



JOURNAL OF CRITICAL THOUGHT AND PRAXIS

IOWA STATE UNIVERSITY DIGITAL PRESS & SCHOOL OF EDUCATION

Volume 7

Issue 1 *Who Belongs? Immigrants, Refugees, Migrants and Actions Towards Justice*

Article 8

“Who Belongs”: A Critical Race Theory and Latino Critical Theory Analysis of the United States Immigration Climate for Undocumented Latinx College Students

Leslie Jo Shelton

Follow this and additional works at: <http://lib.dr.iastate.edu/jctp/vol7/iss1/>



This article is distributed under a Creative Commons Attribution-NonCommercial 4.0 International License (CC-BY-NC). Users may reproduce, disseminate, display, or adapt this article for non-commercial purposes, provided the author is properly cited. See <https://creativecommons.org/licenses/by-nc/4.0/>.

The Journal of Critical Thought and Praxis is published by the Iowa State University School of Education and Iowa State University Digital Press. View the journal at <http://lib.dr.iastate.edu/jctp/>.

**“Who Belongs”:
A Critical Race Theory and Latino Critical Theory Analysis of the United States
Immigration Climate for Undocumented Latinx College Students**

Leslie Jo Shelton*
University of Arkansas

In this conceptual essay, I address the question “Who Belongs” by examining how Critical Race Theory (CRT) and Latino Critical Theory (LatCrit) can inform an understanding of how the U.S. immigration climate relates to undocumented Latinx college students. The following analysis is based on my reflections from conducting a qualitative study examining the experiences of 16 undocumented Latinx college students in the United States. I provide an overview of the current U.S. immigration climate followed by an explanation of CRT and LatCrit. I then offer an analysis of three discussion themes through a CRT and LatCrit lens: problematizing immigration policy and discourse, racist nativism, and interest convergence. Implications are included for how a CRT and LatCrit analysis can guide educator critical engagement with this topic.

Keywords: Immigration | Undocumented | Latinx | College Students | CRT | LatCrit

In this conceptual essay, I address the question “*Who Belongs*” by examining how Critical Race Theory (CRT) and Latino Critical Theory (LatCrit) can inform an understanding of how the U.S. immigration climate relates to undocumented Latinx college students. The following analysis is based on my reflections from conducting a qualitative study examining the experiences of 16 undocumented Latinx college students from four-year historically white institutions from all regions of the United States. The study included two rounds of 60-90 minute Skype interviews, and my reflections on this empirical study inform the following CRT and LatCrit analysis. In the following sections, I provide an overview of the current U.S. immigration context, followed by an explanation of CRT and LatCrit. I then offer an analysis of three discussion themes through a CRT and LatCrit lens: problematizing immigration policy and discourse, racist nativism, and interest convergence. Implications are included for how a CRT and LatCrit analysis can guide educator critical engagement with this topic, which includes faculty members in the classroom as well as student affairs educators working to support students in the co-curricular. I conclude with a call for critical educator engagement that emphasizes affirming and humanizing undocumented Latinx college students who deserve opportunities to enjoy and fulfill their human potential.

*Correspondence can be directed to Leslie Jo Shelton, University of Arkansas, ljshelto@uark.edu.

The concept of belonging in this analysis centers on the dehumanizing nature of immigration debates in the U.S. and the related exclusionary practices they impact undocumented Latinx college student postsecondary educational opportunity. For example, existing literature highlights specific challenges for undocumented Latinx college students such as experiencing marginalization on campus (Dozier, 1993; Pérez, Cortés, Ramos, & Coronado, 2010) facing stigma and fear based on immigration status (Abrego, 2011; Hernandez, Gadson, Huftalin, Ortiz, White, & Yocum-Gaffney, 2010), and having limited professional development opportunities throughout college (Dozier, 2001; Ortiz & Hinojosa, 2010). One could debate how critical scholars define and accept the concept of belonging in higher education, as it may mean minoritized students being expected to assimilate into the status quo while losing a sense of cultural identity. In contrast, in this analysis, “who belongs” means understanding undocumented Latinx students as a population who should have equitable access to higher education opportunity without the aforementioned challenges related to immigration status. However, the current dehumanizing and exclusionary immigration climate sends messages that this student population does not belong in higher education.

The following analysis is rooted in my empirical research study that focused specifically on the experiences of undocumented Latinx college students, which is a subpopulation of undocumented students selected for the study. Participation was based on practical reasons regarding participant access, as well as specific personal interest at the time of the study. Also, at the time of the study, half of undocumented immigrants in the U.S. were from Mexico, followed by countries in South America (Krogstad, Passel, & Cohn, 2017; Zong & Batalova, 2017). Given the context from the original study leading to a focus on Latinx populations specifically, the intent of this work is not to provide a comparative analysis of undocumented student experiences from various subpopulations and geographic representation. However, educators should consider how undocumented college student subpopulations may have overlapping yet nuanced experiences given students’ unique cultural identities situated within the broader immigration climate. Therefore, there is a need for future scholarship to also understand the experiences of additional undocumented college student populations so that educators can have a more comprehensive understanding of undocumented student experiences. This need for additional scholarship also relates to the shifting nature of undocumented immigrant patterns in the U.S., as Mexicans made up about half of all undocumented immigrants in the U.S., although since 2016, undocumented immigrants from Asia and Central American have risen (Krogstad, Passel, & Cohn, 2017). Given this diversity within undocumented immigrant communities, choosing identity terms for scholarly work reflects a complex social context in which these labels were constructed. Participants identified within the diverse ethnic umbrella “Latin@” which was later reflected as “Latinx” to indicate gender inclusivity and a broad spectrum of geographic backgrounds. The use of lowercase “white” and uppercase “People of Color” intentionally does not follow conventional formatting guidelines given the critical lens through which this topic is explored. Overall, the goal of this critical analysis is to contribute to educator awareness of undocumented Latinx college student experiences as situated within the recent and evolving U.S. immigration climate, which in turn can help humanize this topic and inform educator practice for serving this minoritized student population.

Immigration Context

The focus of this analysis is on undocumented Latinx college students and the recent and evolving immigration climate as it relates to postsecondary educational opportunity. A brief overview of the current immigration climate is helpful for understanding the overall context in which this study is situated. In 2014, the U.S. had an unauthorized immigrant population of 11.1 million (Passel & Cohn, 2016), and about 22% of undocumented immigrants are under age 25 (Department of Homeland Security, 2013). In the context of postsecondary educational opportunity, approximately 65,000 undocumented students graduate from U.S. high schools each year, yet their higher education trajectories are threatened by their citizenship status, which constrains admission, financing, and completion (American Immigration Council, 2011). The Development, Relief, and Education for Alien Minors (DREAM) Act was legislation introduced in the U.S. Senate in 2001, and would have allowed undocumented youth to earn conditional permanent residency by either serving in the military for two years, by completing two years at a four-year institution of higher education, or by graduating from a two year community college (American Immigration Council, 2017). After ten years of heated debate, the DREAM Act failed to pass a vote in December of 2010 (American Immigration Council, 2017), although some undocumented student activists still refer to themselves as “DREAMers”. However, since then, state-based efforts such as California’s Assembly Bills 540 and 2000 (AB540/AB2000) and The California DREAM Act (AB 130/AB131) have passed, allowing certain undocumented students to receive in-state tuition at public colleges and universities and to be eligible to apply for state financial aid in California (The California State University, n.d.). As of fall 2017, 20 states offered in-state tuition and seven states and the District of Columbia offer state-funded financial aid to undocumented students, while Alabama and South Carolina bar non-DACA undocumented students from public institution enrollment (National Conference of State Legislatures, 2017). In addition to varying tuition, financial aid, and admissions policies rooted in state legislative or university system-based actions, recently some state lawmakers and campus officials have taken a stand in identifying as a sanctuary city or campus, meaning they will offer limited cooperation with federal immigration authorities regarding detention and deportation of undocumented individuals (National Conference of State Legislatures, 2017).

