americans have been bearing for a long time. As

regards the portrayal of youth gangs as a racial problem –which was already addressed in the previous section–, one of the purposes of the article can be deduced to be the reinforcement of the stereotype of gangs as a racial problem.

The summary of the article establishes that *thousands of illegal immigrants* of which many are *unaccompanied minors* are *pouring across* the southern border –referred to as *our* southern border– and that among those thousands there are *members of notorious gangs* such as *MS-13* (which stands for *Mara Salvatrucha*). The exact number of illegal immigrants that cross the U.S. border is not specified in the summary –or in the rest of the article– hence, border agents could be dealing with a little more than a thousand people to less than a million. Then, the term *illegal immigrants* is repeated, but now the author introduces the *unaccompanied minors*: children that are left to their fate by their parents or sent to reunite with a family member that has already managed to slip through Border Patrols. Again, when referring to the way immigrants enter the country, the idea of flood is reinforced by stating that they are *pouring across* the border. Mass (2014) also decides to add the possessive pronoun *our* before referring to the U.S. southern border to, once again, strengthen the idea of the flood, the invasion of illegals coming from the outside, pouring across the border despite police presence. And to aggravate the consequences, the flood is bringing *notorious gang members* –though no name of any of these allegedly famous criminals is provided to the readers throughout the article.

As regards who is given the power to speak, Van Dijk's (1991) assertion that minority group members are quoted much less than majority group members is met. Even though elite groups are not always portrayed positively, Van Dijk (1991) explains, they are prominent news actors, their voice is heard and their opinions are presented as credible and legitimate. In *The New American* article, four members of the majority group –white American people– are quoted. The first one is the former Arizona Governor Jan Brewer, member of the Republican Party and advocate of strict enforcement of border security. She is addressed as the *most prominent individual* concerned with *illegal aliens*. To prove it, a fragment of a letter that Brewer wrote to Congress is quoted; in the letter many of the terms, expressions and ideas employed

by the author in the article are found, for example: “*Our* country is in the midst of a crisis manufactured by [then] President Obama...” (see appendix, par. 3), and that “...*thousands* of people from Central America, including *unaccompanied children*, are *flooding into* the U.S. and not *fleeing from*, but *surrendering to*, United States Border Patrol officials” (see appendix, par. 2). In the quoted letter she continues to refer to immigrants as *illegal aliens* and *aliens* alone, characterizing these human beings as if they were second-class extraterrestrial creatures. Brewer (see appendix, par. 3) claims that nobody is determining if these *unaccompanied alien minors* have *criminal histories* or *gangs affiliations* when *it is known* that the *most notorious gangs* –and again the only one mentioned is MS-13– have *strong ties* to the *Central American countries* from which *these aliens* arrive. Brewer as well as Mass presuppose that readers already know that the ‘alien minors’ come from Central America and that these countries are connected to criminal gangs; they do not support these statements because they are considered to be part of the general knowledge.

The next authorized voice is the one of Chris Cabrera, the vice president of the National Border Patrol Council Local 3307, who asserts that Border Patrol agents have reunited *identified gang members* –though he fails to provide any names– with their families in the U.S. and that “an officer recently told him about a *known teen member* of the Mara Salvatrucha transnational gang whom he was *powerless to stop* entering the country” (see appendix, par. 4). Cabrera’s testimony, despite being ridiculously vague, helps build the idea that Border Patrol officials are unable to cope with these dangerous minor “aliens” notwithstanding being only one or a large group. Cabrera (see appendix) further claims that he heard some of the illegal minors say “You’re going to let me go, just like you let my mother go, just like you let my sister go” (see appendix, par. 3) –this testimony exemplifies what Van Dijk (1991) describes as the assumption that the elite versions of ‘facts’ prevails over those of non-dominant groups and that their versions are presented as legitimate and credible. The third authorized voice the article serves from is Art Del Cueto, president of the National Border Patrol Council Local 2544, who complained to the *National Review* stating that “it’s upsetting that a lot of *them* are 16 or 17 years old and a lot of *them* are not going to face deportation” (see appendix, par. 5) –which is false as the

