The Quest for Justice: The Ethics of Immigration Policy
PO 3360 – Spring 2012
Dr. Michael J. Sullivan

Time: Wednesdays 5:30-8:00 p.m.
Location: Reinbolt 001
Office Hours: W 4:00-5:20 or by appointment (Location T.B.A.)
Contact: msullivan6@mail.stmarytx.edu

I. Course Description

In this class, we will consider why immigrants continue to come to the United States and other Western liberal democratic countries, with and without legal authorization. We will consider this issue primarily from the perspective of citizens who are affected by mass immigration to their country. Our primary text will be Christopher Heath Wellman and Philip Cole’s *Debating the Ethics of Immigration: Is There a Right to Exclude* (2011), which considers moral arguments for and against immigration restrictions by leading political philosophers. But this is not just a theoretical course. Immigration restrictions have practical consequences for the receiving society, and are justified based on pressing social issues that impact citizens and immigrants alike. We will read academic research and issues taken from that week’s news. We will use this information to consider how issues like the desire of families to stay together, the need for labor by businesses, unemployment, and the cost of social benefits influence immigration policymaking.

This will be a smaller, discussion orientated class that requires active student participation, consistent attendance, dialogue with the professor, and extensive preparation before class. Students will be required to write a research paper for this course.

II. Student Learning Outcomes

- Develop critical thinking and writing skills through class discussion and written assignments.
- Develop oral communication skills through classroom presentations.
- Fully consider and respond to different perspectives on a political controversy.
- Participate in classroom discussion about the assigned readings, respond to other students.
- Analyze scholarly articles and texts and understand their place in a broader conversation.
- Understand the purpose of different types of source material.
- Conduct independent research and find different types of source material.
- Develop an argument that builds on previous research using primary and secondary sources.
- Review and suggest improvements on other students’ writing.

III. Required Texts for this Course

- All other readings will be posted on Blackboard. Readings on Blackboard will have a * beside them.
IV. **Course Requirements (Assignments/Attendance and Participation)**

Your responsibilities for this course/deadlines/grade attached include:

1. **Attendance, Homework, and Participation in Discussions:** 20 percent.
2. **Short Presentations Linking News to Weekly Readings – 2 x 5% each:** 10 percent.
3. **Midterm Take-Home Essay on Immigration Theory (Due February 23rd):** 20 percent.
4. **In-Class Debate (March 7th):**
   - Oral presentation (volunteers)/questions (student panel members) 5 percent
   - Written brief (volunteers)/decision (student panel members) 5 percent
5. **Final Paper – Applying Immigration Theory to a Case:**
   - Proposal due by e-mail March 26th 5 percent.
   - Pre-Writing Exercises, including:
     - Discussion With Professor – Week of March 29th 10 percent.
     - Introduction Draft due April 4th
     - Draft of Paper due April 18th:
   - Peer Review of Draft due by e-mail April 27th 5 percent.
   - Research Presentation May 2nd 5 percent.
   - Revised Final Copy of Paper due by e-mail May 4th 20 percent.
   - Note: All short in-class assignments not listed here related to the final paper are counted towards your participation grade.

Note: This syllabus is a guide that I intend to follow, but it is not a contract. If anything changes, I will let you know well in advance (at least a week before it happens).

V. **Class Policies and Resources to Keep in Mind**

- **I want to help! Ask me questions – in class, by e-mail, or during office hours!**
  - If you have any questions, or just want to chat about the course, e-mail me or visit me during office hours! You get more out of any class and your college experience when you talk to your professors about the course and your academic interests/future plans. I’m also really interested in this topic – the ethics of immigration policy – and politics in general, and I like hearing your thoughts on what you’re learning in this course!

