Immigration Reform of 2006:
The social realities of American immigrant populations.
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Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!"
(Lazarus, 1883)

This poem, on a plaque at base of the Statue of Liberty on Else Island in New York City’s harbor, is a statement of comfort relating to a different era that for many Americans has become a joke. In 2006, the plaque would have a footnote attached to it, “The golden door will only open if you are here “legally”, speak English, are not an alleged terrorist and are willing to blindly adopt the values, norms and attitudes of the dominant Anglo-culture.” Of course, American society does not state such ethnocentric, isolationist ideals clearly for everyone to see, or does it? Howard Zinn (2005), a critical educator and historian, would argue it does. For only when we as a society begin to question and look beyond the surface of the various social issues impacting the lives of the millions around us, who may or may not be white, do we start to see how so very unrealistic Emma Lazarus’s 1883 poem has become (Zinn & Macedo, 2005). Instead questioning and debating the systems in place, we as a society chose to accept the rhetoric of “National” security, terrorism threats, taking jobs from Americans, loss of the “American” way of life and outright ignorance of “minority” culture. American culture (the media, television, internet, newspapers, magazines, the radio, iPods) and institutions (immigration and education being two of the larger ones) around us have socialized the American public to believe that “…we are passive, that the making of history is not up to us, that it’s all up to those people in Washington (Zinn & Macedo, 2005, p. 84).”

Immigration reform could easily fall into another one of those historical events we, the public, do not feel we have the power to influence or continue to say “immigration is a
Latino problem, it has no impact on me (white-America)”. If we really do feel that way, can we continue to herald *The New Colossus* as American society’s acceptance of immigrants, since after all we are a society built on immigration?

Through this critical analysis of immigration reform, I will look at the political climate and social attitudes toward immigration. Finally I will analyze a conversation with a Latino family, providing the counter reality of immigrant realities in the United States. Immigration reform has the potential to negatively influence all aspects of American culture, although, the impact would be the most devastating to “minority” cultures. I argue that immigration reform stands to be felt by both the dominant and the oppressed members of American society. In addition the prevailing passive attitude toward making a change is not true, for if the populous truly believes that what politicians are doing is wrong with must give your selves and those around us the voice and power they need to be heard by those controlling American society and future. It is important to look back in history and realize that no “…great injustices that have existed in the United States were ever ameliorated from the top” (Zinn & Macedo, 2005).

Since the horrific events of September 11, 2001, Americans have narrowed their worldview, they just want to be “safe” even if that means lose of civil liberties for all Americans (especially for minorities), harming others, demonizing members of the society, mass deportations, a barbwire wall, alienating millions who produce and keep large sections of the economy going? Does “safety” really have to mean all of this? Many would argue that it does not. The media and politicians portray “Homeland Security” in such a way that it makes the population fearful and willing to blame anyone
they are offered as a target for their grief (Zinn & Macedo, 2005; Giroux, Lankshear, McLaren & Peters, 1996; Delgado & Stefancic, 2001).

Immigrant rights and civil liberties were problematic pre-9/11, but the events and prevailing political climate, since that September day 5 years ago threatens to trivialize or worse negate what *The New Colossus*, by Emma Lazarus in 1883, looked to capture in the Statue of Liberty poem. With the lens of Critical Race Theory (CRT) I will look to expand our view of the proposed Immigration Reform of 2006 and shed light on real-life experiences of the immigrant population. For it is a central belief, that if we develop different angels and ways of looking at our social, political and power systems then there is hope that people can question the way we do or do not give power to certain individuals in our society (Delgado & Stefancic, 2001). Through education and awareness of the atrocities towards “illegal” immigrants, the American public can begin to reconsider what we want for our future. Do we want to live in a world where we are ALL the same? Do we want our children to experience a set of values and ideals exactly like our own? Why must anything different or non-Anglo represent anti-American sentiment or terrorism? What is the American way of life? Who defines it, and why? What makes one an “American”? Since when is the American way of life the “best” way?

As we enter the last two years of the Bush Administration and the prospect of 51% (Democrat), 49% (Republican) House and Senate, the proposed solutions by either party will not be easy or simple. The November 2006 mid-term elections powerfully demonstrated how divided the American people are politically, therefore making any decision on Immigration, an extremely political, hotly debated issue difficult and highly
debated. National Council of La Raza (NCLR), a Latino rights advocacy group, states that the shift of the Latino voting block in November 2006 demonstrates the concern and dissatisfaction of the Hispanic community regarding Immigration Reform/Policy. It is thought that the current Administration will push to pass some form of immigration reform; these reforms will probably not resemble what was on the docket in the spring of 2006, since the Republican Party no longer controls the House and Senate. Plus a part of the issue and debate around Immigration Reform in the Spring of 2006 was due to the deep divide that exists between the White House and the rest of the Republican Party. President Bush favors less extreme, sweeping and punitive reform of the laws. This is not to say that the President’s proposal does not sound alarms. His Immigration Reform sounds fewer alarms than the mass deportations, jailing, massive fines and extreme measures of the Republican Party. Unfortunately, in American society the attitude toward Latino immigrants is not new, “Anti-immigration [especially toward Latin-Americans]…and racism are still [very] strong in this country (Zinn & Macedo, 2005)”.