The Obama Era

Although the Obama administration produced some important milestones such as Deferred Action for Childhood Arrivals (DACA), there were also some troublesome immigration realities, as this era is marked by more deportations than any other president in U.S. history (Gidda, 2017). However, migration policy experts attribute this situation to “the culmination of a gradual but consistent effort to narrow its enforcement to two key groups: The deportation of criminals and recent unauthorized border crossers” (Chishti, Pierce, & Bolter, 2017, para. 3) versus previous administrations’ efforts at more widespread removals including immigrants who had already integrated into U.S. communities (Chishti, Pierce, & Bolter, 2017). In addition to state-based efforts to increase postsecondary educational opportunities for undocumented students, some federal efforts shifted to support postsecondary educational access for undocumented students during President Obama’s

administration (Mayorkas, 2012). Due to the efforts of undocumented activists (Gonzales, 2008; Hing, 2010), these immigration reforms, including the DACA program announced in June of 2012, provided temporary deportation protection and work authorization for youth meeting certain qualifications regarding age of arrival in the U.S., educational attainment, and lacking a serious criminal conviction (Department of Homeland Security, 2017). In contrast to the failed federal DREAM Act, DACA does not offer a pathway to citizenship and requires renewal every two years for students sometimes referred to as “DACAmended” (uLEAD Network, n.d.). More than 728,000 undocumented immigrants have received DACA since its implementation in 2012 (Hipsman, Gomez-Aguinaga, & Capps, 2016), which is about 10% of undocumented immigrants, including more than 728,000 young adults who were brought to the U.S. as children (Passel & Cohn, 2016). As of September 30, 2017, a total of 2,139,230 DACA applicants had been submitted, with 2,001,377 of these applications being accepted (Department of Homeland Security, 2017). Within this total number of DACA applications accepted, 906,693 were initial applicants and 1,094,684 were accepted renewal applications (Department of Homeland Security, 2017). Given the two-year cycle of DACA, the initial round of DACA recipients became eligible for their first DACA renewal in 2014, and second renewal in 2016 (Department of Homeland Security, 2017).

In 2014, President Obama announced a set of immigration-related executive actions including a program to protect undocumented parents of children who are citizens and permanent residents (DAPA), seeking to expand DACA by removing the age limit for applicants, moving up the date of entry requirement, and increasing the work authorization eligibility from two to three years (Hipsman, Gomez-Aguinaga, & Capps, 2016). However, 26 states including Texas challenged DACA expansion and DAPA, and in June of 2016 the Supreme Court declined to lift a nationwide injunction blocking DAPA, which leaves DACA as the “only large-scale initiative that affirmatively offers relief from deportation to unauthorized immigrants” (Hipsman, Gomez-Aguinaga, & Capps, 2016, p. 1). DACA remained in place and as of the four-year mark in 2016, “DACA is a large-scale program that has succeeded in attracting broad participation and providing life-altering benefits to many unauthorized youth” (Hipsman, Gomez-Aguinaga, & Capps, 2016, p. 11) while helping “its recipients achieve milestones typically associated with the American dream such as pursuing higher education, earning better wages to support their families, and buying homes” (Svajlenka, Jawetz, & Bautisata-Chavez, 2017, para. 1).

Despite the significance of starting DACA, the Obama administration’s immigration efforts are clouded by harsh realities such as more deportations than any other president in U.S. history, with the forcible removal of more than 3 million undocumented immigrants from 2009-2016 (Gidda, 2017). This large number of deportations under President Obama reflected his focus on narrowing enforcement to the specific groups of criminals, recent unauthorized border crossers, or repeat immigration violators, versus individuals already integrated into U.S. communities who did not have a criminal record (Bennett, 2017; Chishti, Pierce, & Bolter, 2017). Also, Obama “inherited a more legally robust and better-resourced immigration enforcement regime than his predecessors had” which resulted in the reality that “noncitizen removals increased significantly, while apprehensions and overall deportations both remained far lower than the numbers seen under the Bush and Clinton administrations” (Chishti, Pierce, & Bolter, 2017, para. 14). Building on the complicated and evolving immigration climate of the Obama administration, the current

immigration climate has been particularly uncertain and hostile under President Trump's administration.

The Trump Era

The DACA program was created via executive action that Congress did not codify as law, which means the current Trump administration has the discretion to modify or abolish it (Hipsman, Gomez-Aguinaga, & Capps, 2016). This reality has created fear and uncertainty for undocumented populations and their advocates, as Trump's presidential platform included demonizing immigrants by overlooking positive contributions of these communities and instead centering misinformation on immigration (Jacobson, 2015). During his presidential announcement speech he stated, "When Mexico sends its people, they're not sending their best... They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people" (TIME, 2015, para. 8). During the third presidential debate, Trump alluded to undocumented Mexican immigrants as he stated that the U.S. needs to get "bad hombres" out, which includes greatly increasing the scope of undocumented immigrants targeted for deportation by immigration officials (Bennett, 2017).

While in office, President Trump has continued to demean immigrants while spreading falsehoods about these communities. For example, while his statements about the Mexican government sending violent criminals to the U.S. have been discredited (Jacobson, 2015), he has continued to use inaccurate and demeaning arguments to bolster his efforts at tightening immigration reform. In a December 2017 speech to FBI graduates, Trump inaccurately described the diversity immigrant visa program, also known as the green card lottery, as he likened immigrants to human garbage and called for a merit-based immigration system (Mark, 2017). He stated, "You think the [foreign] country is giving us their best people? No. . . . What kind of a system is that? They come in by a lottery. They give us their worst people, they put them in a bin. But in his hand when he's picking them is really the worst of the worst" (Mark, 2017, para. 3). These comments come shortly after October 2017, when eight border wall prototypes are being built in the San Diego borderlands, although the requested \$1.6 billion in funding for 74 miles of new border wall has not been approved in the U.S., nor have Mexican leaders agreed to pay for the wall despite Trump's claims of this funding avenue (Burnett, 2017; Dwyer, 2017). In addition to high profile and problematic discourse on building a wall to create an increased physical barrier between the U.S. and Mexico, President Trump's administration has prioritized searching for and removing undocumented individuals from the U.S., including an executive order to block visitors from seven predominantly Muslim countries and all refugees (Mangan, 2017). Trump's efforts to give Immigration and Customs Enforcement (ICE) more authority sets the stage "to boost deportations more than 75% in his first full year in office" which "would meet the level set in 2012, at the end of Obama's first term, when more than 400,000 people were deported" (Bennett, 2017, para. 27). This current broader immigration climate sends the message that undocumented immigrants do not belong in the U.S., and in turn, do not belong in U.S. institutions of higher education.

Current DACA debates

The immigration climate for undocumented college students continues to be troublesome and couched within an uncertain future. President Trump's original campaign promise was to "immediately terminate President Obama's two illegal executive amnesties" although his position on "Dreamers" has shifted multiple times including allowing for DACA renewal (Rose, 2017, para. 4), to the most recent announcement to eliminate DACA in March of 2018 (Gonzales, 2017). Despite Trump's campaign promise to eliminate DACA, post-election comments indicated that DACA recipients would not be the target of bolstered immigration enforcement efforts that have included increased immigration raids across the U.S. (Lee & Jarvie; 2017; Mangan, 2017; Medina, 2017), and that he will show "great heart" in handling DACA for these "great kids" who "shouldn't be very worried" (Reilly, 2017, para. 9). However, a lack of clarity still exists regarding the future of DACA, as recent immigration executive orders have also led to ICE detaining and attempting to deport individuals with DACA (Gastelum & Burgess, 2017; Mangan, 2017; Shapiro, 2017). These actions include the detention and deportation of college student Daniel Ramirez Medina (Gastelum & Burgess, 2017; Mangan, 2017) and the detention and eventual release of 22 year old Daniela Vargas who ICE arrested for having a relapsed DACA that was under renewal at the time of her attending a rally against the Trump administration's immigration stance (Shapiro, 2017). This uncertainty for undocumented college students is compounded by the reality that the current administration has not commented on how they might use identifying personal information DACA applicants submitted on their applications, which means this information could be held against applicants in the future, such as prompting detention and deportation of students and their families (National Immigration Law Center, 2017).

Adding to the tenuous situation for undocumented college students was a June 2017 joint letter from attorney generals in ten states urging Attorney General Jeff Sessions to rescind DACA by early September or else they would bring a federal lawsuit to the same judge who denied the blocking the DAPA injunction (Svajlenka, Jawetz, & Bautisata-Chavez, 2017). Other state officials are urging President Trump to commit support to a new bipartisan version of the DREAM Act (Chappell, 2017). On September 5, 2017, Attorney General Jeff Sessions announced the Trump administration was ending DACA in March of 2018 unless Congress saves it, because it is "illegal" and "unconstitutional" as former President Obama created it by executive action versus legislative decision (Gonzales, 2017).

After this significant announcement, 15 states announced a lawsuit against the Trump administration preventing them from abolishing DACA, which was originally a "temporary workaround of Congress, which repeatedly had failed to pass comprehensive immigration overhaul" (Gonzales, 2017, para. 13). One component of the lawsuit is the claim that, "the Trump administration violated the due process rights of the young immigrants by failing to safeguard the personal information they initially gave the government in order to enroll in DACA" which is crucial, as that information could be used to find and deport 800,000 DREAMers and their families (Gonzales, 2017, para. 4). Meanwhile, for DACA work permits expiring before March 5th, 2018, renewal was due before October 5th, 2017 (Rose, 2017). This was embroiled in controversy as U.S. Citizenship and Immigration Services (USCIS) said around 4,000 applications were

rejected for missing this deadline, some of which are thought to have been wrongfully rejected based on a U.S. postal service error (Rose, 2017). Since then, USCIS has said individuals may appeal their rejection if it was due to USPS error (Rose, 2017). These ever-evolving realities regarding immigration highlight a heavily contested political topic with an uncertain future. Much of the related discourse has involved dehumanizing and silencing undocumented college students in the struggle for human rights, which also sends harmful messages to undocumented students that they do not belong in the U.S., nor as a result, in U.S. institutions of higher education. Postsecondary educators have the opportunity to act in this pivotal time in U.S. history to address the recent social and political immigration climates that continue to create challenges for undocumented Latinx college students belonging in higher education.