- **Extra Credit Opportunities:**
  - Learning doesn’t just take place in the classroom! I encourage you to attend any talks that you become aware of or that I mention in class related to this class. I noted an event that is taking place at the UT Health Science Center on February 24th in the course outline. I will inform you of any events that are taking place in the community related to immigration and citizenship law/policy that I become aware of.
  - To earn extra credit, you must attend the lecture AND write a short reflection paper (1-2 pages) where you discuss (in paragraph form) what you learned from the lecture, and how it relates to what you have read in this class (specific examples). Extra credit is usually limited to +2 percent per event, with a maximum of +6% for the course.
• Regular Attendance is a Must (20 percent of your grade!)
  o In a small seminar, regular attendance and participation during every class are essential. We only meet once a week so you miss a lot if you don’t show up. The learning experience in this class is facilitated by your response to questions, discussions with other students and the professor, presentations, and engagement with the readings.
  o There may be an unannounced quiz in any class session that counts for your grade.
  o You can miss only one class per semester without penalty.
  o All subsequent absences can only be excused by the professor if they are medical or family emergencies. I may ask to see documentation (doctor’s note).
  o Each unexcused absence = 5 percent deduction from your participation grade.
  o If you miss more than 2 classes in a row, you can be dropped from this course. If you frequently miss class even for excused reasons, I will ask you to withdraw.
  o Don’t let it come to that. If you’re struggling with this course, please e-mail me or drop by when I have office hours. I want to help you to succeed, and I’m always willing to talk about the course, your future plans, or to just have a conversation!

• Being on time to class
  o I expect that you will be on time to class (5:30 p.m., not 5:35 or 5:40). Students may come late two times; however, after the third time I will discuss the situation with the student. After that, I will deduct 5 points for each time a student is late.
  o I reserve the right to give a 15 minute graded quiz (counts towards your participation grade) on the prior week’s readings starting at 5:30.

• Cell phones, mp3 players, and PDAs
  o Please turn off your cell phone, your iPhone, your mp3 player, your Blackberry, etc. before coming to class. One-time exceptions may be made if you have a family emergency.

• Eating/drinking in class
  o You are welcome to bring something to class to drink, especially if you need caffeine to stay awake! However, it is distracting to have someone eating a meal during class.

• Laptop Restrictions:
  o Due to past experience with students using laptops to surf the net, check email and instant message friends, laptop use is only permitted when you are giving a presentation or when I specifically ask you to bring a laptop to class the next week. Be prepared: If I assign a reading on blackboard, print it out before class and bring it with you. Laptop use may be permitted if a student has written documentation of a special learning need.
• **Email messages to the class and to the instructor (msullivan6@mail.stmarytx.edu)**

  o I will communicate with the class via email, using Blackboard. Doing so enables me to send a message to each student at the same time. Please get in the habit of checking your St. Mary’s email account regularly. If you have a quick question, I encourage you to reach me by email. If you do email me, be sure to specify the subject of the message in the subject line. Given computer viruses, I typically delete messages with nothing in the subject line.

• **Student special needs**

  o St. Mary’s University is committed to providing its students access to education. If you have a documented special need that affects your learning or performance on exams or papers, you will need to contact the Educational Support Office (Rhonda Rapp, 210-436-3135/rrapp2@stmarytx.edu) to identify accommodations that are appropriate.

• **Learning Assistance Center (Research/Writing Help!)**

  o Whether English is your second language or you just need someone to brainstorm with as you develop ideas for your research paper proposal (aside from me, as I’m always willing to help!), the Learning Assistance Center is a great resource for writing related assistance. It’s on the 3rd floor of the Blume library. For information, see: [http://www stmarytx edu/learning-assistance-center/](http://www.stmarytx.edu/learning-assistance-center/).

• **Your Friendly Librarians (Research Help):**

  o We’ll be discussing the research assignment for this class in more detail after the Spring Break, and I will arrange for a librarian to visit our class. In the meantime – or at any stage in the research and writing process when you’re trying to figure out how to get started on your proposal, find peer-reviewed articles, or borrow a book that’s not in St. Mary’s library, please ask a librarian (and me) for assistance!

• **Academic dishonesty**

  o Please note that I take extremely seriously the university’s policy on the need for academic honesty in all your work. Be sure to always cite your sources (where you got the information that you’re using in any written assignment). Any form of dishonesty in an assignment will lead to a zero on the assignment, and I reserve the right to give a grade of F for the course as well.
V. Further Details on Each Assignment/Component of Grade:

Note: I will give a handout regarding the debate assignment (March 7th), and each component of the final essay assignment (second half of the term) at least a week before your assignment is due.

1. Attendance and Participation – 20 percent:

- Every assignment that does not have a grade attached on the syllabus (homework, discussion board participation on blackboard, quizzes, in-class writing assignments) can be counted towards your participation grade.

