Article: Toward a Theoretical Framework for Membership: The Case of Undocumented Immigrants and Financial Aid for Postsecondary Education

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In the fall of 2006, the Journal The Review of Higher Education published an article titled “Toward a Theoretical Framework for Membership: The Case of Undocumented Immigrants and Financial Aid for Postsecondary Education.” This article addresses, whom we deem as members in the society to be eligible for financial aid. This case study analysis responses to the primary research question: "Should undocumented immigrants receive financial aid by responding to the sub-question: What does it mean to be a member of society?" (Perry, 2006) The case study collects data and information and answers from stakeholders whom were involved in the Texas House Bill 1403 (2001), this bill was a legislation that approved in-state tuition to undocumented immigrants.

Perry starts his case analysis with a literature review of several different cases that have been held in Texas on undocumented immigrants. The two that he focuses most of his attention too are Plyer v. Doe and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Perry states, that these two cases “offer juxtaposing moral positions on who should be eligible for in-state tuition benefits” (p.23, 2006). The Plyer v. Doe prevents public elementary and secondary schools from considering immigration status when a student is seeking to enroll in classes. They also looked at the residency of these students and their families and seen the amount of time spent in the country and the unlikelihood of them being deported, this helped established who received benefits for education. The IIRIRA states that undocumented students are not eligible for in-state tuition. They made this ruling, based on, if they deem in-state tuition to undocumented students than they would have to do the same for out of state and international students.
The subjects that took place in this case analysis were 21 undocumented students from four year and community colleges in the Houston area, 17 legislators, policymakers and staff members in Texas state government (Perry, 2006). The study found that principles of residency, social awareness, reciprocation, investment, identification, patriotism, destiny, and law abidingness form a framework that explains substantive membership. All parties answered most of all the questions that were asked in similar ways. Perry argues that undocumented immigrants who have developed into substantive members should receive financial aid (p. 29, 2006). He stated in the conclusion that if the undocumented immigrants are acting and assimilating like all the other people who are documented, why should we ban the chance for them to receive an education that they can afford. “If we have similar beliefs about membership, then why do we have such stark differences in policy?” (P.38, 2006).

The study has three weakness; one – it does not define the idea of what a society is. Secondly, the study does not talk about the struggles inherent in the “societies” structure, such as racism, sexism, or the marginal effects of being from different cultural backgrounds other than American. Perry’s limited usage of worldviews, other than western, when describing society and membership also contributes to a narrow perception. Thirdly, Perry fails to take into account the political communities of Indigenous Nations of present United States as being the first societies, which inherently means all persons other than the Indigenous Nations are in fact, in terms of Perry’s membership findings, undocumented people.

Perry assumes a society in terms of this study, is a political community that is obligated to distribute resources to its membership in ways that can be helpful. He fails to
recognize the first “political communities” (societies) were the indigenous nations of North America. If we assume a society is as, Perry describes a political community obligated to give out resources, then we can with, a fair amount of evidence, say that the Indigenous Nations of North America were and still are the first political community to occupy what is now called United States, in which all other people are in fact, “undocumented”. As one of the interviewees’ states “I love America because everybody is an immigrant” (Perry, p.34). By highlighting this fact, I am trying to convey the substandard definition of Perry’s society.

This leads to another fundamental weaknesses of Perry’s study, the failure to recognize the struggles coming from different cultural backgrounds. Another interesting dialogue of Perry’s research is the fact that he was unable to find significant differences between the undocumented immigrants and the policyholders, legislators and stakeholders’ answers because of the structural biases of using one defined term of society and membership that appears to, legitimize norms of behavior that are Western, and secularized Christian forms of society and membership. Although Perry does a fine job of promoting the idea of an “American Society”, however, there is not a critical analysis of what, exactly, a society is. The question that goes unchallenged is; when defining membership in a society, what is defined first, society or membership? Perry explains a society “is amenable and /or morally obligated to providing resources to those it deems as members” (Perry, p.37). Without a differentiated and relational notion of the culture (the arts, media, styles, religions, value-orientations, ideologies, imaginaries, worldviews, soul), the political community (society) would be crippled. Because society
and culture are made up of human beings, the term political community does not explain society or its members.

The method of inquiry was sound but I would have used more in-depth questions such as: “How do you define a society?” or “In what ways does American society conflict with your cultural background?” The second question, although more direct and prodding, would be useful to examine one of the study’s most relevant unanswered questions, “To gain acceptance into American society, in anyway, dilute your cultural background?” I would also use more sources that depict a broader idea of society and membership in the literature review. One could argue this type of questioning would lead to a totally different data analysis, however, in my opinion, it would produce a more rich and holistic study that accurately depicts society and its membership. The basic conceptual structure organized surrounding Perry’s theoretical approach was, at the base, sound but lack critical analysis needed to make this study holistic.

Perry’s study was very relevant to the current political environment surrounding, undocumented person(s) in United States. The objections I would call to attention is the failure to begin at the source of society and membership, with the Indigenous Nations of present day U.S, cultural backgrounds of interviewees and defining a society. In what way can a study, dealing with society and membership, be objective without including those “political communities” of the Indigenous Nations? Perry brings up some interesting findings and a few unanswered questions that deserve critical attention and more innovative research methodology. The study is also very relevant to what seems to be a big issue in the university/college systems today in regards to resources and access to financial aid for undocumented and international students. Many students who are born
in the U.S to undocumented parents are still considered international students who do not receive any aid from the government or the university. Working as a graduate student in the office of admissions, I hear these questions everyday. It is very frustrating for us to have to tell students who are undocumented but have lived in the states all their life are not eligible for any aid. This study was interesting on how it showed the status of “membership” in the society and how this should prove that undocumented students should receive financial aid.

A couple ways that I might have approached this study differently is to actually be apart of the study, this would have allowed Perry to be actively involved in the research. He could have gone into the undocumented students neighborhoods, talked to the parents, and actually seen the daily lives of the students. This would have helped the him get a first hand account of what exactly is going on-in hope to avoid the “fish bowl’ mentality of research. Since the study was taken place in Texas we are left to assume the undocumented students are only south of the “border”, which in fact make them indigenous and should be included in the political communities. The main point, I would like to make, is if we are to say someone is undocumented than in order to have a holistic and objective research study we ought to start from the very beginning with European Immigrants being the first and still undocumented people in what is now called the United States.

Overall, the article was very interesting and had great data that showed there is no difference between undocumented and documented people in the sense of how they view themselves as “members” in the U.S society. However the title of the article mentions financial aid and not one question was mentioned to the students or the stakeholders
about financial aid or their view on the subject of undocumented students receiving it.

For further research to be conducted, I would ask specific questions to the students on the matter and also talk to university officials on how they view the subject of undocumented students receiving aid.
References