



BAUDL NOVICE PACK:

SANCTUARY

SCHOOLS

Trump's anti-immigration rhetoric and focus on ICE deportations has the United States in fear. ICE typically has limited powers that keep them out of schools, but with Trump's approach no one knows for certain what will happen anymore. In order to protect the safety of students and families, school districts, such as Oakland and San Francisco, are declaring their districts sanctuaries and prohibiting immigration agents from coming onto campus. Unfortunately, "sanctuary school" status is applied differently in every school district and not available in all districts.

The negative is not sure this symbolic policy is worth the fight. Superintendents, principals, and teachers aren't very likely to stop ICE. And Trump has threatened to pull school funding for any school district that does enforce sanctuary status. Would it be worth it to punish the entire school to protect some of the students? Perhaps, we need to evaluate the state of immigration in the US altogether.

Who is right and who is wrong? The answer is up to you.

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Dear Novice,

The pack is a tool box of proof and argumentative ideas. You should think critically about the arguments you want to make on the topic and pick evidence from the pack to support your arguments. When you are ready to find your own evidence, please use the articles in the pack at the end of each section. Are you ready to really find your own evidence beyond the pack? Excellent, you are ready for JV!

With love,

BAUDL

NOVICE - ONLY USE EVIDENCE FROM THIS PACK. YOU CAN CHANGE THE EVIDENCE AROUND, BUT YOU MUST READ THE PLAN TEXT, WITHOUT ALTERATION, WHEN AFF.



WELCOME AND HOT TIPS

Welcome to Debate.

Debate is an opportunity for you to build your voice and be heard.

When you debate, you will have the chance to speak your mind on topics from Iraq to poverty in the inner city, and to prove your skills against young people from all over the bay. Debate is a sport: it calls on you to join a team, represent your school, and win trophies, championships, and prizes. If you commit yourself to this sport you will have much fun; most importantly, you will gain the tools to better yourself, to earn college scholarships, and to speak up for your entire community.

What is Debate?

Debate is a competition between two teams, each with two debaters. One team takes the Affirmative, proposing a plan to change the world and explaining why it is a good idea. The other team is the Negative, who attacks the plan and tries to prove that it will do more harm than good.

There are 8 speeches and 4 cross-examinations in a debate round. You and your partner will each take the lead on 2 speeches (1 Constructive and 1 Rebuttal) and 1 cross-examination.

Speech	Time	General purpose
First Affirmative Constructive (1AC)	8 minutes	Present affirmative case (harms, inherency, plan, solvency)
Cross-examination by Second Negative	3	Ask questions, clarify affirmative's arguments
First Negative Constructive (1NC)	8	Present negative off-case and attack affirmative case
Cross-examination by First Affirmative	3	Ask questions, clarify negative's arguments
Second Affirmative Constructive (2AC)	8	Attack negative off-case arguments, rebuild affirmative case
Cross-examination by First Negative	3	Ask questions, clarify affirmative's arguments
Second Negative Constructive (2NC)**	8	Respond to some of 2AC arguments, rebuild negative arguments
Cross-examination by Second Affirmative	3	Ask questions, clarify negative's arguments
First Negative Rebuttal (1NR)**	5	Respond to rest of 2AC arguments, rebuild negative arguments
First Affirmative Rebuttal (1AR)	5	Rebuild affirmative arguments, respond to both 2NC and 1NR
Second Negative Rebuttal (2NR)	5	Explain why the negative team should win
Second Affirmative Rebuttal (2AR)	5	Explain why the affirmative team should win



Sanctuary Schools
BAUDL 2017-2018

EVIDENCE
FOR THE
AFFIRMATIVE:
CORE AFF



1ST AFFIRMATIVE CONSTRUCTIVE CASE

Contention 1: Mass Deportation

1. Deportations are up 38% under the Trump administration

Alan Gomez, May 17, 2017, USA Today, "Immigration arrests up 38% nationwide under Trump", <https://www.usatoday.com>

In the 100 days since President Trump signed an executive order to enhance immigration enforcement, the arrests of undocumented immigrants is up 38% from the same time period in 2016, according to Immigration and Customs Enforcement data released Wednesday.

ICE Acting Director Thomas Homan said his agency is focusing on undocumented immigrants with criminal records, the "bad hombres" that Trump spoke about throughout his presidential campaign. But the data show that the biggest jump in arrests involved undocumented immigrants without a criminal record, a 156% increase from last year.

Between Jan. 22 and April 29, ICE arrested 10,845 people whose immigration violations were the only marks on their record. That's nearly triple the 4,242 people arrested during the same time period in President Barack Obama's final year in office.

Of all the people arrested by ICE this year, nearly 75% had a criminal record. In Obama's final year in office, 92% of people arrested by ICE in the country had a criminal record.

"I get asked a lot why we arrest somebody that's not a criminal," Homan said. "Those who do enter the country illegally, they do violate the law, that is a criminal act."

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Your Words.



1ST AFFIRMATIVE CONSTRUCTIVE CASE

2. Trump's immigration policy will impact 24.7 million students and families nation-wide. Schools will need to adopt policies to make students and their families feel safe.

Corey Mitchell & Francisco Vara-Orta, Feb 15, 2017, PBS, "Trump's orders on immigration rattle some educators", <http://www.pbs.org/newshour/updates/trumps-orders-immigration-rattle-educators/> Immigrants in U.S. Schools

In 2015, more than 4.7 million foreign-born students were enrolled in U.S. schools — about 6 percent of the American school population, according to the U.S. Department of Education. Another 20 million are children of foreign-born parents.

Influxes of immigrant students—who may have large gaps in schooling and whose linguistic and cultural differences can present challenges for educators—have at times caused friction in communities where some parents raised concerns that new arrivals negatively impact their children's education.

The anxiety over Trump's actions are particularly acute for students and educators in immigrant-rich areas of the country, like Minnesota's Somali strongholds, California's Latino communities and a growing number of neighborhoods friendly to Syrian refugees.

The immigration ban also hit home for places like Houston and Nashville, Tenn., both with a growing number of Islamic students. The districts also have large Kurdish communities, many of whom come from countries targeted in the immigration ban.

In Nashville, at least 1,000 students from affected countries are in the city's schools. While schools generally don't track the immigration status of students, they often collect data about students' country of origin and home language if it's not English.

"The United States is supposed to be a country of opportunity and we believe that immigrants bring a richness to our country that we should maximize," Nashville Superintendent Shawn Joseph said. "It starts with educating them."

The Trump administration's aggressive stance has made that job tougher, some educators say.

"It certainly does strain the ability of young people and their families to trust institutions," said Roberto Gonzales, an assistant professor at the Harvard Graduate School of Education. "It behooves schools to take a much more active role in sowing these seeds of trust and really growing them."

As the daughter of Dominican immigrants, Principal Nedda de Castro relates to her students at the International School at Prospect Heights in Brooklyn. Like them, she learned English in school. She recalls school as where she explored what it means to be American.

But many of her students are constantly reminded that they're not. And some are giving up on school.

"Some of the students are assuming that they're just going to be deported anyway and starting to talk about how there's really no point in coming to school anymore," de Castro said. "It's a lot of lost potential."

◆.....◆
Your Words. ◆.....◆



1ST AFFIRMATIVE CONSTRUCTIVE CASE

Contention 2: A Community Under Siege

1. Trump's immigration crackdown has made communities feel as if they are under siege.

Julia Preston, May 25, 2017, New York Review of Books, "Trump: The New Deportation Threat", <http://www.nybooks.com/articles/2017/05/25/trump-the-new-deportation-threat/>

Seeking to quell the rising furor caused by the arrests, Secretary Kelly insisted there would be “no—repeat, no—mass deportations.” By that he seemed to mean that agents would not randomly storm factories, run dragnets through immigrant neighborhoods, or haul people away from checkpoints, tactics that in any event would likely be challenged as unconstitutional. Indeed, at the current pace, the Department of Homeland Security will not come close to the three million deportations Trump promised for his first year in office. But while the actual numbers remain unclear, there is no doubt that Trump’s demonization of immigrants is driving a widening crackdown. ICE is moving much faster and more aggressively than it did during the Obama years. Agents who chafed under Obama now feel unchained. In California, ICE actions at courthouses prompted the state’s chief justice, Tani G. Cantil-Sakauye, to demand in a letter on March 16 that agents stop “stalking undocumented immigrants in our courthouses to make arrests.” Secretary Kelly responded that the courthouse arrests would continue. Reports described many immigrants being detained while dropping off their children at school. In Fort Worth, Texas, ICE agents arrested twenty-six immigrants who turned up for a work detail at the county sheriff’s office, complying with sentences for low-level offenses.

The effects of the push for deportations have been far-reaching. In many cities and towns, immigrants say they feel besieged and are retreating from public life. In their communities, shopping has ebbed and church attendance has dropped. Legal clinics are packed. Mexicans have crowded into their consulates to update passports for themselves and their Mexican-born children, so that they will not be separated in the event they have to leave the United States in a hurry. Israel Rocha, the chief executive of the New York City hospital in Elmhurst, Queens, said immigrants were staying away from its facilities. “People leave their loved ones in the emergency room and run away,” he said at a public meeting in the hospital.

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Your Words.



1ST AFFIRMATIVE CONSTRUCTIVE CASE

2. Immigration agents show up in schools asking about citizenship. Anxiety is on the rise.

Jonathan Allen, May 15, 2017, Reuters, "New York City takes stance after immigration agents show up at school", <http://www.reuters.com/article/us-new-york-school-immigration-idUSKCN18B2KE>

New York City's Department of Education said on Monday that federal immigration agents would be barred from entering school property after agents showed up at a school last week to seek information about a fourth grade student.

The U.S. Citizen and Immigration Services agents went to Public School 58 in the New York City borough of Queens on Thursday to ask questions about the student, according to New York City Department of Education and U.S. Citizen and Immigration Services officials.

Anxiety has grown among immigrants after U.S. President Donald Trump was elected in November on promises that included building a wall on the U.S. border with Mexico and deporting immigrants who are in the country illegally.

3. Undocumented families are getting arrested for deportation while dropping their kids off at school

Mark Keierleber, reporter, March 19, 2017, The 74, "Claiming Sanctuary: Inside the Schools Now Actively Resisting President Trump's Immigration Crackdown", <https://www.the74million.org/article/claiming-sanctuary-inside-the-schools-now-actively-resisting-president-trumps-immigration-crackdown>

Rómulo Avelica-González had just dropped off his 12-year-old daughter, Yuleni, at a Los Angeles charter school — as he did every morning — and was heading next to the school of his 13-year-old daughter, Fatima. That's when U.S. Immigration and Customs Enforcement agents surrounded the undocumented Mexican immigrant's Dodge Durango. Avelica-González, a 48-year-old father of four who has lived illegally in the U.S. for more than 25 years, had been convicted of drunken driving nearly a decade ago, and there was a deportation order against him.

Now, in the middle of a morning routine with Avelica-González's wife and children, federal agents were enforcing that order.

"They approached the car quickly and they asked him what was his name, and my dad had asked them what he had done wrong for them to stop him, and they told him to be quiet and to get out of the car," Fatima said. "I recognized what was happening but I didn't start crying until I saw them handcuff him and how they were screaming at him to get out of the car."

As agents patted her father down, Fatima recorded the Feb. 28 arrest from the back seat, posting a video online that has reverberated across the country and the world — reinforcing fears that school leaders and activists say are now part of everyday life for undocumented students and children with undocumented parents.

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Your Words. ◆.....◆



1ST AFFIRMATIVE CONSTRUCTIVE CASE

4. Fear is creeping into every minute of the lives of children of undocumented families. They are made to feel illegitimate and their families are being split up.

Julia Preston, May 25, 2017, New York Review of Books, "Trump: The New Deportation Threat", <http://www.nybooks.com/articles/2017/05/25/trump-the-new-deportation-threat/>

Luis Zayas, the dean of the School of Social Work at the University of Texas at Austin, described in his recent book *Forgotten Citizens* (2015) some of the effects Trump's campaign could have on American children with Mexican parents who face deportation. As United States citizens, the children could not be touched by ICE. But the parents were confronted with terrible choices: either to leave their children behind with one parent or a relative or even in foster care, or to take them as exiles, in effect, to reduced lives in Mexico.

After the loss of a breadwinner, the families reeled, their stability shattered and their income falling, forcing the remaining parent to work longer hours and give less time to bereft children. In many households meals were no longer regular. A five-year-old named Virginia remained mute day after day in kindergarten after her father was arrested. A boy named Cesar, who was ten, said he was "meaner" in school after his father was deported. Even though the father managed to sneak back across the border to their Texas home, while he was gone Cesar picked fights and disrupted classes, then sank into depression. "Gray" was how Cesar saw his home after his father was taken away. "Like everything was, um...bad feelings were around. Like sadness or pain...anger."

American children uprooted by the expulsion of parents felt desperately disoriented in Mexico. Zayas saw "despair" in nine-year-old Lupita, living in Oaxaca after her mother voluntarily left their home in San Diego to preempt a deportation. "Well, I am very unhappy," Lupita said between sobs, "because they cannot stay there and I want to be there." Even in homes where deportation was only a possibility, it permeated the children's lives. "The fear creeps into nearly every waking moment and they are made to feel illegitimate and flawed," Zayas found.

5. The rites of institutions, like surveillance in school zones and asking for documents in school, create identities that belong and cast out bodies that don't belong.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, "Awakening to a Nightmare" Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States", Vol. 53, No. 3, p. 256

We are interested in the experiences of living in abjection. Abjectivity speaks to how the "casting away" of individuals and populations shapes (or perhaps delimits) their social, economic, and biological life. We believe that abjectivity draws attention to the forces creating the condition of abjectivity. Abjectivity is the effect of social forces, but we must also ask about the causes of that condition. We argue that the practices of the biopolitics of citizenship and governmentality—surveillance, immigration documents, employment forms, birth certificates, tax forms, drivers' licenses, credit card applications, bank accounts, medical insurance, and mandatory car insurance—may frustrate anyone, citizen and noncitizen alike, because they enclose, penetrate, define, and limit one's life and actions. But for undocumented 1.5-generation Latino immigrants (and others in a similar status), these practices of governmental contact and surveillance can create enormous distress, detention, and even deportation (Inda 2006). These "rites of institution," as Pierre Bourdieu (1992) called them, are central to the power of nation-states to construct identities and produce, in a perverse way, the "sweet sorrow" of a sense of belonging (to borrow from Shakespeare). Thus, abjectivity underscores the link between the mechanics of biopower and the lived experiences of those most vulnerable to the exercise of power.



1ST AFFIRMATIVE CONSTRUCTIVE CASE

6. Undocumented immigrants are American “bare life”, which means they are physically in the nation, but not included in the political power of the nation. Undocumented immigrants and their children are kept at the margins of our political order – we debate their humanity, without including them in the debate. They become the objects of our laws and techniques of surveillance and regulation from the Department of Homeland Security. Because undocumented immigrants exists in a state of exception – in our country with no political rights – their lives can be filled with discrimination, police violence, and even extermination. But none of those impacts are possible UNLESS we continue to believe that undocumented immigrants and their children are illegitimate and undeserving of our protections. Marking the undocumented as the other to round up and deport is the precondition for abandoning them to violence.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, “Awakening to a Nightmare” Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States”, Vol. 53, No. 3, p. 257

We are also interested in the intersection of Foucault’s two research directives, that is, how the practices targeting undocumented or unauthorized immigrants shape the lived experience of undocumented 1.5-generation Latinos and how they respond to such constraints. Agamben speaks of “bare life,” the natural life that is distinct from the “good life,” the political life in classic Western thought. In modern politics, bare life, once kept at the margins, is now increasingly included in the political order (Agamben 1998:9). But what happens to those objects of state regulation whose bare life is kept at the margins of the political order? They become states of exception, their lives bracketed as in the nation but not part of the nation, which allows them to become the object of laws and other techniques of regulation (Agamben 2005). These can include everyday experiences of ill treatment by the larger society, discrimination, and targeted police actions. When taken to its extreme, the state can target such exceptions, physically separate them from society, isolate them into “zones of social abandonment,” and even engage in practices of genocide, extermination, or ethnic cleansing (Biehl 2005). But before such endpoints are reached, if ever, a set of practices can emerge that mark off or bracket a group as different, less than, unworthy, illegitimate, undeserving (Sargent and Larchanche-Kim 2006; Tormey 2007; Willen 2007; Zhang 2001). What marks the group as “Other” derives from particular histories and can coalesce around any number of traits: race, religion, sex, physical or mental disability, stigmatized disease, migration history, or citizenship status, among others. Importantly, it is not something inherent to the particular bracketed group that is important here, but the practices that make their lives miserable, constrained, limited, invisible or differently visible, stigmatized, feared, and even dangerous. And yet, despite these practices of exclusion, it is sometimes possible that a sense of inclusion emerges through everyday lived experiences such as working, forming families, making friends, paying taxes, playing sports, engaging in community affairs, and interacting with social institutions, particularly schools (Agamben 1998; Chavez 1998; Yuval-Davis 2006). These “zones of indistinction,” as Agamben called them, are paradoxes in which the law and social practices legitimize that which law has prohibited (Agamben 1998; Coutin 2007).

◆.....◆
Your Words.



1ST AFFIRMATIVE CONSTRUCTIVE CASE – PLAN TEXT

The United States federal government should declare all federally funded school districts “sanctuary schools” which prohibits:

- 1. schools from collecting student immigration status,**
- 2. schools from providing student information which could pertain to immigration status, and**
- 3. immigration agents from entering a school zone without superintendent permission.**

◆.....◆
Your Words.



1ST AFFIRMATIVE CONSTRUCTIVE CASE

Contention 3: Sanctuary Schools

1. The Department of Education has a leadership responsibility to make schools a refuge for all students and families

Cyril Josh Barker, 12/15/2016, New York Amsterdam News, "Advocates stress importance of sanctuary schools", <http://amsterdamnews.com/news/2016/dec/15/advocates-stress-importance-sanctuary-schools/>

Parents from the NYC Coalition for Educational Justice recently gathered at the Department of Education headquarters at the Tweed Courthouse to call on the DOE to do more to make schools a refuge from racism, sexism, xenophobia and homophobia for students and families.

CEJ wants the DOE to equip teachers and school staff to support students who are feeling anxious, confused or scared about federal policies the new administration will bring.

"We know that the teaching force is not a direct reflection of the diversity that exists in schools, which increases the necessity to ensure teachers and staff are better equipped to address student needs," said Zakiyah Ansari, advocacy director for Alliance for Quality Education. "In light of the political and social climate of New York, the DOE has, in many ways, acknowledged the serious threat that students, and especially students of color, may be facing. For the DOE to make this acknowledgement and then fail to take the proper steps in remedying this issue by providing more anti-bias and anti-racist teacher trainings is a failure of leadership."

2. Every school district should have a sanctuary policy

Tony Marcano, December 12, 2016, ACLU of California, "ACLU OF CALIFORNIA URGES DISTRICTS TO DECLARE SCHOOLS SANCTUARY "SAFE ZONES" AND UPHOLD STUDENTS' RIGHTS", <https://www.aclusocal.org/en/press-releases/aclu-california-urges-districts-declare-schools-sanctuary-safe-zones-and-uphold>

“Our schools should be a sanctuary, a place of learning for youth, not a place for immigration enforcement or harassment,” Torres-Guillén said. “We are calling upon superintendents to affirm their commitment to defend their students’ civil rights and ensure that school remains a safe place for immigrant students and families. Every district should adopt policies to establish schools as sanctuaries to ensure a safe, supportive and healthy environment for students in a holistic, thoughtful and effective manner.”

Your Words.



1ST AFFIRMATIVE CONSTRUCTIVE CASE

3. Sanctuary schools ease fears by ensuring school officials are knowledgeable about immigration agents. Each school creates a ripple effect.