- I will assign a grade each week that we have a classroom discussion (I ask you questions), based on the following criteria. A grade of 10/10 will require each of the following:
  - Always shows up for class on time.
  - Participates in classroom discussion.
  - Participates on the discussion board on Blackboard prior to class.
  - Refers to readings (cites author/page) in comments.
  - Asks questions about definitions/parts of readings that were difficult to understand.
  - Builds on, or asks questions of other students’ comments.
  - Connects this week’s readings/questions to previous week’s readings or general themes of the course.

2. Short Presentations – Connecting Theory to Recent Events – (Starting Week 3)

WHY?

At times during this course (particularly in the first few weeks when we’re reading Wellman and Cole’s *Debating the Ethics of Immigration*), we will be discussing questions related to the ethics of immigration and citizenship policy decisions on a very abstract level. At the same time, the debate about immigration regulation and enforcement is unfolding in our communities and at the national level. The fact that we’re in a presidential election year, and that the Supreme Court has agreed to review state level immigration laws guarantees that this issue will be in the news.

YOUR TASK:

- Make a point of frequently reading the front page of the newspaper (there are free copies of the New York Times available in the cafeteria, and free copies of the Wall Street Journal at the entrance to the law library).
- Starting in Week 3 – I will ask for two volunteers each week to bring an article to class for the next week. Your task will be to explain how that article connects to the current political debate about immigration policy in the U.S. You should also link the issue in the article to the philosophical issue we’re discussing in the Wellman/Cole readings this week.
- Presentations should be about 10 minutes.
- Presentations should end with questions/conversation starters (at least 2) for the audience.
- Every student is responsible for presenting an article at least twice this semester.
3. Take-Home Midterm Exam – Distributed 2/15 in class, due Thurs. 2/23 by 10 p.m. by e-mail.

I will give you more details when I distribute the midterm on February 15th. I will test you on your understanding of the theories that Wellman and Cole discuss in Debating Immigration in short answer questions. I will also ask you to write a longer essay (2-3 pages) that asks you to state a position on immigration exclusion, defend it citing Wellman or Cole as your authority, and respond to a counter-argument.

4. In-Class Debate on the Ethics of Immigration Policy Choices – March 7th (10 percent)

Two Options: Volunteer as Counsel, or Serve on a Student Panel.

OPTION 1: Volunteer Counsel

In class on February 22nd, I will ask for two volunteers to write a 3 page brief – written as though you were a lawyer arguing a case before a court – on the question:

“Low or mixed skilled immigration levels (including family-based immigration and low-skill guest workers) should be decreased for the benefit of disadvantaged citizens.”

As a starting point, you should read everything that is assigned for Week Eight – Guest Workers and the Economic Implications of Immigration Policy Choices. You can and should also draw from any of the assigned readings up to the midterm break (including Debating Immigration) to help make your case. Be careful to show that you understand other perspectives on the issue other than your own.

You will send out your brief to the class two days prior to the debate (by Monday, March 5th). You will also present your argument to the remainder of the class. A student panel will draw from the assigned material to ask questions of the volunteers.

You should revise your brief for submission on March 9th.

The presentation will be worth 5 percent of your grade, and the brief will be worth 5 percent.

OPTION 2: Serve on the Jury (Panel of Expert Questioners)

In class on March 7th, you will be asked to cross-examine the volunteer counsel. You should come prepared to ask them questions about their brief and their testimony in class. Come prepared by taking good notes on the readings assigned for Week 8 (the basis for this week’s debate).

After the debate, you will be asked to write a short paper (3 pages) that states your position on the same question that the volunteer counsel had to address in their brief. You can refer to the debate in your paper (perhaps the counsel misrepresented the evidence that you read for class), but you will be graded primarily based on your understanding of the arguments in the readings.

Your brief will be due by e-mail on March 14th (during the break, complete it early if you’re going away). Your questions for the counsel will be worth 5 percent of your grade, and the brief will be worth 5 percent.
5. **Final Paper – 2nd half of course (to be explained in more detail in a handout that I will distribute in class February 29th).**

You will write a research paper that applies the philosophical arguments that we read in *Debating Immigration* (should states/citizens have a right to police their borders/restrict who enters and becomes a citizen) to a practical issue in immigration policy. You can use the assigned readings as a starting point, but you will have to find more resources (peer reviewed journal articles, academic books, government documents, policy papers) to provide evidence to support your argument.