deportation of delinquent juveniles are executed, as seen in section III. The second and third testimonies portray a somehow resigned police force that do not receive any help from the Federal Government and who are powerless against the immigrants that arrive and give orders to them. The fourth person quoted is Gild Kerlikowske, Customs and Border Protection Commissioner, in response to an e-mail that Eligio ‘Lee’ Pena, assistant chief patrol agent, allegedly sent to more than 3,000 Border Patrol agents warning them against journalists that may disguise themselves in order to obtain information about the Border situation and ordering agents not to talk to the press without previous permission. This last testimony implies that Obama’s administration was trying to hide the reality of the border situation from the public. These four majority group members quoted confirms what Van Dijk (1991) asserts that white authorities –the Republican Governor and the members of the police– are the major speakers defining an ethnic situation because journalists tend to quote those speakers who voice the position of the newspaper –which is anti-immigration.

Up to this point in the article, immigrants have been referred to with terms such as ‘illegal immigrants’, ‘illegal aliens’, ‘aliens’, ‘unaccompanied alien minors’ and ‘swelling wave of immigrants’. The author –as well as the in-group speakers in the article–, employs the textual phenomena of the us-them polarization that exhibits the struggle between adverse sides in American society –white Americans and immigrants, in this case young Latinos–; Van Dijk (1991) interprets this representation of *us* and *them* as a fundamental element of ideologies that serves as a means of self-determination and identity building. The testimonies of Governor Brewer and Commissioner Gil Kerlikowske blame Obama’s administration for not acting in response to the flood of illegal immigrants. The testimonies of the Border Patrol officials, Cabrera and Del Cueto, illustrate the reader that these illegal minors from Central America, many of them *notorious gang members*, not only break the law and enter the country but also when they arrive, they are the ones that impose the rules and order the powerless American police officers how to act. In this scenario, the article aims to find the root of the problem: ‘what has encouraged so many of these unaccompanied minor children and teenagers from Central America to come across the border?’ The answer given to this question is that “rumors that illegal

immigrants with children or even unaccompanied children will not be deported but given a haven in the United States are circulating in Central America” (see appendix, par. 10). The author further explains that due to over-taxed detention facilities, illegal immigrants are freed in their own recognizance with an order to appear before immigration authorities within 15 days, and for this reason, it is impossible to determine how many do not appear and decide to join the *underground army of illegal immigrants*. The term ‘underground army’ implies war; it conveys the idea that illegal immigrants are organizing in the shadows but no further explanation is provided for this statement because the author considers it to be a general belief.

The abovementioned circulation of rumors about the *leniency of the U.S. policy towards illegals* is supported by a single testimony by a member of the minority group. It has been discussed in section III that within the U.S. Juvenile Justice System, immigrant minors are not treated with leniency: during their judicial process, non-compliance by immigrant juveniles is not ‘overlooked’, contrary to what happens to white juvenile delinquents and moreover, their records and convictions are considered the same as adults’ for deportation purposes. The testimony in question is the one of Nora Griselda Bercian Diaz, a woman from Guatemala who *admits* that the message disseminated in her country is “go to America with your child, you won’t be turned away” (see appendix, par. 12). The article fails to provide other reasons why the woman might have left her country such as economic problems, political instability, the presence of a family member already in the U.S., etc., not giving the recipients a chance to empathize with the ‘Others’. Instead, the author does provide the readers with the fact that Bercian Diaz, during her journey, “endured threats from members of the Los Zetas crime cartel” and “extortions from *corrupt* Mexican police” whom she had to bribe with 1,500 (Mexican) pesos to allow her passage. By specifying these details, the author employs a strategy of positive self-representation by negatively representing the Mexican police as corrupt and as helping immigrants from other places of Central America to breach American law. Bercian Diaz also provides with the information that she and her daughter “were lost and searching for a Border Patrol agent” that was going to contact a friend of Diaz to give her money. The fact that the woman knew an American agent that was going to help her is

described by the author as a *bizarre twist on traditional border enforcement*, denying the possibility of corruption within the American police and treating the event as an exception, another strategy of positive self-representation. Also, the single story of a woman from one of the countries that constitute Latin America is sufficient for the author to illustrate the audience about the situation of the whole region.

