

The Logic of Civic Possibility: Undocumented Students and the Struggle for a Higher Education

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IN OCTOBER 2010, the State of Georgia Board of Regents altered the admissions policy of the top five public colleges in the state to prevent the admission of any undocumented student as long as there is a single academically qualified American applicant or legal immigrant who has been turned away. When put into action, the new policy prevented the admission of all undocumented students. A spokesman for the board of regents claimed that this was an equity issue—that every available spot in America’s public universities should be reserved for people who are in the United States legally. But undocumented students understand this as a civil rights issue that prompts civic action. The moment the regents adopted the new policy, a small contingent of students, scholars, and community activists jumped into action to establish Freedom University, a small underground university for undocumented students in Athens, Georgia. Within a month of its creation, the school consisted of one classroom, four volunteer professors, and thirty-three students; eight additional students had to be turned away because of space limitations.

They named it “Freedom University” in honor of the Freedom Schools of the Deep South that were established during the civil rights movement in order to educate people who were excluded from public education because of segregation. While some say this restriction on undocumented students is a matter of equity and fairness for US citizens and documented immigrants, Freedom University makes it clear that it is, in fact, a civil rights issue connected to the similar struggles that people of color experienced in the 1950s and 1960s. Freedom University professor Pam Voekel explained that undocumented student activism is driven by the strong desire for education. The students wanted to do more than protest; Voekel relates that the students declared, “We want to be in a classroom. How you could really help us, professors, is to offer courses.”¹ In the naming of the university and the recognition that access to higher education is a civil rights issue, these students and professors formed a politics of solidarity that situated the struggle of these undocumented students within the context of the civil rights movement and the revitalization of democracy through civic action. Undocumented students in other states have also formed organizations to fight for the right to higher education and, collectively,

have helped shape the politics of the national movement to pass the “Dream Act,” which would give these students access to a college education by giving them a path to legalization and eventual citizenship. How might we read civil rights history as an analytic of the present, rather than just as part of the legacy of another time? Or how might this new chapter in the ongoing struggle for civil rights in the United States give shape to contemporary civic engagement? In this chapter, we seek to understand both the historical and contemporary connections between civil rights struggles, civic engagement in higher education, and the lives of undocumented students.

In 1982, the United States Supreme Court ruled in *Plyler v. Doe* that undocumented children must be provided access to a free public education, because public education enables them to function with a civic institution, helping prepare them to exercise civic responsibilities later in life. Reacting to a 1975 Texas law that denied undocumented children access to public education, the court’s majority ruled that “without an education, these undocumented children, already disadvantaged as a result of poverty, lack of English speaking ability and undeniable racial prejudices... will become permanently locked into the lowest socio-economic class.”² But the Supreme Court only guaranteed access to K-12 education, ensuring only that undocumented children would be able to graduate from high school. Meanwhile, the 1986 Immigration Reform and Control Act (IRCA) gave amnesty to all undocumented residents who entered the United States before January 1, 1982. As part of the IRCA, almost three million people were granted legal status, but this was the last comprehensive attempt to provide a path to citizenship for undocumented residents in the United States. As the number of undocumented immigrants in the United States has continued to climb in the late twentieth and early twenty-first centuries, the number of children—many not yet school-aged—brought by their parents without papers has also continued to increase. According to a 2008 estimate by the Department of Homeland Security, the undocumented population includes approximately 3.2 million children and young adults under the age of twenty-four.³ In 2009, the children of unauthorized immigrants made up 6.8 percent of students in the United States enrolled in kindergarten through grade twelve; in five states—Arizona, California, Colorado, Nevada, and Texas—one in ten students in those grades is undocumented.⁴

