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Educational Hopes, Documented Dreams: Guatemalan and Salvadoran Immigrants' Legality and Educational Prospects

By
CECILIA MENJÍVAR

This article focuses on the effects of an ambivalent legal status on Salvadoran and Guatemalan immigrants' experiences with the U.S. educational system, focusing on how liminal legality shapes access to educational opportunities and immigrants' perceptions of these opportunities. Drawing on the segmented assimilation framework and on thirty-four in-depth interviews conducted with Guatemalan and Salvadoran immigrants in Phoenix, Arizona, the author argues that an ambiguous legal status molds views and perceptions of educational prospects and, as such, is central in determining immigrants' place in the educational system. While waiting for their statuses to become regular, they dream of higher education—dreams that are for the most part unattainable. Their legality, while not the *only* determining factor, does exacerbate and facilitate other conditioning circumstances, such as financial difficulties, family separations, and so on, that also impinge on their educational prospects. This case highlights the importance of immigration policies in shaping assimilation in critical ways.

Keywords: second-generation immigrants; Guatemalan children; Salvadoran children; Liminal immigrants; education

According to the 2000 U.S. Census, Guatemalans and Salvadorans, along with Mexicans, have some of the lowest educational levels of all foreign-born. Two-thirds of Guatemalans and Salvadorans have educational levels less than high school (compared to 69 percent among Mexicans), and approximately 40 percent have eighth grade or lower levels. At

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the other end of the spectrum, about 5 percent of Salvadorans and 6 percent of Guatemalans have B.A. degrees or more (compared to 4.5 percent among Mexicans). Not only have many of these Central Americans come into the United States disadvantaged in terms of educational levels, but they also have faced one of the worst contexts of reception—hostile immigration laws exacerbated by anti-immigrant sentiment and a resource-poor coethnic community. In addition, given the contexts from which they have exited (e.g., countries suffering the socioeconomic consequences of decades of armed conflicts and natural disasters), the perilous journeys that leave many with huge debts, and the financial obligations to family members back home who live off remittances, these immigrants' financial and material situations in the United States are far from secure. Related to a mode of incorporation that has been less than propitious, these immigrants also have experienced significant family separation, reconstitution, and dissolution (Menjívar 2006a). These groups combine so many of the factors that affect children of immigrants negatively that they perhaps represent an "ideal type," in Weberian terms, of that end of the "modes of incorporation" spectrum.

In this article, I examine one aspect of Guatemalan and Salvadoran immigrants' lives that has received little attention but is fundamental for their educational fortunes: how legal status shapes views and prospects. Rather than examine outcomes, test scores, or dropout or completion rates, the focus is on how an uncertain legal status molds their experiences with the U.S. educational system, as well as their goals and expectations. This approach provides an important window into how the context of reception, particularly the nature of immigration policy, shapes these immigrants' educational aspirations and those of their children, as well as their prospects for the future. It also might offer insight into the link between experiences with the educational system and school achievement.

School performance and educational achievement have been found to be influenced by several individual-level factors, such as parental education, age at arrival, race, ethnicity, immigration status, and country of origin (Glick and White 2003; Glick and Hohmann-Marriott 2007; Gonzalez 2003; Hirschman 2001; Kao and Tienda 1998; Portes and McLeod 1996). Educational attainment, among immigrants and nonimmigrants alike, also has been linked to a host of extrapersonal factors, including socioeconomic status, household composition, and parental expectations, as these shape opportunity structures and access to resources (Thompson, Alexander, and Entwisle 1988). Socioeconomic status exerts direct and indirect influences (Wojtkiewicz and Donato 1995), as it molds access to financial resources as well as educational aspirations (Kao and Tienda 1998) and parenting methods, which vary by social class (Lareau 2003).

Family composition and structure (Astone and McLanahan 1994; Hirschman 2001), parent-child interactions, parental and children's expectations (Abrego 2006; Hao and Bonstead-Bruns 1998), family's social capital (Stanton-Salazar 1997), inner-city residence (Hirschman 2001), and residential moves (Astone and McLanahan 1994) have been found to affect children's educational achievement,

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mostly through the availability of caring and involved adults, mentors, and role models (Abrego 2006; Driessen and Smit 2007; Garrod, Kilkenny, and Gómez 2007; Glick and White 2004; Stanton-Salazar and Dornbusch 1995). Glick and White (2003) note the important fact that the best predictors of school achievement are not based on nativity per se but on factors that reflect the social context within which immigrants live. Similarly, Portes and MacCleod (1996) observe that even though socioeconomic status (SES), length of U.S. residence, and hours spent on homework affect students' performance, the effects of the ethnic community and of the school's SES remain significant, particularly for higher-SES schools (see also Crosnoe 2005). These studies point to important conditioning factors beyond individual traits and particular family structures and dynamics that impinge on educational achievement.[1]