Finally, agent Cabrera –police authority of the majority group– is once again quoted, opining that “if U.S. Customs and Border Protection and the Border Patrol agents were enforcing the law, illegal immigrants would hide from them instead of seeking for their help” (see appendix, par. 15), and he further complains that “not even evidence of gang membership is sufficient to detain and deport illegal immigrant minors” –which as mentioned earlier is not actually the case. Following the ‘us vs. them’ polarization strategy, Cabrera lastly questions that “if someone is a confirmed gang member in his own country, why are *we* letting him in here?” (see appendix, par. 15) to which Mass agrees concluding that “the same question might be asked of every *illegal immigrant* who has broken *our* laws by entering *our* nation without permission” (see appendix, par. 19) giving an open ending to his article for the reader to ponder upon. Mass is suggesting that it does not matter if not all illegal immigrants are confirmed gang members, still all should be treated as such simply because they have entered the United States without permission.

Having analysed the article ‘Flood of Illegal Immigrants Now Includes Gang Members’ where elements used by the press to reproduce racism described by Van Dijk (1991) were found, such as the assumption of general beliefs, implicitness, positive self-representation, negative-other representation, implications for the credibility of speakers, vagueness in providing names and statistics, the usage of terms with negative connotations, greater presence of testimonies of majority group members than of minority groups and the usage of pronouns to create a polarization between In and Out groups, what was argued in section III –that the American news media demonizes immigrant juveniles especially as members of young gangs presenting them as a threat to the community is confirmed. Immigrant children and teenagers are, thanks to the representation of them by the U.S. press, perceived as an

unstoppable flood that pours across the U.S. border to carry out gang activities and endanger American society.

Conclusion

The research for this essay has expounded, first, how the American labor system feeds on Latin American immigrants as the main source of ‘cheap labor source’, taking advantage of their vulnerable situation and also not allowing skilled immigrants to perform tasks up to their competencies. Secondly, as regards the legal system, the unequal standards on which young immigrant delinquents are considered for intermediate and final decisions, and the failure of U.S. Juvenile Justice System to equally protect the rights of juveniles with the aim of deporting them have been exposed. In the last two sections of the paper, it was analysed and exemplified how the American Press insists on representing immigrant children and youngsters as members of youth gangs and as a threat to society therefore igniting racist prejudices and sentiments among the white American audience. Therefore, unless they critically ponder what the Press presents to them, this audience will not trust or want to hire or work with immigrants and they will endorse the unrighteous treatment given to immigrant juveniles by the Justice System.

After analyzing several authors who address the issue of racism toward Latin American immigrants as a whole and more specifically toward Latino immigrant juveniles in the labor area, Immigration Law and the American news media, the arguments of Van Dijk (2012) that in most Western societies –in this case, the United States of America– ethnic minority groups –in this case, Latin American Juveniles– remain in an unequal, subordinated, economic, social and cultural position, that they are under-represented in most white institutions, that they are underemployed, underpaid, under-rated and underprivileged and that they are problematized, marginalized and inferiorised have been confirmed. Immigrant juveniles are another means to perpetuate white supremacy in a country that, many times, pretends to have moved on from its old openly racist days. As history has shown, racist discourses and practices do not lead to a good ending; perhaps, American society needs to remember

the words of Martin Luther King Jr. when he expressed “Injustice anywhere is a threat to justice everywhere”.

