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Taking a Stand

By 2010 the DREAMer had emerged as a political group. DREAMers had established a public identity, possessed distinctive interests and solidarities, and articulated their interests with a powerful and compelling voice. As the group grew more concrete and powerful, some DREAMers became displeased with their continued subordination to larger immigrant rights associations. They were no longer the “kids” of the immigrant rights movement. They should be able to take a seat at the table and assume an equal role in making decisions about the strategic direction of the immigrant rights movement. Dismissed as petulant and impatient by some leading associations, dissident DREAMers broke from their traditional supporters and developed their own strategies and methods to advance their cause. By fall 2010, the dissidents had shifted the strategic focus of the whole immigrant rights movement from the Comprehensive Immigration Reform Act to the DREAM Act as a stand-alone bill and asserted themselves as an autonomous force in the movement. Through these struggles, DREAMers began to win recognition as first among equals within the immigrant rights movement.

The views of this self-conscious group of DREAMers were expressed in an explosive op-ed piece (a veritable DREAMers manifesto) in *Dissent* magazine, published in fall 2010:¹

We are undocumented youth activists and we refuse to be silent any longer. The DREAM Act movement has inspired and re-energized undocumented and immigrant youth around the country. In a time when the entire immigrant community is under attack, and increasingly demoralized, stripped of our rights, the DREAM movement has injected life, resistance and creativity into the broader immigrant rights struggle.

Until we organized this movement, we had been caught in a paralyzing stranglehold of inactivity across the country. We were told that the Comprehensive Immigration Reform Act, or CIRA, was still possible. Yet we continued to endure ICE raids and we witnessed the toxic Arizona S.B. 1070. Meanwhile, CIRA had lost bipartisan support and there was no longer meaningful Congressional or executive support for real reform.

Youth DREAM Act activists stopped waiting. We organized ourselves and created our own strategy, used new tactics and we rejected the passivity of the nonprofit industrial complex. At a moment when hope seemed scarce, we forged new networks of solidarity. We declared ourselves UNDOCUMENTED AND UNAFRAID!

Differences over strategy precipitated the break, but the break was also a reflection of deeper cleavages concerning position, power, and recognition in the immigrant rights movement.

Negotiating these cleavages and conflicts marked an important step in the evolution of the DREAMer as a political group. Throughout the 2000s, many DREAMers stayed in the shadows and were represented by the immigrant rights associations and political supporters. Their early struggle was about gaining legal-judicial rights to stay in the country, but as this struggle advanced, it also became about gaining recognition for themselves as legitimate subjects capable of making claims on their own behalf.² For these DREAMers the struggle for equality was as much about winning residency status as it was about winning recognition as political equals. It was during this time when the slogans “I Exist!” and “Undocumented and Unafraid” became prominent in their messaging. They were now engaged in a two part struggle: a struggle directed at the government to win legal-judicial rights, and a struggle directed at the leadership of the immigrant rights movement to win the right to speak for themselves in the public sphere.

Disagreements over Strategy

DREAM Act advocates were presented an important strategic choice in 2006 and 2007: Should they push the DREAM Act as a stand-alone bill, or as part of the Comprehensive Immigration Reform Act? NILC was the most prominent association supporting the DREAM campaign. It had pushed for the DREAM Act as a stand-alone bill in the early 2000s before there was ever talk of comprehensive reform. By 2006–7 the general consensus among the leading associations had changed. Most believed the time was right to push for the most they could possibly get from Congress (Comprehensive Immigration Reform) and only fall back to smaller measures like the DREAM Act if their initial demands were not met. They also believed that pushing for the DREAM Act as a separate bill would weaken their efforts because political leaders could use it as an easy way to placate immigrant rights and Latino activists while leaving the status of millions of other undocumented immigrants unchanged. Passing the DREAM Act as a stand-alone bill would also remove the most dynamic and well-liked part of the immigrant rights movement from the struggle, making it all the more difficult to extend residency rights to other undocumented immigrants. When the leading associations formed the RIFA coalition in 2008, their strategic line was that the different organizations, factions, and advocates making up the immigrant rights movement needed to stick together to pass Comprehensive Immigration Reform and legalize the status of most undocumented immigrants in the country. As the fiscal sponsor of United We Dream, NILC was asked to tone down its past support for a stand-alone bill and follow the general strategic line of the coalition. “People knew that it was the go to organization for DREAM. When the word came down from RIFA that these organizations should stop talking about DREAM, NILC was the first organization they went to.”³

There were also debates over these strategic issues within the California Dream Network. CHIRLA encouraged the California Dream Network members to vote in support of the RIFA strategy during one of its early retreats. CHIRLA’s leaders believed that this was the best way forward for the undocumented immigrants and for the organization’s standing within the national immigrant rights movement.⁴ “It was

framed in this way: ‘We cannot be selfish and think only about ourselves. We have to think about our parents and everybody else. So, do we continue to push for the DREAM Act as our legislative goal or do we go for legislative reform for everybody?’ That was the framing. That was the moment in which Comprehensive Immigration Reform became the principal legislative goal of the Network.”⁵

In 2008, rights associations temporarily shifted their attention from the national legislation to the presidential elections of 2008. Once Barack Obama was elected, many believed that he would support Comprehensive Immigration Reform after his signature health care bill had passed. In late 2009, RIFA initiated a new campaign to pass Comprehensive Immigration Reform before the congressional elections of fall 2010. It was believed that vulnerable congressional Democrats would want to rally the Latino base in the face of a difficult election. Moreover, a Republican victory in November would make it impossible to pass Comprehensive Immigration Reform. Many in the immigrant rights community looked to President Obama’s State of the Union speech in 2010 for a sign of his support for comprehensive reform. However, instead of using the speech to make a bold announcement, President Obama dedicated only thirty-eight words to immigration reform at the very end of his speech. Disappointed members of RIFA approached the White House to discuss its lukewarm support of reform. The White House responded by encouraging RIFA to pressure House and Senate Democrats to take the lead.

