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Protection or Dissuasion? Experiences of Unaccompanied Children with the Border Regime in France

Abstract: In France, public institutions have the obligation to protect children in danger, regardless of their nationality. However, this obligation towards unaccompanied minors, which is clearly established by the Law, is obstructed by institutional practices, in particular in border areas where police and public actors repress foreigners in transit, whether by pushing them back at the Italian border, or by blocking and dispersing them at the Franco-British border.

This tension between the social and the repressive attitude of public institutions is typical of the border regime, which filters migrants in order to protect the desirable ones, and to remove from the territory the undesirables. In this paper, we argue that the experience of this tension by unaccompanied minors deeply impacts their life trajectories, as access to litigation and appeal procedures is often difficult, or ineffective, and because they experience this as unfair treatments. By combining a legal consciousness approach with ethnographic data, we highlight the effects the border regime has on the unaccompanied minors' perception of these institutions, and of their rights. This paper compares two borders: Calais

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and the Franco-British border, and the area of the Franco-Italian border between Ventimiglia and Nice.

Keywords: transit migration, unaccompanied minors, Calais (FR), border regime, life course analysis, political ethnography, child centred approach

Zaščita ali odvrčanje? Izkušnje otrok brez spremstva z mejnim režimom v Franciji

Izveček: Francoske javne ustanove so dolžne poskrbeti za zaščito otrok v nevarnosti ne glede na njihovo državljanstvo. Kot je moč opaziti, to zakonsko obveznost do mladoletnih migrantov brez spremstva ovirajo institucionalne prakse, zlasti na obmejnih območjih, kjer policija in javni akterji omejujejo prebežnike, bodisi tako, da jim zavračajo vstop ob italijanski meji ali jih zaustavljajo in jih skušajo prepoditi, kar se dogaja ob francosko-britanski meji. Disonanca med socialno in represivno držo javnih institucij je značilna za mejni režim, ki migrante filtrira, da bi zaščitil tiste zaželene in z ozemlja odstranil tiste nezaželene. V tem prispevku dokazujemo, da izkušnja omenjene disonance na strani mladoletnih migrantov brez spremstva globoko vpliva na njihove življenjske poti, saj je dostop do sodnih in pritožbenih postopkov pogosto otežkočen ali neučinkovit, pri čemer mladoletniki to doživljajo kot nepošteno obravnavo. S kombinacijo koncepta pravne zavesti in etnografskih podatkov poudarjamo učinke, ki jih ima mejni režim na njihovo dožemanje institucij in pravic. Članek primerja dve meji: Calais in francosko-britansko mejo ter območje francosko-italijanske meje med Ventimiglio in Nico.

Ključne besede: tranzitne migracije, mladoletni migranti brez spremstva, Calais, mejni režim, analiza življenjskega toka, politična etnografija, otrokosrediščni pristop

Introduction

In France, public institutions have the obligation to take charge of and protect children in danger without the condition of nationality. This obligation, which aims to guarantee ‘the best interest of the child’, nevertheless comes up against a set of police and institutional practices (Sedmak et al. 2018), particularly at the borders of Europe: some public actors here exercise repression towards foreigners in transit, whether by pushback to Italy in the Maritimes Alps, or by blocking and dispersing them at the Franco-British border.

We thus observe a tension between the social and the repressive nature of the State, which is all the more acute as these practices can be carried out by actors such as the police, public prosecutors or judges, who are responsible for both missions, i.e. sheltering vulnerable people, and removing from the territory those without a legal status. In this research³, our main hypothesis is that the experience of this tension by unaccompanied foreign minors (UAMs)⁴ impacts their choices and their life course, and this all the more strongly as access to restorative justice is very often difficult, late or inoperative.

By combining a theoretical approach stemming from the Law and Society scholarship (Calavita 2010) with a qualitative survey through observations and interviews based on political ethnography (Schatz 2009), our focus is to highlight, on the one hand, the state policy towards unaccompanied foreign minors through the

³ This work was conducted as part of the MiCREATE program (<https://www.micreate.eu/>) between 2019 and 2022.