We should not look at the 2006 Reform with shock; instead we should look at it with a critical, questioning lens, why does American Society continue to demonize anyone different, while maintaining White power? For “Why…do we draw the categories the way we do? [Why do we (as Americans)] rarely change our own preconceptions, privileges, and the standpoint from which we reason? (Delgado & Stefancic, 2001, p. 74)”. The President’s move away from his party are due to his experiences, questioning and change in perspective that he experienced as the Governor of Texas, the State with the largest stake in Immigration Reform/policy. Discussions and political jockeying over
border security and issues concerning “undocumented” people will continue, even if immigration reform policies are not in the direct spotlight in 2007.

A central element in understanding and beginning to question the information we receive and how we perceive it is to name the harm, alienation or demoralization that is occurring (Brookfield, 1995). From this standpoint one could look at the restructuring of the Federal Government as the purposeful act it was intended to be. The Department of Homeland Security has been created to make us all feel “safer” after 9/11 but the restructuring that followed may not be so obvious. Especially when we consider the fact that “In the name of “security,” most Americans have willingly accepted President Bush’s directive for neighbors to spy on neighbors, for citizens to lose protection from racial and ethnic profiling, and for citizens and non-citizens alike to be jailed without being charged with a crime and without the right to legal counsel” (Zinn & Macedo, 2005, p. 2). Now agencies, once considered autonomous within the Federal Government, are lumped into one agency with one spokesperson and agency director. In 2003, Immigration and Naturalization Services (INS) merged under the far reaching umbrella of the Department of Homeland Security, this merger lead to the restricting and renaming of INS to US Citizenship and Immigration Services (CIS). Critical Race Theorists such as Zinn, Macedo (2005) and Delgado, Stefancic (2001) would argue this was not an innocent accident, nor was it meant to make things “easier” for immigrants or immigration. For now, immigration and citizenship services and policy falls under DHS an agency also responsible for the US Secret Service, US Coast Guard, Federal Emergency Management, US Customs and Border Protection, Transportation Security Administration and the Office of Intelligence and Analysis. As we shall see later, in the
discussion on deputizing local and state law enforcement officers, the impact of putting immigration under DHS has helped to gray the line between immigration, law enforcement and citizenship. The cause for concern over the merging of INS and the renaming is that it shifts the focus of the agency away from services and civil liberties and moves the immigration issue into a more law enforcement, punishment duties.

Not only do the proposed Immigration Reforms of 2006 stand to widen the already significant gap that exists between whites and immigrants, but it also has a much farer reaching implication on the larger society. Care Theory offers a framework from which to look at the social implications of creating an “us and them” dichotomy (Noddings, 2003). For educators, the Immigration Reform of 2006 should raise particular concern, for how can we continue to do our job of educating “all children” if we have been told by politicians, the media and everything around us that immigrants (i.e. Latino-Americans) do not deserve the same rights, let alone the same quality education as White-Americans?

Immigration Reform

Early in 2006 President Bush began to outline his plan for Immigration Reform. Unfortunately, the plan did not provide new solutions to immigration concerns in the United States; some of the proposed changes have already been enacted into Law. Instead it demonstrated a more strict, inescapably isolationist mentality. As stated above, the divisions between the Republican Party in the Congress and the White House were enormous. This division was part of the reason Immigration Reform was not quickly passed before the November 2006 elections. Most of the Republican Party favors harsh measures to deal with the “immigrant crisis”. Zinn and Macedo (2005) argue that the
Republican attitude and actions, language used to elicit panic in the masses is intentional because it serves to keep the powerful in the positions of power, by enacting laws and proposals that continue to alienate the Other (immigrants, minorities). Five main issues came out of the Immigration Reform proposals of 2006:

1. The Secure Fence Act
2. Deputizing Local Law Enforcement
3. Illegal immigrants already in US
4. Guest Worker
5. Assimilation into American culture

Each policy serves to widen the gap between Anglo-American culture and anyone who is different, such as Latino-Americans. While developing fear and intimidation among the working class immigrant population.

**Critical Race Theory Framework**

Critical Race Theory (CRT) provides a framework from which to critically analyze immigration experiences, policies and politics. Through the theory I will analyze each element of the Reform package demonstrating how each policy would be viewed from a CRT perspective. CRT is an offshoot of Critical Legal Theory (CLT), which looks at law systems. CLT was born out of distrust and frustration with the slow and very gradual progress of race relations during the Civil Rights Movements of the 1960s, desegregation was being carried out in piece-meal, one law, and one part of the law at a time (Delgado & Stefancic, 2001). Judicial and law institutions were built with inequity and prejudice at their core, therefore, to honestly and ethically encourage equity the entire system, it’s history, social position, purpose (of keeping the status quo), and power (white
people verses people of color) must be investigated. Otherwise no real change can occur in the legal system and the same people will continue to be over represented within the legal system. If the entire system is not investigated racial, ethnic, gender and class discrimination will continue to exist.