Framework

Critical Race Theory and Latino Critical Theory

Critical Race Theory (CRT) is a lens used to examine the relationship amongst race, racism, and power (Delgado & Stefancic, 2001). Major tenets of CRT include: (1) that racism is normal and ordinary; (2) interest convergence, or material determinism, exists; (3) race is a product of social thought; and (4) that the voice of People of Color is essential in CRT (Delgado & Stefancic, 2001). CRT stems from “a long tradition of resistance to unequal and unjust distribution of power and resources along political, economic, racial, and gendered lines in America” (Taylor, 2009, p. 1). Additionally, CRT builds on Critical Legal Studies, which argues that white males hold power over marginalized groups, leading to unbalanced opportunities for individuals (Taylor, 2009). The current U.S. political climate reflects this Critical Legal Studies concept given the majoritized social identities of President Trump and many of those in political office with him. Many of these individuals holding formal positions of power choose to not acknowledge their own immigration backgrounds, while their decisions surrounding immigration platforms and policies create limited opportunities that impact thousands of undocumented individuals and families in the U.S., including undocumented Latinx college students.

CRT is appropriate to use as a lens through which to analyze the experiences of undocumented Latinx college students, especially given the political climate shaping these students’ experiences based on issues such as race and ethnicity. CRT has produced several “spin-off movements” including a “forceful Latino-critical (LatCrit) contingent” that examines “immigration theory and policy, as well as language rights and discrimination based on accent or national origin” (Delgado & Stefancic, 2001, p. 6). Also, “CRT and LatCrit are transdisciplinary and draw on many bodies of progressive scholarship to understand and improve the educational experiences of students of color” (Bernal, 2002, p. 109). In addition to CRT informing an analysis of overarching immigration issues, LatCrit specifically centers “the ways Latinas/os experience race, class, gender, and sexuality, while also acknowledging the Latina/o experience with issues of immigration status, language, ethnicity and culture” (p. 79) as well as having developed a framework for racist nativism (Pérez Huber, 2010). My participant’s stories reflect individual experiences relating to LatCrit areas such as race, class, gender, language, immigration

status, accent, and phenotype. These narratives guided my empirical study, which was the basis for my reflections in this analysis.

Counter narratives are used to center minoritized student voices to challenge the dominant narrative, which in the case of undocumented Latinx college students, portrays negative and dehumanizing images that question these students' ability or deservingness to access postsecondary educational opportunities. These dominant narratives also emphasize a deficit framework blaming students' cultures and communities for their marginalized status in society, instead of acknowledging legacies of marginalization rooted in institutional oppression. Counter narratives can come in many forms, and the use of narratives is often in storytelling which provides a "historical and political process that places people of color in control of their story" (p. 94) since the narratives provide the participant the ability to reflect and trace their personal histories (Dunbar, 2008). As such, CRT as an analytical lens offers a way to understand the significance of resisting the dominant discourse in current U.S. immigration debates. This discourse, that is pervasive in U.S. politics and media, marginalizes undocumented students through dehumanizing language and restrictive policy efforts that block pathways to higher education opportunity. This ultimately sends messages that undocumented Latinx college students do not belong in that academic space. Instead of accepting this status quo, Gloria Ladson-Billings (2000) wrote, "The 'gift' of CRT is that it unapologetically challenges the scholarship that would dehumanize and depersonalize us" (p. 272). Combatting this overarching dehumanizing immigration climate through critical scholarship is particularly important in learning about undocumented Latinx students who are often represented in the media as the "other" and "alien" to the human experience.

CRT and LatCrit provide an important framework for centering students' identities and counter narratives with the foundation of commitment to social justice in informing culturally relevant educational practices. LatCrit emphasizes multiple aspects of Latinx identity and the role these areas play within a racist society, including a specific focus on education. Solórzano and Bernal (2001) explained that, "CRT and LatCrit theory challenge the dominant discourse on race and racism as they relate to education by examining how educational theory and practice are used to subordinate and marginalize Chicana and Chicano students" (p. 313). Also, "CRT and LatCrit theorists acknowledge that educational structures, processes, and discourses operate in contradictory ways with their potential to emancipate and empower," (Solórzano & Bernal, 2001, p. 314) as "Chicana and Chicano students live between and within layers of subordination based on race, class, gender, language, immigration status, accent, and phenotype" (Solórzano & Bernal, 2001, p. 335). Pérez Huber (2010) explained that, "Acknowledging and understanding the complex intersections of race, immigration status, class and gender present in dominant constructions of Latina/o identity and in particular, a Latina/o undocumented immigrant identity, is an initial step towards deconstructing negative perceptions of this group" (p. 92).

CRT and LatCrit: Guiding Reflexivity and Positionality

Glesne (2006) described the importance of attention to reflexivity, which is "inquiring into either [researchers'] own biases, subjectivity, and value-laden perspectives or into the appropriateness of their research, methodology and methods, including concerns regarding

data collected, interpretations made, and representations produced” (p. 151). Debate exists on how reflexivity factors into white scholars using CRT, and many prominent education scholars conclude that it is possible for white researchers to appropriately incorporate CRT into their work (Bell, 1995; Bergerson, 2003). Bergerson (2003), wrote that, “...white researchers must work to center race in their personal lives and work, engage in the strategic and sensitive use of CRT” (p. 51). Similarly, positionality means fully acknowledging where I am coming from as a researcher as points of subjectivity versus seeking false objectivity (Lincoln, 1995). Given the white-dominated racist and oppressive systems that CRT and LatCrit seek to critically examine and combat, I was aware of my own identities that do not fall within the undocumented Latinx community. As such, it is crucial to acknowledge the privileges that have shaped my experiences as a white U.S.-born citizen who has retained permanent citizenship status throughout my life. These privileges also extend to my scholarship and shape my interactions with participants, given their minoritized identities as undocumented Latinx students who entrusted me with their narratives.

Analysis

The following CRT and LatCrit analysis of the U.S. immigration climate relates to undocumented Latinx college students and “who belongs” in higher education, as guided by my reflections from conducting a qualitative study examining the experiences of undocumented Latinx college students in the United States. I discuss three themes founded in reflections from conducting the study: problematizing immigration policy and discourse, racist nativism, and interest convergence. My reflection on these themes includes an analysis grounded in CRT tenets that reflect that racism is normal and ordinary, interest convergence exists, race is a product of social thought, and the voice of People of Color is essential (Delgado & Stefancic, 2001). This reflection is also grounded in key LatCrit concepts regarding multiple layers of subordination based on social identity, including immigration status (Solórzano & Bernal, 2001).

Problematizing Immigration Policy and Discourse

Leading political figures and the mainstream media use oppressive immigration policies and related immigration discourse to marginalize undocumented Latinx college students and send messages that these students do not belong in higher education. These policies and discourse create imposed borders, theoretical and geographic, that are dehumanizing and restrict individuals’ opportunities, including challenges to higher education opportunities. This relationship reflects the LatCrit focus on immigration policy and discrimination related to national origin (Delgado & Stefancic, 2001). Current immigration policies relating to undocumented Latinx students’ postsecondary experiences also reflect CRT and LatCrit, as educational policy and practice marginalize Latinx students, which is in contrast to the emancipatory and empowering potential of higher education (Solórzano and Bernal, 2001). A specific LatCrit lens provides additional layers of understanding that undocumented Latinx college students face regarding students’ race, class, gender, language, immigration status, accent, and phenotype (Solórzano & Bernal, 2001). This important complexity is often masked within immigration policy and related discourse.

Focusing on legal status overlooks the oppression undocumented Latinx individuals also navigate based on multiple minoritized social identities, especially as Latin American immigrants are seen less favorably in the U.S. than Asian and European immigrants (López & Bialik, 2015). In one study on Undocumented Chicana college students, Pérez Huber (2010) noted “the powerful role of media in shaping public discourse and perceptions of U.S. Latina/o undocumented immigrants as problematic to the social foundations of ‘American’ (i.e. ‘native’) life,” which is reflected in her study findings that “Through interactions with peers, teachers, professors and the media, these women learned, from a very early age, the social constructions and negative perceptions of undocumented Latina/o immigrants in the U.S.” (2010, p. 89). The socially constructed nature of undocumented immigrants creates conditions indicating this population does not belong in U.S. higher education.

