

The Power of a Dream:
The DREAM Act as a Cure for Nativism, Xenophobia, and Struggling Immigrant Communities

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The greatest threat to our democracy today is a newly revived political division by race and ethnicity. To prevent a rupture in our country's social and political framework, concrete solutions must be implemented in our classrooms to ameliorate growing tensions among different sectors of our population. They must either generate dialogues or teach the change they were designed to inspire. Xenophobia and nativism are two growing problems that confront us today, and I propose implementing the Development, Relief, and Education for Alien Minors Act, or DREAM Act, as a facet of the long-term solution. Xenophobia in the United States is an age-old belief that the foreigner is a threat to the cultural, economic and linguistic fabric of the country. Among the many consequences of such beliefs among "Americans"¹ is that xenophobia directly contributes to a loss of production and intellectual contribution from undocumented immigrants who were brought here as children and grew up in the United States. Because this problem is too complex to be analyzed concretely in any small treatise and because its nature is such that no single working solution can bring about its end, active citizens must deliberate their options and determine a course of action to ameliorate the injustice both to the undocumented student and the society as a whole.

The Problem: Xenophobia and Nativism

Unfortunately, rising tides of xenophobia lead also to increases in nativism in our country. Nativism is itself an expression of Ann E. Kingsolver's notion of *strategic alterity*² (Kingsolver, 2001) where its practitioners actively redefine that which is truly American while marking as "others" undocumented immigrants - in this case, students. Thus, despite the various contributions of successful immigrant students to our society, in a nativist model, the imaginary distinction is made that these students exist and operate in contradiction to that which is

¹ Hereon defined as 'White' America and its adoptees, unless otherwise specified.

² "...the practice of shifting between strategic assertions of inclusion and exclusion (or the marking and unmarking of 'selves' and 'others') to both devalue a set of people and to mask that very process of strategic devalorization."

American and concurrently threaten our culture and economy (Villa 2000; Zavella 1997).

Nativists are "Cultured, intelligent, and often possessing impressive degrees from some of America's premier colleges and universities, this new breed of white racial advocate is a far cry from the populist politicians and hooded Klansmen of the Old South," writes Carol Swain (2002). They do not advocate white supremacy but are invested in the affirmation that the American culture is Anglo-Protestant. As Paul Farmer writes, this distinction is used to construct a scapegoating framework within which these immigrant students are accused of diluting our national culture and self-definition (2003). An influential conservative professor from Harvard named Samuel Huntington wrote just last year in *Foreign Policy* that, "The persistent inflow of Hispanic immigrants threatens to divide the United States into two peoples, two cultures, and two languages. Unlike past immigrant groups, Mexicans and other Latinos have not assimilated into mainstream U.S. culture, forming instead their own political and linguistic enclaves from Los Angeles to Miami and rejecting the Anglo-Protestant values that built the American dream" (Huntington).

In our social model it is important to locate the centers of power when we discuss xenophobia, nativism, and the power to define others. Those who hold this vantage via the control of capital and influence are those Anglo-Protestants who Huntington writes of: they profit from an inherently unjust and immoral system. Beginning in our public schools, capitalism and a fierce patriotism are reinforced and strengthened by an incomplete and biased study of history where the contributions of immigrants and their descendents are minimalized. Our students must understand the full histories of their antecedents and the oppression they practiced on others. It is not until the American has a personal experience with an undocumented immigrant student or conducts an in-depth study that the individual first

experiences his or her privileges of citizenship. As a member of the American society, he or she benefits economically and socially from the repression that the undocumented student endures.

Indeed, the American identity threatened by new immigrants is rooted in ages-old white supremacy and reifies nativism and xenophobia. These concepts collapse identities between United States citizens and foreign citizens into a binary state of white/nonwhite reasoning. California serves as an interesting case study to show both xenophobia and nativism throughout its history. Ironically, the beginnings of xenophobia and nativism on the West Coast predate its status as a formal possession of the United States. With the arrival of white settlers, Manifest Destiny was not only a description of territorial advancement, but also of an annexation and redefining of race and superiority, especially in the labor arena, where California became a hub for “immigrants” like Latin Americans and Asians coming into the country to work. Whites also practiced active exclusion of Latinos who were already established in the Southwest. White entitlement in California forced both Latino and Asian groups of immigrants into menial labor and denied them the benefits of “real citizenship.” Over the years, the California and national economies have been built on the backs of immigrants. Sadly, in terms of education, access, and multiculturalism, even today it is evident to an undocumented high school graduate “that privilege is least visible to those who benefit most by the racial contract” (Mills 1997). They live in separate worlds defined by their castes in American terms.