Critical Race Theory investigates the elements of the social sciences as opposed to only focusing on legal systems. Social science encompasses areas of education, social work, linguistics, history, journalism, public policy, art; any area of the broad field of the social science can be examined through a CRT perspective. Critical reflection and analysis must be vital parts of a growing, diverse and productive society in order to give voice, power and legitimacy to marginalized individuals within the group. Within a society it is integral to question who has privilege and who does not, for without asking such question we become a society that accepts the world the way it is. Giroux and McLaren (1996) would argue that without hearing and allowing the narratives of people within a society, who are seen as less than, we continue to oppress and have a separate way of thinking for different members of the society. Society creates what is called a mega-narrative, a narrative that the collective society is socialized to believe, but only provides the dominate groups perspective on the society. Therefore, any group that exists outside or counter to the dominate (white, Anglo culture) is not discussed, given voice, allowed to participate or have their issues raised or addressed (McLaren, 1997). CRT encourages the development of narratives, telling of personal histories and stories in order to give the marginalized other a voice, power. Of course it is hoped that by reading and hearing the narratives of others the oppressing group would come to understand the other realities that exist within the collective. For without a counter narrative, as
McLaren (1997) encourages, people never see the diacotomies that exist within any given society. In order for people to hear counter narrative, their must be points of reflection and analysis where the voices of the subordinate (Latinos, immigrants) are encouraged to share their personal narratives that most likely run counter to the society’s mega-narrative. Through the counter-narratives, educators, politicians, social activists and the public can begin to reflect on all members of society (Brookfield, 1995). Due to the need for reflective counter-narrative CRT theorists are extremely interested in points where socio-economic status and race intersect because they show the disparity in a very dichotomous way (Delgado & Stefancic, 2001). Intersections exist in many parts of society, who does what work and why, where people live, where solid waste plans are placed, who gets a grocery store in their neighborhood and why. Immigration presents such a dilemma within American society. CRT would also argue that immigration is a way of hiding the larger social issues of discrimination, racism and ethnocentricity. For if immigration was solely about immigrants coming to the US, why do we continue to focus on Latino immigrants? Immigration Reform is a place where this intersection occurs. Why and how does Immigration become such an issue, more specifically immigration policy effecting million of one particular group, Latino-Americans? This is an issue that has divided an entire society and elicited mass public demonstrations, such as those we saw in May of 2006. For through CRT, one starts to see why society and law is the way it is and begin to think of ways it could be different.

*Care Theory Framework*

As we begin to consider the possible impacts of the Immigration Reforms of 2006 it will be necessary to utilize a framework which can offer us a way of reconnecting with
each other and a way to show how immigration policies stand to harm and oppress the minorities in American culture. Where in CRT will provide us the framework to question and look critically at immigration political policies, Care Theory will provide the larger sociological and socio-cultural lens for us to view immigration through. Nel Noddings developed Care Theory during her doctoral studies at Stanford University in the early 1970s. She was a high school math teacher by training, mid-way through her career she began to question moral education and how some teachers connected on a very deep level with his/her students’ where as others did not (Smith, 2004). These questions lead her to develop Care, a way of thinking about how people relate to each other, but more specifically, how students and teachers relate to each other. Noddings has devoted the majority of her career to shedding light on the need for human to human connection in order for genuine and authentic relationships to form. For without that connection, all interactions in society become mundane, routine; our encounters with other people especially with people different from ourselves become so few and far between that we stop questioning our perceptions and reality. Noddings looks at how we as human beings to learn must connect on that real, authentic level, so that we do not pass policies, enacts laws, engage in wars and build walls because we do not see the Other (in the case of immigration, Latino-Americans). With Care in mind, one can begin to consider the significant impact erecting a fence, changing the role of state and local law enforcement, guest worker visa, granting (or not granting) citizenship to millions and enforcing English only instruction will have on the Latino communities sense of self, role in the larger society and ethnic pride. One has to ask, How can we connect “…soul to soul (Noddings, 2003)”if we consider the other an “illegal alien”, not even worthy of basic
human rights such as not separating children from their parents because the parents are “illegal aliens” but the kids are “American citizens”? Noddings would argue that any separation of parents and children is cruel and unnecessary. If we truly believe that “Proximity is powerful in caring” (Noddings, 2003, p. 54), then how could we ever think that such separation is okay. In *Education and Happiness*, she advocates for the use of Care Theory, the humanization of education and the teacher’s intent to connect “soul to soul” in order to connect students to their own education. She sees Care as a way to reduce the number of teenagers entering gangs or cults for, “Young people who feel rejected at home and school may join gangs. Some may join cults, looking for something in which to believe and to which they may commit themselves” (Noddings, 2003, p. 222). “The school can play an important part in preventing the sort of fanaticism that arises from loneliness and rejection” (Noddings, 2003, p. 223), therefore there is no need to belong to such harmful groups. Through the following analysis of the main points in the Immigration Reform package, we shall look at each point through the lens of both CRT and Care in order to better understand how each stands to impact American society (especially, Latino-Americans).

The Secure Fence Act

Construction of the fence has begun. In October 2006, President Bush signed The Secure Fence Act, allocating funds to start the construction of an additional 700 miles of double barb wire fencing with stadium lighting along the 2,000 mile long border between the Southwest United States and Mexico (Pomfret, 2006). When the Act was signed into law and was funded Bush and Congress estimated that the 700 miles of fence would carry a price tag of $2 billion, yet the *Washington Post* reported in August 2006 that the
Congressional Budget Office (CBO) estimated the cost at $3.3 billion for the building of 370 miles of wall and $500 million in vehicle barrier (Pomfret, 2006; Weisman, 2006). It has been noted that the section of wall between Tijuana and San Diego has now cost the US government $74 million for 12.5 miles, costing $5 million per mile of wall (Pomfret, 2006). The original budget for the San Diego- Tijuana section was $14 million, therefore the higher cost of the 2006, 700 mile section will probably come in over either the Administration budget or the CBO budget.