Immigration policy discourse is problematic because of the messaging that undocumented Latinx immigrants do not “belong” in the U.S., and therefore should not have access to U.S. postsecondary education. Furthermore, sentiments about undocumented Latinx immigrants often stress that they should assimilate to a dominant white U.S. culture, which is also reflected in the history of U.S. higher education in institutions open to elite white men before expanding access to students from more diverse backgrounds (Thelin, 2004). Participants reported sensing this overall negative climate for undocumented Latinx college students, which was also reflected in the media, especially as it related to being judged for having a Spanish accent and often having darker skin than other immigrant communities. Similarly, undocumented Latinx college students straddle multiple cultures regarding their countries of birth and their local U.S. context. This reality can be exhausting for students who may understand their undocumented status as related to potential educational outcomes and limited opportunities for redefining citizenship (Annamma, 2013; Gildersleeve, 2009).

The overarching immigration discourse and related policy influenced undocumented Latinx student participants’ self-perceptions and views on the possibility of higher education attainment. Similarly, in a study of oral histories from undocumented Latino college students in Chicago, authors argued that “educators cannot afford to ignore immigration policy as an educational issue,” as policies related to being undocumented impacted participants’ views on college attainability, stifled matriculation, influenced future plans, and created financial struggles and psychological stress (Díaz-Strong & Meiners, 2007, p. 3). These authors also found that this community is “educationally successful despite educational and immigration policies that seek to criminalize every facet of their lives and to construct them to be simultaneously extraneous to schooling and essential to the service economy” (2007, p. 3). The political climate questions the “legitimacy” of undocumented people and misrepresents them “as ‘lazy’ or ‘illegal’ and thus undeserving of rights” so “it is vitally important that the experiences of those undocumented are made visible” (2007, p. 3). Similarly, Abrego (2008) argued that legal discourse leads to stigmatizing labels and shame for undocumented students who, under certain legal climates such as AB540 in California, can employ an alternate narrative and use their student status to emphasize merit and socially acceptable labels regarding belonging and legitimacy in higher education. Unintended functions of the law such as students’ legal consciousness regarding AB540 were complex, yet positive for their day to day lives, as, “not only did the bill recognize their merit but it granted them another

legitimate space – in colleges and universities – where, as students, they are valued and ‘legitimate’ members of society” (p. 723) and could mobilize by working within the law (Abrego, 2008).

Immigration policy discourse also sends messages about not belonging as it places undocumented individuals as a “foreign” or “alien” other, based on many markers that have significant tangible implications in the U.S. Otherization based on race, ethnicity, and immigration status, as well as based on culture and language, places individuals in a subordinate position to privileged groups such as white U.S. citizens who set the standard for the “norm” (Huynh, Devos, & Smalraz, 2001). Marciniak (2006) explained, “the privileged constructs of ‘whiteness’ in relation to U.S. immigration has vigorously emphasized the need to see whiteness not as ‘naturally’ owned, but as assigned, a process intertwined with ever-changing perceptions of race and ethnicity” (p. 40). In contrast, “when it comes to the perception of nonwhite immigrants as unwanted ‘pollutants,’ the cases of various policies aiming to ‘purify’ American society from them are many” (Marciniak, 2006, p. 41). Marciniak (2006) emphasized the common image of the U.S. as under attack from alien outsiders. This imagery is seen in the language that further perpetuates stereotypes of undocumented individuals and groups, especially when commonly referred to as “illegal aliens.”

Undocumented Latinx immigrants, especially from Mexico, are often the population highlighted in immigration debates, which is notable within a CRT and LatCrit analysis. A 2015 study found, “More than four-in-ten Americans expressed mostly positive views of Asian (47%) and European immigrants (44%), yet only a quarter expressed such views of African and Latin American immigrants (26% each)” (López & Bialik, para. 36). This is an example of where LatCrit-specific tenets are highlighted in the experiences of undocumented Latinx college students who face challenges due to others’ perceptions based on identity markers such as race, class, language, accent, and phenotype. Participants experienced feeling they did not belong in the college environment based on having a Spanish accent, not having enough money to participate in “typical college” activities, and they were aware there is a hierarchy even within the undocumented Latinx community based on skin tone. This everyday reality was rooted in the broader immigration climate regarding policy and related discourse that they saw as perpetuated by the media. Overall, immigration policy and related discourse in the U.S. are problematic in that they limit belonging as they create imposed borders, theoretical and geographic, that are dehumanizing and restricting to individuals’ opportunities, including challenges to postsecondary access and success.

Racist Nativism

Nativism is the view “that the United States should give priority to its current citizenry and limit immigration” (Delgado & Stefancic, 2001, p. 151). Pérez Huber (2010) summarized three critical components of nativism: “1. There is often intense opposition to the ‘foreigner’ which, 2. Creates the defense and protection of a nationalistic identity, where 3. The foreigner becomes a perceived threat to that nationalistic identity” (p. 80). These components of nativism are particularly poignant when considering the experiences of undocumented immigrants in a post-9/11 world where heightened border patrol and restrictive immigration policy have become visible in heated debates about the “other” and

who belongs by virtue of being considered native (Bennett, 2017; Hipsman, Gomez-Aguinaga, & Capps, 2016; Jacobson, 2015; Mangan, 2017; Mark, 2017). Racist nativism is a conceptual framework that highlights the intersections of racism and nativism, which includes fear and ignorance shaping negative views on undocumented immigrant belonging in the U.S. (Pérez Huber et al., 2008). In an effort to challenge assumptions about who belongs in higher education, educators can be attentive to the counter narratives of undocumented Latinx college students as a way to connect with the humanity underlying the particularly hostile anti-immigrant climate impacting students.

In current mainstream political discourse, undocumented Latinx students are seen as perpetual foreigners. Regardless of how long undocumented individuals have lived in the U.S. or how well they “play by the rules” as defined by those in positions of power such as white U.S. citizens, they are still seen as outsiders who are otherized. This harmful perception is contrary to what participants shared, including that undocumented Latinx college students reflect and embrace many shared U.S. values such as demonstrating a hard work ethic, valuing education, upholding a commitment to family, and giving back to one’s community. Despite following these broader social expectations, undocumented students reported being treated as outsiders who were not deserving of opportunities in the U.S. Others treated them with skepticism or hostility, as outsiders, even though participants identified with being raised in the U.S. and that the U.S. is the only home they truly know.

Perceptions of identity markers such as speaking Spanish or having a Spanish accent, having dark or non-white skin, and valuing traditional Latinx cultural norms are all areas used to exclude undocumented individuals and communities as foreigners. Undocumented Latinx college students are aware of the “American Dream” (Chang, Torrez, Ferguson, & Sagar, 2017) and embrace the desire to succeed and give back to the U.S., yet the general public still sees them as foreigners who do not belong in the U.S. (Pérez Huber, 2010). This is shortsighted, as most individuals who hold this perpetual foreigner viewpoint also come from a history of immigration to the U.S. However, over time, notions of whiteness, U.S. citizenship, entitlement, and belonging slowly shift (Bonilla-Silva, 2006). Although there is still a spectrum of “belonging” for U.S. citizens based on areas like accent and phenotype, undocumented Latinx immigrants are widely viewed as perpetual foreigners as they also have marginalized identities in many categories that are otherized in the U.S. (Huynh, Devos, & Smalraz, 2001).

Given discussions on assimilation and passing, LatCrit scholars “point out that nativism against Latinos and Asian populations thrives during times of economic hardship, when the labor supply is gutted, or, as now, when workers are insecure” (Delgado & Stefancic, 2001, p. 81). This ethos could be one reason U.S. immigration discourse often revolves around undocumented individuals “taking all of the jobs” which is usually in reference to manual wage labor. In addition, this anti-immigrant sentiment may relate to resistance for undocumented student access to higher education due to fear that additional employment requiring postsecondary credentials would also somehow disadvantage privileged communities in favor of undocumented Latinx college graduates. For undocumented students who are still able to navigate higher education-related barriers, nativism still results in policies and practice limiting post-graduation employment opportunities. Pérez Huber explained that inhumane immigration policies prevent undocumented students from being able to “gain employment that reflects the training they earned at the university” (2009, p. 724). Given the recent recession, a combination of fear and ignorance has

continued to shape views on undocumented immigrants in the U.S. This is problematic, as nativism functions to exclude non-white immigrants from fully participating in U.S. society while also justifying superiority of the dominant group, which is perceived to be white (Pérez Huber, 2010).

In her study on exploring the intersectionality of undocumented Chicana women in higher education, Pérez Huber (2010) explained the consequences of racist nativism. Her participants described negative emotions such as:

...feeling uncomfortable, discouraged, fearful, and isolated throughout their educational trajectories. Racist nativist perceptions held by teachers, professors, and peers were emotionally painful. Limited or no access to campus resources and programs was frustrating. Restrictions on daily tasks to get through each day, such as driving to school, were disheartening. (p. 89)

Despite such consequences of racist nativism, Pérez Huber (2009) found that undocumented students still demonstrate ways to resist, including enacting cultural capital, which has “allowed them to survive, resist, and navigate higher education while simultaneously challenging racist nativist discourses” (p. 704). Pérez Huber (2009) explained that, “Positioning the immigration debate within a human rights frame reclaims the humanity of undocumented Latina/o immigrants” and can be used “in education discourse beyond the immigration debate to focus the efforts of researchers, practitioners, and policy makers toward equal educational opportunity as a human right *all* students deserve” (Pérez Huber, 2009, p. 725). As explored later in a discussion on the ethic of care, it is essential to deconstruct the racist nativism inherent in debates surrounding immigration reform and to take an active stance in serving all students. Ultimately, educators must listen closely to the counter narratives of undocumented Latinx college students as a way to connect with the humanity underlying this pressing situation in U.S. institutions of higher education.