Why Are You Here? The Immigrant and Its Children

Immigrants who come to the United States are here for a plethora of different reasons. They bring their young children as they escape political persecution or economic hardship, or to seek educational or work opportunities. They come for the American Dream, however it may be understood. No matter the specifics of that Dream, we generally agree that to achieve it, one

must access and succeed in education. Whether citizen, resident, or undocumented, as a class-issue those of a poorer education are often discriminated against or looked-down upon as lesser individuals in our society. Illegal immigrants' children grow up here with distinct binational and transnational influences (Torres, 1998) and a profound immigrant cultural citizenship that has meaning beyond even judicial terms (Flores 1997). They are caught between legal definitions which exclude them from both formal citizenship and the benefits of the country's public education programs. Undocumented students are often the products of poor immigrant parents who work in various low-paying, benefit-free industries such as agriculture, textiles, or household services.

These parents' contributions to the nation are routinely ignored though integral to the country's smooth operation – even if it maintains an inherently unequal and immoral society. Undocumented students brought to the United States as small children and having grown up here are punished for their parents' status as illegal immigrants. These students are caught between two worlds, the new country of their family's origin and the country of the students' settlement and upbringing. Though these undocumented students who have completed high school here may possess a deep *cultural citizenship*, xenophobia at once exploits their families' limited *market citizenship* while challenging and restricting any notion of their *national citizenship* (Rosaldo, 1999). These distinctions are significant insofar as they help to give context to the DREAM Act and its goals to integrate (though not assimilate) undocumented students into the cultural and intellectual fabric of the United States. Their contributions to the nation are lost if they then cannot continue on into college to earn degrees which would enable them to work as productive tax-paying citizens (De Genova, 2002).

Post Civil Rights Era Injustice and Integration

To integrate fully, undocumented students with no home to return to outside of the United States should be allowed to attain citizenship while avoiding the delicate process of applying while in the country. As our laws now stand, the Urban Institute estimates that 50-65,000 undocumented students graduate from high schools across the nation each year who are denied access to affordable higher education due to their immigration status (Petit, 2003). They were brought here illegally by their parents and are among those who graduated as “valedictorians, honors students, award winners, class presidents, and student leaders” (NILC). With the large risk of being deported for applying for citizenship while in residence as an illegal immigrant in the United States, large populations of students are scared into hiding each year upon graduation from high school. Thus, it is evident that democracy has not been fostered in the classroom. This culture of fear is both unhealthy for citizens of the United States as well as for undocumented students and their families. In many cases, while unable to apply for citizenship, they are subsequently denied in-state tuition to attend public colleges and universities. The cost of attending a learning institution at out-of-state rates in many cases is simply prohibitive for the student. Many thousands of dollars more expensive than in-state tuition, this tuition difference can be so much as 437 percent higher for out-of-state tuition rates (CHBA).

These worthy students are unfairly denied in-state tuition rates as they themselves and their families pay taxes like other state residents in order to support public universities and other public institutions and programs. Beginning in 1996, the Internal Revenue Service began to issue Individual Taxpayer Identification Numbers to undocumented immigrants so that they too would pay taxes on wages earned. Seven million undocumented workers have contributed to the tax pool since the enactment of that law (Detroit News). Many of these

immigrant taxpayers are more permanent than the stereotype provides for – they settle in states and make a life, restricted from moving about by a lack of necessary capital. State governments have come to terms with collecting taxes from undocumented residents. In some cases, these governments have adjusted their policies to reflect a realization that the students who go to school in-state will most likely remain in state with their families and over the years, increase local tax revenues; this follows from the premise that the children of immigrants will fair well and positively contribute to society if they are integrated as responsible citizens. I propose the Development, Relief, and Education for Alien Minors Act as one of many means to this end.