⁴ We use here the terms of ‘foreign minors’, ‘unaccompanied minors’ (or UAMs), and young exiles, to refer to foreign children who left their country of origin to search for protection in Europe, and who are not accompanied by an adult nor administratively stabilized on a territory.

practices of some of its actors at the borders (in particular, police officers and social workers), and on the other hand, to account for a 'border effect', in the (non)access to protection, as well as in the perception that unaccompanied foreign minors have of the institutions supposed to protect them.

Two border spaces are mirrored here: Calais and the Franco-British border, and the Franco-Italian border between Ventimiglia and Nice. If Calais remains an external border of the Schengen area, in the case of the Italian border, the border regime is deployed in the opposite direction to the idea of free movement of people within the Schengen area. Indeed, first the placement of France under a state of emergency in 2015, and then the law of the 30th of October 2017 strengthening internal security and the fight against terrorism, have endorsed this return of border controls within the Schengen area (Donadio 2021). The legislator thus normalizes a provision intended to be exceptional, which produces a shift in the law from fighting the terrorist threat to fighting irregular immigration (Lazaridis 2015; Huysmans 2006).

The French-British border is an external border to Schengen, but its particularity lies in its externalization under the Touquet Agreement of 2003, which moved the British border into French territory. The UK border forces control access to the UK from French ports and railway stations together with their French counterparts, making this territory a double barrier for anyone wishing to reach the UK by land or sea. However, the police activity is not limited to the crossing points as it was for the previous border: it is mobile and is deployed everywhere on and around the border territory, to track down, block, and remove those who should never have been allowed to enter (de Genova and Peutz 2010; Atoui 2020).

This comparison is not an upstream decision by the researchers, but rather was suggested to us through fieldwork: indeed, in many accounts from unaccompanied minors encountered in Calais and living in the Jungles there while waiting to reach England (Agier et al. 2019; Palmas 2021), their prior experience of crossing the French-Italian border came back strongly, as a fundamental step in the construction of their relationship with the police, with French institutions, with the norms governing their protection as children, and with the knowledge of their rights.

Through a description of the legal measures in force and a comparison of several personal and legal experiences of foreign minors, we propose to shed light on the complex relationship between measures to protect minors and measures to dissuade foreigners from entering and settling on French territory, by adopting a child-centred approach (Gornik 2020).

In this contribution, we will first review (1) the legal benchmarks concerning foreign minors in France, as well as our theoretical approach and the data on which we have relied; then (2) we will focus on what the border control system does to the access to the rights of unaccompanied minors in the territories we've studied, and in particular on the gap between legal theory and practice in terms of the protection of this public; the following part (3) will focus on the complex relationship that foreign minors have with the law, and on the impact that difficulties in accessing their rights can have on their migratory pathways (homelessness, risk-taking, non-take up).

Being a Foreign Minor at the Border: The French Legislative Context, the Theoretical Approach, and the Fieldwork

France guarantees all the rights provided for in the International Convention on the Rights of the Child from the 6th of September 1990⁵ to any minor on its territory without discrimination regarding their origin, nationality or administrative status⁶. Thus, a foreigner who declares himself to be a minor should be considered as a child and not as a foreigner by the French authorities, which means that he or she cannot a priori be the object of either an administrative detention measure or removal.

Young exiles, when they declare themselves to be minors, should be protected within the framework of the French child protection system, which is dependent on the departments. However, a ‘regime of suspicion’ (Lendaro 2020) weighs on the declarations of minority of young exiles whose rights are regularly questioned at the borders and on French territory (CNCDH 2021; UNICEF 2016). In this regard, a rich body of literature on children on the move and borders exists (Venken et al. 2022; Vacchiano 2014; Orsini et al. 2022; Uzureau et al. 2022). Nevertheless, if critical border studies have already provided evidences on the effects of the violence of borders (de Genova 2002; Jones 2016),

⁵ The International Convention on the Rights of the Child, ratified by France in 1990, recalls that any child temporarily or permanently deprived of his or her family environment is entitled to special protection by the State in which he or she finds himself or herself (article 20.1), regardless of his or her national origin (article 2.1).