Even though many political analysts consider the Secure Fence Act a political maneuver the fact is that it is a part of the neo-conservative, ethnocentric mentality that has become palpable in American politics and society is undeniable (Pomfret, 2006). For example, when Congress considered not passing the Bill, conservative Americans started to send bricks to the Congress, actual bricks, to show their frustration with the delay in passing the bill. President Bush signed the Bill into Law on October 26, 2006, stating “I’m pleased that you all are here to witness the signature of the Secure Fence Act of 2006. This bill will help protect the American people. This bill will make our borders more secure. It is an important step toward immigration reform” (Bush, 2006). Bush’s comment demonstrates the Administration’s continued emphasize on isolationism, masked in the name of national security (Zinn & Macedo, 2005). The 700 miles double-barb wire fence appears to be something out of Cold War Europe from the 1950-1980’s, not the United States of America in 2006. In 1980, President Reagan openly criticized Russia for the Wall dividing East and West Berlin. Ronald Reagan stated “If you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here, to this gate. Mr. Gorbachev, open this gate. Mr. Gorbachev,
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"Tear down this wall" (Reagan, 1980). Unfortunately, politicians of 2006 continue to ignore the impact a wall of division has on a society. The wall demonstrates all that is not a part of what American culture was built on. Yet, if we look at the history between the United States and its Southern neighbors, we begin to notice that the idea of a wall separating the two areas is the least harmful way to separate the two. For the first governor of Texas, Sam Houston is quoted as saying “The Anglo-Saxon race must pervade the whole southern extremity of this vast continent. The Mexicans are no better than the Indians and I see no reasons why we should not take their land” (In Zinn & Macedo, 2005). Can we be surprised that in 2006 we are constructing a wall between us and them? It could be argued that we have already constructed a wall between us through social policies, trade agreements and influencing their political systems. Is it possible with a physical, emotional and social wall between Americans and Latinos that already exists and now a longer physical wall for us to connect human to human? One would argue no, the more done to physically separate people the more separate they become unable to relate, unable to understand the other person’s reality, thereby making it possible to exploit those people (Latino-Americans) (Noddings, 2003).

In addition, CIS and DHS have taken actions to increase the CIS agents patrolling the Mexico-US border. It is an Administration belief and policy that increased manpower will eliminate or drastically reduce Latino immigration over the Southern border. One way President Bush looked to secure the US-Mexico border security was to call up 6,000 National Guard soldiers to help patrol and process individuals caught crossing the border illegally, according to a White House brief on Operation Jump Start: Acting Now to Secure the Border (White House, 2006). The National Guard soldiers were added to the
12,000 Border Patrol officers already patrolling the area. In addition to adding the
National Guard President Bush also plans to have an addition 10,000 Border Patrol
officers in place by fall 2008 (Archibold, 2006). Interestingly, there has not been such an
increased attention to the northern border with Canada. The Canadian border ironically,
has been the avenue “terrorists” have chosen to plan “attacks” on the US. The southern
border has not been the subject of any publicized “terror” plots. Therefore, one must
question if the new immigration policies are purely about “homeland security”? For one
must question why there are such different policies for the two borders? This difference
begins dialogue around how the US looks at people of color especially Latino-Americans
(Delgado & Stefancic, 2001). No “terrorist” or person that has threatened the US, the
way the individuals involved in 9/11 did, came to the US through the southern border but
do we not view Latino immigrants with the same distain, thereby making it okay to build
a wall.

Deputizing Local Law Enforcement

In addition to the increase in the physical blocking of immigration from the
Mexico-US border, the Bush Administration has made it possible for and encouraged
state and local law enforcement agencies to deputize officers to carry out duties similar to
those trained CIS police. State and local law enforcement officers have voiced concern
over this plan due to the fact that these changes in duties has the possibility of obscuring
the line between law enforcement as crime prevention and public safety, and immigration
enforcement and deportation (Miroff, 2006). During 2006 Section 287(g) under
Immigration and Customs Enforcement (ICE) within the CIS department was revived and
encouraged. Several law enforcement jurisdictions have been through the training
provided by CIS and have begun to enforce ICE immigration laws while ensuring public safety (U.S. Citizenship and Immigration Services, 2006). Police in the Northern Virginia area have stated that “they fear that being asked to potentially help immigration officials detain illegal [immigrants] would invoke fear in the Hispanic community” (Summers, 2006). The investment of the local law enforcement agencies in gaining the trust of the local people would be completely disregarded if they were to start aligning themselves with CIS. Even the smallest hint of police agencies being aligned with CIS would lead to many crimes going unsolved, people being unwilling to report crimes. It would give criminals a carte-blanche to antagonize innocent people because they would not report any type of crime to the local police for fear of being deported. Granted Section 287 (g) does not yet allow for mass immigration sweeps for now, it does obscure the line and provides for law enforcement’s hate and discrimination for an already marginalized group to worsen. In late October 2006 the Washington Post reported that “Two Northern Virginia law enforcement agencies…have begun to form partnerships with US Immigration and Customs Enforcement. …others are holding back, saying the program could poison relations between officers and immigrant communities” (Rondeaux, 2006). Even though the media has stated that Northern Virginia law enforcement has not joined forces with ICE the public perception and experience has been that they have. There is wide spread fear of being deported by law enforcement and fear of the criminal element in the society. Unfortunately, many immigrants are forced to choose public safety over self-preservation, for most the answer is obvious self-preservation. Self-preservation is chosen, given the real possibility the person reporting the crime might be harassed, jailed or deported for reporting the crime. Many more
crimes will unfortunately go unreported and uninvestigated, thereby compromising all people in American society’s sense of security and safety, not just legal or illegal. It has been argued that the federal government is responsible for enforcing immigration laws, therefore it is their responsibility to do it. At this point in the immigration debate, it does not matter who is responsible for what, the issue is that millions of individuals living and producing for the American economy, do not feel protected from crimes to themselves or their families. Is this not more of an issue than who is or is not responsible for enforcing immigration laws? For even if the American public wants to believe that the crimes happen only to immigrants, so c’est la vie, the reality is that crime affects every member and every part of society. So do we not have responsible to ensure everyone in the society is safe?