Mark **Keierleber**, reporter, March 19, 2017, The 74, "Claiming Sanctuary: Inside the Schools Now Actively Resisting President Trump's Immigration Crackdown", <https://www.the74million.org/article/claiming-sanctuary-inside-the-schools-now-actively-resisting-president-trumps-immigration-crackdown>

Sanctuary resolutions aren't new, but resistance to federal immigration enforcement has reached a new high since Trump was elected president.

Though largely symbolic, sanctuary school policies ease parents' and students' fears by ensuring that teachers and principals know how to respond if immigration agents go to a school or request student information, said Jessica Hanson, an attorney and Skadden fellow at the National Immigration Law Center who has been helping districts adopt such policies.

“A lot of students are understandably feeling a lot of fear right now, even to go to school, and so I think it’s a growing trend,” Hanson said. “I think the more schools are doing this, the more and more we’ll see that kind of ripple effect of other schools taking this on.”

4. Education is a means of pushing back against abject status. The plan ensures undocumented students and their families can push back against their otherization.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, “Awakening to a Nightmare” Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States”, Vol. 53, No. 3, p. 265

Because he is not a legal resident and cannot work legally, Cesar works as a tutor, helping young people in the sciences. His students have included two high school valedictorians. Cesar reflected on his illegal status, which he said “defined who we are.” Rather than give up, Cesar said he “pushed back” and continued his education and hoped for the day he can become a legal resident and put his education to use. For Cesar, being undocumented forced him to fight back, to develop self-confidence, and motivated him to achieve educationally. Cesar is aware of the self-disciplining caused by his abject status: “You put a positive spin onto this negative reality that you live in. It’s kind of like, you know, when you’re a little kid and you get scolded and they tell you to go to your room. It’s like, okay, I’ve learned my lesson now. I’ve learned that I have to be humble. I learned that you have to work hard for what you need to work hard for. So, now, it’s time for it to go away.”

Your Words.



HARMS: MASS DEPORTATIONS

Trump's campaign gives carte blanche authority to ICE agents to arrest and fast-track deportation.

Julia Preston, May 25, 2017, New York Review of Books, "Trump: The New Deportation Threat",
<http://www.nybooks.com/articles/2017/05/25/trump-the-new-deportation-threat/>

Kelly's statements misrepresent the nature and practice of immigration law. It is a rigid code with few gradations of punishment, regardless of the offense, short of the severe penalty of deportation. But in enforcing those statutes ICE agents are given broad leeway to exercise their own judgment, what is known in legal terms as prosecutorial discretion. Trump's executive orders in January provide virtually unrestricted authority to enforcement agents, while expanding the category of people who should be targeted for deportation to include anyone without papers. "Many aliens" without legal status are "a significant threat to national security and public safety," one order warns. Agents should deport immigrants convicted of or even charged with "any criminal offense"; immigrants who "have committed acts that constitute a chargeable criminal offense"; and, finally, immigrants who "in the judgment of an immigration officer, otherwise pose a risk to public safety or national security." In other words, carte blanche. A fast-track procedure that eliminates any opportunity for a hearing in immigration court was expanded to apply nationwide to undocumented foreigners who have been in the United States less than two years. By the plain letter of the orders, many immigrants will not have "all American protections."

Trump has said that the enforcement offensive is necessary to expel outlaws who have been pouring across the Mexican border. But illegal border crossings overall have fallen sharply since 2000, even with the surge of migrants from Central America since 2014. Also, most undocumented immigrants didn't come here recently; they are part of settled families. According to the Pew Research Center, two thirds of those immigrants have lived in the United States for ten years or more; among those from Mexico, 78 percent have been here for at least a decade. Many are in mixed families that include citizens or legal immigrants; about 4.1 million American children are citizens who have at least one undocumented parent, the Migration Policy Institute has reported. As ICE deports more people like Catalino Guerrero—people who are integrated into American society and whom the public doesn't recognize as “bad ones”—Trump's campaign has begun to look like an attack on entire communities.

Your Words.*



HARMS: MASS DEPORTATIONS

The ability to accost and detain anyone in the name of immigration is an assault on brown people and sends unprecedented numbers of people of color into prisons

Brandy Jensen, 2013, Counterpoints, "CHAPTER SIX: Race Erased? Arizona's Ban on Ethnic Studies", Vol. 445, p. 84

State sponsored anti-immigration efforts and promotion of corporate interests through neo-liberal and nationalist discourse and policy rely upon, perpetuate, and mask racism. Making this point salient, Senate Bill 1070 was ratified in July of 2010 and allows Arizona officials to accost and detain anyone they believe may be in the state illegally. Although public officials have declared SB 1070 race neutral, it has garnered significant national and international controversy. With rampant maligning of Mexican people through Arizona media and formal government statements, the right of state officials to use "ethnic factors" when determining who may be suspect confirms SB 1070 as a racial project (Hinshaw, 2010). "Ethnic factors" signify nothing about legal status in America; consequently, SB 1070 promotes an assault on essentially all Brown people in the state of Arizona. Driven by the private prison industry, this neo-liberal law could send unprecedented numbers of racialized people to prison and translate into millions of dollars for private prisons (Sullivan, 2010). SB 1070 will also likely create numerous jobs for Americans through increased prison staffing, construction, and related positions as well as expanded policing efforts. SB 1070 further enmeshes corporate interests within government and contributes to the erosion of state-controlled institutions. Unfortunately, 24 states have considered copy-cat legislation, with 14 enacting or continuing to deliberate on such measures (Wessler, 2011). Processes of racialization and racial subjectivities often become modified and reified through neo-liberal discourses and policies. Senate Bill 1070 forms a new racialized subject through transforming the racialized status of Brown people in Arizona from "likely criminal" - as is the case in a white supremacist society - to "likely criminal and lawfully presumed illegal" - sans citizenship rights - until proven otherwise. While the first definition translates into "Brown people are likely guilty of some offense," the latter means "Brown people are rendered without legal rights and are likely criminal through their very being" unless and until they can demonstrate their citizenship status. SB 1070 also mandates stricter penalties for those found to be harboring "illegal aliens" and gives citizens the right to sue government officials for not enforcing the law vigorously enough. These latter aspects of the bill mask its reinforcement of whites' racial subjectivity through nationalist ideals such as patriotism and citizen participation in government.

◆.....◆
Your Words.



HARMS: ANXIETY & FEAR

Students don't feel safe walking outside anymore - traumatized students can't learn effectively

Mark Keierleber, reporter, March 19, 2017, The 74, "Claiming Sanctuary: Inside the Schools Now Actively Resisting President Trump's Immigration Crackdown", <https://www.the74million.org/article/claiming-sanctuary-inside-the-schools-now-actively-resisting-president-trumps-immigration-crackdown>

More than 2,000 miles from Los Angeles, in Milwaukee, Wis., 18-year-old Cristal Tinajero recalled how Fatima's video affected her. A U.S. resident whose parents are undocumented, Tinajero had already been pushing for her public school district to adopt a sanctuary schools resolution. "That could be me, that could be anybody else, that could even be the student him- or herself in that situation," Tinajero said. "It's really shocking for me because it has gotten to the point where nobody is safe to walk outside anymore." Born in Wisconsin, Tinajero moved to Mexico with her parents for one year when she was 7 years old. Her grandmother was ill, and her parents went home to help. The following year, however, Tinajero moved back to Milwaukee without her mom and dad. She still recalls her first day of fourth grade: "I remember walking by myself that day to school, and I felt pretty sad because I saw the rest of my classmates being kissed and hugged goodbye when I had no one." That experience was traumatizing, she said. Worrying she would never see her parents again, she struggled to concentrate in class, and her grades tanked. That's why she's asking Milwaukee Public Schools to develop a sanctuary schools resolution of its own. The high school student doesn't want her eighth-grade cousin, who also has undocumented parents, to go through a similar experience.

Fear eliminates the future of these young lives

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, "'Awakening to a Nightmare' Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States", Vol. 53, No. 3, p. 265-266

Fear of detection and deportation sometimes render undocumented young adults immobile and afraid to invest time, money, or hopes in their future. Living their lives in a narrowly circumscribed present, several of these young men and women let go of aspirations to have anything more. When Sergio and his brother were in a car accident with another driver, the already unfortunate situation took on a magnified level of stress. Although they were not in the wrong, neither of them had a driver's license or insurance. Because of their illegality, they were left vulnerable and having to pay for the damages out of their own pockets. After the accident, Sergio bought a beat-up 1987 Chevy Cavalier for which he paid \$900 because, he said, he could not buy a good car on his own. He figures that if he gets caught and has the car towed, he will lose only \$900.

Sergio was 21 years old when interviewed. He occasionally worked on the weekends, taking jobs that hired for the day or weekend, but stayed away from anything resembling ongoing or permanent employment and did not drive. I've been offered jobs, but the thing is that it messes me up. There's ways around it but let's say, okay, there's a job I've been offered, if I get it, I have to buy fake papers. If I get caught with fake papers, that's a federal offense so I'll be screwed, and, I mean, I'm closer than I've ever been to getting my papers. I don't want to mess it up with something like that so I can't get it later on.

Sergio chose to take the safe route in hopes of someday being able to work freely without worry. He did not want to jeopardize his chances by getting caught with illicit citizenship papers. Nevertheless, his frustration grew with the years he has had to wait. At the time, Sergio indicated that he was frustrated and felt stuck in one place. "When you don't have papers you're not really motivated . . . you can't go anywhere." Three years later his girlfriend was pregnant with his child, and he felt as though he needed to provide financial support to his new family. He took a full-time job at a factory and carpooled with a coworker, a Caucasian male and former skinhead.

One evening after work, local police pulled them over and searched his coworker's vehicle. In addition to finding a small amount of drugs in the car, they also found a homemade explosive device. Sergio was charged as an accomplice to a federal crime and ordered to serve 3 years in prison. In addition to serving prison time, Sergio was to be deported.



HARMS: ABJECTIVITY

The undocumented immigrant child is the abject, the other, in the US. They have been reduced to the most wretched of status, discardable from the nation.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, “Awakening to a Nightmare” Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States”, Vol. 53, No. 3, p. 256

At the core of the concept of abjectivity is the word “abject,” which means “to cast away” or “to throw away.” Abject has been used to describe those in the lowest, most contemptible, and most wretched social status. Julia Kristeva first pointed to the implications of a condition of abjection as an exclusionary practice that produced discrete subjects, a point that has influenced subsequent scholars (Kristeva 1982; Willen 2007).² As Judith Butler (1999:169) notes in the epigraph above, “The ‘abject’ designates that which has been expelled from the body, discharged as excrement, literally rendered ‘Other.’ This appears as an expulsion of alien elements, but the alien is effectively established through this expulsion.” Various intersections of race, gender, sexuality, nationality, migrancy, and any number of other categories can demarcate the abject in society. For example, Nicholas De Genova (2008) examined what he called “American abjection,” a form of racialized identity Mexican migrants projected onto US-born people of color. And Leo R. Chavez (2008) examined how the often vitriolic discourse about the children of undocumented immigrants in the United States, including the US born (“anchor babies”), characterized them as abject, as unwanted and discardable. For our purposes, it is the body of the nation from which undocumented children of immigrants’ are expelled and the source of their abject status. Theirs are castaway (abject) lives, which, as James Ferguson noted, are lives disconnected from the life they had imagined for themselves (Ferguson 2002: 140–141). These rejected and abject subjects inhabit a liminal space where the boundary between their everyday lives in the nation and their lives as part of the nation is maintained as a way of ensuring their control and social regulation (Chavez 2008:115–116). But what about the subjective understanding of living an abject life?

◆.....◆
Your Words.



SOLVENCY: SANCTUARY SCHOOLS

Schools should be prohibited from collecting and reporting student immigration status. Collecting information dissuades families from enrolling their children in schools

American Immigration Council, October 24, 2016, “Public Education for Immigrant Students: Understanding *Plyler v. Doe*”, <https://www.americanimmigrationcouncil.org/research/plyler-v-doe-public-education-immigrant-students>

Why should schools be prevented from collecting and reporting information on students' immigration status? Even if schools permit undocumented children to enroll, collecting and reporting information about their immigration status is bad policy and also likely unconstitutional. Although the stated intent of such measures may be to obtain an accurate count of the number of undocumented schoolchildren, their implementation may dissuade immigrant families from enrolling their children in the first place. According to figures provided by the state of Alabama, for example, more than 13 percent of Latino students in the state withdrew from public schools between September 2011 and February 2012—even though immigrants as a whole constituted less than 0.5 percent of students in Alabama schools. Thus, the apparent effect of such measures is to deter enrollment of children with undocumented parents or other family members, even if the children are themselves U.S. citizens. In addition to causing higher rates of absenteeism, measures like Alabama's require untrained school administrators to make complicated determinations about immigration status; erode immigrant students' trust of teachers, counselors, and other school employees; create greater potential for racial and ethnic profiling; and can breed conflict amongst students themselves, such as the bullying of students who are (or are perceived to be) foreign-born. Such measures can also lead to potential violations of the Family Educational Rights and Privacy Act (FERPA), which prevents schools from disclosing information in student files without parental consent.

Sanctuary status is a declaration of local sovereignty from foreign intervention

Abou Farman, anthropologist teaching at the New School for Social Research, April 6, 2017, The Baffler Magazine, "In Defense of Sanctuary", <https://thebaffler.com/latest/in-defense-of-sanctuary-farman>

If part of the machinations of this administration, taking its cue from the Bush-Cheney era, is to expand executive reach as deep as possible, erase the distinction between federal and local law enforcement, and weaken the scope of an independent judiciary, it is clear why sanctuary is such a thorn in its side. Since immigration is one domain where federal and local sovereignty are kept apart and sanctuary has been one of the clearest expressions of this, sanctuary enables people to claim a small measure of local sovereignty. It should come as no surprise that conservatives, who have long realized the potential power that might be entailed in a vast network of micro-sovereignties, recognize the power of sanctuary cities more than liberals, and want to dismantle it.

Your Words.*



SOLVENCY: BLOCK IMMIGRATION AGENTS

Sanctuary school districts prevent federal immigration agents from coming onto campus without the superintendent permission and prohibits school staff from providing names to immigration agents

Carolyn Jones, FEBRUARY 5, 2017, ED Source, "School districts step up protections for immigrant students",
<https://edsource.org/2017/school-districts-step-up-protections-for-immigrants/576574>

"Some children are afraid to go to school, or have stopped attending altogether, out of fear of being deported," said Samuel Molina, state director of Mi Familia Vota and a Fresno resident. "Schools need to be supportive of students and show that they're not going to act as arms of federal immigration enforcement."

Of the remaining largest California districts, 11 have taken no action specifically aimed at protecting immigrant students.

School boards started passing resolutions to protect immigrant children about a decade ago as anti-immigrant rhetoric began to escalate around the country. After Trump was elected, more districts passed resolutions, and others are planning to. Although the wording of the resolutions varies, most contain clauses preventing federal immigration agents from coming onto campus without permission from the superintendent and prohibiting school staff from providing students' names to immigration officials.

Sanctuary Schools policies block student information from immigration agents and block officers access to school property

Mark Keierleber, reporter, March 19, 2017, The 74, "Claiming Sanctuary: Inside the Schools Now Actively Resisting President Trump's Immigration Crackdown", <https://www.the74million.org/article/claiming-sanctuary-inside-the-schools-now-actively-resisting-president-trumps-immigration-crackdown>

As President Trump makes strict immigration enforcement a cornerstone of his political agenda, dozens of districts across the country — primarily in metropolitan areas — have adopted "sanctuary school" resolutions to ease students' fears and protect them should they run into trouble. Though the policies can vary, they generally promise to shield students' personal information from immigration enforcement agents and to block federal officers' access to school property unless they present a warrant.

◆.....◆
Your Words.



SOLVENCY: RESISTANCE

We can resist abjectivity by engaging in acts of political presence, or activism. The plan is an instance of an act of resistance.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, “Awakening to a Nightmare” Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States”, Vol. 53, No. 3, p. 259

Abjectivity as experienced by those in a condition of illegality, therefore, is situational and not immutable, with the state having the power to maintain or mitigate that status (Bosiak 1998, 2000). An illegal or undocumented immigrant can sometimes, though with great difficulty, find a way to move to a legal immigration status, which often means greater economic, physical, and psychological stability. The liminal and unstable nature of abjectivity is both a source of life stress and a condition that allows for the possibility of change, which opens up a space for human action and resistance. Though lacking power, undocumented immigrants are not powerless. They have, as Saskia Sassen (2003:62) put it, a political presence. This becomes evident when we examine the political activism, what Isin and Nielsen (2008) call “acts of citizenship,” of the young people examined here (Getrich 2008). Rather than falling into completely immobilizing despair and hopelessness, they often engage in personal acts of resistance (Butler 1997a), which range from making small steps to improve their lives through education and training to political activism aimed at immigration reforms to provide a path to citizenship for undocumented immigrants.

Deportation is the ultimate act of exclusion, but Latina/o youth resist total exclusion. The aff is such way to resist acts of exclusion.

Roberto G. Gonzales & Leo R. Chavez, June 2012, Current Anthropology, “Awakening to a Nightmare” Abjectivity and Illegality in the Lives of Undocumented 1.5- Generation Latino Immigrants in the United States”, Vol. 53, No. 3, p. 257

Importantly, as Nicholas De Genova (2010:37) has noted, zones of indistinction, and bare life, are produced by sovereign (state) power. But we must note that, as we will show, undocumented 1.5 generation can, and do, resist total exclusion. The ultimate exclusionary act here is deportation, which De Genova (2010:34–35) has observed, is where “the whole totalizing regime of citizenship and alienage, belonging and deportability, entitlement and rightlessness, is deployed against particular persons in a manner that is, in the immediate practical application, irreducibly if not irreversibly individualizing.” Abjectivity leads us to examine the quotidian experiences of those who are the object of disciplinary practices and the subjects of exclusionary discourses of citizenship and belonging (Coutin 2000a; Reed-Danahay and Brettell 2008; Yuval-Davis 2006). How do the abject in a society internalize their subject status? What types of self-disciplinary practices do they engage in? How does everyday reality inform a sense of identity, belonging, and citizenship? At the same time, by including biopolitics as central to our formulation of abjectivity, we are also underscoring that power not only works to create docile bodies but that, as Foucault (1990 [1976]:95) so famously put it, “Where there is power, there is resistance.” Thus, as we explore these questions, we are mindful of how, as Liliana Suárez-Navaz (2004:13) observed, “people situated at the margins of the hegemonic ‘either-or’ notion of belonging resisted their displacement.” Focusing on the lives of undocumented Latino youth and the ways in which they understand, respond to, and critique their circumstances demonstrates the salience of this observation.

◆.....◆
Your Words.

Glossary:



ANSWER TO: SYMBOLIC

Sanctuary status reduces the psychological terrorism of the current immigrant siege by assuring students and their families of a safe space. The plan isn't a symbol; it's a commitment.

Abou Farman, anthropologist teaching at the New School for Social Research, April 6, 2017, The Baffler Magazine, "In Defense of Sanctuary", <https://thebaffler.com/latest/in-defense-of-sanctuary-farman>

One of the greatest weapons wielded by the administration has been the spread of intense fear. In the aftermath of the election, all immigrant advocacy groups have reported that many children have stopped going to school, families have stopped attending public events, living in everyday dread of an encounter with law enforcement, federal and local. Sanctuary has been effective in countering this kind of psychological terrorism by providing assurances and structures for safe spaces, safe education, and safe healthcare. Sanctuary is not a symbol, it's a commitment.

To move away from sanctuary by dismissing it as “merely symbolic” is either “merely ignorant” or “merely cowardly,” showing a refusal to stand up, stand shoulder to shoulder, and maybe even stand in the way. From what I have seen, this commitment means something to those who are most vulnerable to the attacks of the administration, and they are looking at cultural, educational, and other institutions for signs of genuine dedication to their own supposedly enlightened ideals.

Even if the neg is right, the symbol of the sanctuary school creates visibility and knowledge – that's our ripple effect argument.