The segmented assimilation framework, by accounting for individual traits as well as extrapersonal factors that affect immigrants' fortunes, is particularly well suited to examine immigrants' educational trajectories. Thus, in line with theories on the effects of context of reception on immigrants' educational achievements and motivations (Portes and Rumbaut 2001; Portes and Zhou 1993), I argue that extrapersonal factors—notably immigration policies—shape in fundamental ways the immigrants' perceptions of their educational goals and potential trajectories and achievements. Several scholars already have carved out this analytical path; some have observed that Latino immigrants develop lowered educational expectations for their children because discrimination and diminished labor market opportunities in the contexts in which they arrive lead them to question the benefits of a formal education (Ogbu and Matute-Bianchi 1986; Rumbaut 1995; Suárez-Orozco and Suárez-Orozco 1996). My examination follows this tradition, underscoring the impact that factors beyond individual traits have on the educational aspirations of immigrants.

In analyzing the lives of Central American immigrants through a segmented assimilation lens, I highlight an aspect of the tripartite typology this framework offers that has not received much attention. I focus on the immigration policies that determine whether immigrants will stand inside or outside the law; will have access to resources and, if they do, to what kind; and will qualify as full participants of society or become some of its most destitute members. Legal status shapes the lives of immigrants in multiple ways, including access to jobs, education, and social services; family dynamics (Menjívar 2006a, Rodríguez and Hagan 2004); and relations with other social institutions (Coutin 2000; Menjívar 2003). Immigration laws therefore dictate whether immigrants will have access to education (and how far they will go) and, in doing so, also shape the immigrants' expectations and goals. Education scholars who have examined the link between undocumented status and schooling have focused on enrollments and graduation rates (Morse and Ludovina 1999), how to handle issues surrounding undocumented students in higher education (Pluviose 2007), and policy considerations (Drachman 2006). However, less attention has been given to how legal status might mold the parents' and students' experiences and educational goals.

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In examining how legal status shapes immigrants' perceptions of educational expectations, I do not focus on the black-and-white dichotomy between legal and undocumented. The experiences of Central Americans blur this distinction, as many of them are not fully documented or undocumented, and instead straddle both legal spaces. I examine how the gray area between these legal categories, this "in-between" status or "liminal legality" (Menjívar 2006b), which can extend for indefinite periods of time, plays a central role in the Guatemalans and Salvadorans' educational experiences and goals. Thus, it is not simply an undocumented status that matters, but rather the long-term uncertainty inherent in these immigrants' legal status that I argue shapes these immigrants' fortunes, including their educational experiences. Similar to Leisy Abrego's (2006, forthcoming) examination of the effects of legal status on the educational progress and incorporation of Latino high school students, I also look at how immigration laws shape educational aspirations among this group. However, I focus on adult Central Americans, many of whom have been living suspended lives in uncertainty, temporarily off the path to continue or to begin their educational courses in the United States. The adults' views also provide a peek into the experiences of their children. Furthermore, this approach provides an examination of how contemporary immigration law creates and re-creates a marginal population and ensures its vulnerability and precariousness by blurring the boundaries of legality and illegality to create gray areas of incertitude, with the potential to affect broader issues of citizenship and belonging. Although researchers have investigated the effects of individual traits or family structures that transmit parental expectations for academic performance to children, it is instructive to examine how the legal context of reception has the potential to shape educational aspirations as well.[2]

The case of Salvadorans and Guatemalans presents an optimal opportunity to capture the effects of legal marginality on the lives of immigrants. For reasons related to the context they exited, where the United States played a key role in political conflicts, these Central Americans have been categorized in the United States over time neither as strictly economic migrants nor as political refugees. Occasionally they are granted temporary relief from deportation (Temporary Protected Status [TPS])[3] with multiple and confusing deadlines and convoluted application procedures (e.g., fees, forms, photos, fingerprints, proofs of residence, and innumerable caveats and conditions).[4] They also have been extended the opportunity to resubmit asylum applications, first through a court settlement (*American Baptist Churches v. Thornburgh* [*ABC*]) and later through the Nicaraguan and Central American Relief Act or NACARA of 1997. Maintaining these statuses requires multiple renewals, including fees for the renewal of a work permit, usually the only benefit bestowed to those who are protected only temporarily. Each deadline accentuates these immigrants' precarious situation; each renewal becomes a reminder of their temporary situation, which for many has lingered for almost two decades. This aspect of life among these immigrants has been referred to as "permanent temporariness" (Bailey et al. 2002) or "liminal legality" (Menjívar 2006b).

