

A FORCE TO BE RECKONED WITH

Zenén Jaimes Pérez

- *How immigrant youth moved the most powerful person in the world, twice* •

ABSTRACT

The immigrant youth movement in the United States of America (U.S.) is an example of how an underestimated, underrepresented and undervalued community can become strong a political force when its members fight for a cause that unites them – in this case rights for irregular migrants. Zenén Jaimes Pérez sets out the history of the immigrant youth movement in the U.S. – composed 80 per cent of migrants from Latin America - and how it came to force President Obama to issue two executive actions which provided deportation relief and work permits to millions of individuals, specifically the Deferred Action for Childhood Arrivals (2012) and the Deferred Action for Parents of Americans in (2014). The author explains how the movement received guidance, coaching and support from past civil rights leaders and offers seven methods, tactics and practices used by the immigrant youth movement in achieving these goals. Pérez concludes by noting that while the movement has had considerable success and propelled many of its members into positions of influence, the challenges are far from over.

KEYWORDS

Dreamers | Immigrants | Undocumented youth | Organisation | Civil society | United States of America | Migrant rights

In the United States of America (U.S.) over 11 million people live without a legal immigration status, more than the entire population of Sweden.¹ This community, known as “undocumented immigrants”, live in all parts of the U.S. and represent over one hundred national groups and languages. Many entered without inspection through an international border while many others overstayed their visa and remained in the country without permission.² Overall, individuals from Latin American make up nearly 80 per cent of the undocumented community and over 50 per cent are under the age of 34.³ This “immigration problem” has vexed politicians for over 30 years and has led to the rise of immigration as a key polarising political question.⁴ However, it was only until recently that undocumented immigrants themselves have organised and participated in the political discussions about their lives, in very successful ways.

Late in the afternoon on 20 November 2014, immigrant youth, their families, and their allies gathered around television screens to listen to a speech President Barack Obama would make regarding immigration policy in the U.S.⁵ With great excitement, immigrant youth finally got the news they wanted to hear: President Obama was going to issue executive actions to give millions of undocumented immigrants a deferral from deportation and the opportunity to get a work permit through a programme now known as Deferred Action for Parents of Americans (DAPA).⁶

For the second time during his administration, immigrants across the country had forced the president to act following the failure of legislative immigration reform and the massive increase in deportations of immigrants during the Obama presidency.⁷ The 2014 executive actions, although still tied up in a legal battle in the U.S. Supreme Court, mirrored the relief immigrant youth won from the president in 2012, when similar executive actions provided deportation relief and work permits to qualifying immigrant youth that arrived as children in a programme known as Deferred Action for Childhood Arrivals (DACA).⁸

Although the Democratic Party and the White House have tried to frame these executive actions as the president choosing to be confrontational and daring in the face of Republican obstructionism in Congress, the real story is different: President Obama was forced to do this.⁹ Undocumented immigrant youth moved the president and the immigrant rights movement forward through a series of tools borrowed and adapted from past and current civil rights struggles.

This article briefly outlines the origins of the undocumented youth movement before diving into the seven methods, tactics, and practices used by undocumented youth to move immigration policy forward. This article will also describe the current work of undocumented youth to address the human rights abuses still faced by immigrant communities in the U.S.

1 • Origins of the undocumented youth movement: 2001-2012

The history of the undocumented youth movement is complex and still evolving. This section covers some of the key events from 2001 until June 2012, when President

Obama announced DACA, which has given over 700,000 undocumented youth administrative relief from deportation.¹⁰ These key events and moments provide a framework for the current state of the movement today.