References

- The New American.(2017). The New American: The Essential News Source.
Retrieved on May 24, 2018, from: <https://www.thenewamerican.com/about>
- Bryant W., (2011). Internalized Racism's Association with African American Male Youth's Propensity for Violence. *Journal of Black Studies* (42) 690-707.
- Canales, A., (2007). Inclusion and Segregation: The Incorporation of Latin American Immigrants into the U.S. *Labor Market. Latin American Perspective* (2) 73-82.
- Esbensen, F., and Tusinski, K., (2007). Youth Gangs in the Print Media. *Journal of Criminal Justice and Popular Culture*, 14 (1). Albany: State University of New York.
- Hall et al (2010). Legal Status and Wage Disparities for Mexican Immigrants. *Social Forces* (89) 491-513.
- Juvenile Justice. Retrieved on April 24, 2018, from: <https://youth.gov/youth-topics/juvenile-justice>
- Linton, A., (2002). Immigration and the Structure of Demand: Do Immigrants Alter the Labor Market Composition of U.S. Cities? *The International Migration Review* (36) 58-80.
- Mass, W., (2014, June 16). Flood of Illegal Immigrants Now Includes Gang Members. *The New American*. Retrieved on May 24, 2018, from:<https://www.thenewamerican.com/usnews/immigration/item/18490-flood-of-illegal-immigrants-now-includes-gang-members>
- Moriearty, P., (2010). Framing Justice: Media, Bias, and Legal Decisionmaking, 69 MD. L. REV. 849 *Scholarship Repository*, University of Minnesota Law School.
- Phipps, R., (2016). Starting Over: The Immigration Consequences of Juvenile Delinquency and Rehabilitation. 40 *N.Y.U. Rev. L. & Soc. Change Harbinger* 1 (40) 515-538
- Sink, J. (2017) Trump Ends One Obama Immigration Program, But Dreamers Can Stay. Retrieved on April 5, 2018, from: <https://www.bloomberg.com/news/>

articles/2017-06-16/trump-to-allow-undocumented-dreamer-immigrants-to-stay-in-u-s

- Smith, H. et al. (2009). Race, Ethnicity, Class, and Noncompliance with Juvenile Court Supervision. *The Annals of the American Academy of Political and Social Science* (623) 108-120.
- The John Birch Society. (2018). Frequently Asked Questions. Retrieved on April 5, 2018, from <https://www.jbs.org/about-jbs/frequently-asked-questions>
- Tovares, R., (2002). *Manufacturing the Gang, Mexican American Youth Gangs on Local Television News*. Westport, Conn: Greenwood Press.
- Van Dijk, TA (1991). *Racism and the Press*. Routledge. London.
- Van Dijk, TA (2012). The Role of the Press in the Reproduction of Racism. In: Messer M., Schroeder R., Wodak R. (eds) *Migration: Interdisciplinary Perspectives*. Vienna: Springer-Verlag.

Appendix

Flood of Illegal Immigrants Now Includes Gang Members

Written by Warren Mass

Among the thousands of illegal immigrants — many of them unaccompanied minors — pouring across our southern borders are members of notorious gangs, including MS-13.



Arizona Governor Jan Brewer was probably the most prominent individual voicing concerns about gang members being among the illegal aliens. In a June 12 letter sent to House Speaker John Boehner (R-Ohio) and Senate Majority Leader Harry Reid (D-Nev.), Brewer wrote:

Our country is in the midst of a crisis manufactured by President Obama and his administration's refusal to enforce our nation's immigration laws. As a result, thousands of people from Central America — including unaccompanied children — are flooding into the United States and not fleeing from, but surrendering to, United States Border Patrol officials.

Brewer then continued to address a more critical threat:

By the Obama administration's own estimation, 230,000 unaccompanied alien minors are expected to cross through the Rio Grande Sector by the end of next year.... If Border Patrol is overwhelmed, what consideration is being given — and what is being done — to determine if any of these illegal aliens have criminal histories or gang affiliations? For example, we know that MS-13, one of the world's most notorious international gangs, has strong ties to several of the Central American countries from which these aliens are arriving. The administration's refusal to properly verify that violent criminals are not among those entering the United States shows an alarming lack of concern for our homeland's security. As a nation, we cannot sit back and allow this policy to continue.

While Brewer's concerns are valid, they were based mostly on educated suspicions. However, Chris Cabrera, the vice president of the National Border Patrol Council Local 3307 in the Rio Grande Valley, offered more substantive details that validated

Brewer's statement. Cabrera told *National Review* that Border Patrol agents have reunited identified gang members with their families in the United States. Cabrera said an officer recently told him about a known teen member of the Mara Salvatrucha (MS-13) transnational gang whom he was powerless to stop entering the country.