You can either choose one of the issues and resulting questions that we’re considering in class from Weeks 7 to 15, or suggest an alternative topic and research question that I would have to approve before the Spring Break. **See the end of the syllabus for a list of suggested topics/questions.** The final product should be 12-15 pages (3,600-4,500 words), double spaced. It should contain citations (I use the Chicago Manual of Style) showing me where your work comes from.

You will write your paper in stages:

a. **Journal Article Summary and Topic Proposal (due March 26th by e-mail):**

First, I will ask you to find a peer-reviewed research article dealing with the topic you’re considering writing about. I’ll ask you to identify the literature, research question, and argument that the author is addressing in the article you chose.

Second, I will ask you use what you’ve learned to write a short research paper proposal (300 words) that:

1. Describes a subtopic that you can address in a 15 page paper (suggestions are available below)
2. Asks a question about this topic that academic researchers (like the author of the article you chose) find interesting. You may need to find more than one article to do this well.
3. Suggests an answer to this question based on what we have learned in class so far that might add to what academic researchers already know about the issue, or call their arguments into question.

b. **Discussion With the Professor – Week of March 29th**

We will talk about your topic proposal and I'll make suggestions about how you might proceed to revise your plan, and/or to begin to respond to the question you've proposed.

c. **Introduction to Your Paper – Due April 4th (in class)**

In three paragraphs (1-2 pages), you should explain why your paper matters to a general audience, to academic researchers (including one that you mention directly). You should set out your research question, your thesis, and an outline of how you are going to support your argument/respond to opposing viewpoints.

d. **First Draft of Your Paper – Due April 18th (in class)**

You should submit a complete first draft of your paper (12 pages minimum, with citations) to me and to a writing partner that you will be assigned in class.
e. Peer Review of Writing Partner’s Paper – Due Friday April 27th by e-mail (10 p.m.)
You will be asked to write a short response (1-2 pages) to a partner’s paper, with suggestions for improvement. I will provide a list of considerations that you should look for. E-mail this assignment to me and to your writing partner.

f. Research Presentation – in class on May 2nd
You will give a presentation that explains your research question, your argument, and what you have found out about your topic to the class. Your peers will be asked to provide feedback and ask questions about your paper that may help with the revision process.

g. Final Paper – due Friday May 4th by e-mail, 10 p.m.
Your final copy of your paper should represent an improvement over your first draft. You should account for the suggestions of your peers and my feedback on your draft.
VI. Course Outline (Readings)

1. Introduction – Studying Immigration in Political Science and Theory

Week 1: January 18th – Contemporary Debates in U.S. Immigration Law and Policy

Prior to Week 1, read:


Week 2: January 25th – Immigration, Citizenship and the Purpose of Government

Prior to Week 2, read:


Consider:
- What is the purpose of government, from John Locke’s perspective? Why should individuals who are born in a country be free to leave if they so choose?
- Why is the notion that our political obligations ought to be chosen attractive? Is this notion plausible or desirable in the real world?
- Why are people who are born in a country considered to be citizens of that country? Do Schuck and Smith have a compelling case for changing this practice? What harm might come of this? To the children of citizens? To the children of undocumented immigrants?

2. Debating the Ethics of Immigration: Is there a Right to Exclude

Week 3: February 1st – Understanding Immigration Exclusion from a Philosophical View

Prior to Week 3, read:


Week 4: February 8th – The Case for Exclusion
Prior to Week 4, read:


**Week 5: February 15th – Theories of Inclusion as Counterarguments to Wellman’s View**

Prior to Week 5, read:


**Midterm Take-Home Exam Distributed in Class – covering Weeks 1 to 6.**

**Week 6: February 22nd – Cole’s Response to Wellman – Against the Right to Exclude**

Prior to Week 6, read:


Two volunteers chosen from class to prepare briefs for debate on March 7th (see assignments section of syllabus and handout for more details).