RIFA organized a massive immigrant rights demonstration in Washington, DC, in March 2010. Coalition members invested millions of dollars and mobilized more than one hundred thousand people to the event. In spite of this impressive show of force, the event was overshadowed by the passage of the Affordable Care Act and a Tea Party protest of one thousand people. Media coverage of the immigrant rights demonstration was minimal. The weak support from the White House and the failure of the costly demonstration led many to question the viability of RIFA and its strategy to achieve comprehensive reform. “They [RIFA] didn’t get the headlines and they spent a lot of money on the demonstration. That is when they lost the support of a lot of community organizations around the country. These community organizations struggle

mightily. They are understaffed and overworked. Here the big national organizations are spending tons of money for this march that doesn't even make the news. That was the beginning of the end for RIFA."⁶

Soon after the Washington demonstration, several critical immigrant rights associations shifted their attention from Comprehensive Immigration Reform and began mobilizing against federal and state-level enforcement measures. In particular they targeted the federal government's 287(g) program and the passage of Arizona's punitive anti-immigration bill, S.B. 1070. The National Day Laborer Organizing Network (NDLON), Mexican American Legal Defense and Education Fund (MALDEF), and local Arizona associations assumed a leading role against this state-level measure. RIFA resisted their efforts because their focus on state-level antienforcement battles deviated from RIFA's central message and siphoned resources away from the campaign for Comprehensive Immigration Reform. The Director of NDLON recounts a mediation session between NDLON and RIFA:

The director of Center for Community Change says that the enforcement messaging is essentially taking away from their messaging, that it's not the messaging that we need to communicate to America, that it's going to hurt us in the long-term. So, obviously, we said, "We're very sorry for that, but the thing is we're not going to use the fight in Arizona and the suffering of people to help this failed effort. We're not going to do that. S.B. 1070 [the Arizona measure] is wrong on its own merits. It's not wrong because it's going to stop you from promoting CIR [Comprehensive Immigration Reform]. If you can use it, go ahead and use it. . . . We're going to fight it because we need to bring justice to the people of Arizona—no question about it. There is nothing to discuss here." I strongly believe that. So that's it. We couldn't come to terms with them.⁷

NDLON and its allies went on to organize a large march in Arizona that was said to divide the focus of the immigrant rights movement. "So while they spent millions of dollars to bring 100,000 people to Washington, DC, we put 150,000 people in the streets with about thirty-five thousand dollars. And then we invited the funders to come to Arizona: 'You got to come here and see.' So they saw. . . . It was one of the most

beautiful marches ever of the immigrant rights movement.”⁸ Following the Arizona march, NDLOM helped launch a large-scale boycott of Arizona and initiated an effort to build up the organizational capacities of local activists in the state.

Associations like MALDEF and NDLOM became more vocal with their criticisms of RIFA’s strategy and began to outline an alternative strategy. They needed to fight against repressive enforcement measures and push for smaller measures that stood much better chances of passing (like the DREAM Act). The target should not only be Congress; they also needed to target local and state-level institutions. Local and state officials in conservative jurisdictions had become bolder in passing repressive immigration-related measures.⁹ By focusing on smaller wins at local, state, and federal levels, the immigrant rights movement would take slow and incremental steps toward advancing the rights of immigrants. Lastly, they feared that winning bipartisan support for the Comprehensive Immigration Reform Act would require RIFA to accept major restrictions and enforcement measures as part of the compromise. A close associate of NDLOM and MALDEF noted:

You know, they [NDLOM] and others predicted that the CIR strategy [Comprehensive Immigration Reform] was not going to work and it was going to lead to what we have today. And that we should have from the beginning taken on these issues piecemeal. . . . Right-wing conservatives have always done everything piecemeal, by attrition. They take on issues one-by-one, place by place. They have taken on issues at local levels, from taking away housing to audits to working with local-level law enforcement. They have been more effective at their strategy, and NDLOM began to argue that we should have pushed that strategy from the beginning.¹⁰

As RIFA mobilized all the movement’s resources to push for Comprehensive Immigration Reform at the federal level, anti-immigrant groups had developed a sophisticated strategy to pass local and state-level measures that rolled back the rights of immigrants across the country.

We’re in a worse situation now than when we embarked on CIR. What happened is that all the resources and focus on CIR took us away from all the stuff that was happening on the side with local law enforcement, local

initiatives, audits, etc. We didn't get CIR, but we fell so far behind in our response to these other initiatives that now we are way behind in even forming a strategy.¹¹

A stand-alone DREAM Act coincided well with the strategic preferences of these critics and their vision of incremental immigration reform. In January 2010, MALDEF was the first of the large national associations to come out in support of a stand-alone DREAM Act. It believed that all the proposals in circulation for comprehensive reform were overly punitive and ceded too much ground on enforcement.¹² The only reasonable way forward was through piecemeal and incremental struggles. The DREAM Act should be given priority because of the strong momentum in its favor.