"I've heard people come in and say, 'You're going to let me go, just like you let my mother go, just like you let my sister go. You're going to let me go as well, and the government's going to take care of us,'" Cabrera said. "Until we start mandatory detentions, mandatory removals, I don't think anything is going to change. As a matter of fact, I think it's going to get worse."

Art Del Cueto, president of the National Border Patrol Council Local 2544 in Tucson, Arizona, complained about the Border Patrol's policies in a statement also quoted by *National Review*: "It's upsetting that a lot of them are 16 or 17 years old and a lot of them are not going to face deportation."

As the swelling wave of immigrants, most now from Central America, has received more publicity in recent weeks, members of the media have scrambled to get the facts behind the story. In response, one assistant chief patrol agent, Eligio "Lee" Pena, sent an e-mail warning more than 3,000 Border Patrol agents in South Texas that journalists seeking information about the border crisis "may try to disguise themselves" in order to get agents to reveal information to them.

The e-mail, which was obtained by The Associated Press, said agents should not speak to reporters, on or off duty, without advance permission and warned that anyone who does could be charged with a crime or disciplined administratively.

Customs and Border Protection Commissioner Gil Kerlikowske told the AP on June 13 that he was not aware of Pena's e-mail warnings but said that, as a general principle, "I am not a fan of telling people not to talk."

Kerlikowske did not formally disavow Pena's directive, and while adding that Border Patrol agents should be focused on their jobs while on duty, did not state his opinion about what agents should say or not say while off duty.

Journalists covering the crisis have attempted to get at the root of the problem — determining what has encouraged so many of these unaccompanied minor children and teenagers from Central America to come across the border at this time.

Rumors that illegal immigrants with children — or even unaccompanied children — will not be deported but be given a haven in the United States, are circulating throughout Central America. Unfortunately, our government's policies add much credence to the rumors. Because of over-taxed detention facilities, illegal immigrants are basically freed in their own recognizance, and dropped off at bus stations with orders to appear before immigration authorities at the ICE office of their choice within 15 days. It is impossible to determine how many appear for their hearings and how many simply join the underground army of illegal immigrants. "The Border Patrol does not have enough space in its processing facilities to handle a surge in illegal immigrants in south Texas," Andy Adame, a spokesman for the Border Patrol in Arizona was quoted in the *Los Angeles Times*.

Reporter Cindy Carcamo wrote in the *Times* on June 6:

The fact that so many parents with children have been freed to travel within the U.S. has sent rumors flying through Central American nations that parents will not be detained in the U.S. if they arrive with a child — spurring even more families to launch the journey, according to immigrant advocates and Guatemalan consular officials in Phoenix who have been working to help find shelter for families stranded at bus stations.

The circulation of rumors or, as we have seen, fairly accurate reports of a very lenient U.S. policy towards illegals, is widespread throughout Central America. KRGV News in the Rio Grande Valley of Texas reported on June 3 that Nora Griselda Bercian Diaz, a woman from Guatemala, told the station that that the message being disseminated in her country is: "Go to America with your child, you won't be turned away." Along her journey, Bercian Diaz and her six-year-old daughter endured threats from members of the Los Zetas crime cartel and extortion from corrupt Mexican police. She paid Mexican immigration officers a 1,500-peso bribe for them to allow her passage.

In a bizarre twist on traditional border enforcement, Bercian Diaz told the news crew that when the reporters encountered her, she and her daughter were lost and *searching for* Border Patrol agents!

"I was planning to go to McAllen then call a friend for her to send me money on the bus," Bercian Diaz said.

If U.S. Customs and Border Protection and the Border Patrol agents were enforcing U.S. law, it is doubtful that illegal immigrants crossing the border would seek them out instead of hiding from them. And from what the border patrol union leader Cabrera said, not even evidence of gang membership is sufficient to detain and deport illegal immigrant minors. Cabrera asked, “If he’s a confirmed gang member in his own country, why are we letting him in here?”

The same question might be asked of every illegal immigrant who has broken our laws by entering our nation without permission.