In August 2001, the Development, Relief, and Education for Alien Minors (DREAM) Act was first introduced into Congress with bipartisan co-sponsors by Senators Orrin Hatch, a Republican from the state of Utah, and Richard Durbin, a Democrat from Illinois.¹¹ To win over more Republican co-sponsors, immigration rights organisations went looking for a young academic achiever in Utah who was facing obstacles to higher education based on their immigration status. This kicked off a series of stories of “outstanding college-bound students” that immigration rights advocates introduced to Congressional representatives in the hopes of resolving their individual cases.¹²

By the early 2000s, undocumented youth had begun to organise in states such as California, Florida, New York, Massachusetts, and Texas. These young people pushed “tuition equity”, state laws that eliminated higher tuition rates for undocumented students.¹³ In states like California and Texas, where undocumented students already had tuition equity and had established a presence on college campuses, undocumented college student groups formed to support each other and advocate for the DREAM Act. This work allowed young people the space to practise and develop their organisational skills.

However, after the terrorist attacks of 11 September 2001, immigration and national security became conflated in new and troubling ways. In the harsher national climate, undocumented immigrants found themselves victims of racial profiling, detention, and deportation. In particular, undocumented youth fought for two individuals, Kamal Essaheb in New York and Marie Gonzalez in Missouri, who were in danger of being deported.¹⁴ Undocumented youth were able to stop their deportations and cut their teeth in new campaigns to highlight the pain and suffering still faced by undocumented immigrants.

By 2004-2005, undocumented youth started to come together in national calls to discuss how to pass the DREAM Act, with the acknowledgement that at the time the DREAM Act would be one of the only possible legislative solutions for undocumented families. Groups of organisations led by undocumented youth planned actions like “Dream Graduations” and worked with more established policy-shops in Washington, DC to push the legislation.¹⁵

Following the defeat of the 2007 comprehensive immigration reform legislation – of which the DREAM Act was a part of – undocumented youth broke with the more established Washington, DC organisations and decided to advance the DREAM Act as a standalone piece of legislation.¹⁶ This gave the initial push to found the United We Dream (UWD) Network in 2008, a broad organisation of undocumented youth seeking justice for themselves and their families.¹⁷

2010 proved to be pivotal year for the nascent undocumented youth organisations across the country. The Trail of Dreams from Miami, Florida to Washington, DC

and “Coming Out of the Shadows” events, where immigrant youth “came out” as undocumented, helped highlight the pain faced by undocumented immigrants nationally.¹⁸ It also set the stage for the national push for the DREAM Act and on President Obama to protect undocumented youth from deportation.¹⁹

These efforts sometimes came in direct contrast to the strategy being advanced by more established immigration advocacy groups. These groups were still committed to the idea that comprehensive immigration reform was the goal everyone in the movement should work towards and often chastised undocumented youth for “leaving their parents behind” in their efforts for a standalone DREAM Act.²⁰

In 2010, the DREAM Act was passed in the House of Representatives but failed in the Senate by five votes.²¹ Despite the stinging defeat, undocumented youth gathered in Memphis, Tennessee for the United We Dream Congress to shift their strategy towards the president, who was still deporting immigrant youth.²²

For the next two years, immigrant youth across the country together with United We Dream and other groups not affiliated with the organisation, led non-violent direct actions, interruptions, media, and legal strategies to protect immigrant youth facing deportation.²³ This activity reached fever pitch in 2012, a re-election year for President Obama where he faced an onslaught of criticism for failing to deliver immigration reform. In June, a wave of sit-ins took place inside Obama for America Headquarters in California, Florida and key election swing states.²⁴

The actions against the Democratic Party were also coupled with policy advocacy and organising with Republican members of Congress. Undocumented youth negotiated with Senator Marco Rubio, a Republican from Florida, about advancing Republican-led version of the DREAM Act.²⁵ The possibility of Republicans leading any sort of immigration reform, particularly by a Latino Republican with high hopes for the presidency, prompted the White House and the Democrats to respond seriously to the demands being made by undocumented youth.²⁶

Additionally, United We Dream and other undocumented youth organisations entered into strong partnerships with legal authorities on immigration. Together, these groups were able to provide sharp rebukes to the president’s initial claims that it was not within his executive authority to issue an executive action that would provide administrative relief to undocumented youth.²⁷ These partnerships helped strengthen the legal arm of undocumented youth.