Building Support for Dissident DREAMers

DREAMers were also frustrated with RIFA's position. Many believed that RIFA was sticking to a strategy that was very costly and not bearing any fruits. DREAMers began to strike out on their own. The first such action was initiated by four undocumented students in Florida. The students embarked on a four-month walk from Miami, Florida, to Washington, DC (the "Trail of Dreams"). On May 1, they participated in a civil disobedience action in Washington, DC, which ended with the arrest of one hundred supporters, including several members of Congress. The students attracted massive media attention, which helped place the DREAM Act once again into the public debate. Having witnessed the success of the "Trail of Dreams" campaign, dissident DREAMers in Los Angeles, Chicago, Michigan, and New York felt the time was right to escalate the struggle. This group adopted the name, "The Dream Is Coming." They embraced aggressive, public, and confrontational tactics to push for the DREAM Act as a stand-alone bill. In their view, there were clear signs that the DREAM Act stood a much greater chance of passing in this Congress than Comprehensive Immigration Reform. Many of these DREAMers were also tired of waiting for the passage of comprehensive reform. They feared that if they waited too long the window of opportunity for the DREAM Act would close. One dissident DREAMer remembered the process of assessing political opportunities:

Everybody was like: “Alright, cool, that [Comprehensive Immigration Reform] is like the ultimate end goal—that’s what we all want. But, you know what? It’s not going to happen. We need something a little smaller but big enough to bring about change.” And for us that was the DREAM Act. That is the first step to immigration reform. And for us it was a much easier campaign. We’re all grassroots, we’re all students and we’re part-time activists, part-time brothers and sisters—a lot of part-time jobs. So our time is very limited. For us, it was like: this is what we know how to do and we believe in ourselves and we know what we have the resources to do it. So we were being realistic.¹³

These DREAMers believed that pushing the DREAM Act now would legalize the status of hundreds of thousands while providing grounds to push for more extensive reforms later.

The DREAMers also felt confident with their own abilities to direct and manage a campaign without the guidance of the traditional immigrant rights associations. They were careful to set up the legal and political groundwork leading up to the civil disobedience actions. Extensive planning went into place in order to reduce the risk of long detentions and deportations for DREAMers arrested during the actions. Among the activists willing to participate in these actions, they identified those with the strongest immigration files. They anticipated what would happen after arrests and how the legal support team could intervene to ensure a rapid release. Additionally, they created national and regional response teams to support the arrestees. These teams provided legal, political, and emotional support for DREAMers engaged in civil disobedience, but they also led the messaging campaigns and mobilized massive petition drives to ensure the rapid release of arrestees.

In addition to developing this sophisticated support network, they also developed an alternative network of allied supporters:

We created our strategic ally committee. These were people that we had long relations with and knew would support us. They got an email from me saying that big actions were coming soon. So they all came to the meeting. I remember [the director of the UCLA Labor Center] was there with his hands on his head. He asked, “Is there any way we can talk you out of this?” We answered no. He then immediately asked, “What do you need from

us?” The director of MALDEF was also at the meeting. We asked him to be the one making the calls to Washington [DC] once the actions started. We thought NDLOM would be the right fiscal sponsor because they have an independent position from RIFA. I remember [the director of NDLOM] sat in the back, just taking notes and saying yes to everything. And from them [UCLA Labor Center], we just asked them to provide us with a space at the Labor Center to do our work.¹⁴

Preexisting ties encouraged these associations to provide important levels of support to the dissident DREAMers. The DREAMer who called the meeting had strong personal and political relations with these individuals that dated back to her childhood. Her parents were longtime activists in the Los Angeles immigrant rights community, and she had been an active member of Southern California Institute of Popular Education and CHIRLA’s Wise-Up and California Dream Network.¹⁵ Her networks were extremely helpful in developing this alternative base of support within the immigrant rights movement.

MALDEF came out in strong support of these efforts. “They [MALDEF] believed that the whole nature of the debate needed to change and the best way to change it would be to highlight the DREAMers.”¹⁶ In addition to helping change the debate, NDLOM saw the passage of the DREAM Act as a stepping stone for more difficult immigrant groups like day laborers. “They [NDLOM] realize that in promoting day laborers out there . . . you know, the public is not biting. But if they support the students and they get the DREAM Act passed, then it helps them in the long-term, because they open the door for other reforms.”¹⁷ Considering the unlikely chances of passing Comprehensive Immigration Reform in spring 2010, the dissident DREAMers and the critical associations agreed that a stand-alone DREAM Act was the best way forward:

I think NDLOM and MALDEF were one of the few that really came out and said, “No, a comprehensive approach is not possible and we need to take a piecemeal approach and incremental wins. One of the wins or the first win should be the DREAM Act as a step forward for immigration reform.” And that was also our language. That’s when we started saying we need to have a stand-alone bill and we need to push the DREAM Act separate from CIR because if that doesn’t happen, it will never happen. We will never be

able to push CIR as it is, or as it's being given. There was no political will for that. There was a lot of lip service, but there was no political will. So we understood that and we decided to move forward.¹⁸

The convergence of strategies and the belief that these youths were the future of the immigrant rights movement prompted these associations to lend strong support to these DREAMers. This support was crucial for mounting a campaign for the DREAM Act as a stand-alone bill.