An Unrealized DREAM: Citizenship and Equal-Opportunity

The DREAM Act is a piece of legislation that would help undocumented students who have graduated from high schools in the United States to be legally recognized as participating and contributing members of our society. It would help us to realize deep democracy for tens of thousands of students and it is one more way for the nation to send the message that no child will be left behind. The success of this bipartisan legislation will provide opportunities for deserving students to apply for legal status as temporary residents and then as permanent citizens while continuing their education beyond high school. The United States would make incredible gains while solidifying its economic foundation and adding to an educated and skilled work force.

On the humane side, the DREAM Act was written with court cases in mind which have guaranteed funding for undocumented students to attend both primary and secondary public schools. The states that have enacted the DREAM Act on local terms subscribe to the notion that undocumented children “can affect neither their parents’ conduct nor their own status” (Plyer v. Doe, Estrella). As such, undocumented students who wish to attend college can and should

because their status is resultant from their parents' actions – they are not punishable under our laws and therefore have the right at least to equal opportunity in public education. The DREAM Act is a piece of legislation that would right the injustices which immigrants have had to endure for too long.

According to one of its Senate Co-Sponsors, Senator Orrin Hatch of Utah (a Republican), the DREAM Act does not give illegal immigrants the unmitigated right to stay in the United States, and instead addresses specific segments of the population who might not be justly processed by immigration law as it now stands. Students who have completed their secondary education in the United States would have the opportunity of earning the right to stay in the United States as legal, productive citizens.

The provisions of the act provide for several important changes for undocumented students between the ages of 12 and 21. For those who entered the country as children and have been here for five years while maintaining a clean criminal record and have earned a high school degree, the DREAM Act provides a six-year conditional residence period.

To earn permanent residency and even citizenship, these students must complete one of three options provided-for in the bill. Sometime during their six-year conditional residence they must serve in the military, spend at least two years in a bachelor's or graduate program, or earn either a bachelor's, associate's, or trade school diploma. Further, the bill's restrictions on who the provisions may apply provides no incentive to enter the United State illegally in the future (Hatch).

Some activists for States' rights across the nation are applauding the DREAM Act and others are staying neutral. The provisions of the federal DREAM Act do not mandate that states shall provide in-state tuition to undocumented students. Instead, the Act would repeal a section

of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 which bars individual states from offering the reduced tuition to undocumented high school graduates. If the act is passed, the repeal would apply retroactively and allow recent graduates to apply for in-state tuition as well.

Supporters of the DREAM Act who advocate states' rights assert that it is against the interests of the state to require investment in elementary and secondary education for undocumented children while denying them the opportunity to eventually attend public college. Indeed, many use the analogy that just as "Stealing assets is wrong, and so is stealing the right to earn a living, no matter where the victim was born" (Landsburg 2005). States should have the right to continue to invest in their students and earn a return on their products as these undocumented students eventually earn citizenship and add to an educated workforce. It is also contradictory to require a state to fund undocumented students through primary and secondary school and then to effectively nullify the investment by barring states to offer in-state tuition costs to its high school products.

These sorts of investments are valuable to states in both short and long term periods. They reduce the drop-out rates and save the public massive sums in criminal justice and public benefits costs. In effect, these naturalized and educated students would add to the numbers of tax-payers while also driving taxes down – a win-win situation for all parties involved. Thus, nativism and its roots in protectionism for the American way of life via a fear of foreigners is baseless.

These educated multicultural students have been an untapped resource in so many ways for too long. They will serve their most important role in educating the public as to its false fear of "the other." In addition to tangible results such as a dropping crime-rate, xenophobia and

nativism will be lessened by the mere presence of loyal and productive immigrant citizens in the workplace and in the streets. Fortunately, several of the States have also reached these conclusions and passed their own forms of the DREAM Act.