⁶ Article 2 of the International Convention on the Rights of the Child and article L 112-3 of the Social Action and Family Code.

there is less research on the legal consciousness⁷ these UAMs develop, after experiencing the tension between the public duty to protect minors, and the authorities' desire to repress illegal immigration (Abrego 2019; Galli 2020; Lendaro and Roland 2022). Our paper is a contribution to the study of this issue.

Our starting point is that the violence of borders is also a matter of violent legislative measures, as the legislator often produces 'degradatory filters referring these young people to their status as foreigners', rather than to that of minors, thereby giving precedence to their migration situation over their status as children in need of protection (Jacob 2017, 283). In addition to these filters, there is a policy of dissuasion and harassment of the migratory presence at the two borders studied. Conducted by law enforcement, this policy is characterized by the suspension of the rule of law in favour of a right of exception (Agamben 1998), which leads to the denial of the rights of the child at risk: it is less about registering people in a judicial procedure than about pushback (Italian border) or harassment through police control operations or mass expulsions of people to exhaust bodies (Calais) (Guenebeaud and Lendaro 2020) and dissuade them from settling in France (Lendaro, forthcoming). These practices of harassment and pushback are characterized by the relative indistinctness of the individuals who are subjected to them: the minority of a young person, even when invoked by him or her, is often denied at the borders by the absence of any possibility of asserting it at the time of an identity check or, for example, the expulsion from a camp.

⁷ Legal consciousness studies are concerned with understanding the ways in which the law is mobilized and understood by ordinary citizens. Legal consciousnesses are about the way they see the law, and the way they use it as an explanatory factor and/or as a tool for action in different life situations (Merry 1986; Silbey 2005).

All of these restrictive normative devices, and the police and institutional practices that translate them into practice, constitute what we call here the 'border regime' (Tsianos and Karakayali 2010): it is a useful concept to describe and analyse the exceptional and discriminatory treatment of exiled persons in border territories, including minors. This treatment is based on the idea of suspicion that guides the sorting operations between a minority of foreigners who can be tolerated or even protected (compassion), and a majority of undesirables (Agier 2011), whom the public and police institutions try to banish, lock up, expel, and when this is not possible, harass in order to dissuade them from remaining in the territory (repression). The violence exerted by this border regime on people in transit goes far beyond the powers of the state in terms of legitimate violence and use of force (Jones 2016), and it has concrete consequences on the lives of exiles: it is the 'politics of exhaustion' (Ansems de Vries and Welander 2021) that is imprinted on bodies and minds through physical suffering inflicted during identity checks, through the trauma of detention, by the illness and weakening of the bodies that try to survive in the camps while being voluntarily deprived by national and local institutions of basic services (water, health care), by the stress caused by the fear of being robbed and violated during the operations of expulsion from the land, by the impossibility of asking for and obtaining redress in court for the abuses and violence suffered.

In the border regime, the institutional devices of evaluation of the age of the person must be considered as biopolitical tools: indeed, emblematic of the tension between compassion and repression, when they lead to the official recognition of minority they allow the person to 'live', while a refusal of minority allows the others to 'die' (Foucault 2008). Therefore, in this contribution, we will also

consider age as a 'norm of chronological organization of biographical itineraries' (Rennes 2016, 43): these life courses are, as we will see, largely influenced by the success of the tests that rule on the differentiated value of people's lives according to age (Fassin 2018; Fassin and d'Halluin 2005).