Providing support to dissident DREAMers needed to be handled delicately because of potential conflicts with individuals and associations in the immigrant rights community. The director of NDLOM remembers:

This more radical group came to us to ask us for their support as they were breaking off from the rest. This became the most potent and dynamic element of the movement. But I didn't want this to split the DREAMer movement or start a big fight with CHIRLA or the other big groups. We wanted to support them without contributing to more conflicts in the movement. We quietly made the infrastructure of NDLOM available to the youths. We said, "If you need office space, we have an office in Washington, DC, here it is. If you need a place to stay around the country, here is a list of our organizing staff, you can stay in their houses." We have made everything we have available to them: here are our lawyers, here are our contacts, use them. And, they did.¹⁹

Groups like NDLOM, MALDEF, and the UCLA Labor Center provided important support to the dissident DREAMers, but they were also careful to provide support without aggravating cleavages and conflicts in the movement. They held different strategic visions than others, but they also recognized that they were all still fighting for the same long-term goal.

These allies also provided political support to the dissident DREAMers. MALDEF had extensive connections to local and national officials and the UCLA Labor Center had strong ties to labor unions. The director of the Labor Center used his ties to urge Richard Trumka, the president of the AFL-CIO, to support a federal DREAM Act:

We have been very instrumental in educating labor unions about this issue. . . . Last spring, Richard Trumka had a press conference with the

Teachers Union to aggressively support the DREAM Act. They didn't have to say "stand-alone," but clearly, when you have a major press conference of that nature, it was a huge signal that labor was coming out to say that we have to move the DREAM Act forward. That was an extremely important event. It was the first such press conference of this sort. There were many in the CIR movement who attacked that press conference and tried to block it from happening.²⁰

Trumka's strong support for the DREAM Act played an important role in shifting the balance of forces in favor of the dissident DREAMers. It signaled to congressional leaders that the national labor movement was now supporting the DREAM Act as a stand-alone bill. "You know, getting the AFL-CIO and the presence of the two major education unions in the country behind these students, you cannot ask for more powerful allies in Congress. And that gave them so much power and leverage in Congress when that press conference happened, because it opened people up. 'What is the president of the AFL-CIO doing with these students and supporting the DREAM Act?'"²¹

These associations supported the dissident DREAMers, but they were also conscious about respecting their autonomy. One DREAMer remembers, "If we needed help with money or doing anything, they would come in like in a big brother role to help us out. They never tried to change our direction or our minds or stalled us on anything. It was like: 'We believe in you and we're going to help and support you. That's it.'"²² One supporter stressed the importance of respecting the autonomy of the DREAMers when providing support, "So our goal has been trying to find the resources for them. They already know what they want and they already have the strategy and analysis, so *we're not going to impose our thinking on them.*"²³ Nevertheless, some associations in the broader rights movement worried that the DREAMers were ill equipped to negotiate the DREAM Act by themselves. Passing the DREAM Act would require some concessions on enforcement. Associations working on these issues expressed concern about the abilities of the DREAMers to negotiate these matters in an effective manner. They argued that DREAMers should relinquish their place at the table when it came to these delicate and complicated negotiations. The director of NDNLON countered that

the more experienced associations should play a supportive role in negotiations and not a dominant one:

The Republicans were saying that “we’ll go for the DREAM Act but you have to go for these other things,” and border enforcement was one of those things. People in our movement were saying, “Who are these students to negotiate enforcement.” And that point was right, but our position was to connect border enforcement organizations to the DREAMers rather to tell the DREAMers to stop it. I wanted to have orgs that specialize in enforcement issues present at the negotiations but I am not going to tell these kids what to do.²⁴

The associations that came out in support of the dissident DREAMers respected their autonomy, refused to co-opt them, and resisted efforts to sideline the youths during important negotiations. Dissident DREAMers were therefore able to gain support without having to cede autonomy and control. This kind of support not only provided the DREAMers with the support needed to launch their own independent campaign, but also helped create a tight alliance between dissident DREAMers and the more critical associations of the immigrant rights movement. This vigorous alliance precipitated the decline of the comprehensive reform strategy and RIFA’s central position within the immigrant rights movement.

The Rupture

Dissident DREAMers launched a series of high-profile and aggressive actions from late spring 2010 onward. Their first major action on May 17, 2010, was the occupation of Senator John McCain’s office in Arizona by four undocumented students and one citizen ally. On May 20, Dream Team Los Angeles (DTLA), a group created in 2009 by university graduates and dissident DREAMers, organized the occupation of the Federal Building in Los Angeles, which resulted in the arrest of nine DREAMers and allies. Several weeks after this action, DREAMers initiated a hunger strike and “die-in.” On July 20, DREAMers occupied congressional offices in Washington, DC, which led to the arrest of twenty-one undocumented students. Two weeks before this action, Los

Angeles activists organized a Freedom DREAM Ride across the country, building support bases in strategic states before their arrival for a mass action in the capitol. In addition to these actions, other DREAM groups launched their own actions in localities across the country. One DREAMer recounts this chain of events:

So we shut down Wilshire Boulevard on May 20th in front of the Federal Building on the West Side. And then all these actions started happening across the nation, of people . . . Florida, Texas, then we started the hunger strikes. Here in LA, we did a hunger strike in front of [Senator] Feinstein's office. At the same time that the hunger strike was happening, we were traveling from California to DC in two vans doing the Freedom Ride. This was in July. But we were really traveling to DC to do the actions in the Senate Building. But along the way we did meet with organizations, we made all the contacts, we were preparing people to respond—but we couldn't tell them for what. Then we get to DC—that was July—and twenty-two undocumented students take over the Senate Building, literally. We had several Senate Office sit-ins and then one big one at the atrium lobby area of the Senate Building. Twelve students formed a circle and sat in the middle. And I was in there; I was a police liaison. I got interrogated by FBI folks and everything when it happened. It was really crazy! And that's when I was like: okay, it's really happening.²⁵

The civil disobedience actions demonstrated the power of the students to come out in public, criticize government policy, and successfully fight the deportations of their comrades. “These students took over the Senate Office Chambers in DC, and not one of them got charged for a crime. So, it really empowered them and helped them develop this belief that they have political power.”²⁶ (See Figure 1.)

Facing these dissident DREAMers and their defiant calls for a stand-alone bill, RIFA attempted to assert unity in its ranks. One DREAMer recounts RIFA's response, “Yeah, they were pissed. They called up . . . [NDLON] and . . . [MALDEF]—but they never told them they knew! To this day, I will never forget that from these folks. It was more like: “This is their movement. You've got to listen and respect them.” When asked about other supporters from the immigrant rights movement, the respondent went on to note, “Later, after it happened,



FIGURE 1 *A Call to Arms by the “Dream Is Coming.”*

yes. But the first supporters before it had even happened were in LA. NILC did but not openly, because they were in a funky situation. They kind of still do their own thing and are kind of critical of RIFA sometimes, but they are part of RIFA too, so they kind of step in and out. She [the director of NILC] eventually did though, and I have a good relationship with her.”²⁷

RIFA also targeted key activists with United We Dream and pressured them to stick to RIFA’s strategic line of comprehensive reform. “Those people [RIFA leaders] tried that approach with Carlos, who was

the national coordinator of United We Dream. They were telling him that he was hurting the cause by making X or Y statements. He's the one who was wined and dined for all of that."²⁸ While leaders of United We Dream faced pressures from above, the dissident DREAMers pushed them to come out in open support of their strategy and actions. Positioned between these conflicting positions, United We Dream expressed its support for a stand-alone bill, but it did so in a cautious way:

There was hesitation in UWD [United We Dream] because some were saying that we shouldn't be too loud on this issue. There was a shift, but they were also dependent on these larger organizations. The leadership of UWD was a little bit slow because of that. It was the organizers and activists within this network who started to push for a stand-alone bill. One of those groups was Dream Team LA and other groups were the Michigan, New York, and Chicago groups.²⁹

United We Dream eventually became a strong and vocal advocate of the dissident position. In summer 2010, its director made public statements in support of a stand-alone bill and the direct-action tactics of the dissident DREAMers: "What we have seen with these actions is that it is better to be out there."³⁰ While this organization had become vocal in its support of a stand-alone bill, it did not provide direct support for civil disobedience actions until November 2010. "They were coming out very strong in support of the actions, but they weren't taking part in the more militant actions until the end. . . . They didn't play a role in the militant protests until November during the lame duck session of Congress. This stemmed from a partnership between UWD and the Dream Is Coming."³¹

CHIRLA sought to influence Los Angeles-based DREAMers leading up many of these dissident actions. "And we were criticized by CHIRLA, by the Network, by the RIFA campaign of pushing DREAM Act and not CIR. We've been blamed for killing CIR. We were blamed or accused of being selfish and not caring about our parents."³² Because many of the dissident DREAMers had been trained and brought up in CHIRLA's Wise-UP and California Dream Network, debates were held between old friends and allies:

They were saying, "What are y'all doing? You should be with us, helping us, instead of trying to be divisive and doing your own thing." These were

meetings with everybody—executive directors from RIFA, the executive director of CHIRLA. It was super charged with everybody meeting in one room, our people meeting with them—which is funny because all of the people in our group, all the leaders, they all came from CHIRLA. They taught them everything they know. So here we are a few years later down the road, and they are getting mad at them for doing something they taught them to do. So it was a weird space. We just wanted what we wanted; that was our goal.³³

CHIRLA also sought to exert its influence directly on the student members of the California Dream Network. During one of its retreats in 2010, the California Dream Network held a debate over which strategy to pursue. CHIRLA laid out its strategic position: “CHIRLA was very clear: we ask for everything. And we ask for everything because we need it for everybody. Now when it’s a strategic time to push for DREAM Act, then let’s push for DREAM.”³⁴ One participant of the retreat summarized CHIRLA’s argument:

We tell them [the students], “Look, we have two options: we can go for CIR which has the DREAM Act, but it’s seen as a larger component that is going to help more people at the end. Or we have the DREAM Act, which might be easier to pass but it’s only going to help a very small number of people.” So the students voted and the majority of them voted for CIR.³⁵

The retreat was a tipping point because several important campus groups recognized their differences with the CHIRLA’s and RIFA’s strategy and broke off from the network: “That was the breaking point, this retreat. They said ‘we really think it’s DREAM and we really feel that it was unfair the way you did the process.’ We were open to the critique, but we also made a decision and took a vote.”³⁶ The outcome of the vote prompted the most prominent and politicized campus organizations (UCLA, UC Santa Cruz, UC Berkeley, CSU Long Beach, among others) to split from the California Dream Network and align themselves with dissident groups like Dream Team Los Angeles and the Dream Is Coming.