Each year, sixty-five thousand undocumented students who have lived in the United States for at least five years graduate from high school, yet they face significant obstacles in seeking to continue their education into college.⁵ Federal laws prohibit financial aid from the national government, and most states require that they pay higher out-of-state tuition to public universities—even when their K-12 education was completed in the state. Many of those who attempt to further their education have to work long hours to pay for college; they are often forced into jobs where their status is ignored, yet they continue to risk detection and possible deportation. Not surprisingly, only 49 percent of all undocumented young adults between the ages of eighteen and twenty-four are in college or have attended college, compared to 71 percent of US-born residents.⁶ While the struggle to obtain a college education is monumental for most undocumented

students, the story of Freedom University in Georgia points to the extraordinary efforts being made all over the country to fight for this civil right. From public marches and student walkouts to individual acts of sacrifice and local community projects, undocumented students are engaged in some of the highest stakes forms of civic engagement in higher education today. Often overcoming fear of detection and deportation, many undocumented students trying to obtain a college education are entering the civic sphere because they regard their own future and that of their families as intertwined with their civic activity.

Indeed, in almost every state in the union and in almost every college and university in the country, public and private, there are now students who are struggling to obtain their degrees, even though they are unauthorized to be legally in the United States. These students are in your colleges, in your applicant pools, and in your civic engagement classes and programs. Research shows that as they struggle to obtain their education, they are among the most active in civic engagement work as volunteers, peer counselors, and political activists because of their strong desire to change their condition and make a difference in US political culture.⁷ The “Dream Act” has come to represent the desire of these students for full inclusion in higher education, its supporters noting that most of these students spent their entire education in US schools and did not realize that they were undocumented until they began to apply for colleges and jobs while in high school. When interviewed, many said that it was only then that they first realized that a valid social security number was needed to participate in the broad “civic culture.” Many were discouraged and gave up. But many of those who recovered from that shock have become some of the most publicly active students on various campuses.

These students exemplify the desire for belonging to a community and to a nation, which is key for the journey to full cultural citizenship. Beyond simply combatting marginality, these “Dreamers” know that they must prove that they are Americans through public acts that contribute to society. Their civic engagement is about securing their own future in US society by transforming the world around them. As Luis Plascencia has argued, citizenship is fundamentally Janus-faced and “simultaneously fosters exclusion and inclusion.”⁸

Whether it is through collective acts of protest—like participating in marches across the country to object to legislation that would criminalize their existence in the US, or simple daily acts of improving the status of the poor communities around them and their fellow students—the “Dreamers” exemplify civic engagement and the struggle for civil rights for our era of globalization and border crossing.

Yet, the existing community of civic engagement practitioners barely recognizes the power and potential of this message. We believe that it is through active listening to the dreams and desires of these young people, and to their rationale for participating in the most active forms of civic engagement, that those of us committed to expanding the future of civic education and democracy in the United States may find a new way forward. If it is our mission to fulfill the full meaning of citizenship as belonging to a society committed to equality, then there is currently no better example of the struggle for civil rights than the struggle for the inclusion of these “Dreamers” as full members of American society

through higher education. If we are to embrace a twenty-first-century interpretation of civil rights in a globalized society recognizing major demographic and immigrant realities, then we need to listen to these students amongst us and to recognize their version of civic engagement and the meanings they ascribe to US citizenship and democracy.

(RE)DEFINING CIVIL RIGHTS AND CIVIC ACTION

What exactly does civic engagement mean when discussing undocumented students? When these students fight for rights, what is its impact; and does it affect the actor? What are the strengths of linking civic engagement to civic action, and how might these strengths be reinforced, amplified, and translated for other students in the context of higher education? We might start to answer some of these questions by considering how and why undocumented students make the decision to “go public” with their status and their civic participation.

Students make the decision to go public for various reasons. Taken together, their voices articulate a “logic of civic possibility” in which the value of democratic engagement is measured not only by social and economic mobility, but also by the collective advancement of social justice and human rights and the ability to participate in the determination of their own futures and the well-being of their communities. These students are often forced to live in the shadows of civic life. The logic of civic possibility is both a process and a practice of defining one’s own connection to collective claims for rights, empowerment, and even cultural and political citizenship. One of the most remarkable aspects of this optimistic perspective is the fact that it emanates from the extreme circumstances and intense struggles experienced by undocumented students.