This theoretical grounding, which considers age as both a social construct and an instrument of biopolitical government, combines heuristically with the law and society approach (Calavita 2010; Ewick and Silbey 1998): this initially Anglo-Saxon and resolutely interdisciplinary (sociology, law, political science, anthropology) stream of research adopts a vision of 'law' opposed to the theoretical abstraction of legal texts, to focus instead on what law becomes concretely when individuals and/or groups make use of it or refer to it or associated principles (e.g. legality). The focus is therefore on the ways in which the law manifests itself in practice, according to the usefulness, value or intelligibility that actors attribute to it, as well as on the more or less strategic and conscious uses they make of it every day.

The fieldwork, conducted in Calais, a small French town only a few kilometres from Dover (UK), includes observations of life in the camps and of interactions between young people and adults (police, social workers, volunteer lawyers), in the Jungles, in the court, in the police stations, and in the two homes for minors in the department; this immersive observation protocol was completed by biographical interviews of young people, many of whom crossed the French-Italian border before arriving in Northern France and Calais. This contribution is therefore based on a qualitative study inspired by political ethnography (47 comprehensive interviews, observations, collective discussions, press review, legal watch), carried out in a social context characterized by a high degree of inter-knowledge between those interviewed and observed (Schatz

2009), which is mainly interested in the experiences of exiled minors (27 biographical interviews) and of the actors who accompany them (20 interviews with educators, lawyers, magistrates, and militants). This was possible thanks to the constant presence of one of the authors in Calais since 2016, as a socio-legal advisor to minors within an association. He used his own resources (for instance, his skills in Arabic language, his knowledge of the Calais environment, his legal expertise, especially on issues related to minors) to build relationships and connect with young people living in the Jungle. He maintained his work as a legal advisor whilst conducting fieldwork: this ‘children’ rights-centred-approach’ was fundamental in creating a trusting relationship with the interviewees (Roland 2022). In opposition to the classic approach of a researcher who infiltrates the field as an external observer, here the working legal advisor becomes the researcher. His existing position gives him a privileged access to the field and the interviewees. This way, legal files and pieces of information related to their administrative procedures add insights to the data collected.

Since the young people’s stories are frequently crossed by the experience of crossing the Franco-Italian border, a complementary survey was conducted in Ventimiglia, Menton and Nice (2020-2022): more recent and still on-going, this survey includes 3 interviews with specialized lawyers to which 9 interviews with associative volunteers are added, as well as numerous informal discussions with activists involved at the French-Italian border, who have been a valuable source of information, especially on the issue of expulsions of minors at the border, where the author conducted several observation sessions of pushback practices by the border police in Menton-Garavan station.

A 'Children Blind' Police

The police presence at the French-British border and the French-Italian border is not equivalent in size or age. Thus, the Calais system is a precursor in its approach to securing the border, and the policy of dispersing exiles has been in place since the closure of the Sangatte reception centre in 2002 (Agier et al. 2019). The aim is to prevent people from crossing into the UK and to make life so hard for them that they are driven to self-deportation and leaving on their own (Guenebeaud and Lendaro 2020). Certain practices have also been deployed identically on the Franco-Italian border since 2015, such as manhunts into the hinterland of Nice and controls via racial profiling of those who resemble 'migrants' in the police imagination (Bachelierie 2020); or denial of minority (Uzureau et al. 2022). The French-British border policy is characterised by containment and dissuasion. Police violence, camp evictions and administrative detentions embody this policy. Containment practices are also found at the French-Italian border, especially on the Italian side as the French side mainly focuses on pushback (Anafé 2019).