The actions and claims of the dissident DREAMers seemed to be winning the debate. Their bold actions and compelling message

resonated well in the media. The *New York Times* editorial board, a longtime supporter of Comprehensive Immigration Reform, wrote a glowing piece following the takeover of Senator McCain's office in May 2010:

Four young immigrant students risked everything on Monday when they sat down in Senator John McCain's office in Tucson and refused to leave. They were urging passage of the DREAM Act, a bill offering a citizenship path to illegal immigrants who, like them, were brought to the United States as children, too young to have willfully broken the law. . . . Who else has shown such courage in the long struggle for immigration reform?³⁷

High-ranking senators also expressed preference for a stand-alone bill over comprehensive reform. Republican Senator Richard Lugar's spokesperson announced there was still a possibility to pass the DREAM Act but not Comprehensive Immigration Reform during the congressional session. "The senator does not support any effort to advance a comprehensive immigration overhaul this year, but he believes the DREAM Act can be doable."³⁸

Facing a shift in political momentum toward a stand-alone DREAM bill, RIFA began to change its position in summer 2010. "They [RIFA] lost control. They started to talk openly about pivoting and the issue becomes how to pivot correctly. They were saying, 'We have to do this thing right, we have to pivot together.'"³⁹ By late summer and early fall, the national associations and their allies in Congress threw their full support behind the DREAM Act. While most DREAMers welcomed this shift, many also saw it as an effort to reassert RIFA's control over the DREAMers and the immigrant rights movement:

CHIRLA and these big organizations like Center for Community Change, America's Voice, and NCLR [National Council of La Raza] were pushing for CIR all this time, but when it came time for the DREAM Act to come for a vote [in September 2010], they were there in the front, in the press conferences and the releases. *They were using the same talking points that we had created*, like "The DREAM Act is a step forward for comprehensive bill" or "The DREAM Act is a down payment." They were first criticizing us for doing that, and if you look at their press releases, that is the language they

were using. It's since September 21st—that's when the first vote happened—so the week before is when they started coming forward.⁴⁰

While the leadership of the immigrant rights movement threw its support behind their cause in fall 2010, many DREAMers continued to distrust their motives.

In spite of the momentum of the campaign, the DREAMers failed to overcome Republican-led filibusters in September and December 2010. These were devastating blows for all undocumented youths, DREAM activists, and their broad range of supporters. In spite of these devastating losses, many also believed that the mobilizations of 2010 gave birth to the “DREAM Movement” because the youths asserted leadership over their struggle and pushed the DREAM Act to the center of the political stage. For the first time in the immigrant rights movement, undocumented immigrants had developed their own leaders, assembled their own network of supportive allies, and developed their own messaging campaign. The national media also recognized the important role played by undocumented youth in pushing the DREAM Act forward: “If the DREAM Act passes, credit must go to those who have fought for it most strenuously: the young people whose futures it will decide.”⁴¹ The DREAMers were conscious of their capacities to shape the political debate and their improved position in the immigrant rights movement:

I think we have become an important player in the rights movement. *We were not just making noise for the sake of making noise.* We did have a strategy and a structure. We were able to move things forward when we were told by the immigrant rights associations that wouldn't be able to do that. *With almost no resources, we were able to put the DREAM Act on the agenda.* That was because of our effort.⁴²

In describing the next steps forward after the congressional defeat, the director of United We Dream struck an empowered and combative tone, saying, “We have woken up. We are going to go around the country letting everybody know who stands with us and who stood against us.”⁴³ The DREAM Act and the undocumented youths pushing it were now at the center of all future talks of immigration reform. “I think these

students have realized their political power. . . . I think they have really turned it around, the whole immigration debate. You cannot have an immigration debate in this country without talking about the DREAM Act. And they put that out there. It wasn't the CIR folks—it was them who put that out there in the public."⁴⁴ The campaign failed to pass the DREAM Act, but the complicated struggles to pass a stand-alone bill transformed the DREAMers into a leading group and voice in the broader immigrant rights movement.

Representational Cleavages

The conflicts between the youths and the national rights associations were over strategic issues, but they also reflected deeper cleavages over the power to represent. Many DREAMers were deeply frustrated that their calls for a stand-alone bill in spring 2010 were not taken seriously by RIFA. This led many to question whether these rights associations could legitimately represent undocumented immigrants in the public sphere. The struggle continued to be about winning legal-judicial rights to stay in the country, but it also went beyond that. Now it was also about winning the right to make their own claims in the public sphere. For these dissident DREAMers, equality meant *both* gaining legal rights to stay in the country *and* gaining recognition as political equals.⁴⁵ As the struggle expanded in this new direction, the immigrant rights associations, which had long assumed a dominant role in representing the DREAMers, were now criticized by the dissident DREAMers for denying them recognition as political equals.