Sun Sentinel, March 15, 2017, "Sanctuary schools make students feel safe", <http://www.sun-sentinel.com/opinion/editorials/fl-editorial-safe-schools-20170308-story.html>

The resolution, apparently the first of its type in Florida, sends the right message. It says undocumented students will be safe at school and at school activities. And if ICE agents have questions about a student, they'll have to ask the district attorney. Similarly, Palm Beach County school officials have sent letters home assuring parents that student records can't be shared without parental consent, a court order or a subpoena. Broward's resolution is symbolic, but in today's climate of fear, symbolism is important. These are real people — real children — who fear their lives will be upended at any moment. "We know parents are keeping kids home because they don't know what will happen," Menes told us. "We cannot just wait for them to decide if they want to come into schools. The community has to know what's happening. (The resolution) is about visibility." The resolution also calls for the district to create a plan for students whose parents get deported. The idea is to make sure undocumented students are not fighting on their own to stay here and attend school. If other school districts want to follow Broward's lead, fine. There's strength in numbers. There's also no downside to making students feel safe at school.



ANSWER TO: TRUMP BACKLASH

Trump doesn't have control of federal funds. Congress appropriates funding

Michael Hiltzik, March 28, 2017, LA Times, "Here's what Atty. Gen. Sessions got wrong about the law in his attack on sanctuary cities", <http://www.latimes.com/business/hiltzik/la-fi-hiltzik-sanctuary-sessions-20170328-story.html>

The most questionable aspect of Sessions' statement is his threat to end funding for supposed sanctuary jurisdictions, deny them grants, or even claw back already disbursed dollars. Cotchett maintains that it's unconstitutional to impose new conditions on already-appropriated federal funds. In any event, the funding programs at issue are created by Congress, not the executive branch. "What makes Sessions think that he can override Congress?" he asks.

Congress could impose conditions on future funding, but its authority to do so is also constitutionally limited: any conditions have to be "germane" to the purpose of the funding, Hing says. That means that Congress conceivably could predicate law-enforcement funds, say, on local cooperation with immigration enforcement. But the Trump executive order's implication that a wide variety of federal funds might be denied to sanctuary jurisdictions is probably unconstitutional. As for clawing back existing grants, Hing says that retroactive rule-making is clearly out of bounds. "It's too late for that."

Trump is already losing the fight to block sanctuary funding cuts

Carolyn Jones, April 25, 2017, ED Source, "Judge blocks Trump's order to withhold funding to 'sanctuary' jurisdictions", [https://edsource.org](https://edssource.org)

A federal judge on Tuesday blocked President Donald Trump's order to withhold federal funding from local jurisdictions that have promised to protect undocumented immigrants from deportation.

The preliminary injunction by Judge William Orrick of the U.S. District Court in San Francisco comes in response to a lawsuit filed by Santa Clara and San Francisco counties that claims Trump's executive order is vague and unconstitutional.

There are 3 reasons Trump will lose in court

Ed Christopher, Feb 11, 2017, Daily News, "5 things you need to know about sanctuary cities", google

Now that the Trump administration has threatened to pull federal funding from sanctuary jurisdictions, how much of this money is actually on the line? Courts have traditionally limited the degree to which the federal government can use funding as a cudgel against uncooperative state and local governments. First, most legal scholars agree that the money at stake generally has to relate in some way to the law or action that the federal government wants the city or state to take. For example, in 2016, California received a total of \$132 million in grant money from the Department of Justice's Office of Justice Programs. While the Trump administration might be able to pull those funds in response to the state's sanctuary policies without too much legal trouble, cutting off the entire \$368 billion tap might not pass constitutional muster. Likewise, courts have generally held that conditions on federal grants have to be spelled out to recipients ahead of time. This prevents the federal government from luring a city or state into taking federal funding only to use those dollars as ransom to extract desired policy changes. Lastly, and maybe most challenging for the Trump administration's de-funding efforts, courts have ruled that federal funding options can't be so coercive that they pass the point where "pressure turns into compulsion" and they deprive local or state governments of any real choice about policy decisions..



ANSWER TO: TRUMP BACKLASH – NO ENFORCEMENT

There is widespread school district support across the country for the plan

Ray **Sanchez**, Feb 23, 2017, CNN Wireservice, "US public schools take steps to protect undocumented students", p. ProQuest

School districts in the Chicago suburbs of Aurora and South Elgin also pledged to maintain a policy of not allowing ICE agents into schools without a criminal warrant, WLS reported.

Chicago officials have said an estimated 500,000 undocumented immigrants -- between 15% and 20% of the city's population -- could be affected by the immigration crackdown in the city, the station reported.

Other school districts throughout the country have vowed to protect undocumented students and their families in response to Trump's crackdown on illegal immigration:

In Colorado, Denver Public Schools last week passed a resolution saying in part that the school board's general counsel "will not grant access to our students unless the official presents a valid search warrant issued by a federal or state judge or magistrate." "The resolution stresses Denver Public Schools will do everything in our lawful power to protect our students' confidential information and ensure that our students' learning environments are not disrupted by immigration enforcement activity," Superintendent Tom Boasberg wrote on the school system's website. "I want to highlight that we have not had nor do we have any information that leads us to believe there will be immigration actions at our schools. Federal guidelines continue to provide that schools are sensitive places where immigration enforcement should not take place, and we will continue to advocate for those guidelines to remain in place. We do not want to create any additional fear or panic in our communities."

In Pittsburgh, school officials last month passed a resolution requiring that all ICE requests "must be processed through the Law Department and the Office of the Superintendent," according to public schools spokeswoman Ebony Pugh. "Schools will not permit ICE officials to access any students, without having contacted the Law Department with all relevant documentation."

The Houston Independent School District Board of Education declared its support for undocumented students in a resolution passed earlier this month. "Our schools will continue to be safe and positive learning environments that promote student learning and development versus discrimination and fear," HISD Superintendent Richard Carranza said in a statement. In Eugene, Oregon, the school board passed a resolution this month denying "law enforcement ... access (to) private areas of school property or (to) take a student from school for the purpose of immigration law enforcement without parental permission, court order, or other legal authority." The Austin, Texas, Independent School District, has instructed personnel "to request ID and proof (law enforcement agents) have obtained permission to conduct enforcement at a school, such as a written directive by a superior or a signed warrant," according to the district's website. "Undocumented children and children of undocumented parents have the same right to attend Austin ISD as do other US citizens and permanent residents," the district said in a message to students and parents this week. In Los Angeles, the board of the country's second-largest school system in November approved a resolution affirming the district's "safe zones" policy, which instructs staff to not allow federal immigration agents into schools without the approval of district lawyers. The policy declares all campuses as "safe zones and resource centers" for students and families threatened by immigration enforcement. In Santa Fe, New Mexico, the Board of Education in December approved a resolution reaffirming its status as a "sanctuary school district," protecting student privacy and confidentiality and refusing immigration agents access to schools and other properties. "We will only allow lawful ICE contact with our students, which includes a properly executed warrant," Santa Fe Public Schools Superintendent Veronica Garcia said in a statement.



ANSWER TO: IMMIGRATION DISADVANTAGE - LINKS

No proof of the magnet effect

Wayne A. Cornelius, Angela S. García, & Monica W. Varsanyi, Feb 2, 2017, LA Times, "Giving sanctuary to undocumented immigrants doesn't threaten public safety—it increases it",
<http://www.latimes.com/opinion/op-ed/la-oe-sanctuary-cities-trump-20170202-story.html>

Another rationale for Trump's attack on sanctuary cities is that their existence stimulates more undocumented immigration, but there is no evidence of such a magnet effect. Undocumented migrants, like the vast majority of immigrants in general, are drawn to the United States by economic opportunity and family ties. Some are fleeing gang and drug violence. None of these key drivers of migration would be weakened by the abolition of sanctuary cities.

Education policy doesn't increase undocumented migrants

Richard J. Cebula & Usha Nair-Reichert, Aug 2015, International Advances in Economic Research, "Access to Higher Public Education and Location Choices of Undocumented Migrants: An Exploratory Analysis", Vol 21, Iss 3, p. Springer

Many states have experienced a large influx of undocumented migrants in recent years. This research investigates whether favorable educational access policies at the state level influenced the location decisions of undocumented migrants in the U.S. in 2005. Our analysis suggests that there is likely to be clustering of undocumented migrants in states with large migrant networks, and good economic opportunities, as proxied by the state's median real family income. We have some exploratory evidence on whether educational access policies at the state level influence location choices of undocumented migrants. Our initial results suggest that while larger networks provide greater access to economic opportunities, they may also increase competition for admissions to higher education in states that have favorable educational access policies towards undocumented migrants. Hence, educational access policies for undocumented migrants are, ceteris paribus, less likely to act as a magnet for the influx of additional undocumented migrants.

Illegal border crossing isn't about sanctuary policies; it's about a painfully slow US immigration process and a cost-benefit analysis of a migrant's current life.

Preston Nieves, Sept 15, 2016, "BRIDGES, NOT WALLS",
<https://prestonnievesblog.wordpress.com/2016/09/15/bridges-not-walls/>

One of the reasons that the human smuggling industry is alive and well is because of the fact that entering the US legally is confusing and time consuming. There are certain limits on the number of immigrants accepted, and there are specific categories people must fall into to legally enter the United States. Some of these include reasons which are family based, employment based, part of diversity, or refugees/asylum seekers. Some countries may also have a ceiling on the number of people who come from one country. Becoming a US citizen takes a very long time, several years in most cases (Note: this is the total time it takes for a foreigner to become an American, and thus includes time it takes to obtain legal entry. Time to get citizenship alone can be less.) The complicated and confusing immigration regulations act as a deterrent to legal entry. Combined with the high hopes of a better life in the US, they make illegal entry more attractive in comparison despite its risks, due to cost benefit analysis by people in desperate economic situations in the countries they come from, whether it be Mexico or otherwise. A migrant named Dagoberto from Honduras once said "When you know the kind of life you can have in the US, it's worth risking your life to obtain it". It is exactly this mentality that human smugglers prey upon.



ANSWER TO: IMMIGRATION DISADVANTAGE - ECONOMY

Immigration is good for the US economy and has no effect on wages

University of Pennsylvania Wharton School of Finance, June 27, 2016, "The Effects of Immigration on the United States economy", <http://www.budgetmodel.wharton.upenn.edu/issues/2016/1/27/the-effects-of-immigration-on-the-united-states-economy>

Today, the United States is home to the largest immigrant population in the world. Even though immigrants assimilate faster in the United States compared to developed European nations, immigration policy has become a highly contentious issue in America. While much of the debate centers on cultural issues, the economic effects of immigration are clear: Economic analysis finds little support for the view that inflows of foreign labor have reduced jobs or Americans' wages. Economic theory predictions and the bulk of academic research confirms that wages are unaffected by immigration over the long-term and that the economic effects of immigration are mostly positive for natives and for the overall economy.

Even if the neg is right about the initial effect on wages, over time immigration is just better for the US economy

University of Pennsylvania Wharton School of Finance, June 27, 2016, "The Effects of Immigration on the United States economy", <http://www.budgetmodel.wharton.upenn.edu/issues/2016/1/27/the-effects-of-immigration-on-the-united-states-economy>

A popular view is that immigrants are taking jobs from American citizens. However, although immigrants increase the supply of labor, they also spend their wages on homes, food, TVs and other goods and services and expand domestic economic demand. This increased demand, in turn, generates more jobs to build those homes, make and sell food, and transport TVs.

Most empirical studies indicate long-term benefits for natives' employment and wages from immigration, although some studies suggest that these gains come at the cost of short-term losses from lower wages and higher unemployment.

Standard economic theory implies that while higher labor supply from immigration may initially depress wages, over time firms increase investment to restore the amount of capital per worker, which then restores wages. Steady growth in the capital-labor ratio prevents workers' average productivity, and therefore their average wages from declining over the long run. Figure 2 shows the pre-1980 trend in the capital-labor ratio extrapolated over the next few decades – the period when U.S. immigration accelerated. Consistent with the theory, the actual capital-labor ratio did not significantly or permanently deviate from that trend after 1980.

Turn- Undocumented immigration increases wages

The Economist, Aug 25, 2016, "Wage War", <https://www.economist.com/news/united-states/21705699-who-are-main-economic-losers-low-skilled-immigration-wage-war>

The flipside of low wages for illegal immigrants, though, is greater economic benefits for those who are not competing with them for work. A rare study of the effect of illegal immigrants specifically found that in Georgia, a one-percentage-point increase in undocumented workers in firms boosted wages by about 0.1%. One explanation is that such firms benefit from a richer mix of skills within their workforce. Another explanation is that they are sharing the spoils of the savings that stem from hiring workers on the black market.



ANSWER TO: IMMIGRATION DISADVANTAGE - ECONOMY

Mass deportation harms the economy

The Economist, Aug 25, 2016, "Wage War", <https://www.economist.com/news/united-states/21705699-who-are-main-economic-losers-low-skilled-immigration-wage-war>

Were a President Trump to deport all illegal immigrants, the economy would suffer greatly. Just ask Arizona, where a crackdown on illegal immigrants in 2007 shrank the economy by 2%, according to a private analysis by Moody's, a ratings agency, for the Wall Street Journal. The incomes of most workers would fall. Yet strangely enough, those best placed to benefit from a mass deportation would be those who had crossed the border legally.

Studies prove immigration is good for the US economy

University of Pennsylvania Wharton School of Finance, June 27, 2016, "The Effects of Immigration on the United States economy", <http://www.budgetmodel.wharton.upenn.edu/issues/2016/1/27/the-effects-of-immigration-on-the-united-states-economy>

Has the surge in immigration since 1970 led to slower wage growth for native-born workers? Academic research does not provide much support for this claim. The evidence suggests that when immigration increases the supply of labor, firms increase investment to offset any reduction in capital per worker, thereby keeping average wages from falling over the long term. Moreover, immigrants are often imperfect substitutes for native-born workers in U.S. labor markets. That means they do not compete for the same jobs and put minimal downward pressure on natives' wages. This might explain why competition from new immigrants has mostly affected earlier immigrants, who experienced significant reductions in wages from the surge in immigration. In contrast, studies find that immigration has actually raised average wages of native-born workers during the last few decades.

Immigrants are at the forefront of innovation and ingenuity in the United States, accounting for a disproportionately high share of patent filings, science and technology graduates, and senior positions at top venture capital-funded firms. In addition, the presence of immigrants often creates opportunities for less-skilled native workers to become more specialized in their work, thereby increasing their productivity.

Immigration generally also improves the government's fiscal situation, as many immigrants pay more in taxes over a lifetime than they consume in government services. However, native-born residents of states with large concentrations of less-educated immigrants may face larger tax burdens, as these immigrants pay less in taxes and are more likely to send children to public schools.

Immigrants don't replace; they complement American workers

University of Pennsylvania Wharton School of Finance, June 27, 2016, "The Effects of Immigration on the United States economy", <http://www.budgetmodel.wharton.upenn.edu/issues/2016/1/27/the-effects-of-immigration-on-the-united-states-economy>

Despite these increases in labor supply, in many cases immigrants appear to complement American-born workers rather than replacing them. Because less-educated immigrants often lack the linguistic skills required for many jobs, they tend to take jobs in manual labor-intensive occupations such as agriculture and construction. Even for low-skilled native-born workers in these industries, the effects of increased competition from immigrants are ambiguous, as many take advantage of their superior communication abilities and shift into occupations where these skills are more valuable, such as personal services and sales.

Similarly, highly educated immigrants face a disadvantage in communication-intensive jobs, and therefore tend to work in scientific and technical occupations. Highly skilled natives in management, media, and other culture- and language-dependent jobs face little competition from high skilled immigrants. The inflow of foreign labor is, therefore, concentrated in a subset of occupations that tend to employ many immigrants already. Consequently, it is earlier immigrants who face the greatest increase in competitive pressure.



ANSWER TO: IMMIGRATION DISADVANTAGE- BORDER DEATH

Immigration crackdowns cause the dangers of the neg impact. The status quo will be responsible for the violence to migrants

Heather Randall, March 27, 2014, Human Trafficking Center, "Human Smuggling, Trafficking and Immigration Reform: Recommendations for Policymakers", <http://humantraffickingcenter.org/human-smuggling-trafficking-and-immigration-reform-recommendations-for-policymakers/>

One often overlooked aspect of the controversial issue of immigration reform is the connection between undocumented migration and human trafficking. Efforts to strengthen border security can paradoxically drive vulnerable illegal migrants into the arms of human smugglers and actually lead to an increase in human trafficking. Immigration reform debates should therefore consider the externalities immigration policies may have on human trafficking.

Since tighter U.S. border security has made border crossing more difficult, many migrants have sought the help of smugglers and subsequently been subject to their ever-increasing fees. These fees put migrants in the vulnerable position of reliance on the smugglers to follow through on their promises to get them across the border undetected. While many smugglers operate under business models, maximizing profits by bringing their clients to their final destinations safely, others exploit the vulnerabilities of their clients. When elements of force, fraud, or coercion are introduced, clients can easily find themselves in a position in which they have been trafficked. In one example, U.S. Immigration and Customs Enforcement investigated a case where 24 Mexican women who paid coyotes to smuggle them into the U.S. were consequently exploited and forced into sexual exploitation on the East Coast through threats of violence. The connection between human trafficking and human smuggling is unsurprising, since human trafficking is often linked to similar crimes such as document forgery, fraud, vehicle theft and drug and arms trafficking.

The otherization of undocumented immigrants in the US dehumanizes trafficked women. Voting against the plan won't help these women.

Irina Do Carmo, July 30, 2015, The Guardian, "Trafficking victims often treated as illegal immigrants first, human beings last", <https://www.theguardian.com/global-development/2015/jul/30/trafficking-victims-treated-illegal-immigrants-modern-slavery-act>

Somehow, eventually they will escape. Only very rarely will they be rescued. When they encounter the authorities, the likelihood of being believed is balanced against their immigration status. As a result, their cases are often received with at best scepticism and at worst a strong rebuke that they should not have come here to scrounge off our benefits. The strong message is: you are an illegal immigrant first and a human being last; not our citizen, not our problem.

The process these women then have to go through is a slow dehumanisation.

To have been positively recognised as a victim of trafficking in the eyes of the law, Abike, like every woman we work with, first had to pass a tick-list of official indicators. Did someone else arrange your travel? Did you earn any money from the work you did? Are you traumatised? How can you prove you are traumatised? Which expert can substantiate your claims? It goes on and on and on. And unsurprisingly, many fail a tick or two. The majority of women who face this do so without a professional advocate and have no means of challenging their exclusion from identification as a victim of trafficking and therefore from any support.

◆.....◆
Your Words.

Glossary:



ANSWER TO: CAPITALISM KRITIK

Perm – Do both. Sanctuary states can unite the workers

Roqayah **Chamseddine**, May 18, 2017, Shadow Proof, "SANCTUARY COMMUNITIES AND THE FALLACY OF 'GOOD IMMIGRANTS' VS. 'BAD IMMIGRANTS'", <https://shadowproof.com/2017/05/18/sanctuary-fallacy-good-vs-bad-immigrants/>

A pressing issue Gardner mentions is the reason that undocumented immigrants migrate, which, in many cases, is due to the impacts of destructive U.S. policies on their home countries. "This includes both economic policies, like the dumping of U.S. government-subsidized agricultural goods in foreign markets in the name of "free trade," but also military intervention.

For decades, the U.S. has backed brutal dictatorships and right-wing paramilitary forces to suppress popular uprisings across Latin America and the rest of the world, and many of the victims of these policies came here as refugees—with or without papers.

Garland emphasizes, "As socialists, we believe that workers in the U.S. and all around the world—documented and undocumented—are all struggling against the same enemy: U.S. capitalism and imperialism. The fight for sanctuary has the potential to unite workers from all backgrounds, and can improve conditions for everyone."

No Link - Sanctuary is a status of non-cooperation. We are not colluding with any system. The affirmative is a refusal.