However, even if the minority status should protect unaccompanied foreign minors from arbitrary police action, the practices observed at the borders are far from this ideal of protection: in many situations, not only minority but also human dignity are not considered. Hunting precedes and prevents any dialogue (Chamayou 2012). The use of violence, very often outside of any legal framework, is a technique prized by police officers in the exercise of their function (Jones 2016). This violence is constructed in the absence of verbal interactions and formal procedures, as illustrated by what happened to this young Sudanese minor encountered in Calais:

(When he takes off his hood, I notice a bandage on his temple). “It’s the dougar⁸”, he says, “I was in a truck on the highway, the police saw me. They told me to get out, and when I got out, a policeman hit me hard on the temple with his baton and then he let me go. I came back to the camp with a friend and the associations took me to the hospital”. (Field diary 3 December 2020)

These assaults on the body, which are intolerable in today’s society (Fassin and Bourdelais 2005), can happen to all exiles in transit, regardless of their age. The principle that underpins these police operations is to indistinct individuals. The following excerpt, recounted by Ilyès, a 14-year-old Sudanese boy, clearly illustrates the primacy of immigration repression by the police over their mission to care for children in danger, even though the young man should be presumed to be a minor because of his extremely youthful appearance on the one hand, and because of the certificate issued by an association at the Italian border on the other:

Participant (P): And when I got out of there, I took a train back to Ventimiglia. There, I found an association. They asked me my name, my age, they registered and gave me a paper, and I arrived at the French border.

Researcher (R): What was written on the paper?
P: I don’t know, it was written in their language.

⁸ “Dougar” is a Sudanese word for traffic jams, in this case of trucks on the ring road leading to the Eurotunnel, offering an opportunity to get on trailers to try to cross into England without using smugglers. Extremely dangerous because they take place on the highway, several Dougars have resulted in serious injuries and deaths of people hit by other cars or crushed by the vehicle they wanted to get on. In addition, these attempted crossings often lead to a brutal police response that includes highway chases and massive use of gas and flash balls to deter would-be crossers.

[...]And so the paper, the French policemen saw it. When I arrived at the border, the policemen made me get off the train, and they put me in a place with adults.

[...]They sent me there at 8pm and I came out at 8am the next day.

[...] P: It was surrounded by very high barbed wire. And you can't get out. It was raining. [...] I asked the people there what I was doing there. They told me that we were there so that they could send us back to Italy. There was a Tunisian who spoke French. He saw the Italian sheet I had and showed it to the police. Thanks to that, they transferred me to another place. They gave me food and drink. I stayed there for 2-3 hours, and then they brought a car and transferred me to Nice. [...]

R: Did you understand why France put you in this place at night? [...]

P: No, I didn't understand anything. From the moment I got off the train, the police didn't talk to me. They put you in a car and take you to the police station, you wake up, and the Tunisian helped me. (Ilyès, 14)

The police avoid any interaction that could lead to a claim of right to protection. Police officers are helped in this by the language difficulties and the ignorance of the minors regarding their rights, even though, according to the procedure, it is up to the police to remind the young people of their rights in the case of supposed minority or asylum application. Minority, which protects against detention and refoulement, opens up a right to protection that only seems to function as a right-to-be-claimed when the minor is able to assert it, to express or even prove his minority. In this case, Ilyès is 'saved' by a Tunisian adult who is aware of the law, especially concerning minors, and who masters the linguistic factor in order to assert Ilyès' right to remain on

French soil and to be taken care of. Minority status does not protect individuals as long as they do not manage to claim it, and to force its recognition.

Furthermore, the police have great latitude in defining the age of the person they are dealing with. Especially since the vast majority of young people who enter France by land at the Italian borders and/or who are present in Calais, are unable to present valid identity documents. It is therefore easy for the authorities to deny the youth's alleged minority. They usually claim that the person has never declared himself a minor (ignoring any documents that he or she might present, or even falsifying his or her declarations) to justify the legality of a *refoulement* procedure or the confinement of a minor. Indeed, at the Italian border, this situation can lead to a refusal of entry to French territory and the forced return of the person to Italy. The absence of witnesses and lawyers on the spot makes access to restorative justice practically impossible; also, and in a complementary manner, the sanctions that could be taken against police officers who behave abusively are then not taken.