**Midterm Exam Due Thursday, February 23rd at 10 p.m. by e-mail.**

3. **Applying Theory to Cases – Who Should We Include? Whom Should We Exclude?**

**Optional Extra Credit Opportunity: Friday, February 24th at 12 p.m.**

**UT Health Science Center**

**One Book, One Community San Antonio – Author Speaks on Migrant Experience**

**Attend Talk:** 12 p.m. (noon) at the UT Health Science Center. Details available here: [http://library.uthscsa.edu/2011/12/onebook2012author/](http://library.uthscsa.edu/2011/12/onebook2012author/)

**Write and Submit in class Feb. 29th:** A 1-2 page reflection paper that connects Hart’s experiences as a migrant child (from the perspective of affected individuals) to our theoretical discussion in class about state level decisions about the ethics of immigration restriction.

If you do both – you can earn UP TO a 5 percent bonus on your midterm grade.

**Week 7: February 29th – The Challenges of Unauthorized Migration and Settlement.**

Prior to class, read:
• * Elva Trevino Hart, A Barefoot Heart: Stories of a Migrant Child, p. 193-217 (consider how the experiences of this citizen-child of legal immigrants compare to the experiences of unauthorized immigrants from the same background).

Week 8: March 7th – Debate: Guest Workers and Economic Implications of Immigration

Prior to class, read:

• Wellman and Cole, Debating the Ethics of Immigration, p. 133-155 (Chapters 9 and 10).
• * Michael Walzer, Spheres of Justice, p. 56-61.

In-class, volunteers will present their case on each side of a debate about the question: “Low or mixed skilled immigration levels (including family-based immigration and low-skill guest workers) should be decreased for the benefit of disadvantaged citizens.” A student panel will draw from the assigned material to ask questions of the volunteers.

Written Debate Responses due by e-mail March 14th (see “Assignments” for details)

Week 9 – March 14th - Spring Break – No Classes.

Week 10 – March 21st – A Response to the Challenge of Unauthorized Settlement.

Note: Our class will not meet in person this week as I will be presenting a paper at the Western Political Science Association in Portland, OR. Instead, I will post a powerpoint presentation on Blackboard with discussion questions attached by Saturday, March 17th.

Before March 21st, read and respond to questions pertaining to:

* Sullivan, “A Public Service Requirement for Legalization and Eventual Citizenship,” to be posted by March 14th.
Week 11 – March 28th – “Freedom of Association” and the Claims of Groups

To what extent are states like families (intimacy) or clubs (voluntary groups)? Can citizens of large, multi-ethnic nations truly identify with each other? Do states have a right to political self-determination? What kind of immigration policies are needed to maintain group solidarity?

Prior to class:

Skim/review Wellman’s argument in Chapter 1 of Debating the Ethics of Immigration. Read: Cole’s response in Chapters 13-14 of Debating the Ethics of Immigration, p. 233-260.

Week 12 – April 4th – Family-Based Immigration in Theory and Practice:

Prior to Class, read:


Week 13 – April 11th – Refugees, Statelessness, and Effective Statelessness:

Prior to Class, read:

- Debating the Ethics of Immigration, p. 117-132 (Wellman on refugees)
- Debating the Ethics of Immigration, p. 200-210, 248-258 (Cole’s response about statelessness).

Optional/For Further Reading: (connecting Weeks 12/13 to DREAM Act debate):

Week 14 – April 18th – Who Deserves Legalization and Citizenship:

Prior to Class, read:


Optional/For Further Reading:


4. Applying Theory to Practice.

Week 15 – April 25th – Conclusion: Policy Proposals and Theoretical Justifications.

Read: Cole, Chapters 15, 16, Debating the Ethics of Immigration, p. 293-313.

Consider as we conclude this class:

- How do Wellman and Cole arrive at their final theoretical positions (supporting the right to exclude/Wellman, or a right to mobility in Cole’s case).
- What elements of each theory do you find most plausible? Why?
- What are the practical policy implications (payoffs) of Wellman and Cole’s theories?
- Are there any issues that we have covered in this class (or that you have considered in your own research) that Wellman and Cole fail to address in their work? Would they have a response to your issue, or would you need to alter the theories themselves to address your concern?

Week 16 – May 2nd – Research Presentations.

No readings scheduled for this class.

Instead, you will each be giving a 15 minute presentation of your research (your question/approach, your argument so far, why it matters, and what you have found out).

Your participation grade for this week will be based on your questions for your fellow students.