Interest Convergence

Interest convergence is an idea that “the majority group tolerates advances for racial justice only when it suits its interest to do so” (Delgado & Stefancic, 2001, p. 149). CRT scholar Derrick Bell brought forth historical details surrounding the idea of interest convergence stating, “civil rights advances for blacks always coincided with changing economic conditions and the self-interest of elite whites” (Delgado and Stefancic, 2001, p. 18). There are also recent examples of interest convergence related to immigration reform and undocumented student college access. These arguments include that supporting undocumented student college access provides many broader social benefits such as producing talented college graduates with opportunities for upward mobility while contributing to institutions of higher education and the U.S. as a whole. These positive outcomes include keeping talented students in the U.S. and enhancing the U.S. economy and global economic competitiveness. Institutions of higher education have an obligation to serve the U.S. by producing talented graduates with the opportunity for upward mobility. The U.S. “desperately needs an educated work- force with high multicultural and linguistic

competence, a fierce drive to succeed, and proven tenacity and resilience,” which are characteristics undocumented college students hold (Ortiz & Hinojosa, 2010, p. 64).

Another current example of interest convergence regarding undocumented communities comes from President Trump as he rallies political support by taking a hard stance on immigration while simultaneously attempting to mask his personal history with using and abusing immigrant labor in his business practices. Reports have surfaced that he relied on 200 undocumented Polish workers to work a dangerous and difficult construction job demolishing the Bonwit Teller building to build the Trump Tower, during which he treated workers inhumanely without necessary safety equipment or proper pay (Bagli, 2017). Despite his claim that he does not settle lawsuits, Trump agreed to end a class-action lawsuit over his labor practices, which are now public due to settlement documents being unsealed and shared in November 2017 by U.S. District Court judge Lorttea A. Preska (Bagli, 2017). This is one example of a white person in a position of great power attempting to criminalize undocumented individuals until it becomes in his interest to keep this community in the U.S. on precarious terms for his own gain to do difficult and dangerous work with limited worker rights. Within the broader scope of interest convergence and undocumented immigrant work in the U.S., examples extend beyond construction work to industries such as housekeeping, hotel service, food service, and migrant farm labor.

Labor practices using undocumented workers highlight interest convergence while also being tied to the broader immigration climate. Abrego (2008) described the reality for various undocumented Latinx subpopulations that are “vulnerable, despite their incorporation into the economy as cheap and disposable labor” with “extraordinarily low human and economic capital” due to discriminatory policies (p. 215). Do to border proximity with the U.S., undocumented communities from Latinx backgrounds are particularly impacted by these labor disparities which impact undocumented Latinx college students and their families. These conditions are also sustained due to the legacy of U.S. foreign policy leading to Mexico’s economic dependence on the U.S. (Gonzalez & Fernandez, 2002). Undocumented Mexican communities are impacted by unjust laws that “function to produce flexible and cheap labor within U.S. borders” by using “largely people of color [who] often do the low-paid service industry work” as a result of “intersections of immigration and educational policies” that “create ‘dead-end lives’” (Díaz-Strong & Meiners, 2007, p. 16). Undocumented Latinx students may perceive they hover precariously on the fringes of postsecondary educational belonging, and that this inclusion is necessary for opening a pathway to upward mobility and for distancing them from menial and underpaid labor in unprotected work conditions. This example of interest convergence related to labor practices is pressing for undocumented Latinx students, such as my participants who experienced underpaid manual labor in unsafe working conditions for most of their lives until DACA passed, providing them opportunities for work authorization.

Participant stories highlighted the positive trajectory their lives took post-DACA when they changed from working long hours in under the table migrant farming, hotel housekeeping, and gas station attending to being able to work on campus in student services jobs or in paid internships related to their major areas of study. In this case, interest convergence rationale indicates that those in power will further support programs like DACA only if it is made clear how these efforts also benefit the majoritized population. Adding more college-educated community members to the U.S. has many benefits to

society and to undocumented individuals receiving the education. However, interest convergence complicates this situation as opening avenues for college education and work authorization to undocumented college students also means potentially losing a younger generation of undocumented workers who majoritized populations rely on to execute underpaid manual labor in unsafe working conditions.

These are a few examples of interest convergence in effect, which are complicated realities to consider when working for positive change in immigration reform and providing postsecondary opportunity for undocumented Latinx college students. Unfortunately, there is still a critical mass of stakeholders in positions of power who do not believe in the humanistic aspect of this topic, and who have selective memories when it comes to their own immigration histories in the U.S. and how they have come to achieve their upward mobility over the generations. Therefore, interest convergence emphasizes formation of strategic arguments on why providing increased opportunity to undocumented college students is beneficial to broader society. These efforts include providing tangible arguments on the benefits to dominant groups such as increasing the amount of taxpayers and educated citizenry to increase the U.S.'s global competitiveness, while also decreasing reliance on public assistance by offering marginalized segments of the population opportunities for upward mobility. However, there are clear tensions in integrating interest convergence in strategies to serve undocumented Latinx students, as this detracts from the focus on humanizing these students and understanding their worth and potential as individuals without deservingness being tied to a tangible benefit for majoritized populations.

Given this discussion of potential benefits related to strategically employing interest convergence, Delgado & Stefancic (2001) offered a useful “critical race agenda for the next century” (p. 131). This agenda includes the reality of critical race theorists needing to “marshal every conceivable argument, exploit every chink, crack, and glimmer of interest convergence to make these reforms palatable to a majority that only a few times in its history has seen fit to tolerate them” (p. 133). In light of the humanistic and ethical arguments also discussed in this conceptual essay, interest convergence is problematic as it centers the economic and broader social benefit of undocumented Latinx college students being included in opportunities for higher education. There is need for scholars and educators to consider effective alternatives to interest convergence-based arguments while also realizing this approach as a current strategic tool for bringing the issues related to serving undocumented Latinx college students into discourse on shaping more inclusive policy and practice.

Implications

The following suggestions for practice are rooted in my reflections from conducting an empirical study about undocumented Latinx college student experiences, and as such these suggestions are not intended to generalize to working with all undocumented college students from various backgrounds. It is also important to consider how these implications may apply to undocumented students within the diverse Latinx umbrella. Individual student stories couched within the overall immigration climate provided the foundation for my reflections leading to the structural-level analysis above. In the following implications I return to individual-level suggestions framed within a systems-level view, specifically for

postsecondary educators, including student affairs professionals. This focus reflects the powerful potential of educators engaging in critical work to serve undocumented Latinx students, which can collectively create systemic-level positive change. Undocumented college students and undocumented activists have been instrumental in creating positive change in this area (Gonzales, 2008; Hing, 2010), and the following emphasis on educators is not meant to overlook these significant contributions. Instead, the following call to action emphasizes the opportunity and responsibility educators have to proactively engage in these issues rather than placing an assumed burden of responsibility solely on undocumented Latinx students to engage with these issues. Also, educators actively engaged in understanding this topic can proactively reach out to form productive partnerships with students and community members who are working to create positive change for undocumented Latinx students.

A Call to Action: Educator Critical Engagement

Educators have an opportunity to disrupt dominant narratives about undocumented Latinx students by understanding the complexities surrounding CRT and LatCrit-based discussion points. This includes understanding an undocumented identity as problematic, racist nativism, and interest convergence. When considering critical engagement, it is worth noting that utilizing a critical lens can be problematic when “a dogmatic stance results in negative critique in which the researcher or practitioner finds everything harmful and hopelessly unchangeable. When taking this posture, researchers and practitioners are likely to fall into the same dualistic frameworks they seek to dispel” when instead, “a critical perspective can be used as an opportunity to reveal problems, strengths, and possibilities for sustainable change” (Guido, Chavez, & Lincoln, 2010, p. 10). As such, critical educator engagement is not merely an abstract intellectual concept or a framework leading to hopelessness or lack of agency. Rather, there is a need for postsecondary educators to cultivate intentional practice around applying a critical lens to the topic of immigration related to undocumented Latinx college student experiences. This nuanced understanding and lifelong learning requires an awareness of one’s own identities, experiences, and beliefs shaping how educators view undocumented Latinx students. Postsecondary educators “have a choice to make with regards to our beliefs about undocumented students. Will we believe and join in the struggle of critical hope along with our undocumented students? Or, will we succumb to the alternative?” (Chang, Torrez, Gerguson, & Sagar, 2017, p. 211). This critical engagement includes an understanding of oppression at personal and structural levels, a commitment to act, and consideration of an ethic of care when working with undocumented Latinx college students.