In Calais, the risk of deprivation of liberty in an administrative detention centre is very high for minors. Thus, according to the legal team at the Coquelles Administrative Detention Centre, 67 people claiming to be minors were placed in the detention centre in 2019 (Cimade 2020). Contrary to legal theory, and contrary to the declarations of intent of elected officials and national and international child protection bodies, on these border territories minority does not protect young people. And these violent and disrespectful practices of fundamental rights are not without effects on the perception that minors have, both of institutions and of their rights as children.

The Effects of the Border Regime on Unaccompanied Minors

While some young people have a well-defined migration project, such as joining a family member in a European country, others have vaguer migration projects (Etiemble and Zanna 2013). In both cases, these projects are impacted by the interactions with the institutions previously encountered and according to the resources that they can mobilize. The border harassment policies put in place by the authorities have important effects on the young people who are subjected to them, effects that can be immediate but also long term as they can impact their life courses.

The Immediate Effects of the Border Regime

The first effect of the border regime on these young people is an increase in risk-taking in order to cross the border, caused by attempts to evade the police. The young people are very often in transit on these territories (Lendaro and Roland 2022) and try to get on trucks, trains or cross the Channel in a boat. At the French-Italian border, risk-taking in order to enter French territory involves crossing the mountains or walking along the railroad tracks or the highway. Several young people have died in the course of their attempts⁹. Thus, crossing the border is a physical and psychological experience, which can mark both the body through injuries during attempts to cross or illnesses related to poor living conditions, as well as the mind, through trauma related to the awareness of having come close to death or having seen a friend die.

⁹ See the work of Maël Galisson who documents, for example, the deaths on the Franco-British border. Among these obituaries, there are many minors: <https://www.tiki-toki.com/timeline/entry/1519092/Deaths-at-border-FranceBelgiumUK/>

Also, minors who have already experienced the border know the need to not look like minors or migrants when crossing, in order not to be stopped by the police:

When you cross a border, you have to wear clean clothes so the police don't think you're a refugee or something and they'll let you through. (Bilal, 16)

Concealment or passing techniques are recurrent (Butler 1993, Brigden 2016). The idea that the police can protect them does not make sense to them since these young people have seen law enforcement violate other migrants before, at several stages of their journey. This attitude results from a cumulative effect of prior interactions with authorities (Scheel 2017), at the French-Italian border, in Calais, and even elsewhere in Europe:

The first time, you give your real name and age. But after a while, you understand how it works in France, so you never give your real name again' (laughs)! (Ayman, 17)

These young people are even aware that their minority can make them a target for malicious people. This sometimes leads them to age themselves:

Me, I faced problems because of my age. And most people, I don't tell them my real age. [...] I've met a lot of people who I haven't told my real age so they don't try to manipulate me or do other things that I can't talk about now. (Mehdi, 17)

We can see here how dangerous this lie is for the young person, because while it is of course aimed at protecting oneself, the adolescent is placed outside the protective legal framework of minority, including in his or her interactions with the authorities. The harshness and violence of life in transit is also apparent (Hess

2012): young people must not only keep their distance from the police, but also know that it is illusory to count on their protection vis-à-vis other potential threats linked to trafficking and child exploitation. The feeling of insecurity is therefore permanent, and goes together with the fear of being identified and therefore deported, which is constantly present in the testimonies of the exiled minors we met.

These short-term effects sometimes extend beyond the border. The concealment continues even in interaction with peers or associations.

The Long-term Consequences of the Border Regime

By metonymy, the experience of violence, danger and precariousness leads minors to distrust all the actors in the field whom they associate with the public institutions of the country in which they find themselves, such as social workers responsible for providing shelter, or even associations and volunteer groups that have nothing to do with the institutions. Often, for example, not only does the young person not know that he or she has the right to be sheltered, but when he or she learns about it, mistrust prevails. Many young people who arrive via the Mediterranean imagine that this offer of emergency shelter is offset by the formalization of a care procedure and is accompanied by a restriction on their mobility. Living in the camps with other young exiles also informally circulates information and experiences, amplifying the mistrust and fear of being not only protected as a minor but also locked up and possibly expelled from the country:

They were telling me to go to Saint-Omer [home for unaccompanied minors][...] But me, why didn't I want to go there? You know? Because there were people who said "don't go to Saint-Omer, they'll take your fingerprints, and then they won't give you any papers, and they'll deport you. (Youssef, 16)

The fear of being trapped is constant, even when protection by the Child Welfare Office (ASE) seems likely or is even proposed. This case is emblematic of the long-term effects on the perception of institutions and the effectiveness of their own rights as children, because the ASE is only responsible for the sheltering and protection of minors. In spite of this, the young people in transit are wary of it, also because the services offered by the ASE at the borders have not been thought of taking into account their specific situation and their needs; faced with the waiting, the lack of activity in the hostels, and the rules of daily life that are sometimes misunderstood, a large part of the minors who could claim to be taken care of by the ASE either do not do so, or leave the emergency system as soon as they have had a bit of rest, and end up attempting or retrying the dangerous passage to England:

All the little Sudanese who are in tents at the Rue des Huttes, there are quite a few who... they want to go to England, England, England. There is one who confined himself to us, he had a great time, he stayed for a month and a half, but it was impossible to interview him [to formalize his request for care as a minor]. (Educator in an emergency shelter, Pas-de-Calais)

Thus, we see that young people who want to go to the United Kingdom use the shelter as a temporary place of rest. However, it is out of the question for them to take more formal steps involving a lasting relationship with an authority in France. Their experiences before and during Calais mean that they very often construct themselves at a distance from the law (Ewick and Silbey 1998).

The idea that there is a differentiated law for minors, supposedly more protective than for adults, does not make sense because this is not what minors experience on a daily basis in both border areas. On the contrary, the racist management of the border

by the authorities feeds the vision that these minors have of an ineffective law, which does not take age into account. One of the consequences is the increasing number of attempts to informally cross the border to escape France. For instance, repression practices against illegal migrants undermines the protection that France should grant to exiled minors, and at the same time, it paradoxically fails to deter children as most of them eventually manage cross the border to the UK. It only gives more credence to the discourse of the exiled adults present at the Jungles, who insist on the absence of desirable prospects in France. The experience of the peers is thus crucial in understanding what is at stake in the decisions, hesitations, and non-take up (van Oorschot 1998) of many young people, even though they could be taken care of.

Being a Minor in a Border Zone: Between Lack of Resources, Exhaustion and Inclusion

In order to make progress in their migratory journey, exiles rely on a range of resources to cope with the dangers of the trip, including community or local solidarity. Some young people also have family and financial support that has made the journey easier, particularly in border areas, by paying for the services of smugglers, for example, or by relying on the experience accumulated by their relatives (Lendaro and Roland 2022).

Others lack the resources mentioned above. When they arrive in Calais, they face a closed border and harsh living conditions. Some of them feel that they are not able to continue their journey. At the same time, they meet a well-established associative support network, which tries to signpost them to institutional care actors (Agier 2019). This lack of resources and living conditions make them more receptive to institutional support that provides immediate safety and coverage of basic needs (shelter, hygiene and

food). The weight of uncertainty thus works in favour of accepting institutional protection.

Exhaustion is another factor that immobilizes these young people after a long and difficult journey. In Calais, the conditions of (over)living in the Jungles are particularly exhausting and the experience of illness or injury sometimes pushes young people to give up their migration project to the United Kingdom and turn to ASE care:

There are young people that we spot quite quickly, because they are young, isolated, because they are vulnerable, with whom we have a connection, and that six months later, they are the ones who come looking for us to say, I want to leave, I want to be taken into care by child protection. [...] They want to leave in another strategy, and unfortunately, it's often... it's a little bit traumatic element, it's police violence, a trip to the hospital, a conflict, a big blow of fatigue, which comes from particularly difficult living conditions, you know? Enough is enough. (Théo, educator for minors in the Calais Jungles)