The struggle for daily living is profound for these students. Vulnerability mixes inextricably with anxiety and the fear of deportation. Some students have likened this condition of elevated anxiety to post-traumatic stress disorder. Common experiences include high levels of unemployment or under-the-table employment, crowded and compulsory intergenerational living arrangements, and a hyperawareness of limited mobility. Within this context, nowhere does hope seem more elusive than in the transition from high school to college, where students who are sometimes finding out for the first time about their undocumented status realize their high achievements have been but pipe dreams of a future that will not—and *cannot*—exist.

In the midst of what many of us would call great despair, student activists see a flicker of light. “There is too much at stake for me not to fight for my rights and my citizenship. I mean, I *had* a future, I *dared* to dream! And now I am told I have to set those dreams aside? No way!” Claudia, a high school valedictorian from the Inland Empire in California, explains her motivation for civic action. “In a sense, I have already started at a deficit. There is nowhere to go but up. I can almost see the light at the end of the tunnel.”⁹ She laughs hopefully. In Claudia’s case, the absence of opportunity is the most imminent and oppressive threat to her life as she graduates from high school. Such optimism provides an important window into how agency is enacted relative to significant structural constraints and repression. Students are driven by very personal impressions of civic possibilities and experiences of the rights refused

them. In Claudia's case, she is motivated by her belief in the inalienable right to pursue happiness in a future of her own choosing.

Norma, a community college student from New Jersey, is also concerned about her future, but she takes action because of a deeply felt emotional connection to her family's sacrifices:

Sometimes tears well up in my own eyes when I think about how my parents came here so that I could—we all could—have a better life and I could have a good education. I will fight to realize their generosity. My emotion is not bad, it's a reminder of how painful this is... this lack of opportunity and future if you have fought your whole life to be here in the first place. My emotions serve a very... a very useful purpose in my political work. It reminds me of its importance and its potential impact.

Norma's political engagement is motivated primarily by a desire to realize the goal for which her family has sacrificed so much. To many undocumented students, the civic imagination is an affective social dynamic. The complex relationship among families, imagination, and the affective pull of goals and dreams for the future all influence students' motivation to take civic action. There is a bodily and sensory dimension to this kind of civic work. Civic identity and collectivity is deeply *felt* and experienced. Central to this kind of motivation is a belief in possibilities and the ability to imagine a different future and a more equal world—what one student referred to as democratic logic, or what we call the “logic of civic possibility.”

What would I tell someone in my position as an undocumented college student? I know it sounds stupid, but I would tell them to continue dreaming, to continue believing, and to find friends and advocates in the struggle. Because they are not alone, and the longer we live in the shadows, the longer we will remain repressed noncitizens. We have to speak up. We can't be afraid anymore. We have to believe in political possibilities. That's why we are here, because we can fight for what we believe in. So, yeah, I guess I would tell them to believe in collective democracy. There is a history and a logic to support that fact—the fact that democracies have the possibility to change.

The above quote, from Juan Carlos, an undocumented student leader in Arizona, shows that the civic is not a set of duties; rather it is what enables, through making sense of, the practices of a democratic society. In other words, the civic can also be understood as a necessary navigational means—a guide to action not completely restricted by reality but full of possibility. The key here is that by forming specific possibilities for the social world, students also construct its meaning. This is a crucial point when speaking about undocumented communities making their place in the world.