Understanding oppression at personal and structural levels. Engaging in meaningful critical reflection surrounding issues of oppression can be an uncomfortable process that requires commitment to grappling with difficult emotions. Johnson (2018) described that talking about privilege and oppression can be particularly difficult for dominant groups, as “Discomfort, defensiveness, and fear come, in part, from trying to avoid guilt and blame, which will hold us back from ever starting the discussion until we find a way to reduce the risk,” yet “there is no way to engage these issues without ever feeling uncomfortable, or frightened or threatened” (p. 66). In addition to this critical self-

examination, individuals must also work to understand oppression at a structural-level, meaning that “it does not require and active participant to engage in oppressive behavior or create and maintain oppressive policies. Instead, structural oppression is woven into the very fabric, or structure, of society” (Nicolazzo, 2017, p. 32). This systems-level view of oppression is particularly important for individuals with dominant identities who work to serve as an ally or advocate without understanding how one is complicit in maintaining the status quo.

This critical reflection includes examination of the matrix of oppression, which Collins (2009) described as “the overall social organization within which intersecting oppressions originate, develop, and are contained” (p. 246). Understanding this matrix can help educators see that “each form of privilege is a part of a much larger and interconnected system” so “most people belong to both privileged and oppressed categories at the same time” (Johnson, 2018, p. 45). This “big picture” reality can be overwhelming for even the most well-informed and well-intentioned anti-oppression focused educator. Johnson explained that, “Good people with good intentions make systems happen in ways that produce all kinds of injustice, inequity, and suffering” but,

As long as we participate in social systems, we do not get to choose whether to be involved in the consequences that result. We are involved because we are here. As such, we can only choose *how* to be involved, whether to simply be a part of the problem or to *also* be a part of the solution. That is where our power lies, and our responsibility. (pp. 74-75)

In the specific instance of examining the experiences of undocumented Latinx college students, reflections on privilege and oppression could include identifying one’s own identities and the associated unearned advantages or disadvantages related to race, class, gender, language, immigration status, accent, and phenotype. These LatCrit-based areas for reflection also relate to understanding how one is complicit in or actively combats systems of oppression that marginalize undocumented Latinx populations that goes beyond one’s voting patterns or attention to inclusive language, such as consideration of not partaking in consumerism based in inequitable labor practices including the source of one’s food and the venues where one chooses to spend money that may rely on underpaid migrant labor in inhumane working conditions to produce goods or provide services. Similarly, individuals can help raise awareness in their spheres of influence regarding inequitable labor practices that have a particularly large impact on undocumented workers from Latinx communities. Overall, this responsibility for understanding requires individuals with majoritized identities to acknowledge difficult emotions while also understanding one’s part in systemic oppression.

Commitment to act. Individuals have a responsibility to commit to change, which requires working through “all the reasons that dominant groups have to leave the problem to someone else- anger, fear, resentment, entitlement, detachment, inattention, and ignorance, all wrapped up in the luxury of obliviousness” (Johnson, 2018, p. 65). This commitment to disrupting privilege and oppression must be rooted in “the realization that we are all connected to a great deal of suffering and injustice in the world, and when we allow ourselves to be aware of that, we are bound to feel obliged to do something about it”

(p. 65), which is counter to the dominant immigration narrative that otherizes undocumented Latinx college students. Beyond appealing to “goodness” or “boosting the bottom line,” individuals must have conversations across difference and “act decisively to end the most destructive source of unnecessary suffering in the human experience...this opening for meaningful action, begins with what most of us do not want to face: what privilege, power, and difference have to do with us” (p. 65). This call to action requires sustained commitment, as Johnson explored how issues of privilege and oppression are long-term projects “rooted in a sense of community and common purpose,” and offered the suggestion of being mindful of the urge to take the “path of least resistance” which is when we minimize distress and discomfort by not working to disrupt the status quo around issues of privilege (p. 65). As gatekeepers to knowledge dissemination and campus resources, educators can actively work to disrupt practices that send messages to undocumented Latinx college students that they do not belong on campus, including updating curricular and programmatic materials to reflect culturally responsive teaching and learning while centering and validating these students’ multiple identities.

Berila (2016) noted the importance of deep, critical reflection and building meaningful relationships in anti-oppression work, as “Our commitment to social justice shapes the choices we make about how we engage hard conversations, how we do our own work of unlearning oppression, and how we create alternative, more empowering ways of relating to one another” (p. xi). As such, learning about oppression is not enough because “We have to literally *unlearn* oppression: examine our role in it, dismantle deeply held ideologies, and create alternative, more empowering ways of relating to one another” which understanding a systems-level view in which we all participate (Berila, 2016, p. 3). Similar to Johnson, Berila highlighted the importance of centering compassion and connectedness in critical social justice work as,

We all have an investment in changing oppressive systems. We all have work to do. And we all have something powerful to gain in this transformation into more compassionate and socially just communities: nothing less than our full dignity our fully empowered humanity. (p. 175)

This call to action for critical engagement will remain relevant in the future as educators continue working with undocumented students within a shifting U.S. socio-political immigration climate.

Ethic of care. I highlight ethic of care as an additional piece of a multifaceted puzzle when considering a call to action for educator critical engagement. This focus reflects CRT and LatCrit, which call for a commitment to change benefitting People of Color, including in an educational setting that holds the potential to empower minoritized students, which in this case applies specifically to undocumented Latinx college students. Ethic of care is grounded in supportive, genuine relationships with individuals, and these bonds are important for working with undocumented Latinx college students, as immigration discourse has dehumanized and silenced this community. Emphasizing ethic of care may seem at odds with a critical lens-based call for action, but as Berila (2017) noted, “Emphasizing compassion and peace does not preclude battling oppression or dismantling systems” (p. 26). Ethic of care is an interdisciplinary area of study and “starts from the

premise that as humans we are inherently relational, responsive beings and the human condition is one of connectedness or interdependence” (Gilligan, 2011, para. 2).

In light of centering CRT and LatCrit emphases on centering minoritized individual’s voices in counternarratives, an important component of ethic of care is hearing undocumented Latinx student stories and including them in related postsecondary discourse, which also includes working to actively dismantle systems that uphold negative narratives specifically about Latinx subpopulations within the broader undocumented community. Gilligan (2011) emphasized the ethic of care as “grounded in voice and relationships, in the importance of everyone having a voice, being listened to carefully (in their own right and on their own terms) and heard with respect” (para. 4). This approach may inform how educators can serve undocumented Latinx college students on the ground level in the midst of broader immigration discourse and shifting policy climates. Also relevant to this approach is Gilligan’s view that, “Rather than asking how do we gain the capacity to care, the questions become how do we come not to care; how do we lose the capacity for empathy and mutual understanding?” (para. 10). Gilligan (2011) explained, “Different voices then become integral to the vitality of a democratic society” and “An ethics of care is key to human survival and also to the realization of a global society” (para. 11). These interest convergence-related arguments are relevant for examining issues related specifically to undocumented Latinx college students and immigration reform overall, as the current climate of fear has fostered a divisive anti-human rights political struggle.

In the midst of broader shifting and troublesome immigration discourse and reform, educators have the opportunity to support individual undocumented Latinx students in our daily work at an individual level. For example, Noddings (2003) addressed a philosophy of care as:

the caring relationship and bond that exists between teachers and their students as a means of crossing over a border, especially a border caused by race, class, and ethnicity or the border from failure to success. These borders are inevitably crossed in the quest for social and moral justice and span far beyond any school wall or other barrier. (p. 30)

This border analogy is particularly poignant when examining the complexity of educators working with undocumented Latinx college students who have specific experiences related to layers of race, class, gender, language, immigration status, accent, and phenotype. I also highlight the ethic of care because it might seem daunting for a postsecondary educator to learn all of the rapidly changing information about immigration related policies impacting undocumented Latinx students. However, postsecondary educators need not become legal experts. A basic awareness of laws and policies impacting students, along with how to access expert resources in these areas, can be supplemented by demonstrating an ethic of care for individual students.

The ethic of care viewpoint also relates to the prior discussion on using a humanistic framework to learn about the experiences of undocumented Latinx college students. In a study on the perspectives of DREAM-eligible college students, authors emphasized the need for humanistic research “which captures the voices and rich experiences of DREAM-eligible students, be explored further to inform policy and practice” because educators must take a stand and “must serve as strong advocates and allies for those whose voices have

been silenced” during uncertain political times because undocumented student “voices have much to teach us beyond the political rhetoric - if we will listen” (Morales, Herrera, & Murray, 2009, p. 279). It is clear that educators can be important change agents in the lives of undocumented Latinx college students, individually and through scholarship informing policy and practice. Throughout the complicated legalities and heated debates, maintaining an ethic of care and truly hearing students’ voices, including the nuances in undocumented student subpopulations, will be key in humanizing this topic. In addition to individual-level educator critical engagement in research and practice, ethic of care can extend to higher education as a social institution with the potential to lead in supporting undocumented students. Duderstadt (2000) highlighted this vision as he concludes there has been little guidance for cultivating truly diverse institutions in the U.S., so “We will have to blaze new trails, and create new social models” (p. 200). Institutions of higher education have the opportunity to take a stand on supporting undocumented Latinx college students, which can be rooted in an ethic of care as one facet of critical educator engagement.

