

**Immigrant Education, Social Justice, and the Civil Rights Project:
An Interview with Dr. Patricia Gándara and Dr. Gary Orfield**

Introduction

HR-4437 passed the Congress in December of 2005, and among its provisions, one would make felons out of undocumented immigrants. Subsequently, there has been a flurry of federal and local attempts to increase immigration enforcement under the guise that immigrants are leeching resources from more “deserving” Americans. The following is a conversation with UCLA Professors Patricia Gándara and Gary Orfield regarding how the Civil Rights Project (CRP) is looking to focus immigration and education as pressing, contemporary civil rights issues. Professors Gándara and Orfield highlight how researchers can address social inequities first by performing sound, empirical analyses, and then by making the academic findings accessible for non-academic audiences to inform public policy.

Mission of CRP

The mission of CRP is to help renew the Civil Rights Movement by bridging the worlds of ideas and action, and by becoming a preeminent source of intellectual capital and a forum for building consensus within that movement. Forty years after the Civil Rights Movement galvanized the nation, its great promise to end racial divisions is stalled on many fronts. Evidence of stark inequality abounds in virtually every economic and social sphere, and too many members of racial and ethnic minority groups live in a reality where opportunity remains color-coded. After America's righteous successes a generation ago, chief among our mistakes, perhaps, was the false sense among many that racial progress is inevitable and easy. Those who know better must educate, persuade, and lead others. Great universities share this duty.

Professor Orfield Biography

Dr. Orfield is a professor in the UCLA Graduate School of Education and Co-Founder/Co-Director of the Civil Rights Project. He is interested in the study of civil rights, education policy, urban policy, and minority opportunity. Dr. Orfield's central interest has been the development and implementation of social policy, with a central focus on the impact of policy on equal opportunity for success in American society. In addition to his scholarly work, Dr. Orfield has been involved with development of governmental policy and has served as an expert witness in court cases related to his research including the University of Michigan Supreme Court case which upheld the policy of affirmative action in 2003. A native Minnesotan, Dr. Orfield received his Ph.D. from the University of

Chicago and travels annually to Latin America, where his research work is now expanding.

Professor Gándara Biography

Dr. Gándara received her Ph.D. in Educational Psychology in 1979 from the University of California, Los Angeles, and she is currently a professor in UCLA's Graduate School of Education and Co-Director of the Civil Rights Project. Her research interests are in equity and access in K-12 and higher education, the education of English learners and ethnically diverse populations. Current research projects include a study of peer and family influences on the formation of postsecondary aspirations of ethnically diverse, urban and rural youth; the effectiveness of college access and early intervention programs for underrepresented students; and strengthening the academic pipeline for Latino, African American, and Native American students.

Nolan L. Cabrera

Nolan L. Cabrera is a PhD student in the UCLA Graduate School of Education in the division of Higher Education and Organizational Change. He came to UCLA after serving as the Director of the Center for a New Generation, an after-school program dedicated to enhancing the education and art opportunities for minority youth. His current research interests include White privilege, the experiences of Latina/o students in higher education, and the effects of eliminating affirmative action programs on minority student college access.

NC: We recently had the one year anniversary of the large May Day rallies, and there is still huge anti-immigrant sentiment on local, congressional, and federal levels. What is your take on what is going on right now?

PG: We were at a conference that we help set up and it was on *Plyler*, which is the Supreme Court decision in 1982 that overturned the decision in Texas that refused to pay for the education of undocumented students.

GO: *Plyler* is the decision that allows undocumented students to go to public schools.

PG: Free public school education.

GO: It was a five-to-four vote, and that was a liberal court.

PG: The chief justice of the Supreme Court today has been quoted as saying that is was wrongly decided and we think *Plyler* is at risk, which is what the conference was about. It was a gathering of attorneys who look at civil rights issues and social scientists who look at what it is we need to know about *Plyler*.

GO: The assumptions that are in it and the consequences if it were reversed.

NC: So trying to bridge the gap between the research and the legal discourse.

GO: This is a specialty of the Civil Rights Project.

NC: What are some of the things [that came out of the conference] that need to be researched to make the case for Plyler.

PG: One is the cost-benefits. What are the costs and benefits associated with educating undocumented students?