Illegal immigrants already in US

Both political parties have drafted possible solutions to deal with the 10.3 million illegal immigrants already working and contributing to US culture and the economy out of 35.7 million total foreign born people in the United States in 2004 according to a National survey of Latino people in the US (Passel, 2005). One proposal would grant citizenship to people who have not been involved in felony activities and can document their presence and contributions for the past years. Opponents of providing illegal immigrants already in the US legal citizenship point to the fact that granting citizenship in mass gives an illegal act a beneficial outcome. There must be a reasonable solution that recognizes and provides civil liberties to those individuals already working and living productive lives in the US.
Within this group of illegal immigrants there are those who have had children while living in the US. The children are considered citizens because they were born on US soil, but their parents do not have any rights. For educators and child advocates, these cases represent a cause for alarm. Pew Hispanic Center, a nonpartisan research organization, estimated in 2004 that 13.9 million families in the US have one or more member of the family who is considered illegal, more importantly 3.1 million children about 67% of children are US Citizens yet their parents are not (Passel, 2005). Due to the unclear and mix of immigration law and student rights educators have long tried to draw a very clear line between themselves and CIS polices due to the enormous conflict of interest this would represent. Even though the separation is a given code of ethics among most educators, the *Washington Post* points out that Prince William County’s Department of Education is currently being investigated by the US Department of Education for illegally releasing student information in an ongoing zoning battle between the County and the Latino community (Goodman, 2006). For educators, even the suspicion of releasing student records to CIS is unthinkable due to the impact such release of information would have on the student’s family and well-being. Consider the case of Marina Alvarez in Howard County Maryland, this case demonstrates the enormous hardships children face because of the government’s refusal to acknowledge their parent (Fisher, 2006). Ms. Alvarez came to the US in 1996 seeking asylum because she was the victim of sexual abuse at the hands of her own family. She went on to become a productive member of society and had two children. It would seem that the citizenship status of the children would be cut and dry but as Ira Mehlman of the Federation for American Immigration Reform (FAIR), a pro-Bush Immigration Reform think-tank,
arrogantly points out even the given idea that if someone is born in the US he/she will become a citizen stated “We do have obligations but I’m not sure they’re greater than the parent’s obligation to take care of their own kids” (Fisher, 2006). The article goes on to point out that Mr. Mehlman suggested “scrapping the law that grants citizenship to anyone born on (US) soil” (Fisher, 2006). Ms. Alvarez would be forced to seek illegal ways to get back to her children or live a life of agony knowing that the children face an unfavorable future, in and out of foster-care. Instead of addressing the reality of families such as the Alvarez family, the US government is willing to deport Ms. Alvarez over a technicality, even though she was a productive member of society for the past 13 years. For the thousands of families that live with the stress of one or both parents being deported, the Alvarez family story is a constant reality. The fact that so many members of American society live with the fear of being separated from their children is a travesty and a telling portrayal of US immigration policy. By committing immigrants to this sort of fear American society takes back any sense of freedom they might have felt. Basically we are saying we want the problem fixed (kick them out, or worse jail them like Ms. Alvarez) but we do not want to take responsibility for the children even though they are citizens. By doing this we are committing the children to a negative future (Noddings 2003). Let us not forget that the jobs each of these mothers and fathers are performing are jobs that we are unable to fill, most Americans would not perform such menial labor for such minuscule pay.

Guest Worker Program

In President Bush’s March televised speech on immigration reform, he stated “I support a temporary worker program that would create a legal path for foreign workers to
enter our country in an orderly way, for a limited period of time. …Temporary workers must return to their home country at the conclusion of their stay. …a temporary worker program would at to our security by making certain we know who is in our county and why they are here” (Bush, 2006). This set the ground for a guest worker program in the US. Even though on the surface the idea of providing citizenship to immigrants is good social policy, the hurdles and the 10 to 15 year timeline is considered extremely complicated according to immigrant and minority advocates. In addition, the process is viewed by many as being done intentionally in order to make the road to citizenship so costly, time consuming and complicated that many would not even try to become citizens, instead they would live in a constant state of flux due to their citizenship status (Delgado & Stefancic, 1996). People would survive and serve the US economy with no rights to vote or run for office nor would they receive any type of social assistance, with a constant “Guest Worker” visa. This visa is problematic in and of it’s self since one could have his/her visa revoked without due process at the whim of the employer or the government and one could be detained or deported for no clear reason. PEW and NCLA have both argued against such a program that creates a kind of “indentured” servant class, who become victims of government and social policy changes. The issue of who gets visas and why is a political policy that requires close examination since the award process is heavily influenced by foreign policy with the host country (Zinn & Macedo, 2005). Under the Bush policy, any “violation” during the 10-15 year citizenship process would make citizenship impossible. A violation could be something as harmless as a parking ticket or as serious as killing someone. When was the last time you received a parking or speeding ticket, both of which do not count against you because they are not felony
offenses? Now think about how difficult it would be not to get either of these tickets for 10-15 years! Consider if you were in your late teens or early twenties. Ninety-nine percent of the people I went to high school and college with would not be able to become citizens according to these stipulations. Yet, they have all grown into their thirties to become productive, responsible members of society. With the “Guest Worker” program we expect immigrants to conform to a standard we do expect of our own children to just to gain the “privilege” of being a part of this society. Even though this fact appears to be harmless and unintentional many would argue that it is intentional and harmful to many members of society (Delgado & Stefancic, 1996; Zinn & Macedo, 2005). For political powers in the US are aware of who gets visas and who does not, yet they continue propose policies such as the “Guest Worker” program.