Dan La **Botz**, July 7, 2017, Democratic Socialists of America, "Sanctuary: In a Great American and International Tradition",

http://www.dsusa.org/sanctuary_in_a_great_american_and_international_tradition_dl

Our sanctuary work is also in a great international tradition. New Sanctuary's method could be characterized as "non-cooperation," that is, declining to cooperate with the immigration authorities. Non-cooperation, which may also become civil disobedience, has its roots of course in American Henry David Thoreau's famous essay "On Civil Disobedience," an essay and an idea was taken up by Mohandas K. Mahatma Gandhi, the leader of the Indian independence movement from the 1920s to the 1940. Indians refused to cooperate with the British in any way, while calling for independence. A movement at the origin of the non-cooperation tradition.

Non-cooperation was taken up in 1960 by Nelson Mandela and the African National Congress (as well as by the rival Pan Africanist Congress), which organized an anti-pass campaign against the government's requirement that black people carry passes. Mandela himself publicly burned his pass, for which he was imprisoned for five months, only part of his longer struggle and later decades long imprisonment. In doing our sanctuary work, we put ourselves in this tradition.

A few years ago my wife Sherry and I visited France and met with activists of the Rêseaux de éducation san frontières, the Education without Borders Network. Leftist high school teachers at the Jean Jaurès public high school in Paris were the original organizer of the network. (Jaurès was, by the way, the principal leader of the Socialist Party in France at the beginning of the twentieth century.) They began to organize to protect the African and Arab and mostly Muslim children of their schools from deportation. They were not the first children be snatched from schools.

◆.....◆
Your Words.

Glossary:



ANSWER TO: CAPITALISM KRITIK

The alternative will not solve. There are no effective leftist movements in the US. Vote for the affirmative because it is a better way of addressing conditions people are actually facing.

Barbara Epstein, Spring 2014, author, former Professor Emerita in the Humanities Division @ UC Santa Cruz, "Prospects for a Resurgence of the U.S. Left", Tikkun, Volume 29, Number 2, Project Muse

The United States has no coherent, effective Left. Over the last four decades, since the movements of the sixties and seventies went into decline, the problem of the degradation of the environment has reached a level that threatens the existence of humans and other species on the planet. The neoliberal form of capitalism that has taken hold globally has caused the gap between the wealth and power of those at the top and the rest of us to widen dramatically, undermining the quality of life of the majority and threatening the public arena itself. Despite the depth of the economic crisis of 2008, there is no substantial movement for the abandonment of neoliberalism, the regulation of industry, or the creation of a more egalitarian economy. The environmental movement has grown, but not to the point of having the capacity to reverse environmental degradation. There are undoubtedly more people and projects devoted to economic and social justice—and to environmental sustainability—than there were in the sixties and seventies. The problem has to do with collective impact. No movements of the Left have emerged capable of making a real difference in the conditions that we face.

The Alternative fails – The global economic system is too entrenched in capitalism; it makes any attempt to reshape capitalism impossible

Jerry Mander, 7-24-2013, "There Are Good Alternatives to US Capitalism, But No Way to Get There," Alternet, <http://www.alternet.org/books/there-are-good-alternatives-us-capitalism-no-way-get-there>

Let's start with some good news. There is no shortage of good alternative ideas, plans, and strategies being put forth by activist groups and “new economy” thinkers in the United States and all countries of the world. Some seek to radically reshape the current capitalist system. Others advocate abandoning it for something new (or old). There is also a third option, a merger of the best points of other existing or proposed options, toward a “hybrid” economic model that can cope with modern realities. Meanwhile, U.S.-style laissez-faire capitalists, who now dominate the politics and economy in this country, continue to argue that all solutions must be determined by the “free market.” But the free market does not focus on the needs of democracy, or the implications of rampant inequity, or the catastrophic problems of the natural world. The free market is interested in one thing: expanding wealth. That is its only agenda. Nothing else matters, at least until the system collapses. Klaus Schwab had it right. And the situation is not much better abroad. Ecological economist Brian Davey reported from the Beyond Growth Congress in Berlin (2011) that there was “much talk of the need for democratization to facilitate the post-growth economy. However, there was great skepticism for how much could be achieved. . . . The grip of corporate lobby interests over politics at national [U.S.] and European levels is too great. The state is a weak instrument for the kind of change that has to happen.” (Adbusters, December 2011)

◆.....◆
Your Words.

Glossary:



ANSWER TO: FEDERALISM DA

States can refuse to declare their schools' sanctuaries by refusing federal funding; the plan is still a choice for states.

U.S. Department of Education, 9/19/2014, "10 Facts About K-12 Education Funding",
<https://www2.ed.gov/about/overview/fed/10facts/index.html>

There are no unfunded federal education "mandates." Every federal education law is conditioned on a state or other grantee's decision to accept federal program funds.

Federal education program "requirements" are not unfunded mandates because the conditions in federal law apply only when a state (or other grantee) voluntarily chooses to accept federal funds. Any state that does not want to abide by a federal program's requirements can simply choose not to accept the federal funds associated with that program. While most states choose to accept and use federal program funds, in the past, a few states have forgone funds for various reasons.

Turn – The Trump administration is violating federalism by insisting schools enforces federal immigration law.

Michael Hiltzik, March 28, 2017, LA Times, "Here's what Atty. Gen. Sessions got wrong about the law in his attack on sanctuary cities", <http://www.latimes.com/business/hiltzik/la-fi-hiltzik-sanctuary-sessions-20170328-story.html>

That points to some important flaws in the government's insistence that sanctuary policies necessarily violate federal laws. Defenders of states and cities point to the 10th Amendment, which has been widely interpreted as protecting state and local law enforcement agencies from being "commandeered" by the federal government to enforce federal law — such as immigration law. That places serious limits on the government's ability to demand cooperation from localities for immigration sweeps or even detention of suspected undocumented immigrants.



ANSWER TO: FEDERALISM DA

States has huge differences in levels of funding which makes equal opportunity impossible. The states don't value people the same way. Basically, undocumented immigrants get treated very differently in Arizona and New York – that difference isn't something we should preserve.

Kimberly Robinson, 2015, "Disrupting Education Federalism," 92 Wash. U. L. Rev. 959, Law Faculty Publications, <http://scholarship.richmond.edu/cgi/viewcontent.cgi?article=2246&context=law-faculty-publications>

Given this generally consistent failure to undertake comprehensive and sustained reform, the United States should not expect different results from a system that has failed to ensure equal educational opportunity for many generations of schoolchildren. Instead, an assessment of how education federalism could be restructured to support a comprehensive national effort to achieve this goal is long overdue. Part II.F will explain why further expansion of the role of the federal government as the guarantor of equal opportunity represents a more fruitful avenue for reform than state level reform. 4. Education Federalism's Insistence on State and Local Control of School Finance Systems Invites Inequality Primary state and local control over education essentially invite inequality in educational opportunity because of pervasive state insistence that local governments raise education funds and state funding formulas that do not effectively equalize the resulting disparities in revenue. Although some influential victories have occurred, school finance litigation has mostly failed to change the basic organizational structure of school finance systems and their reliance on property taxes to fund schools. Instead, this litigation at best has obtained limited increases in funding for property-poor districts while allowing property-rich districts to maintain the same funding level or to raise their funding rate at a slower pace. Recent evidence of the persistent inequalities in school funding can be found in two distinct 2013 reports. A report from the Council on Foreign Relations found that in the United States more is spent per pupil in high income districts than in low-income districts. This stands in sharp contrast to most other developed nations where the reverse is true. The Equity and Excellence Commission report also found that "In no other developed nation has inequities nearly as deep or systemic; no other developed nation has, despite some efforts to the contrary, so thoroughly stacked the odds against so many of its children." These disparities are due in substantial part to the continued state reliance on property taxes to fund schools. As a result, state school finance systems in the United States typically create many predominantly low-income and minority schools that predictably produce poor outcomes because these schools typically lack both the resources to ensure that their students obtain an effective education and the capacity to undertake effective reforms even when these reforms are well conceived.

Uneducated is not the same as stupid. A failing education system is not the reason the US is in a stupidity crisis

Alan Caron, Jan 1, 2017, Press Herald, "America is suffering from a dangerous knowledge deficit", google

Let's be careful not to confuse stupidity with ignorance or lack of education, although they generally expand together. There are lots of people who lack education but who have great natural intelligence and a desire to learn, including most of the people I grew up with.

Stupid is different. To win a degree in stupid, you have to willfully reject facts in favor of superstitions, myths, fears and conspiracy theories. And then get all your news from fake or biased news sites targeted at the stupid.



ANSWER TO: STATES COUNTER-PLAN

Congress must pass the plan because it intersects with immigration law. Uniformity prevents foreign policy disasters

David Rivkin & Elizabeth Price Foley, practice appellate and constitutional law, Dec 7, 2016, LA Times, "Can Trump cut off funds for sanctuary cities? The Constitution says yes.", <http://www.latimes.com/opinion/op-ed/la-oe-rivkin-foley-sanctuary-city-20161207-story.html>

Whatever one's view of the best immigration policy, it should be uniform. Some, including the Washington Post's editorial board, have suggested that Congress should give sanctuary cities flexibility to report only those who've committed the most serious violent offenses. But precisely which criminals should be subject to deportation requires resolution by Congress, not each city or university.

Sanctuary policies create Balkanization on an issue with important foreign policy implications and corresponding potential for diplomatic embarrassment. As the Supreme Court affirmed in Arizona v. United States (2012), "the removal process is entrusted to the discretion of the Federal Government" because it "touch[es] on foreign relations and must be made with one voice."

The Constitution is clear that power to determine deportation policies belongs to Congress, not states, municipalities or universities.

Sanctuary policies have to be federal to prevent the bubble effect

Coleen O'Dea, May 31, 2017, New Jersey Spotlight, "Gubernatorial candidates talk undocumented immigrants, legalized pot", <http://www.njspotlight.com/stories/17/05/31/gubernatorial-hopefuls-talk-undocumented-immigrants-legalized-pot/>

Hirsh Singh, an engineer and business executive, said the establishment of sanctuary cities or making the state a sanctuary is just a short-term solution that traps immigrants in whatever “bubble” is safe, because once they leave, they are subject to detention and possible deportation. “The leadership needs to come from D.C.,” he said. “Having bubbles and making us locally have laws that contradict the federal government is not a smart move.”

States will have incredible flexibility under DeVos – she will allow them to actively discriminate against immigrants if they want to.

Christina Cauterucci, May 24, 2017, "Betsy Devos All Smiles as She Endorses States' Rights to Discriminate Against Children", Slate Magazine, google

DeVos calls what she's endorsing “state flexibility.” States, she's saying, should have the flexibility to exclude marginalized demographics from federally funded public schools if they deem it appropriate for their students. No cookie-cutter integrated school solutions for DeVos, who once praised education under Jim Crow as a pioneering example of school choice! The Secretary of Education wants students to have all of the options, including federally funded options that allow them to avoid learning alongside queer students, students of color, students of faith, or students with disabilities, if their parents prefer it that way.



ANSWER TO: STATES COUNTER-PLAN

Local differences make the federal government essential. Conservative and liberal school districts will enact the plan different if the federal government doesn't enforce it.

Shannon K. McGovern. J.D., 2011, New York University School of Law; "A New Model For States As Laboratories For Reform: How Federalism Informs Education Policy"
<http://www.nyulawreview.org/sites/default/files/pdf/NYULawReview-86-5-McGovern.pdf>

On the other hand, local differences may jeopardize rather than promote quality education if not for federal intervention. For instance, a state or locality's limited fiscal capacity or tax effort can drastically reduce per-pupil expenditures, or educational content may vary with local political ideology in an era in which state and federal policy makers agree that the use of internationalized standards are necessary for post-secondary success as well as national competitiveness. Recognition of the necessity of local/state solutions to some uniquely local/state problems is not inconsistent with federal oversight of education. It simply requires a sensitive application of the federalism model described in Part I. The fact that local governments can solve some problems better should not preclude the federal government from making supplementary, or even overlapping, efforts. Nor does Milliken's citation of "experimentation, innovation, and . . . competition" as a means of achieving educational quality compel a slavish devotion to local control. True, one of the merits of a federalist system is the ability of its component parts to innovate. An individual state—by virtue of its smaller size, knowledge of local conditions, or more homogenous citizenry—may be better able than the federal government to implement (and, where necessary, modify) new education policy with flexibility. But the recognition that states are better innovators does not compel local control over education. As I explain in Part IV, the federal government can maintain a policy role while harnessing the advantages of the states-as-laboratories model.

Permutation – Do both the aff and the neg. The federal and state governments should cooperate.

Randi Weingarten, January 9th, 2017, "Four Pillars to Achieve Powerful, Purposeful Public Education ... Or Reigniting the Education Wars.", Remarks at the National Press Club, Google

The New Education Federalism When you see a neighborhood public school that's working anywhere in the country, you see these four pillars I've described. They're not one-size-fits-all; they're tailored to different communities and needs. And they're not a magic elixir; they need to be funded and supported. One thing they don't need is a change in federal law. That already happened with ESSA. ESSA creates the potential to put these pillars in place, although it doesn't guarantee it. The frontier in education has moved from Washington, D.C., to state capitols, districts and school communities. This doesn't mean that the federal government has no role. We still need it to promote equity by funding schools that serve disadvantaged children and protecting the civil rights of all children, including LGBTQ students, still vitally important 60 years after the landmark Brown v. Board of Education decision. But ESSA quelled the education wars and enabled our shared attention to turn to what works: collaboration, and capacity building, and powerful learning, and the well-being of all children. Practical concepts that are scalable and sustainable; that Republicans and Democrats can support; and that red states and blue states, and rural, suburban and urban schools, can implement with the right investment and management. One speech cannot encompass everything we need to do for children, families and communities. We need to fight for a living wage, for retirement security, for affordable and accessible healthcare and college, and for universal pre-K, to name a few. And you can be sure we'll continue to fight for those. But the passage of ESSA has created a moment of opportunity to use these four pillars to help make every neighborhood public school a place that parents want to send their kids, educators want to work and kids want to be. .



READY TO CUT YOUR OWN EVIDENCE? TRY THIS

Judy Appel & Valerie Cuevas, July 10, 2017, East Bay times, "Schools should be a Sanctuary for Schools",
<http://www.eastbaytimes.com/2017/07/10/opinion-we-need-sanctuary-schools-now-more-than-ever/>

Separate is not equal. Schools should be safe, secure and peaceful places for all of our students to learn. These tenets are settled law. In *Brown v. The Board of Education* and *Plyler v. Doe*, the Supreme Court affirmed that discrimination of any kind in our schools is unconstitutional and that every student in every classroom in every corner of this nation is entitled to equal access to education.

The law is clear. As is the common-sense belief that we all benefit when every child receives an education because they are our future. Yet hostility and xenophobia from our president and his allies have injected new fear and suspicion into the daily lives of millions of Californians.

So, here we sit as school board members having to assure our students that they are safe within their classroom walls. We have to promise teachers that they will not be asked to stand in for Immigration and Customs Enforcement (ICE) agents. We have to affirm to parents that our students will not be shaken down on their way to kindergarten.

As trustees for Berkeley Unified and West Contra Costa Unified school districts, we are proud to provide each child in every one of our schools with a quality education. That commitment, not a political agenda or a photo opportunity, pushed our districts to lead the nation with sanctuary school policies last year. These policies publicly affirm the equal protection of our students above all else, providing clear guidance on how our districts will respond in the face of mass deportation threats.

You may wonder if these policies are necessary in schools and communities that are among the most diverse and tolerant in the nation. Sadly, the answer is yes. With the national news and actions of some local leaders, we see fear seeping into classrooms, impacting learning.

It is not hard to find the root of that fear. In Contra Costa County, it was announced that our jail will be expanded to make space to hold immigrants and their children. Instead of investing millions of tax dollars on resources like after-school programs and mental health care — both proven to improve outcomes and increase opportunity — we are building rooms to incarcerate our community members.

Neither one of us is a stranger to fear and intimidation. We are both women, both lesbians, one of us Latina and the other Jewish. But nothing we have experienced compares to the threats and hate speech from federal and local leaders now present every single day.

As young children, neither of us went to school knowing that by midday our parents might be forced onto a plane to a far-off place. Nor have our children had to wonder if they will be scooped up from their third grade classroom and sent off to a country they have never known. Have yours?

In the face of inhumane policies and the vitriol that comes along with them, we stand ready to lead. To families who live in fear every day: We stand with you. Know that we will do everything within our power to protect our children, teach them and give them a sanctuary from bigotry and scapegoating. And to all other families, we say: For the sake of our students, our communities and our future, join us.



Sanctuary Schools
BAUDL 2017-2018

EVIDENCE
FOR THE
NEGATIVE



CASE DEBATE: NO SOLVENCY – SYMBOLIC ONLY

Sanctuary policies don't prevent deportation or information sharing with immigration authorities

American Immigration Council, Feb 23, 2017, "Sanctuary Policies: An Overview",
<https://americanimmigrationcouncil.org/research/sanctuary-policies-overview>

"Sanctuary" jurisdictions share information with federal immigration authorities and do not shield immigrants from deportation

Contrary to what many believe, so-called "sanctuary" policies do not conceal or shelter unauthorized immigrants from detection. Nor do they shield immigrants from deportation or prosecution for criminal activities. The police can enforce all criminal laws against immigrants who commit crimes.

Jurisdictions that have a "sanctuary" policy cooperate with federal immigration officials in a variety of ways. For example:

Even in "sanctuary" jurisdictions, officials send federal immigration agencies the fingerprints of any person—including an immigrant—booked into a prison or jail; the federal government then uses that information to identify noncitizens for deportation.

"Sanctuary" jurisdictions may rent jail space to the federal government to house immigrant detainees through Inter-Governmental Service Agreements (IGSAs).

"Sanctuary" jurisdictions may have policies that direct local law enforcement to, under limited circumstances, either honor requests from U.S. Immigration and Customs Enforcement (ICE) to be notified of an individual's release from local custody or comply with immigration detainers. A detainer is an official request from ICE that a state or local law-enforcement agency maintain custody of an individual for 48 hours beyond the time the individual otherwise would have been released, so that ICE can arrange to take over custody. A "sanctuary" jurisdiction may have, for example, a policy directing local law enforcement to only honor detainers if the individual in question has been convicted of a serious or violent crime.

It's symbolic policy; it's unenforceable

Liz Jones, Jan 12, 2017, KUOW, "Why universities are resisting the term 'sanctuary campus'",
<http://kuow.org/post/why-universities-are-resisting-term-sanctuary-campus>

Sanctuary is mostly a symbolic term that school administrators appear reluctant to adopt. "There is no legal definition of what a sanctuary campus is, and having this denomination carries no weight," said University of Washington President Ana Mari Cauce. Immigration agents already confront special rules for school campuses, which are considered "sensitive locations" for enforcement actions. A 2011 policy memo from Immigration and Customs Enforcement (ICE) outlines measures to "ensure enforcement actions do not occur at nor are focused on sensitive locations" except in certain circumstances, such as a threat to national security. Churches, hospitals, funerals, weddings and public rallies are also sensitive locations. Responding to the petitions, several school administrators have said they can't restrict ICE from campus. But they outlined how they limit cooperation. One common way is to prohibit campus police from questioning or reporting a person's immigration status.

◆.....◆
Your Words.



CASE DEBATE: NO SOLVENCY - SYMBOLIC

Sanctuary schools are purely symbolic and provide no real protections for students or their families.

Amber Athey, March 13, 2017, Campus Reform, "IU, NYU reject 'purely symbolic' sanctuary campus designation", <https://www.campusreform.org/?ID=8905>

"Designation as a sanctuary campus has no fixed meaning, has no legal standing, and hence, would be purely symbolic," McRobbie writes. "It would add no additional legal or practical support to IU students or faculty." Additionally, he explains, IU cannot skirt the law, and thus a sanctuary designation promises more than the university can deliver. "At the same time, such a declaration suggests more than a university can deliver, as other university leaders have also observed," states McRobbie. "IU cannot choose whether or not to abide by federal or state law, and it would be a disservice to state or imply that such is the case." NYU President Andrew Hamilton declined to name the school a sanctuary campus for similar reasons, making clear that the term "has no clearly agreed upon or understood legal definition." "Such a declaration would not confer upon us any special status, or give us greater legal authority or insulate our campus or our people from the law, or yield any additional steps...or resources to safeguard our undocumented community members," Hamilton notes in a letter to his faculty, who asked for the sanctuary designation.