In the pages that follow, I present the educational aspirations, views, and interpretations that Guatemalan and Salvadoran men and women living in these

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uncertain legal spaces have of the U.S. educational system. Their stories highlight how their ambivalent legal position affects their own plans and goals as well as, potentially, those of their children. I would like to highlight not only these immigrants' restricted access to educational opportunities by virtue of their legal status but, more important, what a long-term marginal legal status means for them and how it impinges on their goals and aspirations. Indeed, a hallmark of Salvadorans and Guatemalans' legal status has been its prolonged uncertainty. The Central Americans' legal situation differs from that of being simply undocumented in that the series of temporary permits, the ups and downs in the acceptance rates of their asylum applications, and the lengthy adjudications of *ABC* and NACARA benefits have given them the illusion and hope that they will become permanent residents if they only wait a little longer. Thus, the passage of time in these gray areas of legality is crucial, as in the meantime people reconfigure their relationships, rethink priorities, and reorganize their lives in ways that often steer them away from the aspirations and goals that propelled their migrations north in the first place.

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Data and Methods

The data for this article come from a multiple-year study of new Latin American–origin immigration to the Phoenix, Arizona, metropolitan area conducted between 1998 and 2004.[5] We contacted study participants in churches, sports and social clubs, community organizations that aid migrants, and neighborhood shops and restaurants, places where we also conducted participant observation. These multiple points of entry helped us to avoid reaching a socially homogeneous group. Study participants were selected according to two general criteria: they must have been at least eighteen years old at the time they left their countries, and they must have arrived in Phoenix in the 1990s, so as to capture "new" arrivals to the area. Informants chose the location of the interviews, usually their homes, which gave us the opportunity to gain valuable insights into their lives. All interviews were conducted in Spanish and lasted on average one-and-a-half hours, and except for four, all were tape-recorded. At least one-third of the participants were reinterviewed in the course of this research. These methods cannot produce statistically generalizable results, but they generated immensely rich information about these immigrants' lives. Thus, our data provide a rare

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glimpse into the rich amalgam of Latin American–origin immigrants in the Phoenix metropolitan area.

The data come from twenty Salvadoran immigrants and fourteen Guatemalans, as well as with informal conversations with their relatives, friends, coreligionists, and neighbors.[6] More than half of the thirty-four study participants were women, and their average age was 28.4 years. Ten of the women were in some sort of legal limbo, five were undocumented, and three had permanent legal residence. Eight men were undocumented, four were in legal limbo, and four had permanent legal residence. More than half had arrived from California, and the rest arrived from their respective countries directly to Phoenix. The participants' years of schooling ranged from two years to college graduates, and except for occasionally attending English-language instruction or a short technical course while in the United States, all had pretty much acquired their education in their home countries. These immigrants' occupations in their homelands varied widely—electricians, accountants, teachers, plumbers, agricultural workers, market vendors, students, soldiers, and factory workers. In contrast, their U.S. occupations were strikingly homogeneous. With the exception of three Salvadorans and one Guatemalan who owned businesses, the rest of the study participants held jobs in the low end of the service sector, such as hotel maids, cafeteria servers, janitors, babysitters, laundromat attendants, painters, and gardeners.

The "Papers" and Dashed Hopes[7]

The Umaña family[8] illustrates the central place that an ambivalent legal status has for the educational plans and fortunes of its members. Carlos and Isabel Umaña have three children, Marisa, Israel, and Federico, all born in El Salvador and now in their twenties. They live in a suburb of Phoenix, where Isabel is a homemaker. Carlos owns a small landscaping business where the two boys have worked since they were in elementary school. Marisa, the only daughter, has never worked in landscaping because in the father's opinion it is not work suitable for a girl, but she has cleaned houses and babysat regularly since she was twelve. They are devout Mormons and attend religious gatherings regularly. Their fair skin, blue eyes, and light brown hair, Isabel jokes, allow them to "pass for Americans," but their legal statuses, tenuous for over a decade, belie their physical appearances.