On 15 June 2012 President Obama finally announced DACA. After 25 years of defeats, undocumented youth won a significant victory - they pressured President Obama to deliver relief. This victory gave immigrant youth the strength, power, and resolve to continue fighting for the millions of people still in danger of deportation and set the stage for the 2013 push for comprehensive immigration reform and the subsequent efforts for DAPA and a halt to deportations.²⁸

2 • The 7 methods, tactics, and practices used by undocumented youth to move justice forward

The story of the undocumented youth movement so far helps provide a snapshot of the activities undertaken by young people across the country to change policy. Although undocumented youth have had to “fly the plane as they build it”, all of these activities and actions were by no means random. Along the way, undocumented youth received guidance, coaching, and support from past civil rights leaders and advocates that built much of the framework for organising mass movements in the U.S.

Indeed, many of the organising principles and tactics like “coming out” were borrowed from the LGBTQ rights movement and the influential Student Non-Violent Coordinating Committee (SNCC) that advanced black civil rights in the 1960s. The following seven methods, tactics, and practices provide the framework for how undocumented youth found success in fighting for immigrant justice.

1 – Stories are power

From the very beginning, sharing personal stories proved to be the most important tool for undocumented youth. Prior to this widespread practice, immigration advocates relied on complex legal and economic arguments to make their point. It was not until undocumented youth started to share their stories that there was a human face put on a policy issue. The country could no longer ignore the problem. Although the initial stories focused on “high-achieving” undocumented youth, or “the Dreamer”, the movement is now sharing the stories of undocumented immigrants that have been the victims of racism, discrimination, and criminalisation.

Story sharing was also transformational for undocumented youth. In sharing their stories publically they faced possible detention and deportation. To date, the national “Coming Out of the Shadows” events continue to give undocumented youth the space to share their complex and evolving human stories.²⁹

2 – People most affected are at the forefront

United We Dream and several other undocumented youth organisations were founded for the express purpose of making sure that the people most affected by the broken immigration system in the U.S. are at the forefront of making decisions. The presence of undocumented immigrant youth in meetings with other immigration advocates, policymakers, and the public transformed the perception of this community from hopeless and afraid, to agents of their own decisions.

At United We Dream, the decision making power for the organisation is still rooted in this concept. Most of the staff are recipients of DACA or are U.S. citizen children of

undocumented immigrants. Additionally, the National Leadership Committee of United We Dream, the elected body of individuals selected by local chapters and affiliates of undocumented youth organisations, sets the direction, vision, and framework for the staff.³⁰ This structure ensures that decisions and strategies for the work are deeply rooted in the experiences of people that have faced the broken immigration system first hand.

3 – Young people are at the core

Prior to undocumented youth “coming out” and building their own organisations, many established immigrant rights advocacy organisations did not provide the space for young people to grow and develop their skills. In fact, many of these organisations were hostile to young people making key policy decisions.³¹ United We Dream and other undocumented immigrant youth organisations flipped this by ensuring that young people are driving key organisational decisions at the local, regional, and national level and have substantial space in the decision making process while still working inter-generationally in their communities.

4 – The work moves across issue areas

The undocumented youth movement does not exist in its own silo. The movement is coming of age as several other youth movements, communities of colour, and marginalised communities are also advocating for their rights in the U.S.³² Undocumented immigrant youth have not only transformed immigration policy, they have also had a key stake in several questions affecting their lives and the country from education reform to the criminal justice system.