In contrast to the difficulties young people may encounter in their interactions with institutions at the border, encounters with solidarity and reception networks can anchor young people in the territory outside of the institutional care situation (Grzymala-Kazłowska 2016). The example of Youssef is very telling here: he is housed with a Calais family who met him alone on the street one winter evening. The accommodation offered to him by this family is unconditional. Youssef often returns to sleep there, and little by little he no longer attempts to cross into the UK. He began to occupy a central place in the family, acting as a big brother to the younger children of the family that was hosting him. His social circle evolved: from the youngsters of the Jungles, he began to frequent the youngsters of

the neighbourhood where he is hosted. He finally decided to stay in France but refused to be taken in charge by the Child Welfare Office (ASE). This would mean having to leave his family to be housed in a shelter. While his schooling and administrative procedures are long and complex, Youssef does not give up.

Before, I didn't really have any hope because I would talk to the Sudanese guys and they would say 'you know, France doesn't give you papers'. [...]. But little by little, I saw that there were people who were succeeding. I told myself that they were talking nonsense. And so I decided to stay in France. I found a great family, and that was that. (Youssef, 17)

His case is exemplary in that, beyond the administrative difficulties and in spite of the institutions, this young person chooses to stabilize in France because he has found a social environment that offers him security, affection, social ties, and a place within a group. This social anchoring thus pushes him to give up transit, giving the feeling that he has reached the end of his journey. It also provides a form of protection against administrative setbacks. This is a powerful explanatory factor for the mechanisms that can contribute to the long-term stabilization of minors in transit.

Conclusions

With this contribution, we wanted to highlight the effects the border regime has on the unaccompanied minors' perception of institutions, and of their rights. We hypothesized that the minors' experience of the tension between compassion for some, and repression for most, typical of the border regime, impacts their (non) choices, and their life course.

First of all, a distressing observation can be made common to all the borders studied here: that of a considerable gap between the

law as it is written, which is very protective for any young foreigner declaring himself to be a minor, and the law in practice, which is much less so. Protection and dissuasion coexist, creating anguishing uncertainties for young foreigners and their supporters, not to mention the fact that an institutional decision leading to the non-recognition of minority is often experienced as one injustice too many, so unbearable for a young person who has already suffered other forms of violence, that it can plunge him or her into deep distress.

Another point concerns the effects of police interventions at both borders: they are violent to the point of being traumatic, and so marked by suspicion towards minors that they induce, in the long term, a generalized distrust that young people feel towards any adult they associate with a French public institution. In addition, abusive practices by the police are rarely or never sanctioned, whether it be violent police behaviour in Calais (destruction of exiles' tents, failure to take into account declared minority status, etc.) or the immediate pushback of minors at the French-Italian border. As such, minors feel a deep distrust also toward the justice system, as they learn rapidly that the possibility to formally denounce, to punish and to correct this violent and illegal behaviours is not realistic: in sum, they learn, through their experiences and those of their peers, that in front of an abusive State, no restorative justice is available for them, even if they are UAMs.

A third point: whether or not the young exiles wish to be cared for by French institutions in the border zone, a constant that dominates everywhere and for everyone is that of boredom and the feeling of existential immobility expressed by the exiled minors. These are sometimes mitigated by support networks, whether community-based or not, which facilitate the passage of valuable

information, help young people keep themselves busy, and feel accompanied in their never-ending search for accommodation, an internship, or a job: this can result in a form of social anchoring in a territory, which becomes protective for the young person, even in the absence of a legal status as a minor.

Also, we must note the lack of political will to make the law really effective in the area of child protection: the few resources allocated to this area are not inevitable, but rather the result of political decisions aimed at doing the bare minimum to maintain the illusion of respect for international and national law in this area, while at the same time aspiring to dissuade young people from coming to and staying in France. It must be said, and it must stop. Finally, we suggest seriously considering the need of UAMs not only to be protected and believed by authorities, but also them having access to an effective restorative justice, which is able to determine the responsibilities of the illegal use of force by the police, and to punish them.

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