Undocumented immigrants will be detained in other places, like courthouses. Trump isn't accepting no for an answer.

Andy J. Semotiuk, attorney practicing in California and New York in the area of international law focusing on immigration, April 18, 2017, Forbes, "Dispute Over Illegal Immigrants Threatens Federal Funding For Sanctuary Cities", <https://www.forbes.com>

Nowhere is the conflict better presented than in an extraordinary exchange of letters a few weeks ago between Justice Tani G. Cantil-Sakauye, the Chief Justice of the State of California and Attorney General Jeff Sessions and Secretary of Homeland Security John Kelly. As I pointed out in a previous column, Cantil-Sakauye started the exchange by writing, "Courthouses should not be used as bait in the necessary enforcement of our country's immigration laws."

In their joint response Sessions and Kelly replied that courthouse detentions have been made necessary by so-called "sanctuary" policies that limit cooperation with federal immigration enforcement at the local, county and state level. According to their view,

Some jurisdictions, including the State of California and many of its largest counties and cities, have enacted statutes and ordinances designed to specifically prohibit or hinder ICE from enforcing immigration law ... As a result, ICE officers and agents are required to locate and arrest these aliens in public places, rather than in secure jail facilities.

They added that courthouses offer a safe alternative for Immigration and Customs Enforcement (ICE) because visitors are typically screened upon entry.

◆.....◆
Your Words.



CASE DEBATE: SOLVENCY TURN – INCREASES RISK

Sanctuary school isn't a literal term, using it can be dangerous to families. Schools cannot actually prevent ICE from coming to deport on campuses.

Corey Mitchell, March 6, 2017, PBS, "What can schools do to protect undocumented students, and other FAQs", <http://www.pbs.org/newshour/updates/can-schools-protect-undocumented-students-faqs/>

Lawyers for both immigrant advocacy groups and school systems acknowledge that families may view the word "sanctuary" literally and overestimate the legal protections afforded to them in schools. When agents want access to a campus or information on students, for example, the resolutions in Clark County, L.A. Unified, and Pittsburgh require the requests to go through a superintendent's office or a district's legal department. But the resolutions also make clear that campus police will assist federal agents as required by law if called upon to do so.

"ICE is a federal immigration agency and they do have legal authority to enforce immigration law and there could be scenarios where ICE could access campus," said Jessica Hanson, a lawyer with the National Immigration Law Center.

◆.....◆
Your Words.



CASE DEBATE: TRUMP BACKLASH 1NC

A. Trump will retaliate against any city that provides a sanctuary for immigrants. Declaring sanctuary states will cost school districts their federal funding.

Corey Mitchell & Francisco Vara-Orta, Feb 15, 2017, PBS, "Trump's orders on immigration rattle some educators", <http://www.pbs.org/newshour/updates/trumps-orders-immigration-rattle-educators/>

Trump's order to punish jurisdictions that don't cooperate with immigration authorities has put a target on cities that vow to protect their undocumented residents. Los Angeles Unified is one district anticipating potential fallout for schools that pledge to shield their students. Its school board has been outspoken about its refusal to cooperate with any immigration enforcement efforts. Slashing federal aid could deal a blow to any district. In L.A. Unified, roughly \$700 million in federal funds flow into the district's coffers each year. Chicago and Clark County, Nev., may also be at risk for declaring their districts as "sanctuary" campuses.

B. Head Start programming would be at risk

Reuters, Jan 25, 2017, "President Trump Could Strip Over \$2 Billion a Year in Funds to Top 10 Sanctuary Cities", <http://fortune.com/2017/01/26/donald-trump-sanctuary-cities-illegal-immigrants/>

Though details remain vague, the order could jeopardize billions of dollars in housing, health, education and other types of federal aid. Among the funds at risk are \$460 million that the federal government gave out to fund Head Start pre-school programs in the 10 largest 'sanctuary cities' in the most recent fiscal year, the analysis found.

C. Head Start has long-term impacts. It improves economic conditions, health, and reduces criminal involvement for all of its participants.

Dwyer Gunn, Aug 29, 2016, Pacific Standard, "WHAT ARE THE LONG-TERM EFFECTS OF HEAD START?", <https://psmag.com/news/what-are-the-long-term-effects-of-head-start>

The study received a lot of press and provoked a lot of hand-wringing. In response, James Heckman, the Nobel Prize-winning economist who conducted the Perry Preschool evaluations, counseled patience, pointing out that first-, second-, or third-grade test scores may not be the best metric by which to judge an early childhood education program. Too often program evaluations are based on standardized achievement tests and IQ measures that do not tell the whole story and poorly predict life outcomes. The Perry Preschool Program did not show any positive IQ effects just a few years following the program. Upon decades of follow-ups, however, we continue to see extremely encouraging results along dimensions such as schooling, earnings, reduced involvement in crime and better health. The truly remarkable impacts of Perry were not seen until much later in the lives of participants. Similarly, the most recent Head Start impact study seemingly shows parity at third grade while numerous long-term, quasi-experimental studies find Head Start children to attend more years of schooling, earn higher incomes, live healthier, and engage less in criminal behavior. Considering this, it is especially important that we see HSIS through before condemning Head Start.

Your Words.

Glossary:



CASE DEBATE: TRUMP BACKLASH - LINKS

Trump will retaliate against any city that provides a sanctuary for immigrants

Julia Preston, May 25, 2017, New York Review of Books, "Trump: The New Deportation Threat",
<http://www.nybooks.com/articles/2017/05/25/trump-the-new-deportation-threat/>

In late March, Trump's attorney general, Jeff Sessions, who as a Republican senator from Alabama was a tireless critic of Obama's enforcement strategy, announced that the Justice Department would reinforce ICE's operations by retaliating against so-called sanctuary states and cities that restrict their cooperation with ICE agents. Sessions said that the Justice Department would deny federal grants to police in recalcitrant jurisdictions. Citing no data, Sessions, speaking at the White House press briefing on March 27, accused those places of complicity in deaths of their residents. "Countless Americans would be alive today and countless loved ones would not be grieving today if these policies of sanctuary cities were ended," he said.

Declaring school districts sanctuaries will make them an unnecessary target for loss of funds

Nick Fouriezos, reporter on national politics, March 26, 2017, OZY, "PUBLIC SCHOOLS: THE NEW IMMIGRATION SANCTUARIES?", google

As more schools declare themselves sanctuaries, other districts have grappled with difficult trade-offs. Their hesitance begins with a fear that outing themselves will hurt, not help, their most vulnerable residents. States with large Hispanic populations, like California and Nevada, may feel extra pressure to publicly back their concerned communities, but not every immigrant-heavy jurisdiction benefits, says Sally Howell, director of the Center for Arab American Studies at the University of Michigan in Dearborn, another Detroit-area city where almost half of the residents are Muslim. In Hamtramck, a newer community whose mostly Middle Eastern and African immigrants come with legal visas, the decision to create sanctuary schools is "a symbolic gesture," with little at stake, Howell says — even with Trump's travel ban on six Muslim-majority nations, including Yemen. But, Howell adds, Dearborn, a longer-entrenched community with more monetary and political capital to lose, has less incentive to adopt a bull's-eye unwittingly. "The truth is we've been doing it all along with no consequence," says Dearborn mayor Jack O'Reilly, asserting that most local protections are already in place, sanctuary or not.

Refusing to comply with Trump will make the schools his targets

Nick Fouriezos, reporter on national politics, March 26, 2017, OZY, "PUBLIC SCHOOLS: THE NEW IMMIGRATION SANCTUARIES?", google

Sanctuaries are likely to face more scrutiny in the months ahead, which may explain why some schools are loath to paint themselves a target. Last week, the Department of Homeland Security released a report naming jurisdictions that refused to detain immigrants for federal deportation, the first in a series mandated by an executive order Trump signed in February. "When law enforcement agencies fail to honor immigration detainees and release serious criminal offenders, it undermines ICE's ability to protect the public safety," Thomas Homan, acting director of ICE, said in a statement. In late January, another Trump order called for ICE to hire 10,000 additional immigration officers and to withhold federal money from so-called sanctuary jurisdictions. The latter directive's constitutionality is being contested in court.



CASE DEBATE: TRUMP BACKLASH – IMPACTS

Backlash takes-out case solvency. Sanctuary schools only protect students if it doesn't violate the law to do. Violating federal law would endanger school funding.

Mark Keierleber, reporter, March 19, 2017, The 74, "Claiming Sanctuary: Inside the Schools Now Actively Resisting President Trump's Immigration Crackdown", google

In Oakland, Calif., a sanctuary schools resolution directs the district to advocate on behalf of students, so long as those actions don't violate federal law — because if students don't feel safe at school, they don't show up, said Shanthi Gonzales, a district board member who advocated for the policy. The district has also held presentations to inform families about their rights and available legal resources.

"We live with the same reality that every school district and every city and municipal agency in the country lives with, which is that we rely on federal funds," Gonzales said. "What our resolution says is that, within the constraints of the law, that we will protect families."

School districts would lose 10% of their total funding. The plan would cause staff cutbacks and reductions in curriculum and teacher training.

Jason Hanna, May 14, 2016, CNN, "Feds' transgender guidance: Would schools lose funds?",
<http://www.cnn.com/2016/05/13/politics/transgender-bathroos-federal-funding-schools/index.html>

K-12 school districts, on average, get about 10% of their total funding from the federal government, said Joel Packer, executive director of the Washington-based Committee for Education Funding. A school district's actual percentage depends largely on how many of its students are poor. That's because a large portion of federal funding comes through Title I of the Elementary and Secondary Education Act, which grants money to districts according to how many children from low-income families they serve. The more impoverished an area is, the more Title I money comes in. Usage for Title I cash can be "pretty open-ended" -- to pay teachers and staff, after-school programs and other things, Packer said. Another large portion, according to Packer, comes through the Individuals with Disabilities Education Act, which helps schools educate children with disabilities. A federal funding stoppage would be "pretty dramatic" for a school district, and could lead to staff reductions and cutbacks in curriculum and teacher training, Packer said. "School districts are not rolling in cash. Some of the have been behind the eight ball since the recession" with recent cutbacks in federal and local funding, Packer said.

The loss could be as much as \$27 billion covering housing, education, and transportation. Trump can pick any city to punish.

Ray Sanchez, April 21, 2017, CNN, "What sanctuary cities stand to lose if feds have their way", cnn.com

In total, nearly \$27 billion in federal grants and direct payments poured into America's 106 sanctuary cities in fiscal 2016, according to an analysis by the nonprofit OpenTheBooks.com. Most of the federal money went to infrastructure such as housing, education, law enforcement and transportation, says Adam Andrzejewski, the study's author. "Ultimately, the courts will determine the scope of federal funding penalties," he adds. Attorney General Jeff Sessions has said that cities and states hoping to receive federal funds or grants must comply with federal law requiring local authorities to share citizenship or immigrant status of individuals to the Immigration and Naturalization Service if requested. In a series of letters to officials in major cities like New York, Chicago and Philadelphia, the Justice Department reiterated its threat. Local governments have been given until June 30 to prove compliance with federal immigration law or risk losing justice assistance grant money. The administration had been vague about which cities or which funds it may claw back. The policy was actually put in place by the Obama administration.



CASE DEBATE: TRUMP BACKLASH – ANSWER TO: COURTS

Yes, the president can pull federal funds to punish sanctuary cities and municipalities

Andrew Taylor, Feb 6, 2017, The Seattle Times, "AP Explains: Can Trump deny funds to sanctuary cities?", <http://www.seattletimes.com>

President Donald Trump is threatening to punish cities and other municipalities that shelter immigrants living in the country illegally by denying them federal dollars. Can a president do that? Most taxpayer money is beyond Trump's control. But a relatively small portion of the federal budget involves grants distributed by agency and Cabinet department heads appointed by Trump, and those programs could be affected. **WHAT IS TRUMP THREATENING?** Through a recent executive order and, on Sunday in an interview with Fox's Bill O'Reilly, Trump threatened to "defund" so-called sanctuary cities by taking away their federal grants. Those are cities and other municipalities that, generally speaking, shelter immigrants in the country illegally by refusing to help the federal government enforce immigration laws. Among the sanctuary cities are New York, Chicago and Los Angeles, as well as smaller jurisdictions like Takoma Park, Maryland, Cambridge, Massachusetts, and Chapel Hill, North Carolina.

The federal government can require states provide immigration information. Sanctuary status won't hold up in court.

David Rivkin & Elizabeth Price Foley, practice appellate and constitutional law, Dec 7, 2016, LA Times, "Can Trump cut off funds for sanctuary cities? The Constitution says yes.", <http://www.latimes.com>

Several cities and public universities have vowed to resist President-elect Donald Trump's plan to deport undocumented criminals by doubling down on sanctuary policies. In response, Trump has pledged to curtail federal funding for sanctuary providers. Activists, predictably, are crying foul, and some legal scholars, such as Harvard's Noah Feldman, have even claimed that such a response would be unconstitutional.

But whatever one thinks about Trump's strategy, it almost certainly would pass muster at the Supreme Court. Feldman and others point to New York v. United States (1992) and Printz v. United States (1997), in which the Supreme Court concluded that the federal government cannot conscript state or local officials to carry out federal law. The federal government must enforce its own laws, using federal personnel. So when state or local police arrest immigrants who are present in the country illegally, they are under no obligation to deport them, as deportation is the responsibility of the federal government alone.

This "anti-commandeering" doctrine, however, doesn't protect sanctuary cities or public universities — because it doesn't apply when Congress merely requests information. For example, in Reno v. Condon (2000), the Court unanimously rejected an anti-commandeering challenge to the Driver's Privacy Protection Act, which required states under certain circumstances to disclose some personal details about license holders. The court concluded that, because the DPPA requested information and "did not require state officials to assist in the enforcement of federal statutes," it was consistent with the New York and Printz cases.

It follows that, consistent with the anti-commandeering doctrine, Congress can require state, local or university police to tell federal agents when they arrest an immigrant present in the country illegally.

◆.....◆
Your Words.

Glossary:



IMMIGRATION DISADVANTAGE: 1ST NEGATIVE CONSTRUCTIVE SHELL

A. Undocumented immigration on the decline - tough on immigration rhetoric matters

Miriam Valverde, March 14, 2017, Politifact, "Donald Trump trumpets 40 percent decrease in illegal border crossings. Is he right?", <http://www.politifact.com/truth-o-meter/statements/2017/mar/14/donald-trump/trump-says-after-executive-orders-illegal-immigrat/>

Experts say Trump's tough-on-immigration rhetoric played an important part in the reduction of illegal border crossings. But they also caution that one month's worth of data is not enough to make a complete assessment and that other factors should also be considered.

"I do think that the election of President Trump is probably the most important factor driving these changes. But it is still very early to have firm conclusions," said Christopher Wilson, deputy director of the Mexico Institute at the Wilson Center.

It's likely that his rhetoric so far has had a stronger effect than his policies, as on-the-ground changes and implementation takes longer, Wilson said.

"The Trump administration's rhetoric and executive orders have created uncertainty for potential migrants and in immigrant communities, and new fears that immigration enforcement will intensify both at the border and in the U.S. interior," said Faye Hipsman, a policy analyst with the U.S. Immigration Policy Program at Migration Policy Institute, a nonpartisan think tank researching migration trends and policies.

February 2017's apprehension numbers represent a five-year low, Hipsman said. And the country hasn't seen a 40 percent decline in apprehensions in the last five years. But monthly apprehensions in fiscal year 2011 "were regularly on par with this February's figures," she said.

B. Regularization programs, like sanctuary schools, encourage undocumented immigration

Gemma Larramona & Marcos Sanso-Navarro, Aug 2014, Universidad de Zaragoza, "Do regularization programs for illegal immigrants have a magnet effect? Evidence from Spain.", p. 2.

Despite the efforts to limit migratory inflows, many individuals enter countries illegally with the hope of an eventual legalization. Coppel et al. (2001) have estimated that around 500,000 illegal immigrants enter Europe each year. This figure is 400,000 for the United States (Hoefer et al., 2006). Due to the high number of illegal immigrants in their territories during the last 25 years, certain developed countries have chosen to use regularization programs. In these amnesties, workers follow a procedure, at the end of which some are regularized and, hence, allowed to remain in the host country for a certain period. The main reason why these immigrants are not legalized immediately is that this would encourage foreigners to attempt to enter the country illegally. This incentive is commonly known as the magnet effect and leads to an increase in immigration.

C. The impacts

[[Dear Debater, Don't Read this Out loud Right Now. Select an impact scenario to go with the DA – there are 2 options; pick either "Border Death" or "Economy" to include in the 1st Negative Constructive Speech]]



IMMIGRATION DISADVANTAGE: BORDER DEATHS

C. Impact Scenario – Border Deaths

Illegal border-crossing is extremely dangerous. Many people are exploited and die. The US needs consistent immigration enforcement policies that don't encourage people to endure such a violent choice.

Ray **Walser**, Ph.D., Senior Policy Analyst for Latin America, Jena Baker **McNeill**, Senior Policy Analyst for Homeland Security, & Jessica **Zuckerman**, Research Assistant, June 22, 2011, The Heritage Foundation, "The Human Tragedy of Illegal Immigration: Greater Efforts Needed to Combat Smuggling and Violence", <http://www.heritage.org>

Violence against illegal border-crossers has become a regular occurrence around land and sea borders over the past decade. Criminal acts committed against illegal immigrants include kidnapping, robbery, extortion, sexual violence, and death at the hands of cartels, smugglers, and even corrupt Mexican government officials.

Hundreds of individuals perish trying to cross the U.S. southwest border each year—due to heat exhaustion, drowning, and falling into the hands of the wrong people. In Mexico, violence against illegal immigrants in transit has exploded since President Felipe Calderon began his battle against the country's transnational criminal organizations in 2006. Despite some success in thwarting these organizations, the slow pace of justice and law enforcement reform, as well as rampant corruption, has allowed organized crime to continue to thrive in Mexico. Likewise, as Mexico attempts to clamp down on narcotics operations, these increasingly multifaceted criminal organizations turn to other sources of income, such as human smuggling and sex trafficking.

The dangers of illicit movement are not confined to Mexico. Thousands of illegal immigrants attempt to reach the United States annually by sea from the Caribbean islands of Cuba, Haiti, and the Dominican Republic. They all put themselves at risk of abandonment, exposure, capsizing, and drowning.

This violence is augmented by an inconsistent policy by the Obama Administration, which downplays the risks of illegal migration, and an unorganized U.S. border security strategy. Exacerbating the problem is that enforcement of immigration laws inside the United States has been inconsistent—leaving a significant economic incentive for further illegal immigration. The escalating violence, ad hoc border security, and spotty immigration enforcement demands a more comprehensive and robust strategy for combating human smuggling, violence, and the huge numbers of illegal aliens. Such a strategy should include the following elements: Continued partnerships with nations to combat human smuggling and to dismantle trafficking networks throughout the region; Concerted efforts to promote justice and law enforcement reform, as well as free-market reform throughout Latin America to foster healthier economies, and thus weaken the incentive to migrate; Rejection of proposals for amnesty which give incentives to illegal immigrants; An organized strategy for integrating border manpower, technology, and other resources into an enterprise capable of responding to threats and decreasing the flow of illegal aliens across the border; Increased interior enforcement in the U.S. and reforms in legal immigration aimed at discouraging illegal entry; and Creation of an active public diplomacy program to educate potential illegal immigrants on the risks of such a journey and the consequences of illegal entry into the U.S.