GO: What would be the cost to society if we didn't do this? There are a lot issues that are good research issues but not good legal issues. This will be decided in the courts and in congress.

PG: And in public opinion as well. That is where we ended at the conference, is that this is a multi-stage effort. We also need to educate the public about the costs and benefits of educating undocumented students. There needs to be an educational component to this as well. I think there is substantial evidence that this will reflect the public thinking of the times as well. What would you say to that, political scientist?

GO: I think that another issue is these things can be decided in courts and in legislative bodies. If the court were to withdraw the requirement then it would be up to congress and every state legislature to decide what to do. Whether to take the step of pushing kids out of school and putting teachers in the position of judging which of their students could be educated or not – a very untenable position for teachers. You have to think about all of these and policy and finding out what the truth is – getting the best possible evidence – which sometimes doesn't support what you want it to support. And you have to deal with that. Then you have to think about how to communicate it to the public. How do you bridge the democratic discussion in the country and the legal discussion? Both of those things are goals of ours.

PG: I have to say that with respect to this issue, it did come up more than once (probably 3 or 4 times), there needs to be an essay on the moral dimensions of educating undocumented students. So it is not just a legal issue and it is not just a cost benefit issue, but we need to think about it broadly – what it means for us as a nation for our values, for our ideals.

GO: For people in education we need to think about what it means for our profession. What does it mean for the teacher in the position we put them on bilingual education in California that says you can be sued if you educate a child in a language they can understand? It is an untenable situation because the teacher's ethical commitment is to educate all their children. When they are told that it is criminal to do what they think is most effective to do that is a problem. Several we have helped have been very active in this case about anti-desegregation – volunteering desegregation. How will educators feel if they are forced to send students from schools that they know are better for them back to ghetto or *barrio* schools that they know are inferior? It is a profound ethical issue for us as educators. We think about all of those issues as an interdisciplinary project, but our specialty has been getting the best possible researchers to address hard issues honestly and communicating that to people who could use that information.

NC: Do you have any specific direction that you would like to see the Civil Rights Project go with respect to immigration?

PG: We intend to continue on this work. We intend to continue to commission research and do research around the impact of immigrant students on the economy and on the social fabric of the country.

GO: We are very interested in all the issues that affect access to college too. We are both involved in the publishing of a book on the future of higher education in California. It touches on many issues that will [determine] whether immigrants and disadvantaged students in general will be able to go to college. Of course the dream act is just one part of that. One of my students at Harvard just finished their dissertation on that issue. Those kinds of issues are going to continue to be an inspiration. The project was founded on college access and affirmative action in California and Texas – those are central concerns of ours – absolutely central.

NC: You talked about making this information accessible. Will HR 4437 be a part of that discussion?

PG: There is some discussion about the cost and benefits with immigrants are often painted with the picture that they are creating all these problems in society.

GO: One of the problems when you do civil rights work is that everyone wants you to do work on everything. When you start doing things you are not an expert on you loose your influence. In the last 10 years I have gotten calls and emails from someone somewhere in the country with a horrible problem. For us to be credible we have to be very systematic and develop a high level of expertise and realize what we are capable of doing. And not to do work that other people are doing – because there is so much work being done in this field to occupy areas that are not being worked and to collaborate in certain areas. We have many partners. We did the DC conference on higher education – all kinds of organizations. We did the drop out conference here in LA which talked about undocumented students, English language learners. We have all of those elements. One of the problems for social scientists studying undocumented students is we cannot count them – they have to estimate.

PG: We are working with the Mexican government to think about how we might partner in educating the same students. The U.S. and Mexico are educating a lot of the same students and yet we do not talk to each other in how to go about that, so we have got several initiatives in the making.

GO: We were participating in a conference about students who are miseducated on both sides of the border. We have to figure out how they can be educated on both sides. We are going to be doing some work on equity issues geographically across southern California across the various patterns of settlement. There are going to be housing dimensions.

PG: We are going to want to know this area well.

GO: We are making this our home.

NC: We are very happy to have you here. What keeps you energized in pursuing these issues?

PG: We both believe passionately about this and both believe passionately about justice. We have fabulous colleagues to work with. There are inspiring students and we know they are the next generation that is going to do this.

GO: We both find this to be arresting challenging, inspiring...

PG: And the best thing we could do with our lives.

GO: And I have the best colleague in the world.