In other arenas, the passage of the Act would help students to feel more comfortable as they progress in school, helping to encourage democracy in the classroom as versus the inherent inequities that undocumented students face with peers. Knowing that there is a way to obtain citizenship gives undocumented students the motivation they need to contribute in the classroom and learn how to become active and knowledgeable citizens. In coming to this country with their parents, they had no say in the matter. These students did nothing wrong and it is immoral to continue to deny them naturalization and thus deny them the opportunity to make the most of their lives. The DREAM Act would help undocumented students to understand that our democracy functions for the betterment and well-being of the nation and would further encourage them to overcome linguistic, racial, and socioeconomic barriers that they face to become full-fledged citizens. Our democracy loses out when it denies some of its best student citizens the right to fully participate in society. Despite these arguments, there are still those who believe that the DREAM Act is detrimental and that it would contribute to weakening our democratic system and the American way.

The Fallacy of Counter-Arguments

Those who are against its passage are afraid that the DREAM Act would in effect give incentive for massive waves of new immigrants to make their way into the country to take advantage of its benefits. Due to its specific language, however, the Act would only apply to a small population, those who have been in the country for at least 5 years at the time of the bill's

enactment. After such a length of time, the majority of families with dependents also generate taxes.

Another argument against the DREAM Act is that it would unfairly burden natural citizen taxpayers who do not share the responsibility of educating undocumented children. The fallacy of this argument is that it does not take into consideration that the parents of undocumented children often share an even higher burden of the nation's taxes than natural citizens. They pay sales and in some cases property taxes all the while limited in their legal access to the benefits of tax-based government programs. Their students should equally benefit from subsidized tuition just as their natural citizen peers do whose parents pay the same taxes. Indeed, Senator Hatch writes:

"...in testimony before the Senate Immigration subcommittee, a senior economic fellow with the Cato Institute estimated that immigrant households paid approximately \$133 billion in direct taxes to federal, state and local governments in 1998. He further estimated that the total net benefit (taxes paid over benefits received) to the Social Security system from continuing current levels of immigration is nearly \$500 billion from 1998-2022 and nearly \$2 trillion through 2072. As such, the DREAM Act will not only directly improve the quality of life of its beneficiaries but undoubtedly will also benefit the overall American economy."

Conclusion: Deep Democracy and Equality in the Classroom

Indeed, the contributions that undocumented immigrant workers and their families make to our nation go largely unnoticed by the general public. This ignorance allows for a growing nativist sentiment in the general population, inspiring fear and hatred against these "others." The DREAM Act is one way in which we might take one step towards erasing xenophobia from our collective consciousness and making the classroom a more friendly place for children from all walks of life. Xenophobia is an idea that weakens our democracy – it ignores the history of the

nation as having been built on the backs of its immigrants – many of whom birthed the parents of our generation’s nativists.

Working to eliminate xenophobia would have a profound impact on the way education is conducted in this country. Whether actively or passively, undocumented students of all ages feel tension in classrooms; they and their peers are denied the full democratic experience of experiencing a childhood on equal terms. Indeed, these racist and xenophobic class structures are only perpetuated in the classroom as undocumented students continue to be looked upon as burdens and inferior; to reach a deep democracy and talk about its merits as an equalizing way of life, we must first make the classroom equal for all students.

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Alternative Mode of Representation, A Poem

Big brother works a backbreaking job to pay the bills,
Little sister goes to school to get an education.
High school.

A senior.

A senior and she's the brightest in her class but won't turn in any work
Because she's got no future anyway.

She'll end up in the same jobs,
With the same pain,
And no gain.
Like her brother.

Her parents aren't from here, and neither is she.
She's a wetback. An alien. A terrorist infiltrator.
With pig tails and cute sparkling jewelry from the dollar store,
Too much makeup and too thick accent. She mixes up words

And why should she?
The Senate doesn't care and neither should you.
She's another illegal immigrant who doesn't deserve a chance.

She's stuck dreaming about a future that can't be hers.

Meanwhile activists are dreaming on their own – dreaming and fighting.
Dreaming and fighting.
Dreaming and fighting.

For the DREAM.
Dreaming and fighting for the DREAM.

The DREAM Act to help little sister go to college after high school.
The Act that would let her succeed, give her a chance.

And so it's her dream and their DREAM,
All tangled in one.
Help them to reach theirs, and you'll help her reach hers.