RESEARCH PAPER DUE MAY 4th at 10 p.m. by e-mail
Appendix A – Suggested Topics for Your Research Paper

1. Unauthorized Immigration/Citizen-State Responses (Week 7, 10, 15):
   a. How should citizens respond to unauthorized immigration?
   b. How should immigration regulations be enforced? By whom?
   c. What should it take to earn legal residence or citizenship in the United States?

2. Selecting Immigrants in the National Interest/Interests of Citizens (Weeks 8, 11, 12):
   a. Which types of immigrants should receive priority to enter and stay in the United States?
   b. Is a nation justified in restricting immigration to protect its identity? How do we define a national identity in a diverse country like the United States?
   c. How should family and other relationships be accommodated in immigration policy?

3. Responding to Humanitarian Needs (Weeks 13/14)
   a. Do we have a responsibility to our fellow citizens before other persons who seek our assistance?
   b. How should states respond to persons who cannot return to their country of origin (refugees and asylum claimants)? Does the reason why they decide to leave matter?
   c. How should the state respond to the claims of citizens who want to remain together with their non-citizen family members without leaving the country?
   d. Issues related to the DREAM Act:
      i. Should children who enter a country with their parents without authorization be allowed to stay in that country/become citizens? On what conditions?
      ii. Should they be required to earn their legal status and citizenship? How?
      iii. How is their position akin to a stateless person? To their native-born peers?

4. Becoming a Citizen through Naturalization or at Birth (Week 15)
   a. Birthright citizenship:
      i. Is it morally right to grant citizenship to all persons who are born in that country without regard to the citizenship status of their parents (birthright citizenship?)
      ii. Is it good public policy for a country that has large numbers of illegal/unauthorized immigrants?
   b. Alternatives to birthright citizenship/naturalization:
      i. What problems are associated with assigning citizenship to persons on the basis of where they are born or who their parents are? What are the alternatives?
   c. Naturalization:
      i. What should an immigrant have to do to earn the right to become a citizen?
Appendix B – Grading Policy for Written Work

(I will give pluses and minuses to in-between papers. These are rough guidelines).

A paper in the **A range** (9-10) displays exceptional grace and demonstrates a high degree of mastery over the fundamentals of academic writing: it advances an interesting, arguable thesis; establishes a clear motive to suggest why the thesis is original or worthwhile; employs a logical and progressive structure; analyzes evidence insightfully and in depth; draws from well-chosen sources; and is written in a clear, sophisticated style. An A paper is potentially a rough draft for something bigger. You might want to submit it for presentation at a conference, publication in a student research journal, or use as a writing sample as part of a grad school application.

A **B-range** (8 to 8.9) paper resembles an A-range paper in some ways, but may exhibit a vague, uninteresting, or inconsistently argued thesis; establish a functional but unsubstantial motive; employ a generally logical but somewhat disorganized or undeveloped structure; include well-chosen but sometimes unanalyzed and undigested evidence; use sources in a correct but limited fashion; or be written in an unsophisticated or grammatically problematic style. A B+ paper is above average.

A **C-range** (7 to 7.9) paper resembles a B-range paper in some ways, but may also feature a confusing, simple, or descriptive thesis; provide a simplistic motive or none at all; lack a coherent structure; fail to present enough evidence, or present evidence that is insufficiently analyzed; drop in sources without properly contextualizing or citing them; and be written in a generally unclear, simplistic, or technically flawed style. If I can’t easily locate your argument in the introduction, or if your research (pure information) does not contribute to your argument in the body of your paper, a C+ will be the highest grade you can earn according to this rubric.

Many first drafts of papers that display a lot of effort but are not revised can fall into this category.

A **D** (6 to 6.9) paper has trouble engaging with the assignment and may not show awareness of the conventions of academic discourse and style. It does, however, show signs of attempting to engage with the issues, topics, and sources of the assignment.

**Effort for effort’s sake is rewarded at this level.**

An **F** paper is similar to a D paper but is significantly shorter than the assigned length and addresses the assignment superficially.

A **0** paper is less than half the assigned length and does not fulfill the basic expectations of the assignment (for example, in a research paper, there is evidence of little or no research). Unlike an F paper, a 0 does not count as successful completion of the assignment and puts the student in jeopardy of failing the course.