In addition the unlikelihood that many people would be able to navigate the legal maze and accomplish the 10-15 year requirements; the program encourages the use of “Specialized Visas”. The concerns about special visas program are that it allows American industries to continue to exploit the individuals working for them; it tags an entire population as less than and removes the responsibility of the government and industry to care for the individuals producing for them (Zinn & Macedo, 2005). The creation of an indentured servant class, which some argue is what the Bush plan would do, has shown to not be unsuccessful in other countries who have enacted such laws and immigration programs. Most recently are the December 2005 student riots in the French suburb of Clichy-sous-Bois. Black-French student riots occurred against the backdrop of the growing separation between themselves and the rest of France and were the boiling point for the segregation that and the disparity of opportunity for Black-French
immigrants (Knox & Sanchez, 2005). The creation of an immigrant population that is not moving toward citizenship creates inequities like those seen among blacks in France.

Assimilation into American culture

More alarming is the language, attitude and ideals the Bush Immigration Reform encourages. The package again demonstrates the American neo-conservatism that has moved toward the isolationist, ethnocentric morals reminiscent of the 1930’s. As McLaren (1995) points out “…the New Right constituencies of all types and stripes, in particular, fundamentalist Christians and political interest groups who are exercising an acrimonious appeal to a common culture monolithically unified by a desire for harmony in sameness” (p. 119). The white-American’s need for sameness and the “security” in this sameness is what makes speeches such as the one that Bush delivered in March 2006 possible, “We must honor the great American tradition of the melting pot, which has made us one nation out of many people. The success of our country depends on helping new comers assimilate into our society and embrace our common identity as Americans. Americans are bound together by our shared ideas, an appreciation of our history, respect for the flag we fly and an ability to speak and write the English language” (Bush, 2006).

His attitude toward the need for assimilation into the (White-Male) American way of life is extremely disconcerting. It eliminates and completely stifles the counter-narrative that is extremely necessary to ensure that a society continues to grow and develop (Giroux, et. al, 1996; Zinn & Macedo, 2005). Not only does the President’s package address social issues but more importantly language and the need for a common language, English. Allowing people to become citizens only if they speak English contributes to alienation of minorities within a given society (Noddings, 2003). In order for people to adapt to a
new setting, which immigration requires, they must be able to communicate and share the
common attributes of the society they live in. By forcing people to choose one over the
other, we are encouraging conflict and broken identities (Noddings, 2003). Something as
important as gaining citizenship can not be hinged on language, being a part of a society
is about more than just sharing a language. As an educator, I believe very strongly in
encouraging students’ to develop personal narratives in order to investigate ways they can
be empowered within their worlds. In the event that a student does not speak the same
language as his/her parents, that narrative and sense of personal history can not be
developed, let alone analyzed and critiqued.

Much of the newspaper media, many internet websites and the government
information pages use the term “Melting Pot” repeatedly. Melting pot is an antiquated
term that, in academia is shunned because it holds that to be an American one must
abandon all other forms of identity and blindly adopt the dominant White-American-
Male mind-set to succeed. The melting pot metaphor is extremely problematic due to the
fact that it ensures that the only reality being told and validated is the reality of the power
group (white-America), in addition it provides validation and truth to the meta-narrative
of American society (Giroux, et. al., 1996). The mid-1990’s a shift in academia that
moved toward the use of Tossed Salad as a metaphor for American Culture. In the
Tossed Salad, each ingredient (sense of culture/ethnic identity) retains its won unique
composition while each element comes together to create a tasty salad (the collective
American Culture). With President Bush’s assimilationist ideology, if one does not go
along with the White dominate culture, one stands the possibility of persecution and in
the case of immigrants’ deportation or denial of citizenship.
Karen’s Story

The fact that the Bush Administration has proposed such ethnocentric reform demonstrates the significant divide that exists between White America and most minorities. When Americans stereotype and alienate immigrants they cite their intentions for coming to the US, their profiteering off the American social welfare system and that they have no understanding of American politics or policies. When in fact most immigrants, especially Latino immigrants, have a firm understanding of politics, policies and the negative perceptions Americans have of them, plus they have a keen understanding of the impact US Foreign Policy has had on their countries of origin. Of course, Latino immigrants are not the only immigrant population standing to lose with the Immigration Reforms but they do represent the largest immigrant community currently in the US. A staggering 81% of illegal immigrants that are estimated to be living and working in the US are considered Hispanic, 57% from Mexico and 24% from other Latin American countries (Passel, 2005).