The Umaña family is a textbook case of a "mixed-legal-status" family (Fix and Zimmerman 1999). Each of the five members has a different place vis-à-vis immigration law. Carlos applied for legalization through NACARA and is now a permanent legal resident, but the process took so long that the two boys turned twenty-one during the long wait for Carlos's green card, which has complicated matters for the boys' own applications. Isabel is "in the process" of regularizing her status, and although she has completed all the requirements, she is still waiting for her green card, which, for three years already, "is coming any moment."

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Twenty-seven-year-old Marisa submitted a legalization application through the NACARA program but is still waiting for the application to be adjudicated. Twenty-four-year-old Israel's paperwork got lost twice in the immigration offices, but he finally received a social security card just one month prior to our first interview. Twenty-three-year-old Federico married a young woman from Utah and received a social security card that has allowed him to enroll in a program that will train him in law enforcement.

Federico is the only member of the family who does not have a red stamp on his social security card that reads "Not Valid for Employment," affording Federico opportunities that the other children have not had. Isabel recounts an endless list of problems that this stamp has brought to all of them because even though they

> should be able to walk around proud and without fear, Israel can only work in landscaping with his father, Marisa cannot advance . . . they offered a good job with a telephone company but she can't go there because they need a social security card that doesn't have that stamp on it. And me, I'm home doing different things, but no, I don't want to take the risk of working with that card because we've heard that if they catch you doing that, yours and your family's applications are thrown out and you'll all be deported.

Even though the inability to find better-paying jobs has brought economic difficulties to this family, what really frustrates Isabel is that, except for Federico, members of the family have not been able to continue their education. The goal of a good education was a dream the parents had when they brought the children to live with them years ago; indeed, it was the reason why the parents brought them over instead of remitting monthly. But as time goes by, Isabel worries that the dream may never materialize.

The Umaña family is not alone in this predicament. I have come across similar cases throughout the course of my research in Central American communities in the United States. Often these immigrants find themselves in a vacuum of bridges that might connect them to the appropriate resources to advance themselves. This is particularly the case for immigrants who, like Isabel Umaña, come in with some years of higher education or with completed college degrees but by virtue of their legal marginality cannot advance economically in their adopted country. In my study of Salvadorans in San Francisco (Menjívar 2000), for instance, I came across three cases that stood out in this respect. Alejandro, who was one year away from finishing medical school in El Salvador when he emigrated, had been washing dishes at various restaurants in San Francisco. Lolita, who held bachelor's degrees in psychology and philosophy from the National University in El Salvador, could only find jobs babysitting and cleaning houses, and Marta, who had been a high school physics and mathematics teacher in her country, was working as a sales clerk in a Taiwanese-owned store on Mission Street. What they all had in common, besides their higher educational levels and work experience, was a marginal legal status and a world around them that did not provide them with links to resources or information through which they could

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put their degrees to better use or continue their education. They referred to this social milieu as "my world" or the "surroundings" and described it as lacking "contacts" and "people with information."

Sandra Huezo's situation in Phoenix, while similar, brings up another important point. Sandra, like most of her compatriots, arrived in the United States with only a few years of formal education. Upon her arrival, she began taking care of children and older people through jobs she obtained through the Lutheran church her family joined upon arrival. She, like the rest of her family, was still Catholic, but in the absence of good public transportation and without a car, the family found in the Lutheran church a place to pray, socialize, and "become informed" within walking distance of their house. However, Sandra claimed, even at the Lutheran church, she could not procure the information she thought she needed to get ahead. She explained,

> No one knows, how can I explain? No one can tell me what I need to do if I want to continue studying. I would really like to study, I'd like to be a teacher. . . . One time someone told me that at my age they won't admit me in school here because once you're over eighteen you cannot go to high school. Then another time someone said that yes, I can go, but I would need to get another thing, not a high school diploma. One gets information from people, like job recommendations, which store sells cheaper food, things like that, but things like going to school, no. One person says one thing, another says another.

Cases like Sandra's highlight the direct and indirect links between legal status and access to educational opportunities. Sandra's still-undocumented status no doubt will be a major determinant and obstacle in continuing her higher education. But the undocumented status and accompanying blocked opportunities that so many of her compatriots have faced also create a vacuum of information about opportunities in the U.S. educational system, particularly in higher education, because relatively few of them go on to further their education. In this social milieu, information about higher education does not circulate easily.

