

Example of essay on chicano studies

[Sociology](#), [Immigration](#)



Arizona anti immigration laws and other anti Mexican laws passed in recent years.

Introduction

Arizona Senate Bill 1070 which is simply referred to as Arizona SB 1070 is a United States legislative Act that was the strictest and the broadest action against illegal immigration in the history of United States at the time of its passage. This act has received international and national interest and has stirred up a lot of controversy. U. S national law demands that aliens who are in the age bracket of 14 and over and who stay in the U. S for a period that is longer than thirty days should register with United States government and should carry the registration documents at every single time. The Act considers it a crime of state misdemeanor for aliens to stay in Arizona without the possession of registration documents and also requires that the law enforcement officer to determine the status of an individual immigration during detention or arrest and in a stop that is legally recognized if there is adequate suspicion that a person is an unlawful immigrant. This has a disturbing effect on Chicanos in that they will have to be stopped unnecessarily in order that the police can check on their illegality of residence.

There have been several critics of this legislation who argue that it will promote racial profiling and the other side supporters of this law say that the law discourages race to be used as the only basis of investigating the status of immigration. A week later after the signing of this act, the 2162 Arizona House bill was modified with the aim of addressing the concerns of racial discrimination to the Chicanos. There has been protest in over seventy cities

in the U. S. to oppose the law which also included boycotts. Polls carried out by Rasmussen Report found out that the law had majority of its supporters in around Arizona with most Chicanos being against it. The passing of the law has prompted some states to adopt similar laws.

After the Act had been signed to become a law by J. Brewer The Governor on the 23rd of April 2010, it was planned to be effective starting 29th of July 2010 this is 90 days behind the completion of the legislative assembly. Legal opposition on its agreement with the law of civil rights and its constitutionality were filed which included an injunction against enforcement of the law which was filed by the United States Department of Justice. A preliminary injunction that stopped the law's most controversial provisions was issued by a federal judge a day sooner than the law was to be put into effect. The state of Arizona has since sought a reverse of the verdict in the courts of federal appeals but to no avail.

Modification of the Act

The Arizona SB 1070 was modified a week later by the Arizona legislature that passed the House Bill 2162 Governor Brewer signed it on April 30. The amended text stated that prosecutors would not investigate complains based on national origin, color or race. The amended text also states that the police will only seek to investigate the immigration status incident following a lawful arrest, stop or detention. It also lowers the previous fine from the minimum of 500 dollars to a maximum of 100 dollars and amends the incarceration limits for first time offenders to 20 days from the previous 6 months. These amendments were referred to as the Arizona HB 2162. This

was a somewhat relief to the Chicanos in that they would not have to be questioned on the streets of their immigration status.

Consequences of breaking the laws of the Arizona SB 1070

A person who is arrested for being suspected of being an illegal immigrant cannot be let free before confirmation that the person is a legal immigrant and the process of confirmation is carried out by the national government. A fine not exceeding five hundred dollars is charged to a first offender and a minimum of \$1, 000 as fine and a jail term not exceeding six months. An individual is assumed to be a lawful alien in they present the following types of recognition which includes a valid non-operating identification license, a driver's license, a valid tribal staffing card or any other valid state or federal government identification. The Arizona SB 1070 Act also forbids county, state and local administrators from restricting the immigration bylaws to less than the full measures permitted by the national law and it states that any Arizona dweller can take legal action against officials or the agencies in query to induce such enforcement.

The Act in addition criminalizes anybody regardless of immigration status or citizenship to be hired or to hire a vehicle that blocks the normal traffic movement. Vehicles that shall be utilized in such a manner will be subject to impoundment or immobilization. It is also a crime to transport, harbor or conceal an alien or encourage a foreigner to immigrate in to the United States. It is also a crime if the individual is aware or carelessly ignores the fact the foreigner is illegally in the United States. If less than 10 illegal foreigners are involved, the violation is considered to be a class one misdemeanor. If ten or above illegal foreigners are involved, it is regarded as

a class six felony. For every illegal foreigner that is involved, the criminal is subjected to a minimum fine of \$1000. This part of the Act would also oppress the Chicanos in that the occupants of their vehicles would always be suspects of being undocumented foreigners as there would be no other way of checking the illegality of the occupants, their vehicles would always have to be stopped.

Laws in many other states do not allow police officers to question about the status of immigration of the people they meet except for the law in Arizona. Police departments do not encourage such inquiries in order to avoid hindering the immigrants from cooperating and reporting crimes that involve other investigations. About 460, 000 illegal aliens were estimated to be in Arizona in month of April 2010. This figure had increased by five times from 1990. Arizona is the state that has the highest number of illegal entrances from Mexico to the U. S. border. The dangerous and remote deserts are most preferred entry points for immigrants from Mexico. In 2007, Arizona passed a legislation that inflicted heavy penalties to employers who hire illegal immigrants. There are other legislations in Arizona that seek to block illegal immigrants from accessing social services. The existence of such a legislation would mean that the Chicanos and others would have to prove their identities before accessing the services and this by itself is a bias against a group of American citizens.