These deeper “representational cleavages” were reflected in the op-ed article in *Dissent* magazine. The DREAMers argued that the traditional leadership of the movement was not undocumented and did not face the same pressures resulting from this status. If they could not understand where the undocumented youths were coming from, the rights associations could not legitimately represent their interests in the public sphere. “Our so-called allies need to realize that they are not undocumented and, as such, do not have the right to say what undocumented youth need or want. Our progressive allies insist in imposing their paternalistic stand to oppose the DREAM Act and tell us that this

is not the ‘right’ choice for us to acquire ‘legal’ status in this country.”⁴⁶ The leading figures of the immigrant rights movement were not faced with the constant fear of detention and deportation. They did not have to organize their everyday lives—how they move around, find a job, cash their checks, and so on—around their unauthorized status. The legal status of the leadership provided them with the privilege of patience: they could wait for the right time to push for the right bill. Undocumented immigrants did not have this privilege. Living in a state of permanent “illegality,” the DREAMers did not have the privilege to wait patiently for a massive immigration reform that would legalize most immigrants in some uncertain and distant future. Their extremely precarious status required them to respond to whatever openings were available to them now. Undocumented youths had neither the time nor patience to wait for a better time to push for the DREAM Act:

We are tired of our third-class status, and we are tired of the social justice elite dictating what we can and cannot do, all the while speaking on our behalf and pretending they represent our interests. . . . The social justice elite have posed the argument that because of the current state of public education it is unwise for the DREAM Act to pass because it will force undocumented youth into the military. So should we wait until there are no more wars? Should we wait until our public school systems are perfect?⁴⁷

The 2009 and 2010 versions of the DREAM Act also contained age caps of twenty-nine and thirty, respectively. Waiting too long would make many youths ineligible. This deep frustration with waiting was echoed by a DREAMer who participated in the occupation of John McCain’s office: “I’ve been organizing for years, and a lot of my friends have become frustrated and lost hope. We don’t have any more time to be waiting.”⁴⁸ The legal status of the immigrant rights leadership gave them the privilege to be patient, placing them in a very different position than undocumented immigrants to assess the timing of the movement’s strategy. The leaders misrecognized the impatience of the DREAMers as petulance from spirited youths rather than legitimate frustration with exclusion from “normal” life. If the legal status of the leadership made it impossible for them to recognize the true needs and feelings of un-

documented youths, how could they legitimately prescribe strategies and represent them in their struggles?

The leadership was also accused of using DREAMers in their broader power plays. Many felt they were treated like “puppets.” “This immigration movement was being led by politicians and allies and never by undocumented people. We were kind of following what they were saying. Whenever a politician needed one of us, they would say, ‘Hey, bring a student, we need him at this press conference.’ There were many among us who felt like puppets, like we were being used.”⁴⁹ Others argued that immigrant rights associations benefited significantly from serving as the representatives of the DREAMers. In playing this role, rights associations gained greater access to the media, politicians, and funders, which in turn enhanced their power in the field of immigration politics. RIFA resisted an autonomous DREAMers movement because autonomy would deprive the larger associations from an important source of power. “Because if we accept and embrace the current undocumented student movement, it means the social justice elite loses its power—*its power to influence politicians, media and the public debate. The power is taken back by its rightful holders.*”⁵⁰

Lastly, dissident DREAMers criticized immigrant rights associations for acting more on behalf of the interest of large national funders than the needs of actual immigrants. Funders preferred large and well-choreographed demonstrations over the direct action and civil disobedience tactics of dissident DREAMers. In a follow up to their essay in *Dissent* magazine, the DREAMers provided an analysis of funders’ influence on the strategies of immigrant rights associations:

Although we have very strong critiques of the nonprofit industrial complex, many of us have strong ties to grassroots organizations here locally in CA [California] that are 501(c)(3)s and do amazing work. We would go so far as to say necessary and life-preserving work. It is precisely because we have those close relationships to those organizations and understand the way they work from the inside, that we know firsthand that the direct action work and activities we were organizing were never going to be funded by a foundation. *Nor did we want any of our actions to be dictated by an organization that was beholden to a foundation and their rules.* Locally, we knew of youth being held back by organizations that were providing them with support

and resources to engage in direct actions for immigration reform. *We wanted to have complete autonomy to organize and decide what we wanted and felt was strategic.*⁵¹

This statement distills an increasingly influential analysis of the “non-profit industrial complex” and its constraining effects on immigrant rights activism. The funding structure restricts the possibility of what rights associations can do and say. These associations in turn constrain the actions and discourses of undocumented activists working with them. The existing order of things restricted the abilities of undocumented youths to express their true voice, requiring them to break from these constraints and strike out on their own. The statement finishes by stressing that their aim was “to have complete autonomy to organize and decide what we wanted and felt was strategic.”

The dissident DREAMers employed terms to label the leaders of the immigrant rights movement such as “the nonprofit industrial complex,” the “social justice elite,” and even more aggressively, “poverty pimps.” Labeling allowed the DREAMers to draw a sharp line between undocumented youth and the traditional leadership of the immigrant rights movement. Labeling not only identified the leaders as adversaries but also attributed qualities to them that suggested a parasitic and exploitative power relation. The leaders were framed as systemic elites who gained power at the expense of undocumented people. These representations resonated with many DREAMers during the 2010 mobilizations. The critical analysis and labels were widely disseminated through Facebook, Twitter, and the blogosphere. They helped frame other critical interventions within this discursive space. In a blog entitled “The Non-Profit Industrial Complex Eats Reform and Spits out DREAMs,” another DREAMer employs a similar formulation to express her criticisms of the leadership of the immigrant rights movement:

While private prisons fight amongst themselves for contracts with the Federal government and cut corners that usually equal abuses against those housed behind concrete and barbed wire, nonprofits fight amongst themselves for money given out by corporate tax shelters and cut corners by watering down what should be revolution for reform and the end result is abuse against those whom orgs claim to represent and help in their mission statements.⁵²