A marginal legal status also shapes the immigrants' interpretations of their opportunities in the United States, as well as how they act on them. It is well known that Salvadorans and Guatemalans remit significant amounts to their loved ones back home. Salvadorans send approximately $2.5 billion (El Salvador Central Reserve Bank 2005) and Guatemalans send $2.6 billion (U.S. Agency for International Development [USAID] 2005) a year. Most of these immigrants send between $100 and $150 monthly, and many have been doing so for many years. This widespread practice of remittances is viewed as a response to a lack of well-paying jobs in the countries of origin, forcing immigrants to remit regularly to support their families, and their fear of deportation, which leads them to see investments in their homelands as a secure alternative for their savings.

The Salvadorans and Guatemalans I have interviewed have noted that often the money they remit is linked to their legal status in the United States. Because of the obstacles they face and the lengthy period of time they must wait to regularize their statuses, they often choose to send money so that their adult children and siblings can attend institutions of higher education back home. This was the

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case of Vinicio Barrera, a young Guatemalan man who remits $150 monthly so that his twin sister can attend the university in Guatemala. He reasoned that instead of financing a costly and increasingly dangerous trip to the United States, where "the only thing that she will do is to clean toilets and who knows what else, or meet some irresponsible guy and end up without papers and an education," he would help her to pay for her university there. Similarly, Vilma Pleitéz, a forty-five-year-old Salvadoran, and her husband, Oscar, remit approximately $600 per month combined to finance the education of their younger siblings back home. Vilma explained that though they came in with a high school diploma, they are certain that they will never realize their dreams of a higher education.

Oscar is adamant that his sister, still in high school in El Salvador, will not make the dangerous U.S.-bound journey. He says that women suffer too much, both during the journey and in the United States, "and then, all that only to get deported because that's what happens. The situation is really bad here, so no, I have talked to my parents and this is what we decided to do." When asked if they missed their siblings, Vilma immediately responded,

> Yes, of course, but what benefit is there to have them close if they're suffering? I already had one of my brothers here . . . but here they suffer, they learn to drink and don't do anything with their lives . . . they come thinking they'll do something and then they have to stop because they have to start working . . . our parents, they're getting old . . . one misses them too much . . . the papers, without papers you're nothing here, ay it's too complicated. So if I have the possibility to help them [economically], I will help them to get ahead there, where it's easier than here.

Other Central American immigrants, such as Armando Quevedo, a thirty-five-year-old Salvadoran who studied three years of college back home but has never attended U.S. schools, said that cases like those described above really bothered him because "here the people don't see Salvadorans educating themselves, advancing, in the universities. They think that we are only good for washing cars or cleaning or painting houses. . . . These people don't know that a lot of times we have come here for the education, to help educate our children in our country." Armando was particularly upset because he says, in reference to his U.S.-born daughter, "People don't ask me if she will go to the university, or plans for her education. No, the other day, this couple asked if she has learned to make good pupusas![9] Can you imagine? They assume she'll make pupusas when she grows up!" Although such questions may have more to do with gender role expectations, Armando interprets them as reflecting stereotypes about his compatriots' occupational and educational aspirations.

Similarly, Lucrecia Arana, a thirty-five-year-old woman from Guatemala, does not like it when her teenage daughter's teachers simply assume that the girl does not like school.

> Well, it's true, she's not getting good grades now, but you should have seen before; she used to get very good grades, she used to apply herself a lot. Instead of trying to see why she's not getting better grades, her teachers at school just say, oh, she probably doesn't

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> like school. The truth is that the girl has to work on weekends and she probably is tired at school. They [teachers] don't realize that she doesn't have papers . . . she gets discouraged, disillusioned. In my view, all this affects her, no? But do you know what she started to say here at home? That she doesn't like school!

Lucrecia, who has an eighth-grade education, wanted her daughter to at least finish high school, but this proved to be a very difficult goal to reach. The last time we talked the girl was contemplating getting a GED, and Lucrecia was blaming herself for the situation and fearing that the girl would get pregnant soon.

Not all the immigrants blame themselves when something goes wrong at their children's school or when the teachers seem to ignore these children's situations at home or consider how their legal statuses might affect their school performance and their educational objectives. For instance, Estela Urrutia, a forty-six-year-old Salvadoran woman, blames undocumented immigrants for her daughter's problems at school. Estela argued that her teenage daughter gets shortchanged at school because she is perceived as an immigrant and, in particular, an undocumented immigrant. Estela's take on the situation highlights the indirect effects that legal status can have on the students' experiences. She explained,

> At school, this year, she really wanted to study; she wanted to get ahead and rectify everything that went wrong last year. I saw her desire to do well. The problem we have is that my daughter was born here; she's a U.S. citizen, but at school they want to put her in those bilingual classes, where they put the immigrants, the illegals. . . . And I wanted to complain, but other mothers had complained and nothing, nothing was done. Why don't they treat her like an Anglo girl? . . . It's true this is the country of the Anglos and they will always be first. But no one is bothered when kids are treated like illegals. I think is unfair what they do in schools.