IMMIGRATION DISADVANTAGE: ECONOMY IMPACT

C. Impact Scenario – US Economy

1. Unscrupulous employers take advantage of undocumented workers which drives down the wages for all workers

Tim Worstall, March 24, 2016, Forbes, "Illegal Immigrants Depress Wages: So, Make Them Legal Immigrants", <https://www.forbes.com/sites/timworstall/2016/03/24/illegal-immigrants-depress-wages-so-make-them-legal-immigrants/#2be45cc23fea>

Now, if people will work pretty much whatever they get paid then of course unscrupulous employers can get away with driving down wages. And no doubt some employers of illegals do exactly that. This then lowers wages in general of course: and thus the illegals have a greater effect upon wages than legal immigrants. For legal immigrants are protected by everything that the rest of us are protected by: minimum wage laws, basic treatment standards and so on. Thus we might say that the way to reduce the impact of illegals on wages is to offer some method for them to legalise their situation.

2. Low wages harm economic growth

The Economist, May 2, 2015, "When what comes down doesn't go up", www.economist.com

Flat and falling pay does not just matter to the people afflicted and to those who worry generally about growing inequality (a linked problem, but not quite the same one). Workers are also shoppers. Across the G7 group of rich countries household consumption ranges from 55% (France) to 68% (America) of GDP. While it makes sense for an individual boss to hold down pay, low pay across the economy as a whole threatens to put a lid on the growth that one would otherwise expect after a recession. If it does not there's a chance it will be because households are again borrowing to spend in an unsustainable way.

3. US economic collapse emboldens US adversaries and makes major war more likely

Kenneth Lieberthal & Michael O'Hanlon, July, 10, 2012, The Brookings Institute, The Real National Security Threat: America's Debt, www.brookings.edu/research/opinions/2012/07/10-economy-foreign-policy-lieberthal-ohanlon

Lastly, American economic weakness undercuts U.S. leadership abroad. Other countries sense our weakness and wonder about our purported decline. If this perception becomes more widespread, and the case that we are in decline becomes more persuasive, countries will begin to take actions that reflect their skepticism about America's future. Allies and friends will doubt our commitment and may pursue nuclear weapons for their own security, for example; adversaries will sense opportunity and be less restrained in throwing around their weight in their own neighborhoods. The crucial Persian Gulf and Western Pacific regions will likely become less stable. Major war will become more likely. When running for president last time, Obama eloquently articulated big foreign policy visions: healing America's breach with the Muslim world, controlling global climate change, dramatically curbing global poverty through development aid, moving toward a world free of nuclear weapons. These were, and remain, worthy if elusive goals. However, for Obama or his successor, there is now a much more urgent big-picture issue: restoring U.S. economic strength. Nothing else is really possible if that fundamental prerequisite to effective foreign policy is not reestablished.



IMMIGRATION DISADVANTAGE: LINKS

Sanctuary policies encourage undocumented immigration

Coleen O'Dea, May 31, 2017, New Jersey Spotlight, "Gubernatorial candidates talk undocumented immigrants, legalized pot", <http://www.njspotlight.com/stories/17/05/31/gubernatorial-hopefuls-talk-undocumented-immigrants-legalized-pot/>

Assemblyman Jack Ciattarelli, a Somerset County business owner, said the establishment of sanctuary areas could "encourage illegal immigration" into the state. 'The worst possible problem' "I think this is the worst possible problem at the worst possible time," he said. "We have an illegal immigration problem" and the establishment of sanctuary cities could make that worse.

Sanctuary policies encourage undocumented immigration

Sandhya Somashekhar, July 25, 2017, The Washington Post, "Human-smuggling horror inflames immigration debate", p. A8

Sen. John Cornyn (R-Tex.) suggested Sunday on Twitter that better border security would have forestalled this weekend's human-smuggling episode. "Compassion is called for," he wrote. "But lawlessness ensures cartels will continue to profit from these tragedies. Status quo is not compassionate." In his Facebook statement, Patrick wrote, "Sanctuary cities entice people to believe they can come to America and Texas and live outside the law. Sanctuary cities also enable human smugglers and cartels. Today, these people paid a terrible price and demonstrate why we need a secure border and legal immigration reform so we can control who enters our country."

◆.....◆
Your Words.



IMMIGRATION DISADVANTAGE: ECONOMY EXTENSIONS

Undocumented immigration depresses wages

The Economist, Aug 25, 2016, "Wage War", <https://www.economist.com/news/united-states/21705699-who-are-main-economic-losers-low-skilled-immigration-wage-war>

If the workers most comparable to illegal Mexican immigrants are legal ones, they will be most likely to have seen their wages depressed by illegal migration. Any such effect would probably have been compounded by the fact that firms who hire undocumented workers off-the-books need not pay them the minimum wage or adhere to other regulations. One survey of low-wage workers in Chicago, Los Angeles and New York in 2008 found that 37% of undocumented workers had been paid less than the minimum wage, compared with 21% of legal migrant workers.

Illegal migrants also may find it hard to move jobs, especially in states that require employers to check their papers. Their immobility could reduce their bargaining power. It certainly seems to stunt their wage growth. In 2009 Pew found that among those who had been in the country for less than ten years, legal migrants earned 18% more than illegal ones; among those with more than a decade under their belts, the gap was fully 42%. It is possible, though, that the wages of both these groups had still been dragged down relative to those of native workers.

Wage theft - undocumented workers get their wages stolen. Only legal employment can prevent exploitation

Valerie Hamilton, March 6, 2017, PRI, "California's undocumented workers help the economy grow – but may pay the cost", <https://www.pri.org/stories/2017-03-06/californias-undocumented-workers-help-grow-economy-theres-cost>

But "taking advantage" cuts both ways. We met at Los Angeles' Koreatown Immigrant Workers' Alliance, where he's looking for help collecting years of unpaid wages. His former boss has threatened to turn him in to immigration authorities in retaliation. The man said that's just part of the immigrant experience. "I'm undocumented, I don't have papers. I don't have a Social Security number, I don't have a green card, so it becomes kind of natural for employers to take advantage of me," he said. "I just have to take it." That's the flip side to undocumented immigrants' contributions to the economy — businesses profiting more by paying vulnerable workers less. Some economists argue that immigration may make the pie grow — but leaves workers with a smaller slice.

Los Angeles' \$18 billion garment industry is a case in point. Nearly all of the city's garment workers are immigrants, many without papers. Last year, an investigation by the federal Labor Department found 85 percent of factories were breaking wage laws. "Wage theft is actually really good for business," said Mar Martinez, coordinator of the Garment Workers Center, a workers' advocacy group in Los Angeles' Fashion District. She said garment workers, who are often paid by the piece, earn an average of \$5 to \$6 an hour — far below California's \$10.50 minimum wage. Factory owners, many of whom are themselves immigrants, get away with it because a large number of workers are undocumented and afraid to speak out. "Wage theft is normalized in the industry because of the kind [of] underground nature of the industry," she said. "The answer should not be to exploit that person but to pay that person lawfully. And I think that that ultimately creates better wages for everybody."

◆◆◆◆◆
Your Words.



IMMIGRATION DISADVANTAGE: ECONOMY EXTENSIONS

Undocumented immigrants put a fiscal strain on the school system

Gordon H. Hanson, UC San Diego, Jan 2011, "Immigration, Productivity, and Competitiveness in American Industry", p. 20

Because immigrant-headed households tend to have more children of school age than native-headed households, increasing immigrant presence in a locality is likely to increase demand for public education. Thus, even if immigrant use of social services does not differ from that of natives, growth in the immigrant population increases school enrollments, placing a strain on state or local government finances. In 2004, the fraction of school age children who had foreign-born mothers was 47% in California, 30% in Nevada, 29% in New York, 27% in Arizona and Florida, and 26% in New Jersey and Texas.

Immigration drives up the cost of housing

Gordon H. Hanson, UC San Diego, Jan 2011, "Immigration, Productivity, and Competitiveness in American Industry", p. 19

A second impact of immigration is on the price of land. As immigrants are attracted to a location, the demand for housing rises, which may lead to increases in the price of housing, unless housing supply is relatively elastic. Saiz (2007) examines the correlation between immigration and housing prices and finds that an increase in immigration equivalent to 1% of the population of a US city is associated with a 1% increase in local housing values.

Undocumented workers don't have a choice but to accept low wages because of their immigration status

Tim Worstall, March 24, 2016, Forbes, "Illegal Immigrants Depress Wages: So, Make Them Legal Immigrants", <https://www.forbes.com/sites/timworstall/2016/03/24/illegal-immigrants-depress-wages-so-make-them-legal-immigrants/#2be45cc23fea>

It's that last phrase: labour supply is almost perfectly inelastic. We normally think of both income and substitution effects when thinking about wages. The first is the idea that there's some income we think we need to make and we'll work until we do so. The second is that we find other things interesting in life as well, over and above work, and what we get paid to work has to be higher than that value. Otherwise we won't work. Near perfectly inelastic means that the income effect is entirely dominating here: there's almost no substitution going on. Even if we offer \$2 an hour and that's the only work going then the illegals will do that rather than going fishing as we would.

Why? The obvious answer being that the illegals don't have access to the welfare state. They don't get Section 8, don't get SNAP, don't get unemployment pay, don't get the near 80 varied programs that exist. And that's what explains the difference in labour supply. If an employer tries to take advantage of us legals with very low wages not only can we report them but also we can just walk away from the offer. We've got something we can fall back on other than a \$2 an hour job. Illegals do not. And this is what explains the difference in labour supply..



IMMIGRATION DISADVANTAGE: BORDER DEATH EXTENSIONS

Illegal border crossing is very risky – lots of kidnapping, injury, and death.

Ray **Walser**, Ph.D., Senior Policy Analyst for Latin America, Jena Baker **McNeill**, Senior Policy Analyst for Homeland Security, & Jessica **Zuckerman**, Research Assistant, June 22, 2011, The Heritage Foundation, "The Human Tragedy of Illegal Immigration: Greater Efforts Needed to Combat Smuggling and Violence", <http://www.heritage.org/immigration/report/the-human-tragedy-illegal-immigration-greater-efforts-needed-combat-smuggling>

Trying to immigrate illegally comes with tremendous risks, including kidnapping, extortion, injury, and death. Illegal immigration also foists a tremendous social cost on the communities and societal units throughout Latin America, such as the economic difficulties posed by the absence of a family member, or the overall cost of the outflow of human capital.

For women and children, the risk of sexual assault is very high

Ray **Walser**, Ph.D., Senior Policy Analyst for Latin America, Jena Baker **McNeill**, Senior Policy Analyst for Homeland Security, & Jessica **Zuckerman**, Research Assistant, June 22, 2011, The Heritage Foundation, "The Human Tragedy of Illegal Immigration: Greater Efforts Needed to Combat Smuggling and Violence", <http://www.heritage.org/immigration/report/the-human-tragedy-illegal-immigration-greater-efforts-needed-combat-smuggling>

One in every five aspiring immigrants passing through Mexico is female, yet as many as 60 percent of these women and girls will experience sexual assault during their journeys. As Amnesty International explains: All irregular migrants are at risk of abuse, but women and children—particularly unaccompanied children—are especially vulnerable. They face serious risks of trafficking and sexual assault by criminals, other migrants and corrupt public officials....[F]ew cases are officially registered and virtually none are ever prosecuted....” According to some immigration experts, the level of abuse is so high that some smugglers require women to receive contraceptive shots before beginning their trip, to prevent pregnancy as a result of rape. In many cases, this sexual violence is considered just another “price” imposed on these women, or a means to threaten them and their families in order to extract further payment.

Just as in the case of kidnappings, many accounts of sexual violence may underestimate the total number of instances that occur, as women are often reluctant to report their experiences both out of fear of deportation and shame. Another study of illegal immigrants along the Guatemalan–Mexican border found that as many as 70 percent of illegal female travelers in that region are subject to sexual violence.



FEDERALISM DISADVANTAGE: 1ST NEGATIVE CONSTRUCTIVE SHELL

A. The Uniqueness: Trump is pulling the feds out of K-12 education

S.A. Miller, reporter, The Washington Times, April 26, 2017,

<http://www.washingtontimes.com/news/2017/apr/26/donald-trump-pull-feds-out-k-12-education/>

President Trump signed an executive order Wednesday to start pulling the federal government out of K-12 education, following through on a campaign promise to return school control to state and local officials. The order, dubbed the “Education Federalism Executive Order,” will launch a 300-day review of Obama-era regulations and guidance for school districts and directs Education Secretary Betsy DeVos to modify or repeal measures she deems an overreach by the federal government. “For too long the government has imposed its will on state and local governments. The result has been education that spends more and achieves far, far, far less,” Mr. Trump said. “My administration has been working to reverse this federal power grab and give power back to families, cities [and] states — give power back to localities.” He said that previous administrations had increasingly forced schools to comply with “whims and dictates” from Washington, but his administration would break the trend. “We know local communities know it best and do it best,” said Mr. Trump, who was joined by several Republican governors for the signing. “The time has come to empower teachers and parents to make the decisions that help their students achieve success.” Ms. DeVos and Vice President Mike Pence were on hand for the ceremony, which was attended by about 25 people, including teachers, lawmakers and the governors. The executive order is not expected to have an immediate impact on school districts. Policy changes will follow a report on the findings of the review. The review will be spearheaded by the Department of Education’s Regulatory Review Task Force, according to the order. Ms. DeVos already has authority to modify or repeal regulations that are deemed a violation of federal law. The order, however, creates a review for identifying those areas and makes clear her mandate from the president to take action. Reducing the federal government’s role in K-12 is part of Mr. Trump’s reform agenda, which also includes the expansion of school choice programs.

B. The Link: Federal government policy trades-off with state policy in education.

Aaron Lawson, March 1st, 2013, “Educational Federalism: A New Case for Reduced Federal Involvement in K-12 Education.” Brigham Young University Education and Law Journal, article 5, issue 2.

However, when the federal government legislates or regulates in a given field, it necessarily constrains the ability of states to legislate in that same field. In the field of education, the ability of courts to protect the rights of children is dependent on the ability of legislatures freely to react to courts. As such, anything that constrains state legislatures also constrains state courts and upsets this valuable political dynamic created by the interaction of state legislatures and state courts. An expansive federal role in educational policymaking is normatively undesirable when it threatens to interfere with this political dynamic.



FEDERALISM DISADVANTAGE: 1ST NEGATIVE CONSTRUCTIVE SHELL

C. The impact.

1. The federal government is incredibly bad at education.

Dan Lips, April 21, 2008, "Policy Director at US Senate Homeland Security and Governmental Affairs Committee", Heritage Foundation, "A Nation Still at Risk: The Case for Federalism and School Choice," <http://www.heritage.org/education/report/nation-still-risk-the-case-federalism-and-school-choice>

LESSON 4: State-level reforms can lead to improvement. Improving academic achievement across the nation has proven difficult, but there is good reason to believe that comprehensive state-level education reforms can lead to dramatic improvement in the classroom. Florida represents a promising model of a state that has implemented aggressive education reforms that have led to improvements in academic achievement. Over the past decade, Florida policymakers have established a rigorous accountability system and innovative testing model; have increased the focus on reading, reducing social promotion, providing new pathways for hiring, and rewarding quality teachers; and have expanded public and private school choice. After ten years, Florida's assertive approach to education reform seems to be working. The state's public-school students have demonstrated significant improvement on NAEP reading and math exams compared to students nationally. Black and Hispanic students have been improving at a faster rate than their white peers—evidence that the state is succeeding in reducing the ethnic achievement gap. The Sunshine State's experience demonstrates that systemic education reform is possible. What Federal Policymakers Should Do Although the word "education" is not mentioned in the Constitution, the federal government has played a growing role in the funding and regulation of elementary and secondary education since the 1960s. This interventionist policy has hindered rather than advanced the progress of educational improvement in America. The following principles should form the basis for full reform in American education. Resist increasing federal authority. Decades of increased federal intervention have failed to deliver significantly improved student performance in long-term measures of academic achievement. No Child Left Behind has once again demonstrated the limited and potential unintended consequences of increased federal authority. The federal government provides 9.2 percent of the funding for public education. Members of Congress should recognize the limits of federal authority in education and resist increasing federal power even more.

2. The growing tide of stupidity in the US is more dangerous than terrorism or nuclear war. This is the biggest impact in the debate.

Alan Caron, Jan 1, 2017, Press Herald, "America is suffering from a dangerous knowledge deficit", google

The country is drowning in a rising tide of stupidity. It represents a far greater threat to our future than a thousand Islamic State cells or all the nuclear missiles aimed at us from Russia. The Stupid Movement has been on the rise in America since the mid-1950s. But it's now becoming a mainstream force in our society, with the election of the first truly stupid president. Here's how low we've sunk: The president-elect recently backed off a promise to produce the largest infrastructure-repair program in history. "That's not a very Republican thing to do. I didn't even know that, frankly," he said, acknowledging that he hadn't realized during the campaign that such initiatives might conflict with his party's small-government philosophy. That was followed by massive changes in American foreign policy and a new nuclear arms race announced in 140-character tweets. Fittingly, 15 shopping malls last week exploded into mob violence and fistfights because people were tweeting about gunshots while running and screaming in fear. There were no gunshots. From both American and world history, we know where the dictatorship of the stupid takes a society: to autocracy, mediocrity and strife. And to the enrichment of a few over the many and a general collapse of civil society.



FEDERALISM DISADVANTAGE: UNIQUENESS

Education will be largely in the control of the states

Anya Kamanetz & Eric Westervelt, April 29, 2017, NPR, "Trump on Education Department, 'Reverse This Federal Power Grab', <http://www.npr.org/sections/ed/2017/04/29/525720941/trump-on-education-department-reverse-this-federal-power-grab>

President Trump this week ordered Education Secretary Betsy DeVos to look into whether the federal government has usurped state and local control of education.

The executive order, which gives DeVos' office 10 months to conduct a review of laws and procedures, is short on details. The first question from a reporter to a White House official was, "Can you remind me exactly how this executive order would, I guess, change anything?"

It says that DeVos can change or cut any regulations to "ensure strict compliance with statutes that prohibit Federal interference with State and local control over education." This power was already inherent in her office. But the rhetoric may resonate with many conservatives who've long complained about federal education overreach.

"Previous administrations have wrongly forced states and schools to comply with federal whims and dictates for what our kids are taught," President Trump said at a White House signing ceremony on Wednesday.

Trump has revitalized federalism in education

Kevin D. Roberts, Ph.D, Feb 7, 2017, "States, Not the Feds, Should Lead Education Reform," Real Clear Education, http://www.realcleareducation.com/articles/2017/02/07/states_not_the_feds_should_lead_education_reform_110115.html

The era of Donald Trump offers conservative reformers opportunities they have not seen since the 1980s. The most significant are in education, where the federal government has aggrandized its power, rendering states impotent. This overreach comes at the expense of two things very dear to the nation—our schoolchildren and our understanding of shared power.

Though the Trump administration will no doubt address the former problem, its means of doing so may very well exacerbate the latter. Too often, well-intentioned, conservative executives end up using federal power to heal the wounds caused by the very same bludgeon—federal power.

If President Trump is correct in his inaugural exhortation that "now is the hour of action," then states—not federal bureaucrats—need to lead the charge on education policy.

◆.....◆
Your Words.



FEDERALISM DISADVANTAGE: LINK

The federal government controls immigration policy which means sanctuaries cannot stop ICE without violating federalism

Luca Marzorati, Dec 14, 2016, Lawfare, "Sanctuary Cities under the Trump Administration", google

Sanctuary jurisdictions, like all other government subdivisions, are subject to federal immigration laws. Since “the federal power to determine immigration policy is well settled,” states and cities have limited authority to regulate immigrants and immigration. The federal government alone determines who can remain in the United States, so sanctuary jurisdictions cannot stop ICE agents from detaining or removing undocumented immigrants. States can pass certain laws relating to immigrants—for example, whether the undocumented can receive public benefits or pay in-state tuition. But the preemption doctrine prohibits states from passing laws that conflict with federal statutes, or even those that complement federal law when Congress intends to “occupy the field.”

US federal law requires compliance with immigration requests. The plan would violate immigration policy.