Reaction and opinion of the people

A poll carried out nationally by the Rasmussen Report during the period of the signing of the Arizona SB 1070 Act revealed that 60% of the Americans support while 31% were opposed to the legislation that allowed police

officers to stop people for purposes of checking the status of immigration of anybody the suspected to be an illegal foreigner. The Rasmussen poll also showed that 58% of the citizens were somehow concerned that the measures of identifying and deporting illegal immigrants would result to infringing on the civil rights of a portion of United States citizens. The Fox News poll that was conducted following the signing indicated that 61% of the respondents thought that Arizona was correct in taking action itself instead of waiting for the federal to act and 64% thought that the administration of Obama should hold and witness how the legislation would work in practice instead of to fight it even before it is implemented.

The opinion and views of public officials

Opponents and supporter of the bill in United States have very clearly followed the party lines whereby most Republican supports the bill while most Democrats oppose it. President Barack Obama criticized the bill calling it mistaken and also said that it would underrate the basic concepts of fairness the American cherish and also take away the trust that exists between our community and the police which is critical in keeping the Americans safe. President Obama later noted that modification by HB 2162 specified that the bylaw will not be affected in a manner that is discriminatory, but he said that there were still possibilities that the suspected illegal foreigners would be arrested and harassed. The president called for reforms to counter such actions and it would be the only solution to problems of illegal foreigners. Obama and Governor Brewer held a meeting at White House in the month of June 2010 to talk about the border security and immigration issues in consideration of the SB1070 but the

meeting brought little alteration in the participants' position.

Even though the Act has been accepted among most of the Republicans party base electorate, there however has been Republicans who oppose its aspect mostly those who represent Hispanic states. These people include former Speaker of the Florida House of Representatives Jeb Bush who was a former governor of Florida, another republican is Marco Rubio campaigner of U. S. Senate runner and Karl Rove who was a former senior political strategist of George W. Bush. Analysts say that Republicans favor for the act provides a short period political advantage by strengthening their base but in longer terms this support has the potential of excluding the rising population of Hispanians from the party. The analysts also say that it is this issue that played a major role in Republicans primary contest in the 2010 congress election season. Gabrielle Giffords a Congresswoman, Arizona member of Democrat who was for some of the rules in the bill said that her people were tired that the national government did not look after the border and that the situation was totally unacceptable.

She also said that the bylaws were a clear indication that the national government needed to carry out a more proper job. She however stopped short in supporting the Act itself saying that it has done nothing at all to secure the borders and said also that it was a contradiction to our past and it in turn led to threatening our future. It has been said that her disagreement to the Act was a major factor in her re-election results in 2010 where she narrowly won over the Republican runner who was in support of the law. Hillary Clinton the U. S. state secretary included the row of SB 1070 in the August 2010 report and presented it to the United Nations High

Commissioners Office for Human Rights as a lesson to other states of how problems can be solved by following the rule of law. Governor Brewer had a problem with the mention of the law as it implied that these laws were a infringement on human rights and demanded that it be removed from the report. The President of Mexico Felipe Calderon's office stated that the government of Mexico condemns the criminalization of migration and endorsement of the laws. He also described the act as an abuse to human rights. The Ministry of Foreign Affairs to Mexico gave travel advisory to its people who intended to visit Arizona which said that Mexican Citizen would fall victims of being questioned or harassed without a valid reason at any particular time.

The opinion of Arizona's law enforcement department

Law enforcement agencies in Arizona have been divided on the law with the statewide rank police officers' side supporting it while the police chief groups opposing it. The heads of Police in Arizona criticized the bill terming its provisions awkward and expressed that it would affect negatively the capability of law enforcement groups in the states to fulfilling their responsibilities in an untimely manner. Other officers have raised some concerns in the past saying that the illegal foreigners may be frightened of the police officer and will not report nor get in touch with them in emergency situations or in situations where they tangible evidence of knowledge of crimes. The Law Enforcement Department of Phoenix which represents police officers from the city supports the Act and has aggressively lobbied for its approval. The officers who support the laws say that they have many ways of identifying an illegal immigrant other than race. Conflicting

statements made or absent identification are some of the ways that the police would use to identify illegal immigrants. Sheriff Joe Arpaio who is a sheriff in Maricopa County of Arizona who is very much known due to tough crackdowns of illegal foreigners within his jurisdiction hailed the measure saying that he hoped that the measure could result in the national action of sealing the border. Sheriff Arpaio said that “ I have a thought that they are scared that additional states will adopt the new law that has been passed”.