This principle is clearly reflected in the enormous amount of collaboration between undocumented immigrant youth and LGBTQ rights organisations. In 2012, a group of undocumented LGBTQ youth came together to found the Queer Undocumented Immigrant Project (QUIP).³³ A programme of United We Dream, QUIP’s mission is to organise LGBTQ immigrants and allies to address social and systemic barriers that affect themselves and the broader LGBTQ and immigrant community. This project helped transform both the immigration and LGBTQ advocacy spaces, which previously did not communicate or work together.³⁴

5 – Building community and identity

Undocumented youth organisations do not only serve to organise for policy change, they are also places to build a common and shared identity. Often, United We Dream events become the place where undocumented youth meet and become friends with others that have had similar experiences and share their outrage against injustice.³⁵ This common identity, created both intentionally and *ad hoc* throughout the years, helps build the community of leaders that ultimately drive campaigns, actions, and policy forward.

6 – Organising is at the grassroots level

Although undocumented youth leaders and organisations have gained national prominence in the last six years, United We Dream and other organisations still hold the central mission of organising at the grassroots level. This theory of organising is rooted in a style pioneered by the black civil rights leader, Ella Baker. The Ella Baker model is based on the idea that communities have the answers and resources they need to create the change they want.³⁶ The role of the organiser is to empower communities at the grassroots level with the tool and resources to articulate and implement the answers they hold.

This model was put into practise in the two year fight for DACA. Undocumented youth faced detention and deportation despite claims by President Obama that young people were not being deported. These young people knew what they needed: deportation relief and the ability to work freely. The role of the United We Dream organiser was to help undocumented youth articulate this solution with non-violent direct action.

7 – There must be a seat at the policy making table

In the beginning stages of the undocumented youth movement, organisers and leaders worked completely from the “outside”. Undocumented youth led actions, rallies, and coming out events while advocates and lawyers from the Democratic Party and other established organisations met with elected representatives and other policymakers. Undocumented youth realised quickly that this was inadequate. An intentional shift followed where undocumented youth organisations learned how to push from the “outside” as well as the “inside”. For the first time in history, undocumented immigrants met with senators, representatives, and even the president to make their case and push their own policies forward.

3 • What still needs to be done

Despite winning relief for millions of undocumented immigrants, undocumented youth are still working to advance human rights for immigrant communities. President Obama’s tenure in office has been marked by an intimate intertwining of the immigration and criminal justice system. The Obama administration has overseen the deportation of almost three million immigrants using the mantra “Families, Not Felons”.³⁷ This intertwining has occurred during a heightened nationwide discussion of the effects of mass incarceration of communities of colour.³⁸ Undocumented youth are now setting their sights on addressing this glaring oversight by sharing the stories of the “Dreamers”, parents, and communities that face detention and deportation – often due simply to a conviction that can be as small as possession of marijuana - and the massive amount of money spent on the detention of immigrants, including women and children.³⁹

Additionally, the fight for undocumented youth has not ended with DACA and DAPA. The 2014 DAPA victory has not been realised due to a legal challenge by the Texas Attorney General and 26 other states.⁴⁰ The Republican challengers claim that the president overstepped his executive authority in creating the policy.⁴¹ The victory is now being considered before the U.S. Supreme Court, where eight justices must decide whether five million undocumented immigrants can apply for deportation relief and work permits.

Many of the early activists with United We Dream and other undocumented youth groups are also now in positions of influence and leadership within the Democratic Party and the presidential campaigns of Hillary Clinton and Bernie Sanders.⁴² Their lives and careers were transformed by their participation in the movement itself, making them powerful agents of change today. However, tension between maintaining an outside political identity and participating within the party structure itself continue to cause much discussion and conversation among undocumented youth groups throughout the country.

Notwithstanding these challenges, undocumented youth have pushed the needle forward on immigration policy while building a new plank for youth of colour to engage in politics. The methods, tactics, and practices outlined above have been instrumental in moving the undocumented youth movement to the place it occupies today. These tools have twice won administrative relief from the President of the U.S. and pushed comprehensive immigration reform legislation to its furthest point in 25 years. These tools will adapt, evolve, and grow as the undocumented youth movement continues to mature.

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