Ed Christopher, Feb 11, 2017, Daily News, "5 things you need to know about sanctuary cities",
<http://www.dailynews.com/government-and-politics/20170211/5-things-you-need-to-know-about-sanctuary-cities>

The President's executive order to defund "sanctuary jurisdictions" defines them in a surprisingly precise way—citing Title 8, section 1373 of the U.S. Code, which states that no law can "prohibit or restrict" the sending and receiving of information about citizenship or immigration between local, state, or federal government officials and ICE.

Advocates for tougher immigration enforcement see San Francisco's **sanctuary city** policies as a clear violation of that law.

The Illegal Immigration Reform Act of 1996 makes it a violation of federal law to local government entities, like schools, to deny immigration information

Gregg Jarrett, March 28, 2017, Fox News, "Sanctuary cities won't find refuge in the law",
<http://www.foxnews.com/opinion/2017/03/28/gregg-jarrett-sanctuary-cities-wont-find-refuge-in-law.html>

President Obama refused to take action against cities like San Francisco that shield illegal immigrants even after arrests or criminal convictions. He deliberately ignored existing federal law. The Illegal Immigration Reform Act of 1996 requires states and municipalities to cooperate with federal authorities on immigration requests: “A state or local government entity or official may not prohibit, or in any way restrict... sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.” (8 U.S. Code, section 1373)

Your Words.

Glossary:



FEDERALISM DISADVANTAGE: CONSTITUTION IMPACT

Federal regulation of education is unconstitutional.

David F. Salisbury, 2003, "28. Department of Education," Cato Handbook For Congress: Policy Recommendations For The 108th Congress, google

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. —Tenth Amendment to the U.S. Constitution

The U.S. Department of Education, formed in 1979 during the Carter administration, represents an intrusion by the federal government into an aspect of American society for which there is no constitutional authority. The U.S. Constitution gives Congress no authority whatsoever to collect taxes for, fund, or operate schools.

Therefore, under the Tenth Amendment, education should be entirely a state and local matter.

For more than 200 years, the federal government had left education to those who were in the best position to oversee it—state and local governments and families. Richard L. Lyman, president of Stanford University, who testified at the congressional hearings on forming the new department, pointed out that “the two-hundred-year-old absence of a Department of Education is not the result of simple failure during all that time. On the contrary, it derives from the conviction that we do not want the kind of educational system that such arrangements produce.”

Without question, the Framers intended that most aspects of American life would be outside the purview of the federal government. They never envisioned that Congress or the president would become involved in funding schools or mandating policy for classrooms. As constitutional scholar Roger Pilon has said: “From beginning to end the [Constitution] never mentioned the word ‘education.’ The people, in 1787 or since, have [end page 295] never given the federal government any power over the subject—despite a concern for education that surely predates the Constitution.”

The US Constitution is a moral decision-rule. No other impact can outweigh the Constitution

Peter Brandon Bayer, Dec 2011, William & Mary Bill of Rights Journal, “Sacrifice and Sacred Honor: Why the Constitution is a ‘Suicide Pact’,” p. 289-290

To be a true constitution, that which a society calls its constitution must enforce values so imperative, so fundamental, that the constitution comprises not only a way to live but more profoundly, a reason to die. Customarily through, for example, military service, individual citizens or groups of citizens may be required to risk their lives to preserve their constitution and the nation over which it presides. However, a true constitution rightfully demands that the entire constitutional order—the whole society regulated by that constitution—risk its own demise rather than betray the essential precepts that the constitution embodies. Only principles of such magnitude warrant inclusion in the supreme document of a particular people.

Simply believing that a particular constitution is worth dying for, however, is not enough. To be a legitimate constitution—to actually be worthy of such communal sacrifice—the given constitution must be moral; that is, both designed to enforce and actually capable of enforcing the abiding moral duties that demarcate legitimate from illegitimate governments.

Pursuant to the character of true and legitimate constitutions, the Constitution of the United States defines who we are, what we are and, most importantly, why we are. Our Constitution purports to set the governing minima without which no society may be legitimate. Accordingly, and quite deliberately, while a legal document, the Constitution is a profoundly moral thesis as well. It could not be otherwise because the Constitution's overarching endeavor is enforced morality, specifically "fundamental fairness" via due process of law which, as Justice Felix Frankfurter aptly enthused, is "ultimate decency in a civilized society . . ." America's validation stems from the morality of the Constitution and how steadfastly we maintain it.



STATES COUNTERPLAN: 1ST NEGATIVE CONSTRUCTIVE SHELL

Counter-Plan Text

The United States federal government should use waiver authority to permit states to design policies which deviate from implementing a sanctuary school district policy, subject to a set of broad goals outlined by the United States Department of Education. The Department of Education should evaluate the state plans and provide ongoing monitoring and feedback focused on states' success.

Contention 1: Competition

A. The counter-plan is mutually exclusive. States have the ability to deviate from the affirmative plan as long as they are consistent with Department of Education goals. The affirmative plan is a uniform declaration of policy to all states; the counter-plan is not.

B. The counter-plan is net beneficial. The counter-plan solves the case and avoids the federalism disadvantage.

Contention 2: Solvency

A. The Counter-Plan solves the case. The core states where undocumented immigrants reside - New York, California, New Mexico, and Texas for example – are all passing sanctuary school policies. The plan will happen in areas where it is most needed.

B. State choice makes better policy

Martin Kurzweil, 2015, Director, Educational Transformation Program, Ithaka S+R; Lecturer in Law, Columbia Law School, "Disciplined Devolution and the New Education Federalism." California Law Review. http://www.californialawreview.org/wp-content/uploads/2015/07/Kurzweil_Devolution-Education-Federalism.pdf

3. Dynamic Policy Making By incorporating state differentiation and experimentalist processes, disciplined devolution should yield policy making that is more dynamic than the mandate-based compliance model of a regime like NCLB or ESEA. Policies should reflect local conditions and capacities, test innovative ideas, and evolve with experience.



STATES COUNTER-PLAN: SOLVENCY & NET BENEFIT

The Counterplan solves implementation better than the aff --- federal intervention causes state backlash

Patrick McGuinn, 2009, Educational Policy, "The New Politics of Education: Analyzing the Federal Education Policy Landscape in the Post-NCLB Era", Volume: 23 issue: 1, page(s): 15-42

Conclusion The national policy landscape around education has historically been more fluid and complex than it has often been portrayed and has only become more so in the contemporary NCLB era. New policy has created new politics in education, in the sense that the law has spurred the mobilization of established interest groups, induced the creation of new entrants, and pushed these groups into new and often cross-cutting coalitions. The expanded federal role has caused the states to push back and has made some congressional Republicans and Democrats recant their initial support for the law. On the other hand, the unevenness of standards across states has also renewed calls for national standards and tests and has strengthened the calls of the civil rights and business communities for school accountability measures. Thus, we argue, political scientists and policy researchers need to take account of the rapid changes that have taken place in the past 7 years (2002 to 2009) in the education policy arena as they contemplate the future direction of federal school reform efforts.

Only bottom-up efforts will make the plan work. The judge should vote for the status quo where school districts that want sanctuary status will do it, instead of trying to force sanctuary status on all schools.

Diane Ravitch, March 2010, "The Death and Life of the Great American School System: How Testing and Choice are Undermining Education",
<http://www.capitolreader.com/bonus/The%20Death%20and%20Life%20of%20the%20Great%20American%20School%20System.pdf>

Top-down efforts of reform are flawed. There are no simple solutions or magic bullets when it comes to education. "School reform is a slow, steady labor-intensive process." Capable administrators, dedicated teachers, and collaboration between all parties (students, parents, teachers, and administrators) and safe environments are what make educational systems successful. Ultimately, students, teachers, parents, and administrators all need to buy into reforms. In other words, successful reform will be bottom-up. The top-down reform movement created a hostile school environment. Students disliked the emphasis on standardized tests, teachers felt ignored and disrespected by the reformists, and the high rate of teacher firings and school closings created a climate of fear and uncertainty. Put simply, "trust, not coercion, is a necessary precondition for school reform."



STATES COUNTERPLAN: ANSWER TO - PERM

The perm erases the benefits of federalism for education

Frederick Hess & Andrew Kelly, September 15th, 2015. "More Than a Slogan." U.S. News & World Report.
<https://www.usnews.com/opinion/knowledge-bank/2015/09/15/5-reasons-federalism-in-education-matters>

To be sure, local control has its downsides. Local school politics tend to be dominated by interests like teachers unions. School boards are often parochial and shortsighted. And the federal government is uniquely positioned to do some jobs that states can't, like providing a national bully pulpit to spotlight problems, funding research and promoting interstate transparency. The feds also have opportunities to take on the dominance of entrenched local interests by playing a "trust-busting" role. Federal recognition of alternative approaches like charter schools, nontraditional teacher licensure programs and innovative postsecondary programs can challenge incumbents' privileged market position. Federal funding is another trust-busting lever; wherever possible, reformers should ensure that public dollars flow to students and families and empower them to choose. Rather than write prescriptive rules that all schools must obey, trust-busting gives local problem-solvers an opportunity to change politics and policy from the bottom up. But the feds are not well equipped to fix schools. More to the point, getting Washington involved undermines the many benefits of state-driven reform in our federal system. Limiting the federal government's role in education isn't a slogan, it's a way to ensure that American education is both accountable to the public and dynamic enough to meet today's challenges.

The perm is illogical; the plan constrains the states to legislate their own sanctuary policies

Aaron Lawson, March 1st, 2013, "Educational Federalism: A New Case for Reduced Federal Involvement in K-12 Education." Brigham Young University Education and Law Journal, article 5, issue 2.

However, when the federal government legislates or regulates in a given field, it necessarily constrains the ability of states to legislate in that same field. In the field of education, the ability of courts to protect the rights of children is dependent on the ability of legislatures freely to react to courts. As such, anything that constrains state legislatures also constrains state courts and upsets this valuable political dynamic created by the interaction of state legislatures and state courts. An expansive federal role in educational policymaking is normatively undesirable when it threatens to interfere with this political dynamic. This dynamic receives scant attention in the literature described above. However, mindfulness of this dynamic is crucial to the proper placement of the educational policymaking and regulatory epicenter. Constraints on state legislatures would not be as problematic if the federal government had proven itself adept at guaranteeing adequate educational opportunity for all students. However, RTTT and NCLB have, in some cases, proven remarkably unhelpful for poor and minority students. These negative outcomes, of course, are not guaranteed. However, the fact that federal involvement in education has produced undesirable outcomes for poor and minority students should cause policymakers to reexamine whether it is most desirable for the federal government to play such a significant role in education. This Comment argues that it is not. Using policies adopted in New York State in response to RTTT as an example, this Comment argues that the federal government should step aside to the extent necessary to allow state courts more flexibility to protect the substantive educational rights of poor and minority children. Specifically, where federal constitutional rights are not at issue, federal involvement in education should be minimized to the point that state courts have an unrestrained ability to protect the educational needs of, and ensure adequate educational opportunity for, each state's children. This Comment does not argue for an end to all education policymaking at the federal level. Rather, it argues that the functioning of the state's court-legislature dynamic should act as a limitation on the policies enacted at the federal level. The educational rights of poor and minority children in particular may be more efficiently safeguarded by putting the power in the hands of state courts and legislatures, whereas recent federal programs have taken that ability from the states in a way that may be detrimental to the nation's youth. .



CAPITALISM KRITIK: 1ST NEGATIVE CONSTRUCTIVE SHELL

A. Capitalism has seized our schools. The customers the affirmative protects in our school system are just added value. The current school system will not education them as a means of meeting the needs of the community.

Wayne Au & Joseph J. Ferrare, 2015, "Mapping Corporate Education Reform- Power and Policy Networks in the Neoliberal State", 2015, pg. 7

The third implication of the neoliberal state for public education revolves around the foundation discourse about, and the purposes of, education. For instance, the very language of educational bureaucracies has changed. Borrowing from the corporate sector, high- level district administrators are now referred to as Chief Executive Officers (CEOs), Chief Financial Officers (CFOs), and Chief Operations Officers (COOs), and instead of being concerned with growth in learning, schools are forced to meet growth targets and benchmarks in test scores. Students and parents are subsequently reframed as consumers/ customers and teachers, schools. And principals are similarly reframed as service providers (Apple, 2006; Au, 2009; Lipman, 2011). This neoliberal discursive shift does not stand alone, however. It also signals a more profound neoliberal shift in the purposes of education: Under neoliberalism the purpose of education increasingly shift to production of "human capital," adding value," and meeting the needs of the economy, rather than, for instance, serving the social good or meeting collective needs of communities (Lipman, 2011). Much like the struggle over the U.S. curriculum from 100 years ago—where different forces jockeys as to whether children would be mainly taught for job training or more humanistic ends (Kleibard, 2004)—we are in the midst of a similar struggle over what children should learn and what schools should prepare them to do with their lives.

B. The affirmative is exactly what capitalism wants. It doesn't question why people are forced to immigrate and it helps absorb immigrants into economic growth.

Richard D. Wolf, Oct 2, 2016, Truthout, "How Capitalism Perpetuates Immigration", <http://www.truth-out.org/opinion/item/37831-how-capitalism-perpetuates-immigration>

Contemporary struggles over immigration replay an old pattern whose horrific consequences should long ago have spurred us to turn toward the sorts of solutions mentioned above. Instead, we see and hear yet again about building walls, expelling undocumented migrants, denouncing intolerant "deplorables" and so on. The stale but pernicious "debate" over immigration resumes because the underlying economic system reproduces the problem.

That system's leaders and supporters hope that the latest immigrants will eventually be absorbed by profit-driven economic growth. They likewise hope that neither immigrants nor non-immigrants will blame the system for all their sufferings and losses during such absorption. They have become accustomed to expecting that this generation's immigrants, once absorbed, will blame the next generation of immigrants. When tabulating the social costs of capitalism, the repeated damage done by the migrations it has provoked looms large.

◆.....◆
Your Words.



CAPITALISM KRITIK: 1ST NEGATIVE CONSTRUCTIVE SHELL

C. The impact: Capitalism is root cause of the affirmative harms.

Workshop **LaBeouf**, January 4th, 2017, "The Decaying Nature of Capitalism Poses Only Two Possible Futures: Socialism or Barbarism", <https://medium.com/@JoinedAtTheArse/the-decaying-nature-of-capitalism-poses-only-two-possible-futures-socialism-or-barbarism-b3a144432320>

So far I have focused on the inevitable developments which are once again making socialism increasingly desirable and necessary. Of at least equal importance is a moral imperative that means it's never a bad time to become a communist. That's because, as with poverty and war, the capitalist mode of production is the primary source of racism, ableism and sexism (and by extension, homophobia and transphobia). We have already seen how imperialism impoverishes 100s of millions of people around the world (21,000 a day are starved to death) without a care for their religion, race, gender or sexuality. Racism inside the imperialist countries is primarily an extension of national oppression/neo-colonialism. When imperialist countries experience labour shortages at home, workers from the oppressed nations are 'imported' in larger numbers for cheap labour (thus constantly reproducing racism's material basis by creating a 'super-exploited', 'super-oppressed' layer of the working class). The greatest example of this in Britain took place after WW2, when the country needed to be rebuilt as cheaply as possible. When there is more of a labour surplus, such as the present period, deportations increase and border controls tighten. For example, after the 1973 recession, deportations increased 11-fold over the next seven years. The overall number of people allowed to settle fell by 20% (by 42% in terms of people from the Commonwealth). Migrant workers, and women generally, tend to be the least well supported by the big trade unions, experience the worst jobs and living conditions, and are the easiest to throw out of employment and into the 'reserve army of labour' that capitalism needs to function (because unemployment holds down wages and 'disciplines' workers). The capitalist mode of production is the primary source of women's oppression. Women have been oppressed in all class societies throughout history, and women's oppression under capitalism takes a particular form in relation to how social production is organised—a dual oppression that compels women to reproduce the working class gratis at home (privatised labour), while also comprising part of a cheap reserve army of labour ready to serve capital as workers. This material basis for the oppression of women is fundamental and can only be changed by the overthrow of capitalism and its replacement by socialist relations of production, which will socialise house and care work, liberate the family from its status as an economic unit and therefore women from their status as solely instruments of production. Discrimination is primarily the expression of ideologies which in turn express class privilege, however they are dressed up, necessarily invented to justify economic and political exclusion. White supremacy was the invented justification for colonialism, for instance. This may sound crude or simplistic but stripping politics down to its foundations is what makes materialism so enlightening. Rather than making the argument that imperialist controls on the movement of oppressed people is racist, the best defence of immigration offered by social democrats tends to be that immigrants contribute more to the economy than vice-versa, reflecting the fact that the exploitation of cheap foreign labour contributes to the material basis of a labour aristocracy. Various racist ideologies are drummed into the population through ruling class media outlets in order to keep the masses divided among themselves instead of united against capital.

Your Words.



CAPITALISM KRITIK: 1ST NEGATIVE CONSTRUCTIVE SHELL

D. The Global Working Class must fight against US capitalism and imperialism which displaces people from their homeland and forces migration

Mostafa Henaway, May 15, 2017, The Bullet, "Migration and Capitalism, in the Age of Trump: Toward the Freedom of Movement for People, Not Capital", google

Some sections of the Left seek to rebuild a lost connection to the “rust belt” working class, in particular states in the U.S., and de-industrialized regions in Canada, abandoned by the Left, thus rebuilding the weakening power of trade unions. As a result, the strategy of this section of the Left has been to present a more tame position of regulated migration, in order to reorient their demands toward such sections of the working class. Similarly, elements of the trade union movement seek a tightening of the labour market through restricting migration rather than organizing migrants and immigrant workers, due to their own inability to adapt their organizing strategies and forms to the current historical juncture. This only reinforces a false vision that pits migrants and immigrants against a narrow vision of the working class.

Such a view of the working class distorts our perception of how work has transformed, and of who is performing that work. To simply speak of a national working class is impossible; we need to think of the class in a true internationalist and local way, understanding the role migration plays. It is precisely at this moment that we need to be organizing more with immigrant and migrant workers, not simply to rebuild the labour movement, but more profoundly to create working class politics that can lead to radical transformation. To engage in organizing that can bring about solidarity in local communities to defend their neighbors; coworkers who face exploitation and deportation as a manner to frame how work has shifted. Why is there such profound migration, and how can they challenge their employers and racist policies by finding the local commonalities. Interventions and Migrations

The massive wave of migration over recent years has its roots in the dispossession of people by the devastating impacts caused by global capitalism, and U.S. imperialism, which have their roots here in the Global North. A testament to this is the recent ban of migrants from seven states that the U.S. has actively attempted to destabilize, force regime change, or has occupied directly. Canada's role as an imperialist state has also fueled the destabilization of the Middle East, has contributed immensely to the creation of 60 million refugees by 2015 – mainly displaced in Afghanistan, Syria, Iraq, Yemen, and Somalia. The U.S. is also pursuing the same strategy to shut the borders to Latin America, in particular to those devastated by NAFTA and displaced from their lands as a result of U.S. intervention in Central America.

A similar pattern has taken root with the role of Canadian capital in Central America. In Guatemala, for example, entire communities have been displaced violently from their lands and livelihoods with destructive mining projects on their territory. This displacement has fueled labour migration by over 5,000 Guatemalans in the agricultural program in Canada as a mechanism of development for rural indigenous communities in Guatemala who were originally displaced by Canadian capital. As journalist Juan Gonzalez describes Latino migration to the U.S., “you cannot understand the enormous Latino presence in the United States unless you understand America's role in Latin America, and in fact that the Latino presence in the country is the harvest of the empire.”

Those that have become en masse displaced by U.S. imperialism and neoliberalism will have no refuge from its carnage. From the dangerous journey to “El Norte” to the death boats on the Mediterranean, migration has become the last desperate scream of humanity searching for a better future, making our solidarity and the opening of borders a must for the global working class.

Your Words.

Glossary:



CAPITALISM KRITIK: EDUCATION LINKS

US schools are the gold rush for capitalism. Every part of our K-12 public school system is embroiled in making profit from students.