Bifocal Lens That Shapes Their Dreams

In evaluating their situation, immigrants often frame their current experiences within a broader lens that includes their home countries as a point of reference and assess their present situation in relation to what they left behind (Menjívar 1999; Menjívar and Bejarano 2004). They assess their current status—economic, social—as well as their views and perceptions of societal institutions in terms of the home country rather than of the host society's standards (Suárez-Orozco 1990). Thus, when they evaluate educational opportunities and access to education in their adopted country (and make plans based on these assessments), they often do so using the country that still lives in them as a frame of reference. Thus, the Salvadorans and Guatemalans compare the educational system in the United States—including the costs of and access to education, and what they perceive to be the quality of education—to those of their home countries.

Even though relatively few of these adult immigrants actually enter the U.S. educational system (particularly higher education) and their children often struggle to fit in it, they overwhelmingly view it as being open, accessible, and as a path to get ahead. They firmly believe in the benefits of education and in meritocracy

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and remain optimistic even in the face of seemingly insurmountable obstacles (see also González Sullivan 2007), perhaps to justify the sacrifices they have made in terms of opening opportunities for themselves and their children. However, given the Central Americans' legal marginality and their long-term temporary status, during which they have limited access to educational benefits and resources, their educational dreams become a moving target. In addition to the limitations that their tenuous legal statuses impose on their lives, these immigrants often must generate incomes to support themselves in the United States and to remit to their loved ones back home, as well as to repay loans acquired to make the journey north. Meanwhile, they wait and hope that their statuses will become regular so that they will continue with their education or their children will have access to resources to finance their higher education. As time elapses, however, the likelihood that they will actually act on these plans diminishes. Still, Central American immigrants continue to speak of the wonders of the U.S. educational system and its accessibility for all, without forgetting the formidable obstacles that keep them from realizing their dreams.

Sandra Huezo, the young Salvadoran woman introduced earlier who complained that she could not access information about schools in the milieu in which she now lives, is a case in point. Back home, she started to earn an income at age ten. After getting home from school in her rural town in El Salvador, she would go to work as a housekeeper and sometimes would also sell food in the streets. When she migrated to the United States at sixteen, she expected to be able to attend school, but instead she had to start working to generate an income. Still, she has a very positive perception of the U.S. educational system and its accessibility to all. She also has two U.S.-born sisters, through whom she gauges educational opportunities.

> The educational system in the United States is very good. Well, I have never studied here [laughs a little], but from what I hear, it's a very good one. There are more opportunities here, for the children. Here they make you go to school, even if you don't want to. In El Salvador, no. There . . . because I used to work and go to school, I used to only go to school twice a week, the rest of the days I would work. Here, they don't allow that. So it's very good. And yes, of course, there you have to pay. My mom used to pay, even at the public schools just for us to go to school, you know, the minimum stuff. . . . It's beautiful to see, the schools here. So the system here is so much better . . .

However, Sandra does notice the great difference that legal status makes and wonders if she, still undocumented after several years, will ever be able to reap the benefits that a U.S. education supposedly offers.

Isabel Umaña also has a very positive view of educational opportunities in the United States. But with her temporary permit she only has been able to enroll in a community college, where tuition is more or less affordable. Like others, she is fully cognizant of the limitations that her temporary legal status imposes:

> Well, here, it's much better than in Latin American countries because here it's easier for you to have access, let's say. But you can't go very far. So access, yes, but not to go far. I went to the lawyer who has my case, to see when I'll be able to get my residence. No,

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> nothing yet. I joke that I will take all the classes that the [community] college has to offer, even the ones in engineering and sign language because I will never be able to transfer. I'll stay there for the rest of my life.

Significantly, these immigrants do not make simplistic comparisons between here and there, putting both educational systems on a balance and objectively assessing which one they think is better. Social position shapes their perceptions and their perceived opportunities in meaningful ways. Mayra Argueta, a Guatemalan in her twenties, arrived in the United States when she was thirteen and, like Sandra Huezo, had to start cleaning houses for a living instead of continuing with her education. Unlike Sandra, however, Mayra managed to take classes on the side and eventually obtained her GED. Similar to Sandra, she also has a very positive view, but she points directly to her parents' poverty and class background as influencing her positive assessment.