In another blog posting, an employee of a nonprofit association maintains that the assertions of the DREAMers were largely accurate. “Too many DOCUMENTED, privileged, often white and often men do too much of the talking, framing and decision making in the Non-Profit Industrial Complex (which is a fair term and accusation in this current staffer of a nonprofit’s opinion). Even in my nonprofit, ultimate say on what work does and does not happen on the immigrants’ rights front is not in the hands of a person of color or migrant for that matter.”⁵³

A prominent DREAM activist and blogger criticizes the power of associations to control the undocumented student movement and force them into the narrow discursive “boxes” used to define DREAMers in the public sphere:

Along with undocumented youth from across the country, I’ve worked to rip the DREAM Act from the clutches of the nonprofit industrial complex. . . . *It’s taken a whole decade to build a movement that is not hinged on the nonprofit industrial complex framing our stories in ways that are damaging and containing our migrant bodies in neat boxes with pretty labels.* There was a time when national immigration reform groups would refuse to help with deportation campaigns. Now they receive foundation money to run such campaigns. It is the movement bringing the DREAM Act full-circle to meet with the nonprofit industrial complex again and becoming a mainstream idea that is co-opted by our “leaders” such as Barack Obama even while he continues to deport members of our community.⁵⁴

The blogger asserts that associations support undocumented youths because of funding opportunities and politicians support them to win the Latino vote. In addition to these standard critiques, the blogger stresses the role of these associations in producing discourses that restrict the ways in which undocumented youths present themselves and their cause in the public sphere. She argues that the mainstream rights associations produce “neat” discursive boxes that contain “migrant bodies” with “pretty labels.”

These critical arguments, analyses, frames, and labels have saturated the discursive spaces of DREAMers (for example, Facebook, blogs, web sites, and so on). They have become influential in shaping the ways in which everyday activists analyze the role immigrant rights associations

play in their cause. The co-chair of one of the largest campus-based support groups draws directly from this critical discourse to frame her own analysis of immigrant rights associations: “You do realize that certain immigration rights organizations are not always looking out for your best interests as an undocumented immigrant. So they will manipulate the system, they will have behind the scenes conversations with the Presidential Office or administration, and you won’t know what they’re talking about, or they won’t invite the undocumented youth organizations to the meeting.”⁵⁵ Leaders of campus groups play an important role in diffusing these critical discourses to newly recruited DREAMers. As the leaders of campus groups use this discourse to talk about rights associations and the “nonprofit industrial complex,” new recruits adopt it as a standard framework to interpret the political dynamics of the immigrant rights movement. The critical discourse becomes the normal way of talking and thinking about relations between undocumented immigrants and the mainstream immigrant rights associations.

The development and diffusion of this critique occurred with extraordinary speed. While these kinds of criticisms existed in December 2009, they continued to be marginal and expressed in private conversations between frustrated DREAMers. By fall 2010, these critiques and labels became a part of the normal DREAMer lexicon and were used by many to interpret power relations within the field of immigration politics. The viral diffusion of these critical discourses was largely a function of social networking applications, blogs, and web sites. The critique and labels described above have come to dominate the ways in which many DREAMers now think about their relations to rights associations. It has, in Antonio Gramsci’s terms, become the “common sense” of dissident DREAMers.⁵⁶ In producing this critical discourse, the dissidents have carved out a space for themselves as the legitimate representatives of the DREAMer mobilization. Making public arguments against leaders, drawing a sharp line in the sand between us and them, and labeling immigrant rights leaders as having antagonistic interests with the DREAMers have been important discursive moves to undermine the legitimacy of the traditional leadership of the movement.

Conflicts over strategy therefore opened a Pandora’s box as undocumented youths went on to question “who has the right to represent

whom” in the immigrant rights movement. These undocumented activists began to view their struggle as extending beyond the goal of gaining legal-judicial rights to stay in the country. The struggle was increasingly about gaining recognition for themselves as legitimate political subjects capable of making rights claims on their own behalf.⁵⁷ While government policies were criticized for blocking their abilities to gain legal-judicial rights, the immigrant rights associations were criticized for blocking DREAMers from expressing their own “authentic” voice in the public sphere.

Throughout the 2000s, national immigrant rights associations worked to craft a powerful discourse and infrastructure to represent the voice of undocumented students in the public sphere. Without the effort and investment of these associations, it is unlikely that undocumented students would have come to constitute themselves as the political group of the DREAMer. However, as the dominant strategy failed to win students formal legal-judicial rights, many called for a change in strategy and a push for the DREAM Act as a stand-alone bill. The reluctance of leading associations to recognize the concerns and grievances of these students prompted many DREAMers to question not only the strategy but also the representational hierarchies within the movement. Dissident DREAMers appreciated the importance of the leading rights associations, but they resented their continued reluctance to recognize their concerns, grievances, preferences, and voice. The effort to assert their voice in the public sphere expanded the scope of the struggle from one focused narrowly on gaining legal rights to one that sought recognition for the DREAMers as a legitimate and equal political subject. The assertion of autonomy did not mean the abandonment of alliances with established associations, as made clear by their effort to reach out to NDLON, MALDEF, and the UCLA Labor Center. Rather, their assertion of autonomy was seen as a means of gaining the right to make rights claims in the public sphere.