In my role as a Head Start teacher in a mostly Latino Community, I have begun to understand that the stereotypes about Latinos are no more true than the stereotypes held for any other minority group. I have also seen the stark contrast that exists between public perceptions and the reality of the Latino immigrant experience. The reality is much more grime than the media or the government portrays it. Stereotypes have served their purpose of alienating and demonizing anything non-White-Male-American in the Latino community. The continued exploitation and stereotyping is due in large part to misunderstanding each other and Americans reliance on the media and government for facts. Many Americans do not stop to talk to or try to understand the immigrant
experience. Plus they tend to have rather short memories, they do not remember that their own ancestors were immigrants living in terrible conditions. Human beings quickly forget. All aspects of American culture have been developed to proliferate the White-American meta-narrative, which in turn blinds the American public to realities of others in the society (Giroux, et.al, 1996). Has wealth and success made people completely blind? Without communication between dominate and non-dominate groups many of the stereotypes and misconceptions continue to grow and flourish (Noddings, 2003). Through my work, I have had the privilege of developing closer relationships with students’ and their families. Their stories represent a side of American culture seldom discussed, validated and extremely misunderstood.

During a December 2006 conversation with Karen*, the mother of two former students, I was able to gain a very brief glimpse into the current immigrant experience. I believe that on the surface Immigration Reform appears necessary and harmless. Yet, as I have argued, the laws are neither harmless nor is the impact they have already had and stand to have on the immigrant population insignificant. Throughout the conversation, Karen demonstrated an amazingly articulate, reflective way of viewing the May 2006 demonstrations and the proposed Immigration Reform. Karen stressed throughout the discussion “Look around you. Go to the cleaners. Who is ironing your shirts? Who is cleaning the houses? Who is doing the “hard” labor? It is not the gringos (White people)†”. Again Americans do not stop and think or notice who is actually doing the menial labor around them (Zinn & Macedo, 2005). When was the last time you hired a white or black cleaning person? Or have you ever noticed who is ironing and washing

* Name has been changed.
† All statements made in Spanish. A translator was present for the entire conversation.
the clothes at the dry cleaners? Not who is taking the money but who is doing the labor?
As Karen points out “We do the work gringos do not want to do. We work very hard.
We just want to live. Provide a better future for our children. Many people think we
come here to take from your government. But we do not, we work and we have no
choice.” Karen emphasized that if it was a perfect world and she earn more than $5 a day
working, keep her children safe and go back to El Salvador she would without question.
But that is not the reality of El Salvador and many other Central American countries.
Karen reflected on the British colonization and now the effects of aligning with the Bush
Administration’s War on Terror have had on El Salvadorian society, government and
way of life. A reality which most Americans are completely ignorant of due in part to
meta-narrative they are socialized to except but also due to the media emphasis on the
“enormous” differences between us (white) and them (people of color). Thereby, making
any interactions between the two very stressed and suspicious (Zinn & Macedo, 2005;
Noddings, 2006). In 2001, Karen pointed out the governments of El Salvador and the US
entered into an agreement where El Salvador would provide troops to aid in the War on
Terror and the US would provide more visas for El Salvadorians. Unfortunately,
numerous immigration and Administration policies have changed since 2001. Karen
states that many El Salvadorians came to the US legally with work papers and have now
been unable to renew their papers or unable to seek permanent asylum or citizenship.

Immigration law is not clearly defined on a National level and different areas of
the country interpret the Laws in different ways. Therefore, the issues around what to do
about the individuals and families who have been working and contributing to American
society and are not documented raises a complex and complicated set of issues and
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concerns. Karen initially shared during the conservation that she wanted to just work and be left alone. Once the conversation progressed and I outlined some of the policy changes being passed and proposed, her intensity changed. The change that most alarmed Karen was the issue of having police deputized as CIS agents. “Who will protect us?” she emotionally stated “For example my first husband never got in trouble for hitting me, because I was too afraid to go to the police.” She also reflected on the fact that many of the people caught by the police and detained for CIS violations are committing rather minor violations such as speeding tickets or traffic violations, yet the criminals in the Latino community are left alone and allowed to torment the working people without consequence. For White America, this is another reason to misunderstand the situation. Americans would say, “They are all criminals and they do not help the police.” Would you go to the police if they could separate you from your family? Put you in jail? Send you away? No. Or would you go to the police if you had seen them beat your neighbor for no apparent reason? No. Karen discussed the fact that she had seen first hand how differently the police treat Latinos as opposed to Americans. It scares her and makes her completely unwilling to report any crimes or violence toward herself or people around her. When asked is she feels safe, her point-blank response was “No!” She stated that if the police publicly align with CIS there would be no hope. Karen restated a prevalent public perception and knowledge that the police in Virginia have already begun to carry out CIS duties. Her fear is actually rather widespread through out the community. “People are shaped by their environments and, at the same time, they have the capacity to change that environment” (Noddings, 1993, p. 103). As American’s if we believe in what Noddings says than what shape are Latino-Americans
taking on if they live in constant fear? Unfortunately, again White America does not understand or educate themselves about the reality of why one would not cooperate with law enforcement. For most of them, the police have historically been on their side therefore why should they doubt or fear them. African Americans have viewed law enforcement similarly to Latino Americans in the past and some would argue they continue to see them as distrustful, racist and eager to blame minorities for society’s ills.

