

JOSÉ VARIABLE

Interviewed by Charles Brockett

JOSÉ DREAMS OF BECOMING A U.S. CITIZEN

José Variable is one of six siblings. All of his brothers and sisters are U.S. citizens. Much to his dismay, José is not. Nineteen years old when I talked with him, José was in jeopardy of being deported from the country that has been his home for the last ten years.

"You know you could do a lot better," José tells me over the phone from Wisconsin, "but you can't when you are undocumented. It keeps you from doing so much of what you want to do. I get depressed. Lately I have been feeling really bad . . . alone. I am seeing a doctor."

"I grew up here," he emphasizes throughout the conversation, "it is not my fault that I lack papers." José was born in Toluca, Mexico, which is not too far outside of the capital city. "My mother had a small neighborhood grocery store. One day it was held up for 50,000 pesos, and they told her not to report it or they would kill her. That is when she decided that they would leave for the U.S." At the time, his parents had two children.

José was nine. "I learned English quickly and by the seventh grade I was doing well." Indeed, he speaks an almost-accentless English. His illegal/undocumented status was not an issue in high school. The U.S. Supreme Court ruled in 1982 that public education through high school must be offered free to all children, regardless of their immigration status. But that does not apply at the college level. And the same philosophy certainly does not apply to employment. Since 1986 it has been against the law to knowingly employ workers who are in the country illegally.

"Friends in high school would tell me about job possibilities, good jobs, but I couldn't take advantage of them because of my lack of documents. I didn't want to tell my friends I was undocumented so I would make excuses." Talking with José, it is clear that making these excuses cost him psychologically. His friends wondered about the excuses too. Knowing this added to his distress.

Without documents, he could not apply for financial aid for college, so he took classes at the local community college. But since he could not work regularly he was hard-pressed to make his tuition. Neither could he get a driver's license. He tried his best to get by with odd jobs using skills he developed at repairing computers.

Adding to José's sense of the unfairness of his position is the situation of his family. The sister who migrated with him later married a U.S. citizen and is now a citizen herself. His parents had four more children once in the United States and so they are birthright citizens. That leaves only José among the siblings illegally in the country. Similarly, his parents are illegal aliens and when we talked his father was in the process of being deported. José presumes his father will return to Toluca. As far as he knows he has one uncle there, that's it. José does not know Mexico, never having returned since the family left. Now he has "the feeling of not being either from here or there. It is extremely hard to live like this."

José, of course, is not alone in this predicament. Each year some 65,000 undocumented students graduate from high school in the U.S., many of them like José having grown up in the United States regarding it as their home. Research indicates that as they become aware of the lack of opportunities that they will face after high school, morale and motivation slump at least for some students, some even giving up and dropping out of high school.⁽¹⁾

In recent years a primary hope for undocumented students has been the possibility that the DREAM Act might pass Congress.⁽²⁾ This would provide undocumented youths who came to the U.S. before they were sixteen and have lived here at least five years a path to citizenship that would lead through either honorable military service or completion of two years of college. Estimates of the number of people who would be eligible run from two-thirds to three-quarters of a million.⁽³⁾

Across the country undocumented students have gone public with their status as a way of putting individual faces on what can otherwise be just one more abstract issue. Among them was José, who held his "coming out" in the summer of 2010. He did it "because it was necessary to let people know of my situation . . . about the things I can not do . . . like drive, get a job . . . live like a normal citizen."

It took about a month to plan the event. He was aware of the dangers of calling authorities' attention to himself but "I didn't care any more." Afterwards he had "no more fear" and when I talked with him more than a

half year later he had not yet heard from the authorities. Instead, he was gratified by the support that he received from friends and neighbors—along with their expressions of surprise, never having guessed his undocumented status.

Momentum seemed to be developing for the DREAM Act through 2010 with more and more events like José's being held, along with rallies, fasts, and marches, including one all the way from Florida to Washington, D.C. The pressure culminated with victory in the House of Representatives in early December on a vote of 216 to 198, with only eight Republicans in support. Students from all over the country packed the galleries as the Senate took up the measure shortly before adjourning for the session. José was among them. "There were so many 'DREAMers' there." But it was not to be. Although the bill had majority support in the Senate, a minority filibuster prevented it from receiving its vote. Sixty votes were needed for ending debate, the attempt received fifty-five, only three from Republicans.⁽⁴⁾ The students were crushed. "So many were crying," José reports.

When we talked two months later, José was holding on to the hope that if he could explain to immigration authorities "these circumstances"—why his family had come to the United States and how it was his home—that "it would make the difference, that then I could stay here." He was also hoping to find a lawyer who could help him out and thinking of making a documentary of his situation and "taking it to Janet Napolitano [the secretary of the Department of Homeland Security] and getting a meeting between just me and her." She would understand and "I could stay."

Throughout our conversation José restated the same sentiments: "I grew up here . . . I have my roots here . . . I love this country." If he were to be forced to leave, "I feel like I would be able to come back some day. . . . I would want to go back to my country [the U.S.] and . . . change my country."

I learned of José from a story in *The New York Times* that focused on "anxiety for illegal immigrant students."⁽⁵⁾ The article centered on another Wisconsin student who was three when her family arrived but it gave José the last word: "'You know, the thing is, I just don't feel welcome here,' he said. 'You cannot live as an undocumented immigrant.'"

The article generated comments from 468 readers. Some of them were sympathetic. David from Owings Mills, MD, for example, posted, "Many of these students are technically illegal, but to call them lawbreakers is highly misleading. A child brought by her parents at the age of three is not a lawbreaker." Patsy in Arizona wrote, "I'm a retired school teacher. . . . My

class was filled with these kids year after year. And year after year I encouraged them to work hard in school to get ahead. . . . The business community encouraged their parents to come here so they could pay them cheap wages and now, our government is abandoning the kids. It makes me sick. To my many Mexican students: I'm so sorry."

Many other readers, though, believe the students should be deported, even though some of them are moved by the individual stories, such as Katie from Georgia who wrote, "While I may feel sorry for some of these young illegal immigrants on a case by case basis, the people they should be angry at and frustrated with are their parents . . . the ones who brought them here illegally. The sight of these young people [at the type of rallies referenced in this article] 'demanding' their 'right' to an American education, particularly an American college education, really struck me as nery and wrong. Play the sympathy chord all you want, but don't boldly make demands on a country that already gives you K-12 education for free, no questions asked, and a potpourri of state benefits."

For others, such as Rory from Charlotte, the situation is more personal: "As an immigrant myself, I am disgusted by those within the illegal immigrant community AND the ignorant supporters of these. I fought hard to come to this country LEGALLY. I went through all the hoops, paid my bills, my fees and lived with the uncertainty that my visa could be pulled at the drop of a hat. . . . Now, I see those who want to steal from those of us who came here honestly our blessing, our pride, our honor. It makes me sick. It makes me sick that there are American citizens who feel it is ok for those here illegally to get a free ride which is what they want."

In 2011 there was no significant action on the DREAM Act at the national level. However, California passed its own DREAM Act in September, joining Texas and New Mexico as the only states allowing undocumented students to qualify for financial aid to their public colleges and universities. Between them, California and Texas have almost 40% of all of the relevant students in the country.⁽⁶⁾

As the year ended I wrote José to get an update on his situation. His response was short: "It's nice to hear from you unfortunately I . . . plan on leaving the United States soon."

And then he shared with me something he had written, "I grew up during a time when justice was tested to its limits. It was the time when it seemed like the world was just an unfair world but, in reality it was not up to