> My parents were so poor in Guatemala, that they couldn't give me anything. In Guatemala I went to school for half a year altogether, that's all they could afford; here I got the GED. So you have to realize that when I compare the schools in the two countries that I compare my experience, and maybe that's what makes me see this system as great.[10]

Several Guatemalans and Salvadorans mentioned other aspects of their social positions that shape the bifocal lens through which they assess U.S. educational opportunities. Some mentioned comparisons using a gendered angle, while others talked about their countries' recent histories of political unrest as influencing their views. For Patricia Lemus, from Guatemala, teachers' strikes and disappearances made it difficult to attend or finish school; thus, she reasons, in the absence of those hurdles, education is much more accessible in the United States. However, Arely Urrutia, a Salvadoran with a seventh-grade education whose own schooling was interrupted by the violence of the Salvadoran civil war, nevertheless offers caution in overestimating the effects of political unrest.

> Well, yes, on the one hand, here it's safer to go to school. But in El Salvador, look, in spite of the war and killings, we never had a situation like Columbine High School. During the war, they used to come and take the schools, sometimes one army, sometimes another. So yes, we had violence in the schools, one can say; you couldn't go to school. But that was very different. In the United States is different because it's the students who initiate the killings.

Still, in her view, the U.S. educational system has much to offer, particularly for those who are here "with good [legitimate] papers."

Even though the positive assessments were very common, many interviewees, particularly those who came in with higher degrees, took a more critical stance in evaluating the access and the quality of the U.S. educational system. For instance, Marco Antonio Ruano, a thirty-one-year-old CPA from Guatemala who obtained his degree in his country and plans to continue his education in the United States as soon as he "gets the papers," said he cannot ignore some serious concerns he has about education in the United States. In his words,

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> Oh yes, I plan to get my diploma here too, but this is purely practical. I already know the stuff I'll be learning here. Look, studying in all the countries from south of the border on, all those countries, a kid who's in third grade there can come to sixth grade here. Education and discipline over there . . . much stronger. Here no. Here the kids learn to draw beautifully; they make their letters very nice, mainly they draw beautiful pictures. But if you see the cashiers at registers . . . they can't add or subtract. They might have their high school [diploma], but what is high school here? When I used to work cleaning the cafeteria at the hospital, the cashier would call me all the time to help her square the receipts and do the calculations. And let's not talk about history or geography. You ask a Latin American who has had schooling for the capital of a neighboring country and they tell you. Here? Forget it. "Oh where is Guatemala? Is that in Mexico?" they ask me. So I start to explain, like a teacher. . . . So you tell me, is the educational system here better?

Marco also shared what it felt like for him to perform tasks that he would have performed if he worked as a CPA, such as when he helped the head cashier at the cafeteria where he worked to keep the books, but was unable to do it "openly" because he is "stuck" in his legal predicament. He said that while he loved helping with accounting matters, at the same time, those moments made him experience more vividly his inability to work in his profession.

Rafael Samayoa, Leticia Duarte, and Yesenia Quiróz echo Marco's desire to live up to their potential. The three Salvadorans work as custodians at local schools, which puts them in a bittersweet situation. Rafael, a thirty-three-year-old with a sixth-grade education explains,

> Right now I'm working at the school. It's an elementary school, I work in cleaning, custodian they call it. I take care of the school and I basically clean the school too. I have to clean the rooms of all the teachers. That really makes me feel like . . . you know, like studying, so it's good that I am there. But in my situation, how?

Leticia, a forty-four-year-old with a second-grade education, notes,

> I go around and try to read what the teachers put on the board . . . T-H-E C-H-A-I-R I repeat. It's foolish but it feels exciting. This is as far as I will come to going to school here. Maybe my kids, that is, if they get their papers some day.

And thirty-three-year-old Yesenia, who has a ninth-grade education, reflects,

> What would I give to be able to learn, go to school, to do something with my life. In the classrooms I clean sometimes I pretend . . . I sit at a desk and imagine myself there; I pretend I have questions. And then I pretend I answer answers [laughs]. It would be beautiful if I could go there, no? But how? This country is supposed to be the country of opportunities, but I think I entered through the wrong door!