We would like to advance this notion of the “logic of civic possibility” as a way of understanding how undocumented students have organized their values, beliefs about their rights, and political engagement based on their sense that democracy and cultural belonging might offer them a way to gain formal status as citizens. This logic of civic possibility creates new understandings of rights and citizenship that are also bound up in notions of civic *responsibility*. Drawing on their distinctive and interrelated experiences, these students struggle to

reshape civil society in more egalitarian, democratic, and creative ways. To roughly paraphrase bell hooks, these students frame marginality as a site of resistance and empowerment. The logic of civic possibilities captures this nexus, as it describes the cultural dynamics through which undocumented communities construct claims, affirm their understanding of rights and entitlements, and act to transform their positions in relation to margins and mainstreams.

BALANCING ACT: MENTORING UNDOCUMENTED STUDENTS

One of the ways in which marginalized students are able to access mainstream networks is through mentors and advocates. Undocumented students frequently speak about the importance of role models, mentors, and advocates at various levels. Mentoring relationships, formal and informal, create conditions for success in school at all levels by helping integrate students into the fabric of institutions, cultivating essential professional and social networks, aiding students in acquiring core competencies, and assisting in transitions between levels of education. But how does a mentor and advocate work within the legal limitations and political restrictions these students must navigate? Andrea, a student from upstate New York, summarizes some of the tensions that arise between mentor and mentee:

My mentor saved my life. Really. He has helped me meet people, get to know the system. We really know our options. Unfortunately, he really can't do much. He was actually telling me I should go into nursing but I don't want to be a nurse. I guess there is this program collaborating with my community college that will let me get my bachelor's for nursing in four years. So I can afford it, and it's hard, it's in high demand. I know he cares about what I want, but he was just throwing it out at me—like throwing me a bone: “Just become a nurse. Don't worry about it.” For him to tell me that, I was like, “No. That's not what I want to do.” No, I'm not going to take that option. I don't want to be a nurse. I want to be a political scientist—like international relations. But there's no affordable BA option for that.

Mentors cannot change laws, but they can offer support in various ways. Most important for the mentors of undocumented students is the strength it takes to walk a tightrope of navigating the constraints of US politics and institutional policies—many times finding workarounds like the nursing program mentioned in Andrea's story—while not killing a student's dream for and belief in the future.

This balancing act extends to the structural inequality found in our own institutions of higher education. Mentoring typically socializes individuals into a preexisting structure that undocumented activists may be challenging, critiquing, and attempting to change. While these undocumented students are working to transform unequal systems, mentors still must prepare them to work and succeed in settings that are generally maintained by an inevitable degree of inequality. Given this paradox, the career, psychological, social, and role modeling functions in advising undocumented students may require a more complex mentoring relationship that involves elements of a humanities framework, including: (1) the social construction of race and citizenship as a central concept; (2) a commitment to equality, social change, and civic participation; (3) the importance of lives and experiences; and (4) a willingness to question the ideology of citizenship. The mentors of undocumented

students must be advocates working within and around financial and legal limitations, while simultaneously finding theoretical and concrete ways to change students' opportunities. This is a tall order by any means, but student responses in our interviews indicate that many mentors are doing all of this and more.

SOCIAL MEDIA AND THE FUTURE OF CIVIC ENGAGEMENT

The voices and participation of undocumented students may lead to challenges of traditional notions of engagement that would redefine “civic” participation. As Luis, a student from Los Angeles, explains, the safe spaces provided by social media enable undocumented students to “go public.” “We plan all our meetings and recruit members through our website,” he said. “You can find out about our mission, our tactics, our goals and stuff. It’s easier than telling people you are undocumented. We find supporters and allies through the site and so we kind of start from a common understanding that we support each other. It’s safer that way.” Maritza, a student from Atlanta, agrees. “I met my mentor at a leadership conference held by my community college,” she said. “At first, I was shy. I wasn’t used to sharing my story, especially with strangers, so I didn’t say much. But he heard about my story through the network and found me on Facebook. Thank God for Facebook!”