Wayne Au & Joseph J. Ferrare, 2015, "Mapping Corporate Education Reform- Power and Policy Networks in the Neoliberal State", 2015, pg. 6-7

The shrinking of the neoliberal state, combines with the neoliberal commitment opening new markets through accumulation by dispossession of public assets, has particularly profound implications for public education in the United States and around the world in at least three ways. First, and in the rawest sense, the neoliberal reconfiguration of public education—as a state institution—is simply about giving entrepreneurs and corporations access to a new and potentially profitable market of public assets to which they did not previously have access. As Fabricant and Fine (2013) explain: In public education, we have witnessed the ascent of charter schools, virtual learning, market curricula development, and an expansive number of firms engaged in the measurement and assessment of teachers, with a host of entrepreneurs making large and small profits. More specifically, profit making extends from publishers capitalizing on the new standards-based testing curricula, to high-tech companies experimenting and testing their curricula interventions, to real estate operators leasing property at exorbitant fees, to alternative certification programs, and finally for-profit schools. Each of these fragments, pieces of profit-making, are part of a new “gold rush” to capitalize the \$500 billion of public assets being redistributed from neighborhood k-12 public schooling to the marketplace.

The affirmative buys into the centrist belief that education provides opportunity, but having a degree won't protect you from the capitalist economy.

David I. Backer, November 15th, 2016, "The False Promise of Education",

<https://www.jacobinmag.com/2016/11/education-reform-inequality-jobs-economy/>)

The centrist ideology of education is so brazen that it holds out such stories as inspirational proof that education will be the force that saves people's lives by putting them on a path to opportunity. But education cannot guarantee opportunity — it's government policy and economic practices that increase or decrease the likelihood of success. The centrist promise of education is a false promise. This doesn't mean education cannot be a force of positive social change, just that in its current incarnation, US education discourse simply works to release those with influence from the responsibility of making a social system that supports working people. The Numbers Don't Add Up. The positive relationship between schooling and success is widely considered a given in US society. For example, a recent FiveThirtyEight article uses 2014 data on average annual wages between 1970–2013 to claim that: "A more educated workforce would be a great boon to the economy: Scholars say more employees would earn higher wages [if they went to school], which leads to more taxes being collected and fewer Americans grappling with the challenges of poverty, among other benefits." But just a few weeks prior to the article's publication the job numbers came out; they were the worst since 2010. "The US economy only added 38,000 jobs in May, according to the Labor Department. It was the worst monthly job gain since 2010." Not only that, but the majority of jobs added were service jobs. August wasn't much better. In September, more new jobs were available, but less than expected. According to the National Center for Educational Statistics, "about 3.5 million students are expected to graduate from high school in 2016–17, including 3.2 million students from public high schools and 0.3 million students from private high schools," and "during the 2016–17 school year, colleges and universities are expected to award 1,018,000 associate's degrees; 1.9 million bachelor's degrees; 798,000 master's degrees; and 181,000 doctoral degrees." Millions of new workers will enter the job market in 2017, graduating from their "paths to opportunity." Yet the path to opportunity might not end up anywhere in the face of sluggish to moderate job creation. The number of graduates doesn't correlate with the number of available jobs. It's like saying if we teach people how to play musical chairs well enough, everyone will get a seat. As scholars like Peter Kappelli at University of Pennsylvania's School of Management warn, having a degree will do nothing to protect you against the sometimes violent and unpredictable patterns of market activity in a capitalist economy.



CAPITALISM KRITIK: CAUSES IMMIGRATION

Free-trade has forced 10 million to migrate and capitalism uses criminalization to ensure those workers can never access a higher value to their lives

Justin Akers Chacon, July 22, 2015, Arcade, "U.S. Capitalism and the New "Brown Scare",
<http://arcade.stanford.edu/content/us-capitalism-and-new-brown-scare>

Free trade-induced destabilization has produced a substantial wave of migration from Mexico and Central America. Upwards of 10 million people have moved to the United States since 1990, marking it one of the largest population transfers in human history. Since this migration has been comprised primarily of working migrants, it has led to a substantial shift in the character of the U.S. workforce. This has been used to the advantage of capital, as Democratic and Republican administrations alike have whittled down the pathways to citizenship for this latest generation of immigrants while simultaneously increasing enforcement penalties. This has gradually transformed migration from an economic act into a criminal one, at the same time that immigration has increased as a result of U.S.-led policy and immigrants have been fully integrated into the economy. While their labor is tacitly embraced as both necessary and productive, the criminalization of their presence and denial of citizenship erodes their capacity to participate in activities to improve their wages and working conditions. By keeping a growing segment of the workforce non-citizen and vulnerable to persecution, capitalists can leverage down wages, more easily fire those who attempt to organize or speak out, and foster or exploit racial tensions as a means to divide and segment their workforces to preempt collective-bargaining. The use of these tactics can weaken workplace organization as a means to extract higher rates of surplus value from all workers.

Emigration is traumatizing. The aff can only really be resolved by confronting capitalism

Richard D. Wolf, Oct 2, 2016, Truthout, "How Capitalism Perpetuates Immigration", <http://www.truth-out.org/opinion/item/37831-how-capitalism-perpetuates-immigration>

Emigration traumatizes most of those driven from their homes, jobs, families and communities. Extreme conditions push emigrants to leave, especially for foreign places they usually know little about. The uneven development of capitalism, coupled with its drive toward colonialism, has consistently produced the extreme conditions and extreme inequalities that sustain successive waves of migration.

US labor markets and free-trade policy are responsible for uprooting millions and forcing migration to the areas of North America where there is job creation.

Justin Akers Chacon, July 22, 2015, Arcade, "U.S. Capitalism and the New "Brown Scare",
<http://arcade.stanford.edu/content/us-capitalism-and-new-brown-scare>

Displaced workers that cannot be absorbed within their own national economies as a result of corporate-led trade policies have been compelled to cross boundaries into foreign labor markets where they can find work. This has altered workforce demographics internationally, from Qatar to the Dominican Republic to Japan. The end result of free-trade policies exported south has been destructive for Mexico and Central America's laboring classes, dislodging millions of small agricultural producers and urban workers made redundant through skewed competition, privatization of state industry, and the downsizing of the welfare state. Migration has flowed in reverse through these same channels, as workers follow the profit streams that translate into disproportionate job creation north of the border. Once ensconced in U.S. labor markets, undocumented workers are regulated not by a liberal "free market," but by immigration enforcement and employers themselves. In economic terms, the new "Brown Scare" serves the larger aim of disciplining immigrant workers and providing an updated means for labor control.



CAPITALISM KRITIK: ROOT CAUSE DEBATE

The affirmative harms are rooted in capitalism. The kritik is the best way to solve the aff and the system of capitalist exploitation.

The Worker, April 2013, "The Immigration System of the U.S. Capitalist Class",
http://www.workersparty.org/immigration-system-of-u.s.-capitalist-class_4-29-13.htm

The immigration policy of the U.S. capitalist class has long been to encourage large scale immigration while relying on its state machine to impose a system of discrimination and persecution against immigrants in order to maintain a cheap pool of labor. It is precisely because of the fact that immigrants in the U.S. are subjected to a host of repressive laws passed by the capitalist politicians that millions remain in a condition of virtual slavery. Today, as the crisis of capitalism deepens, the capitalist state is again entrenching a legal system of discrimination and increasing repression against immigrants in order to create a large caste of people who, denied their most basic human rights, can be exploited and oppressed without restraint.

The aim of strengthening this anti-people system is the aim of the U.S. monopoly capitalist class. It is an aim which goes directly against the struggle for progress and the demand for a modern definition of citizenship and democracy which recognizes the common humanity and rights of everyone who lives in the country.

U.S. policy towards Mexican workers provides one example of the real class character of the immigration policy of the U.S. capitalist state. For over 150 years, the U.S. capitalist class, while maintaining a stranglehold over the Mexican economy, has used Mexican workers as a vast reserve army of cheap labor. The capitalists and the government have created a "revolving door" whereby they simultaneously import and deport large numbers of Mexican workers while maintaining a pool of surplus workers who by their "illegal" status can be paid sub-minimum wages and used as a weight to drive down the wages of the entire working class.

Capitalism is smuggling humans – immigration is only a symptom of the impact of capitalism
Jeffrey Kaye, 2010 "Moving Millions: How Coyote Capitalism Fuels Global Immigration", p. 5-6

In other words, immigration should be seen more as a symptom or a reaction to policies and conditions than as a problem. Immigration is a fact of life. Given the right set of circumstances, people (not to mention our prehuman ancestors) have always moved and always will. Labor migration persists for at least two main reasons. First, global and local businesses rely on human mobility and on ready, vulnerable pools of labor, often available at bargain basement prices. Second, successful migrants — who number among the most assertive, determined, and entrepreneurial people in the world — are able to overcome the forces and obstacles arrayed against them. It's the law of supply and demand. Just as the drug trade feeds apparently insatiable appetites, overwhelming borders and policing, the world's migrants as well as the businesses and economies that love them make sure the human flow continues. It is a global system that may be called "coyote capitalism." Coyotes are human smugglers, or as professors Gilbert G. Gonzalez and Raul A. Fernandez described them, "unauthorized Mexican labor recruiters." This neutral - sounding phrase filters out the legal baggage to arrive at a basic job description. It allows us to think of coyotes in economic terms rather than as fanged creatures of the underworld. Similarly, coyote capitalism straddles the realms of the legitimate and the unlawful, evoking a netherworld in which many migrants find themselves. This is not to suggest that most migrants are smuggled, although many are. Coyote capitalism describes a system of interlocking, dependent relationships, some "authorized," some not. It is also a system of avoidance and transference. The coyotes' job is to ensure that human cargo gets from one place to another. They are shippers who take no responsibility for the consequences of moving freight, either at the place of departure or the destination. Coyote capitalism allows businesses and governments (in both developed and developing nations) to pass workers around and pass the buck. If your policy is to export labor, there are fewer expectations to create jobs. If you import workers, you can excuse yourself for developing an economy dependent on migrant labor. And if you develop business or trade policies that encourage people to move around in search of opportunities, you are only the middleman, just the coyote. .



CAPITALISM KRITIK: ALTERNATIVE

We must come together in the common struggle against our real enemy - capitalism – which requires a commitment to open borders.

Mostafa Henaway, May 15, 2017, The Bullet, "Migration and Capitalism, in the Age of Trump: Toward the Freedom of Movement for People, Not Capital", google

Under Trump, as capital becomes more mobile and more power is given to finance through deregulation, and borders become increasingly tightened – the call for open borders is not simply a humanitarian demand or one that may seem simply an impossible one, it is very much a necessary one in our moment, and at its heart a working-class demand. That is if our conception of working class is a truly international one, and we aim to root our struggles with all of those who are dispossessed by global capital from their land, and their livelihoods. Where we can be the most effective now is not to call for regulated migration but to actually call for open borders, and to be vigorous in our support for migrant workers in their organizing, not just against employers but their struggles for immigration status, and freedom of movement. As a Left, we also need to find the commonalities in terms of their struggles with those having their livelihoods displaced, whether it be in the rust belts in the U.S., or those having their livelihoods displaced in Mexico, the Philippines, or Syria. They all have had their livelihoods and dignity displaced by the same common enemy – global capitalism and imperialism. This is where we can build the common struggle against the tensions, and build working-class struggles based on solidarity and internationalism. We must, as the Left, call for freedom of movement for people, not for capital.

The only way to solve the aff is to fight capitalism in the name of all workers

The Worker, April 2013, "The Immigration System of the U.S. Capitalist Class",
http://www.workersparty.org/immigration-system-of-u-s-capitalist-class_4-29-13.htm

For the last quarter century millions of Mexican workers, unable to secure a livelihood in their own country due to the conditions imposed by U.S. imperialism, have been forced to come here every year. Upon arriving in the United States these immigrants find that they are without rights and subject to the most brutal treatment at the hands of the employers. The repressive apparatus of the Immigration and Customs Enforcement (ICE) has swollen to gargantuan proportions – with a budget of \$5.8 billion, over 21,000 border patrol agents and hundreds of detention centers. Through "enforcement and removal operations" or "raids," the ICE regularly invades factories and communities rounding up anyone who "looks foreign," thus persecuting not only the undocumented but also the Mexican-Americans and other national minorities. The capitalists, making full use of this situation, confine the undocumented workers to the dirtiest and most back-breaking jobs at sub-minimum wages. Instead of laying off workers during seasonal downturns, the companies simply call in La Migra (ICE) to deport the undocumented, only to hire a new crew when production peaks again. In the process the companies cheat the workers out of several weeks pay and so on.

This situation must be changed. The entire system of persecution and discrimination against immigrants goes directly against the profound democratic aspirations and history of the American people, who have always striven to build this country as a land of asylum where everyone could enjoy equal rights. The interests of the American working class in particular require that everyone who comes to the U.S. enjoys equal rights. Any oppression on the basis of nationality, language, country of origin, "legal" status, any denial or suppression of the rights of any section of the workers can only serve to limit the rights of the entire class. It is not – as is claimed by the capitalist government and media – undocumented workers or immigrants who force down wages and take away "American" jobs. Capitalism, by systematically forcing immigrant workers into a caste without economic and political rights, lowers the price of labor power and drives down the wages of the entire working class. When all who labor are assured the same democratic rights, the workers can more easily enforce the same standards of wages and working conditions for all. Furthermore, the working class can only emancipate itself by abolishing all forms of discrimination and oppression on the basis of race, national origin, sex, etc. The fundamental demand of democracy is that everyone be guaranteed full and equal rights. .



CAPITALISM KRITIK: ANSWER TO - PERM

Capitalism cannot be reformed. Belief in reforms is akin to believe in the unsinkable Titanic; it is a denial of reality

Charles Hugh **Smith**, OfTwoMinds.com, July 26, 2016 Why Real Reform Is Impossible: We Can't Believe the Mighty Titanic Could Actually Sink <http://www.oftwominds.com/blogjuly16/real-reform7-16.html>

The belief in the status quo's permanence is exactly like the belief in the Titanic's invulnerability. The systems we depend on are so vast and seem so mighty, it doesn't seem possible that they could unravel and fail. But their eventual unraveling and failure are already baked in and cannot be undone by the modest tweaks of what passes for "reform" in the status quo.

The financial realities of systemically stagnant jobs, incomes and tax revenues have already ripped a fatal gash below the waterline of the status quo. The bow is sinking but the parties on the First Class deck continue. The passengers in steerage are getting anxious because they see the cold water sloshing around the lower decks, but few on the upper decks care what mere steerage passengers are experiencing. Unfortunately for those partying on the upper First Class decks, they are as doomed as the steerage passengers when the ship goes down.

The perm is a failure. Even if you support sanctuary, the aff simply integrates immigrants into a corporate public education system designed to make compliant workers

Henry **Giroux**, Oct 1, 2010 ("Beyond Dystopian Education", 10/1,
https://www.uta.edu/huma/agger/fastcapitalism/10_1/giroux10_1.html

The neoliberal paradigm driving these attacks on public and higher education disdains democracy and views public and higher education as a toxic public sphere that poses a threat to corporate values, ideology, and power. Since the 1950s, colleges and universities have been seen by many to be democratic public spheres dedicated to teaching students to think critically, take imaginative risks, learn how to be moral witnesses, and procure the skills that enable one to connect to others in ways that strengthened the democratic polity. It is for these very reasons that higher education is increasingly under attack by the concentrated forces of neoliberalism. Self-confident critical citizens are viewed as abhorrent by conservatives who remember the campus turmoil of the sixties. Citizens who take their responsibility to democracy seriously now pose a dire threat to corporate power. Unsurprisingly, these same individuals daily face the suspicion of the new corporate university that appears willing to conceive of faculty only as entrepreneurs, students only as customers, and education only as a mode of training. Welcome to the dystopian world of corporate education in which learning how to think, be informed by public values, and become engaged critical citizens are viewed as a failure rather than a mark of success. Instead of producing "a generation of leaders worthy of the challenges," the dystopian mission of public and higher education is to produce robots, technocrats, and compliant workers. There is more than a backlash at work in these assaults on public and higher education: there is a sustained effort to dismantle education as a pillar of democracy, public values, critical thought, social responsibility, and civic courage. Put more bluntly, the dystopian shadow that has fallen on public and higher education reveals the dark side of a counterrevolution that bespeaks not only an unfettered mode of corporate sovereignty but the emergence of an updated form of authoritarianism.



READY TO CUT YOUR OWN EVIDENCE? TRY THIS

Ruben Navarrette Jr., August 11, 2017, The Houston Chronicle, "California's showdown with Trump over 'sanctuary cities'", <http://www.houstonchronicle.com/opinion/outlook/article/Navarrette-California-s-showdown-with-Trump-over-11758646.php>

California is facing off with the Trump administration over a total fantasy that has survived this long only because both political parties have an interest in keeping it alive.

Democrats and Republicans alike insist that the Golden State offers "sanctuary" for illegal immigrants by creating safe spaces that are somehow beyond the reach of federal immigration agents. Politicians also promote the idea that police and sheriff's departments often refuse those agents access to local jails and fail to alert immigration officials when a suspected illegal immigrant is released from custody back into society - even when asked to do so.

This is a stew of lies and half-truths. Symbolism and political hyperventilating aside, there is no city, town or county in America where federal immigration law doesn't apply and where agents can't rush in to enforce those statutes.

Also, aside from the state of Texas - which recently passed a law to force inter-jurisdictional cooperation - local and state law enforcement officials are under no obligation to help their federal brethren do their jobs, especially if it destroys the community trust that is needed to do their own.

Besides, if immigration officials really want someone who is in the local jail, they can get that person by obtaining a warrant. Oftentimes, they won't go to the trouble, which tells local officials that they really don't want the detainee that badly.

Still, the sanctuary lie is advanced because it helps sustain existing political narratives. Liberals can challenge the Trump administration while fooling Latinos and other immigrant advocates into thinking that they're in their corner. And conservatives can point at these sanctuaries as evidence of how lenient the left is toward lawbreakers and proof that only they can be trusted to keep the country safe.

In California, Democratic lawmakers are poised to double down on their deception by passing a law that would declare the entire state a sanctuary. Senate Bill 54 would specifically prohibit cooperation with federal immigration officials. It would also bar state and local law enforcement agencies from using their resources to help federal agents detect, detain and deport the undocumented.

The Justice Department has a problem with this blatant act of defiance, and so it's threatening to withhold as much as \$18 million in federal law enforcement funds that would otherwise be on their way to the nation's most populous state.

Such an odd card for the administration to play. Attorney General Jeff Sessions has already shown himself to be inconsistent on the issue of local control; he trumpets the autonomy of local police departments when releasing them from federal civil rights oversight but tramples that same autonomy when condemning sanctuary cities. Now Sessions shows himself to be illogical as well; he believes that any locale that offers sanctuary to illegal immigrants puts society at risk, but he can't see how denying cops government funds to buy bullet-proof vests and other safety equipment would have the same effect.

California Attorney General Xavier Becerra - who served in Congress for more than 20 years and would no doubt like to be governor or U.S. senator - has announced that, if Sessions pulls the funding, California will sue the federal government. As Becerra sees it, holding state funds hostage to force compliance with the administration's policies would violate the U.S. Constitution.

Meanwhile, this whole issue could be moot. During a recent appearance on NBC's "Meet The Press," Democratic Gov. Jerry Brown signaled that he might not sign the sanctuary bill after all because of concerns about the language.

Don't fall for it. The real reason has more to do with politics, which has been Brown's stock and trade since 1969, when he was elected to occupy a seat on the Los Angeles Community College Board of Trustees. Brown, who is now 79 years old, has lived through the eras when his party was depicted as soft toward communism, defense and crime.

He probably has no desire to add illegal immigration to the list. And so he's understandably leery of SB 54, the whole point of which seems to be needling the administration.

Yet Brown also seems to want to keep faith with liberalism. He has said he wants to help undocumented immigrants who have - through blood, sweat and tears - given much to the Golden State.

Brown will likely try to strike a balance. But my hunch is that the governor will veto the bill to force the changes he'd like to see.

Out in California, when we talk about so-called sanctuary cities, the protection may be fake, but the politics are real.