Final Thoughts

Messages centered on dismantling oppression, coupled with compassion, community, and humanity are helpful and hopeful in what is an increasingly hostile climate related to immigration issues. My conceptual reflection concludes with an emphasis on connectedness to one another, which cannot be forgotten in the midst of complicated realities regarding identities situated within legacies of power, privilege, and oppression. In the midst of problematic political discourse on immigration in the U.S., undocumented individuals are often dehumanized or silenced while facing inequities and barriers in postsecondary opportunities. This reality does not serve the U.S. well in facilitating human rights, nor does it advance the potential of U.S. higher education. Carter Andrews’ (2014) reflection on civil rights in education summarized this concept as, “The enactment and widespread presence of educational inequity doesn’t allow for any of us to experience our full humanity. Furthermore, what is inequitable for one negatively affects all; the individual good is intimately tied to the collective good” (para. 14). She explained that marginalized students “must experience schools as places where their identities are affirmed and achievement is possible for anyone,” because, “Our very survival as a democracy rests on the ability of individuals and groups to realize their full potential through equal access to opportunities for happiness and social mobility” (2014, para. 15). Critical educator engagement emphasizing a focus on affirming and humanizing undocumented Latinx college students, which will only serve to help communities tap into the potential for a bright future of this marginalized group. Fostering this potential through educational equity can lead to increased opportunities for individual upward mobility and great contributions to broader society. As such, in response to the opening question of “*Who Belongs?*,” a CRT and LatCrit-based reflection highlights that undocumented Latinx college students *should* experience belonging in U.S. higher education, yet the current immigration climate stifles this potential.

Author Notes

Leslie Jo (LJ) Shelton, Ph.D., is a Clinical Assistant Professor of Higher Education at the University of Arkansas where she works with HIED masters and doctoral students and serves as the HIED M.Ed. Program Coordinator. Her scholarship focuses on college student learning and development, the experiences of minoritized college students, and on HESA graduates preparation programs, including learning outcomes related to social justice and inclusion.

References

- Abrego, L. J. (2006). "I can't go to college because I don't have papers": Incorporation patterns of Latino Undocumented Youth. *Latino Studies*, 4(3), 212-231.
- Abrego, L. J. (2008). Legitimacy, social identity, and the mobilization of law: The effects of Assembly Bill 540 on undocumented students in California. *Law & Social Inquiry*, 33, 709–734.
- American Immigration Council. (2011). *Immigration policy center: The DREAM Act*. Retrieved from <http://www.immigrationpolicy.org/just-facts/dream-act>
- American Immigration Council. (2017). *The Dream Act, DACA, and other policies designed to protect Dreamers*. Retrieved from <https://www.americanimmigrationcouncil.org/research/dream-act-daca-and-other-policies-designed-protect-dreamers>
- Annamma, S. A., (2013). Undocumented and under surveillance. *Association of Mexican American Educators (AMAE) Special Theme Issue*, 7(3), 32-41.
- Baglinov, C. V. (2017). Trump paid over \$1 million in labor settlement, documents reveal. *New York Times*. Retrieved from https://www.nytimes.com/2017/11/27/nyregion/trump-tower-illegal-immigrant-workers-union-settlement.html?_r=0&mtrref=www.nydailynews.com
- Bell, D. A. (1995). Who's afraid of critical race theory? *University of Illinois Law Review*, 893-910.
- Bennett, B. (2017, February 4). Not just 'bad hombres': Trump is targeting up to 8 million people for deportation. *LA Times*. Retrieved from <http://www.latimes.com/politics/la-na-pol-trump-deportations-20170204-story.html>
- Bergerson, A. A. (2003). Critical race theory and white racism: Is there room for white scholars in fighting racism in education? *International Journal of Qualitative Studies in Education*, 16(1), 51–63. doi:10.1080/0951839032000033527
- Bonilla-Silva, E. (2006). *Racism Without Racists*. Lanham, MD: Rowman & Littlefield.
- Burnett, J. (2017, October 19). 30-foot border wall prototypes erected in San Diego borderlands. *National Public Radio*. Retrieved from <https://www.npr.org/2017/10/19/558730292/30-foot-border-wall-prototypes-erected-in-san-diego-borderlands>
- Chang, A., Torrez, M. A., Ferguson, K. A., Sagar, A. (2017). Figured worlds and American dreams: An exploration of agency and identity among Latinx undocumented students. *Urban Review*, 49, 189-216.
- Chappell, B. (July 21, 2017). 20 attorneys general write to Trump urging him to keep DACA. *National Public Radio*. Retrieved from <http://www.npr.org/sections/thetwo-way/2017/07/21/538583044/20-attorneys-general-write-to-trump-urging-him-to-keep-daca>
- Chishti, M., Pierce, S., & Bolter, J. (2017). *The Obama record on deportations: Deporter in chief or not?* Retrieved from <https://www.migrationpolicy.org/article/obama-record-deportations-deporter-chief-or-not>
- Delgado, R. & Stefancic, J. (2001). *Critical race theory: An introduction*. New York, NY: University Press.
- Díaz-Strong, D., & Meiners, E. (2007). Residents, alien policies, and resistances: Experiences of undocumented Latina/o students in Chicago's colleges and universities. *InterActions: UCLA Journal of Education and Information Studies*, 3(2).
- Dozier, S. B. (1993). Emotional concerns of undocumented and out-of-status foreign students. *Community Review*, 13, 33-39.
- Duderstadt, J. J. (2000). *A university for the 21st century*. Ann Arbor, MI: University of Michigan Press.
- Dudziak, M. L. (2009). Desegregation as a Cold War imperative. *Stanford Law Review*, 41, p. 61.
- Dunbar, C. (2008). Critical race theory and indigenous methodologies. In N. K. Denzin, Y. Lincoln, and L.T. Smith (Eds.), *The handbook of critical and indigenous methodologies* (pp. 85-100). Thousand Oaks, CA: Sage.
- Dunbar, C. Jr., Rodriguez, D., & Parker, L. (2002). Race, subjectivity and the interview process. In J. Gubrium and J. Holstein (Eds). *Handbook of Interview Research: Context and Method* (pp. 279-298). Thousand Oaks, CA: Sage.

- Dwyer, C. (2017, September 26). Contractors begin building prototypes for Trump's border wall. *National Public Radio*. Retrieved from <https://www.npr.org/sections/twotwo/2017/09/26/553786714/contractors-begin-building-prototypes-for-trump-s-border-wall>
- Gastelum, J., & Burgess, H. (2017). *New evidence proves deported DACA recipient Juan Manuel Montes was kicked out of the U.S. by immigration officials against his will*. Retrieved from the National Immigration Law Center: <https://www.nilc.org/2017/07/14/new-evidence-proves-deported-daca-recipient-juan-manuel-montes-was-kicked-out-of-the-u-s-by-immigration-officials-against-his-will/>
- Gidda, M. (2017). Obama vs. Trump: Who has deported more immigrants? *Newsweek*. Retrieved from <http://www.newsweek.com/illegal-immigration-undocumented-migrants-obama-trump-585726>
- Gildersleeve, R. E. (2009). Organizing learning for transformation in college outreach programs. *Pedagogies: An International Journal*, 4(1), 77–93.
- Gilligan, C. (2011). Ethics of care. Retrieved from <http://ethicsofcare.org/interviews/carol-gilligan/>
- Gimenez, M. E. (1998). Latino politics – Class struggles: Reflections on the future of Latino politics. *New Political Science*, 20(4), 475-484.
- Glesne, C. (2006). *Becoming qualitative researchers: An introduction* (3rd ed.). Boston, MA: Pearson.
- Gonzales, R. G. (2008). Left Out But not shut down: Political activism and the undocumented student movement. *Northwestern Journal of Law and Social Policy*, 3(2), 220-239.
- Gonzales, R. (2017, September 7). States sue to block DACA termination, citing Trump's 'racial animus.' *National Public Radio*. Retrieved from <https://www.npr.org/sections/twotwo/2017/09/07/549047054/states-sue-to-block-daca-termination-citing-trumps-racial-animus>
- González, G., Fernandez, R. (2002). Empire and the origins of twentieth-century migration from México to the United States. *The Pacific Historical Review*, 71(1) 19-57.
- Guido, F. M., Chávez, A. F., & Lincoln, Y. S. (2010). Underlying paradigms in student affairs research and practice. *Journal of Student Affairs Research and Practice*, 47(1), 1-22.
- Hing, J. (2010). How undocumented youth nearly made their DREAMs real in 2010. *Colorlines*. Retrieved from http://colorlines.com/archives/2010/12/dream_movement_profile.html
- Hipsman, F., Gómez-Aguíñaga, B., Capps, R. (2016). DACA at four: Participation in the Deferred Action program and impacts on recipients. Retrieved from <https://www.migrationpolicy.org/research/daca-four-participation-deferred-action-program-and-impacts-recipients>
- Huynh, Q., Devos, T., & Smalarz, L. (2011). Perpetual foreigner in one's own land: Potential implications for identity and psychological adjustment. *Journal of Clinical Psychology*, 30(2), 133-162.
- Jacobson, L. (2015, August 6). Donald Trump: 'The Mexican government ... they send the bad ones over'. *Politifact*. Retrieved from <http://www.politifact.com/truth-ometer/statements/2015/aug/06/donald-trump/trump-mexican-government-they-send-bad-ones-over/>
- Krogstad, J. M., Passel, J. S., & Cohn, D. (2017). 5 facts about illegal immigration in the U.S. *Pew Research Center*. Retrieved from <http://www.pewresearch.org/fact-tank/2017/04/27/5-facts-about-illegal-immigration-in-the-u-s/>
- Ladson-Billings, G. (2000). Racialized discourses and ethnic epistemologies. In Denzin, N. K., & Lincoln, Y. S. (Eds.), *Handbook of qualitative research* (2nd ed., pp. 257-277). Thousand Oaks, CA: Sage.
- Ladson-Billings, G. (2009). Just what is critical race theory and what's it doing in a nice field like education? *International Journal of Qualitative Studies in Education*, 11(1), 7-24.
- Lee, K., & Jarvie, J. (2017, February 11). Raids across the U.S. leave immigrant communities and activists on high alert. *The Los Angeles Times*. Retrieved from <http://www.latimes.com/nation/la-na-immigration-raids-20170211-story.html>
- Lincoln, Y. S. (1995). Emerging criteria for quality in qualitative and interpretive research. *Qualitative Inquiry*, 1, 275-289.
- López, J. K. (2007). *"We asked for workers and they sent us people": A critical race theory and Latino critical theory ethnography exploring college-ready undocumented high school immigrants in North Carolina*. (Doctoral Dissertation). University of North Carolina at Chapel Hill.