Perspectives and views of religious organizations

Church activists are also divided on both sides of the debate on immigration and both opponents and supporters of the Act appealing to religious arguments to support them. Pearce who is a state senator and a dedicated follower of The Latter-day Saints Church which has large congregation in Arizona said that he was pushing forward for the legislation based on the church’s Article of Faith and one of the Article instructs that one must obey the law. The Latter Day Saints Church however came out and said that it had taken no sides on the immigration laws or the law in general, it also added that Pearce was not a representative of the church. The association of the church and Pearce caused a backlash against the Latter Day Saints Church and endangered its proselytizing efforts in the Hispanic population areas. The Conference of Catholic Bishops in the U. S. rejected the law and characterized the law as primitive and said that it would probably lead to unnecessary arrest and questioning of the United States citizens. The law was also very much criticized by the Churches’ National Council which said that the law ran against the many years of biblical followings as regards neighborliness and justice. Some other members the Christian

clergies were also against the law. Minerva G. Carcano the Bishop of United Methodist Churches in Arizona was opposed to the law terming it as short sighted, mean spirited and unwise. He then went on to lead a mission of religious leaders to Washington to call for a comprehensive reform on the immigration laws. Even though most Christians were opposed to the legislation, Mark Tooley from the Institute of Democracy and Religion came out saying that the issues of immigration were best suited for politics while others said that it is a biblical command that all Christians should follow that law of the land.

Impact and harm caused by the SB 1070 Act in Arizona

Most employers are worried about sections seven and eight which mandates all businesses within the states should use the faulty Electronic Verify system to ensure that all workers who seek employment are of legal status.

Following an audit in 2010, an Electronic Verify system has its faults in that it fails to identify 54 percent of the undocumented workers and had also misidentified legal workers to be illegal. The SB 1070 increases the penalties like a case where second time business offenders lose licenses to operate their businesses. These laws also make it difficult for businesses to sign up employees. Arizona's new laws will not solve the issues of illegal immigration and will most probable lead to an increase in the black market labor. Those at the receiving end of this part of the law are the Chicanos as the employers are not willing to risk employing them for the fear of breaking the law as they cannot distinguish between an illegal foreigner and a Chicano.

The law enforcement officers have foreseen problems with Section 2 which allows all legal residents to sue any official or state agency that they see as

failing to put into action the immigration laws. The law enforcement officers argue that the provision will put police officers in Arizona in a no-win situation and will also channel millions of dollars in to trial lawyers.

Making Arizona's police officers the agents of federal immigration will result to making their jobs more difficult. This is because SB 1070 laws will damage the ability of the officers to obtain information that they would use to solve crimes and more so because the illegal immigrants will be reluctant to work with police officers as the witnesses and they will also be reluctant to reporting crimes.

There is no likelihood of crime situation in Arizona to improve. Even though crime statistics are not yet out since the SB 1070 laws were passed, there are factors that can be compared to. In Maricopa, the rate of violent crimes increased by 58 percent between 2004 and 2009 when Sheriff Joe Arpaio decided to put into action the immigration laws. Concentration of Arpaio on immigration issues shifted resources from responding and solving violent crimes to enforcement of immigration laws. Ironically, the other parts of Arizona including the borders observed a sudden decline in the rates of crimes of violent nature in the same period.

The bill also prohibits the undocumented students from attending state universities and community colleges even if they paid the out of state tuition. It also cuts off emergency medical care for the undocumented immigrants. The bill also requires that people who want obtain a marriage license would be required to produce their immigration papers. The undocumented immigrants would not be able to purchase or even operate vehicles without being able to show proof of their legal residence. They could

face a jail term of one month if they are found driving without the required documentation.

In Arizona most of the Christian churches in that usually have large immigrant congregations reported that they had experienced a 30% reduction in the attendance. Businesses, health care facilities and schools in specific areas also witnessed large drops in number of people they attend to. These effects indicate that illegal migrants were moving out of Arizona with some relocating to other U. S. states while others were returning to Mexico. According to a study by the BBVA Bancomer in November 2010 based on the current population survey indicated that there had been 100, 000 fewer Hispanics who were in Arizona than there were before the issue about the law began. The study also suggested that poor economic state of Arizona could have contributed to the relocations. Between the months of June and September 2010, the government of Mexico gave reports that over 23, 000 citizens arrived back at the country from Arizona. About 8, 000 students are reported to have entered into Sonora public schools between the years of 2009 and 2011 with families saying that their main causes of the action was due to the SB 1070 and the American economy this according to a report by Seminario Ninez Migrante.

There have been fears by the civil rights advocates that the legislation SB 1070 had the potential making all Latinos living in Arizona suspects in spite of their immigration status. Negative results of the bill have come out such as large financial losses to the economy, broad legal battles to defend the bill, a stained state image and political repercussions for the Act's supporters. The provision that required that the police check the people's

status of immigration resulted in to racial discrimination for anybody who is suspected to be a foreigner. Legal immigrants and also citizens have been detained or stopped for failing to be in possession of their immigration documents at the time they are asked to.

Chicanos in regards to this legislation have been affected negatively in that they will have to suffer the torture of being stopped anywhere by the police for immigration status confirmation. They will have hard times securing jobs and acquiring of social services will take place after doubts about their identities are confirmed. Realistic solutions to the issues of illegal immigration will be achieved if the legal immigration is expanded by getting rid of the barriers to migration across the borders. This way, the law enforcement agencies will concern themselves to focusing on the real issues of border threats which would include keeping away potential terrorists and criminals. Without the expansion of legal immigration, immigration laws like the SB 1070 will continue to harm businesses, other residents and police officers.

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