Conclusion

The Central Americans whose stories are presented here highlight the link between legal status and access to the U.S. educational system, between a marginal legality and immigrants' perceptions of the educational system and of

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their place in it. In underscoring this link, I do not argue that legal status is the *only* factor that matters. The immigrants in this study pointed to other circumstances in their lives that exacerbate the effect that legal status has and that interfere with their educational aspirations, such as financial constraints, family separations, and demands from relatives back home. Nor do I argue that legal status trumps other factors that have been found to influence immigrants' educational aspirations and achievement in the United States, such as individual traits, factors internal to the family, and those that are located in the communities where immigrants live. I have presented, in the words of my study participants, the central place that legal status plays in shaping their educational aspirations and how, from their position of legal marginality, they make sense of the system's accessibility and potential benefits. Not every one of these immigrants holds the same views and attitudes, as social positions, including those shaped in the origin countries, impinge on how they interpret their U.S. prospects.

Without making a causal statement, I have identified the centrality of legal status to highlight factors external to individuals and their families that shape immigrants' educational prospects. The Central Americans introduced here believe in the meritocratic notion that education is a key to success, but the reality is that they cannot reap these perceived benefits from their marginally legal positions. Thus, even when immigrants perform tasks through which they participate in and contribute to society (e.g., raising children, working, and paying taxes), they are excluded from full membership if they lack full (permanent) legal recognition. As such, legal status becomes an important axis of stratification that can shape immigrants' assimilation in critical ways. Thus, in line with the theory of segmented assimilation, this case demonstrates that states' immigration policies matter a great deal (Menjívar 2006b) for mobility across generations.

The issue of legality might be particularly salient for immigrants who live with constant reminders of their legal instability through applications, forms, temporary cards, and social security cards stamped "not valid for employment." These bureaucratic exercises no doubt amplify the immigrants' legal uncertainty, and the constant risk of deportation magnifies the vital role that the law plays in their lives. Precisely because of the way this legal uncertainty affects their lives, the cases of the Central Americans highlight the important link between legal status and educational aspirations. Signficantly, it is helpful to remember that in an era of increasingly restrictive immigration and immigrant policies, the Central Americans are very likely not the only immigrants living midway between legal spaces.

Notes

1. Findings about the importance of contextual factors also are echoed in other disciplines (Georgiades, Boyle, and Duku 2007).

2. I do not make a causal argument here or argue for monocausality; in an inductive fashion, I only bring up what my study participants pointed to as a key factor in shaping their educational experiences.

3. This status was granted to Salvadorans in the early 1990s, as the civil war in their country was coming to an end, and as of 2001, after two devastating earthquakes there. At the time of this writing, Temporary Protected Status (TPS) for Salvadorans is set to expire in March 2009. Guatemalans have never

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been granted this dispensation, in spite of a brutal thirty-year armed conflict that ended in 1997 and a few natural disasters in the years since.

4. A Canadian facing deportation noted, "No wonder there are so many illegal immigrants. The legal method is so intolerant and confusing" (*New York Times*, April 12, 2008).

5. I conducted the research for this larger study with the assistance of five doctoral students. Thus, in the Data and Methods section, I use the plural pronoun to refer to the fieldwork, since they collaborated on the data collection.

6. These interviews and informal conversations included only general questions about the immigrants' views of education and schooling. In their responses they brought up the link between marginal legal statuses and educational aspirations. Perhaps their "in-between" status makes the effects of the law so salient for Central Americans; in the studies I have conducted, regardless of the objective of the investigation, these immigrants always bring up the centrality of the law in their lives (see Menjívar 2006a, 2006b).

7. Undocumented students have access to K-12 public education. Even though the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) excluded undocumented students from receiving state and local benefits for higher education, several states, such as California, Texas, New York, Oklahoma, Washington, Kansas, and New Mexico, have passed bills that qualify long-term residents for out-of-state waivers at public institutions of higher education. Far from following these states, Arizona has sought to penalize undocumented students by making it the law to exclude them from in-state tuition to public colleges and universities.

8. All subjects are identified by pseudonyms to maintain confidentiality.

9. Salvadoran national dish.

10. This observation is similar to the situation of Maya Guatemalans I interviewed in Los Angeles (Menjívar 2002). In that case, ethnicity emerged as an important angle from which to evaluate educational opportunities here and there. A teenage girl said, "My mother says that here we [indigenous] have more opportunities than in Guatemala. Here I can be a doctor if I want to, there I can't do it because they don't like us . . . they don't like Mayas . . . or something like that . . . that's what my mother says, I don't know. So it's better that I live here, right?"

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