Finally, Karen discussed the enormous hardship the immigration issue has created for many people. “Families have been separated for 10 years while they wait for visas. If you were separated from your children and husband for 10 years, would you not try illegal ways to get to them! Building a wall and deporting people is not a solution. For if people want to get here they will find a way and if they are separated from their children they will most defiantly find a way back, legally or illegally. What gringo would be okay with being separated from their babies for 10 years!?” Both Karen and the translator felt that the immigration situation will continue to escalate and will become much worse before it becomes any better.

Many of the points brought up by Karen throughout her rather brief story demonstrate the enormous need for counternarratives in all cultures but especially in American culture where we are so heavily and constantly bombarded by the mass media that only offers the metanarrative (Giroux, 1995). Not only would counternarratives serve to encourage understanding between minorities and white-America but it would also serve to encourage the development of personal identity, narratives for minorities (Noddings, 2003; Zinn & Macedo, 2005). For it is only through dialogue, true dialogue not just conversation, that we can start encourage growth and reflection. Through
Karen’s story I have begun to consider how to structure such interactions in order to encourage personal reflection and to help the person feel empowered by telling their counternarrative (Brookfield, 1995).

Conclusion

As an educator of young children for whom the uneasiness of the illegal immigrant experience is a reality, I watch politics and debates about American society with a sense of despair. How do you encourage an entire society to see the disadvantages of isolationism and ethnocentrism? I do not believe you can, but I do believe you can educate yourself and be aware of the realities of those you work with, students you teach, their families, the people who clean your house, iron your shirts. None of the information presented in this paper is from “academic” sources, I did this very purposefully. I wanted to see what information the average person reads and is exposed to. To me, the fact that most of the information came from newspapers is telling. Different views are expressed by how different newspapers frame the argument use language differently. Looking at the popular press has further proven to me that reading two different newspapers to get both sides of the argument, is not enough. One must be able to understand the implications of issues, such as the Manassas City Schools being investigated for releasing student recorders to CIS, why the deputizing of state and local law enforcement is not a good idea or to look at how having immigration services under the umbrella of Homeland Security impacts and reframes the entire debate. Critical race theory is one way to begin to question the larger social institutions and to investigate their purpose. I find Critical Race Theory provides me with the foundation upon which to critically analyze issues impacting my teaching, school culture, issues of identity and alienation of
oppressed people within the larger society that is oppressing or marginalizing them (Zinn & Macedo, 2005). Given more time I would have looked into historical trends in how immigrants are treated. Were immigrants from Europe in the early 1900’s greeted with the same level of hostility and marginality? Are Asian American immigration stories similar to Hispanic American’s experience? I would have appreciated interviewing and talking with more individuals within the Hispanic immigrant community. Both legal and illegal immigrants and even citizens suffer from the current political and social climate of isolationism and ethnocentrism. In American society, anyone who looks talks or has a non-White name stands to suffer from these policies and social ideals. Are immigration policies dictated by how “different in language, appearance, culture and social norms the “new” immigrants are? What parallels exist or do not exist between the three groups Hispanic, Asian and Anglo immigrants? Finally, I would have like to have looked into and questioned the types of visas given out, the number of each type and the political deals made around the allotment of visas to work, study and live in the US. I was shocked when I read that out of the 20,000 visas given in 2004 only 2 went to Mexicans, yet 50,000 Mexicans entered the US “illegally” during the same year (Preston, 2006). As the Washington Post points out in December of 2006 “Every year the economy as a whole creates some 500,000 more unskilled jobs than Americans want to do, yet we issue only 5,000 year-round visas for the immigrants who might fill them” this difference between the jobs created and visas provided bring into question why more visas are not provided for “unskilled” labor (Jacoby, 2006). One might say well give Mexico more visas and that would eliminate the problem. But would it really “eliminate” the problem? No. It would not address the fact that Mexico has a 75% unemployment rate nor would it
address the fact that the US needs people to work in the economy. One must also look at why the lack of legitimization of the Mexican labor force, why it is allowed and accepted that the migrant workers for example will cross the border illegally every picking season? They will work and make money for the farmer with no work or civil rights and no protection or due-process under the law. The Mexico-US border issue is not a new issue but it is an issue that requires further investigation into why it has become okay and socially acceptable to enact and enforce laws that continue to marginalize and demonize the Mexican labor force.

While all these political and social dramas are unfolding, how are Latino students forming their sense of identity in American public schools? They are not. One could argue that the same isolationist and ethnocentric practices within American society are transmitted through the American public school institution. Why have theories such as the Funds of Knowledge by Norma González, Luis Mol and Cathy Amanti (2005) not been more widely accepted? How do we continue to say that as educators we want to educate our students to be caring members of society, when most teachers do not even know what Care Theory is? And even if they do, they do not meet their students’ eye to eye, let alone “soul to soul” (Noddings, 2003). Can we afford to keep arguing about how to keep “them” out or how to “get them out”? No! As educators, we must embrace our student’s social realities around issues of English-only instruction and Immigration Reform in order to begin to connect human to human in our own classrooms. Educators cannot continue to emulate social and political isolationism and ethnocentrism without invoking a negative and permanent impact on future generations of immigrant and marginalized populations within American society.
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