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Undocumented students in higher education often encounter hostile or alienating campus climates. Most also come from historically marginalized communities with limited access to higher education, and they encounter various forms of discrimination on and off campuses. Social media serve as safe and supportive spaces for undocumented student activists who risk discovery, while also providing platforms for education about resources, engagement tactics, and skills to fight for social justice and civil rights. In particular, undocumented students use social media to create a friendly environment that does not exist in many other spaces that they occupy. Additionally, by building solidarity among communities and connecting students with mentors and advocates who can provide the support and resources needed to navigate through the university and society, Facebook, Twitter, YouTube, Skype, blogs, and organizational websites can contribute to the retention of undocumented students in higher education.

Social media can be used to create opportunities for undocumented student action, and similar strategies can be used to engage other students as well. Undocumented scholars have embraced social media to reach, organize, and mobilize advocates and supporters, and to influence federal legislation. They understand the power of online spaces and are able to engage other social media users where they already spend their time—online. Smartphones make it even easier to connect with social media networks, and undocumented students are discovering ways these networks can be leveraged to build a foundation for experiencing and defending the linkage to civic engagement and activism. Perhaps it is time for professors, likewise, to embrace platforms like Twitter, Facebook, Instagram,

and Pinterest if they want to connect with, educate, and encourage students' civic participation in the twenty-first century. The key is turning online interaction into offline action. As undocumented students have shown, for social media to have real relevance in the civic arena, their use must lead to concrete offline effects. And the first step is instilling a logic of civic possibility in all our students.

Practitioners of civic engagement in the United States still tend to think of their own students as possessing privilege that they can leverage to help communities “out there” that need assistance and encouragement. They often presume that all of those involved in civic engagement—both those in the community and those from higher education—can meet on the equal plane of civic belonging and political citizenship. Listening to the voices and the experiences of undocumented students reveals the fallacies of many of these assumptions. Their lives expose the risks of linking civic engagement to actions of protest to inequality and legal prohibitions that, at times, extend to both student and community member alike—making assumption of privilege illusory.

The battle to be included in the “civic culture” in the United States, especially via access to higher education, raises a new logic of civic possibility for the engagement community. We all can look for opportunities to involve students in engagement activities—or to support them in their own political and civic action. With opportunities we must also provide spaces, both physical and virtual, where legal status is not a prerequisite and where participation pushes for full consideration of these “Dreamers” as Americans—as students who should have the full civil rights needed to contribute to and shape our democracy. If we are serious about wanting civic engagement to renew US democracy, then there are no better exemplars of this direction than these students whose very existence in our projects stretch and redefine our notions of active citizenship and belonging to our American community.

NOTES

1. Kathy Lohr, “Undocumented Students Take Education Underground,” *National Public Radio*, October 26, 2012, <http://www.npr.org/2012/10/28/163717277/undocumented-students-take-education-underground>.
2. Plyler v. Doe, 457 U.S. 202 (1982).
3. Michael Hofer, Nancy Rytina, and Bryan C. Baker, “Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2008,” *Population Estimates* (Washington, DC: Department of Homeland Security, 2009), 5, table 5.
4. William Perez, *Americans by Heart: Undocumented Latino Students and the Promise of Higher Education* (New York: Teachers College Press, 2012), 5.
5. Educators for Fair Consideration, *Fact Sheet: An Overview of College-Bound Undocumented Students* (San Francisco: Educators for Fair Consideration, 2012), http://dsa.csupomona.edu/ab540/files/Fact_Sheet_8073.pdf.
6. Perez, *Americans by Heart*, 6–7.
7. For an overview of this research, see Perez, *Americans by Heart*, 68–85.
8. Luis F. B. Plascencia, *Disenchanted Citizenship: Mexican Migrants and the Boundaries of Belonging* (New Brunswick, NJ: Rutgers University Press, 2012), 7.
9. All quotations from undocumented students included in this chapter are taken from interviews conducted in 2011 by Margaret Salazar-Porzio.
10. bell hooks, *Yearning: Race, Gender, and Cultural Politics* (Boston: South End Press, 1990): 153, 304.