- López, G. & Bialik, K. (2017). Key findings about U.S. immigrants. *Pew Research Center*. Retrieved from <http://www.pewresearch.org/fact-tank/2017/05/03/key-findings-about-u-s-immigrants/>
- Mangan, K. (2017, February 16). Undocumented students' fears escalate after a DACA recipient's arrest. *The Chronicle of Higher Education*. Retrieved from <http://www.chronicle.com/article/Undocumented-Students-Fears/239214>
- Marciniak, K. (2006). Immigrant rage: Alienhood, “hygienic” identities, and the second world. *A Journal of Feminist Cultural Studies*, 17(2), 33-63.
- Mark, M. (2017). Trump said an immigration program lets countries pick their 'worst of the worst' and 'put 'em in a bin' — that's not what happens. *Business Insider*. Retrieved from <http://www.businessinsider.com/trump-diversity-visa-lottery-immigration-program-fact-check-2017-12>
- Mayorkas, A. (2012). Deferred action for childhood arrivals: Who can be considered? Retrieved from <https://obamawhitehouse.archives.gov/blog/2012/08/15/deferred-action-childhood-arrivals-who-can-be-considered>
- Merriam, S. (2002). Assessing and evaluating qualitative research. In S. Merriam (Ed.) *Qualitative research in practice: Examples for discussion and analysis* (pp. 18-36). San Francisco, CA: Jossey-Bass.
- National Conference of State Legislatures. (2017, December). *State legislatures*. Retrieved from http://www.ncsl.org/Portals/1/Documents/magazine/articles/2017/SL_1217-All.pdf
- National Immigration Law Center. (2017). How to apply for DACA. Retrieved from <https://www.nilc.org/issues/daca/faqdeferredactionyouth/>
- Noddings, N. (2003). *Caring: A feminine approach to ethics and moral education* (2nd ed.). Berkeley and Los Angeles, CA: University of California Press.
- Ortiz, A. M., & Hinojosa, A. (2010). Tenuous Options: The career development process for undocumented students. *New Directions for Student Services*, 131, 53–65. doi:10.1002/ss
- Ortiz, A. M., & Hinojosa, A. (2010). Tenuous Options: The career development process for undocumented students. *New Directions for Student Services*, 131, 53–65. doi:10.1002/ss
- Passel, J. S., & Cohn, D. (2016). *Overall number of U.S. unauthorized immigrants holds steady since 2009*. Retrieved from Pew Research Center – Hispanic Trends website: <http://www.pewhispanic.org/2016/09/20/overall-number-of-u-s-unauthorized-immigrants-holds-steady-since-2009/>
- Pérez Huber, L. (2009). Challenging racist nativist framing: Acknowledging the community cultural wealth of undocumented Chicana college students to reframe the immigration debate. *Harvard Education Review*, 79(4), 704-729.
- Pérez Huber, L. (2010). Using Latina/o Critical Race Theory (LatCrit) and racist nativism to explore intersectionality in the educational experiences of undocumented Chicana college students. *Educational Foundations*, Winter-Spring, 77-96.
- Pérez Huber, L., & Malagon, M. (2007). Silenced struggles: The experiences of Latina and Latino undocumented college students in California. *Nevada Law Journal*, 7(3), 841-861.
- Pérez Huber, L., Lopez, C. B., Malagon, M. C., Velez, V., & Solorzano, D. G., (2008). Getting beyond the ‘symptom,’ acknowledging the ‘disease’: Theorizing racist nativism. *Contemporary Justice Review*, 11(1), 39-51.
- Reilly, K. (2017, September 5). Here's what president Trump has said about DACA in the past. *TIME*. Retrieved from <http://time.com/4927100/donald-trump-daca-past-statements/>
- Rose, J. (2017, June 6). 6 Things to know about Trump's reversal on 'Dreamers.' *National Public Radio*. Retrieved from <https://www.npr.org/2017/06/16/53325575/trump-allows-dreamers-to-stay-removes-protections-for-parents>
- Rose, J. (2017, November 16). Oops, we lost your DACA application. *National Public Radio*. Retrieved from <https://www.npr.org/2017/11/16/564655140/oops-we-lost-your-daca-application>
- Shapiro, A. (2017, March 3). Immigration authorities arrest dreamer despite lawyers' reassurance. *National Public Radio*. Retrieved from <https://www.npr.org/2017/03/03/518391632/immigration-authorities-arrest-dreamer-despite-lawyers-reassurance>

- Solórzano, D. G., & Bernal, D. D. (2001). Examining transformational resistance through a critical race and Latcrit theory framework: Chicana and Chicano students in an urban context. *Urban Education*, 36(3), 308–342. doi:10.1177/0042085901363002
- Svajlenka, N. P., Jawetz, T., & Bautista-Chavez, A. (2017). A new threat to DACA could cost states billions of dollars. Retrieved from <https://www.americanprogress.org/issues/immigration/news/2017/07/21/436419/new-threat-daca-cost-states-billions-dollars/>
- Teranishi, R. T., Suárez-Orozco, C., & Suárez-Orozco, M. (2015). *In the shadows of the ivory tower: Undocumented undergraduates and the liminal state of immigration reform* (The UndocuScholars Project). Los Angeles, CA: UCLA Institute for Immigration, Globalization, & Education. Retrieved from <http://www.undocuscholars.org/undocuscholars-report.html>
- The California State University. (2017). About AB 540/ AB 2000 and the California Dream Act. Retrieved from <https://www2.calstate.edu/attend/student-services/resources-for-undocumented-students/Pages/about-ab-540-and-the-california-dream-act.aspx>
- Thelin, J. R. (2004). *A History of American Higher Education*. Baltimore, MD: The Johns Hopkins University Press.
- TIME Staff. (2015, June 16). Here's Donald Trump's presidential announcement speech. *TIME*. Retrieved from <http://time.com/3923128/donald-trump-announcement-speech/>
- uLEAD network. (2017). National overview. Retrieved from <https://uleadnet.org/issue/policy-context>
- United States Department of Homeland Security. Consideration of Deferred Action for Childhood Arrivals (DACA). *U.S. Citizenship and Immigration Services*. Retrieved from <https://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca>
- U.S. Citizenship and Immigration Services. (2017). Number of form I-821D, Consideration of Deferred Action for Childhood Arrivals. Retrieved from https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/migration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_y2017_qtr4.pdf
- Valverde, M. (2017). Pick them from a bin? Donald Trump mischaracterizes diversity visa lottery. *Politifact*. Retrieved from <http://www.politifact.com/truth-o-meter/statements/2017/dec/20/donald-trump/pick-them-bin-donald-trump-mischaracterizes-diversity/>
- Zong, J. & Batalova, J. (2017). Frequently requested statistics on immigrants and immigration in the United States. Retrieved from <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Unauthorized>