

crime and drugs and violence and unless we recognize that it's due to the breakdown of the family, the community, and the disappearance of jobs, and unless we say some of this cannot be done by Government, because we have to reach deep inside to the values, the spirit, the soul, and the truth of human nature, none of the other things we seek to do will ever take us where we need to go.

So in this pulpit, on this day, let me ask all of you in your heart to say: We will honor the life and the work of Martin

Luther King. We will honor the meaning of our church. We will, somehow, by God's grace, we will turn this around. We will give these children a future. We will take away their guns and give them books. We will take away their despair and give them hope. We will rebuild the families and the neighborhoods and the communities. We won't make all the work that has gone on here benefit just a few. We will do it together by the grace of God.

Thank you.

Question

1. Compare and contrast this speech (Document 31-4) with Lyndon Johnson's speech on the next stage of the civil rights movement (Document 27-6).

31-5 Proposition 187 (1994)

Anxiety about immigration often occurs during periods of economic stress, and California in the mid-1990s was no exception, although the object of concern was illegal immigration, not legal immigration. As a bulwark of the military-industrial complex, the state might have suffered more than any other from the end of the Cold War and the defense cuts that followed. The "peace dividend" seemed to be a combination of high unemployment and taxes. Such was the political environment in 1994, when California, by a margin of 59 to 41 percent, passed Proposition 187 (also called the "Save Our State" initiative), which sought to cut off welfare benefits, education, and health care services to illegal aliens. Proponents argued that while state businesses benefitted from the cheap labor illegal aliens provide, the taxpayer was billed for the public benefits. Proposition 187 was ruled unconstitutional in 1997 by Judge Mariana R. Pfaelzer who wrote that the regulation of immigration was not up to an individual state; that "school teachers and doctors are not substitutes for INS agents." Pfaelzer was nominated to the federal bench by President Jimmy Carter.

Source: From California Secretary of State's Office, 1994 California Voter Information: Proposition 187, Text of Proposed Law.

SECTION 1. FINDINGS AND DECLARATION.

The People of California find and declare as follows:

That they have suffered and are suffering economic hardship caused by the presence of illegal aliens in this state.

That they have suffered and are suffering personal injury and damage caused by the criminal conduct of illegal aliens in this state.

That they have a right to the protection of their government from any person or persons entering this country unlawfully.

Therefore, the People of California declare their intention to provide for cooperation between their agencies of state and local government with the federal government, and

to establish a system of required notification by and between such agencies to prevent illegal aliens in the United States from receiving benefits or public services in the State of California.

SECTION 2. MANUFACTURE, DISTRIBUTION OR SALE OF FALSE CITIZENSHIP OR RESIDENT ALIEN DOCUMENTS: CRIME AND PUNISHMENT.

Section 113 is added to the Penal Code, to read:

113. Any person who manufactures, distributes or sells false documents to conceal the true citizenship or resident alien status of another person is guilty of a felony, and shall be punished by imprisonment in the state prison for five years or by a fine of seventy-five thousand dollars (\$75,000).

SECTION 3. USE OF FALSE CITIZENSHIP OR RESIDENT ALIEN DOCUMENTS: CRIME AND PUNISHMENT.

Section 114 is added to the Penal Code, to read:

114. Any person who uses false documents to conceal his or her true citizenship or resident alien status is guilty of a felony, and shall be punished by imprisonment in the state prison for five years or by a fine of twenty-five thousand dollars (\$25,000).

SECTION 4. LAW ENFORCEMENT COOPERATION WITH INS.

Section 834b is added to the Penal Code, to read:

834b. (a) Every law enforcement agency in California shall fully cooperate with the United States Immigration and Naturalization Service regarding any person who is arrested if he or she is suspected of being present in the United States in violation of federal immigration laws. . . .

SECTION 5. EXCLUSION OF ILLEGAL ALIENS FROM PUBLIC SOCIAL SERVICES.

Section 10001.5 is added to the Welfare and Institutions Code, to read:

10001.5. (a) In order to carry out the intention of the People of California that only citizens of the United States and aliens lawfully admitted to the United States may receive the benefits of public social services and to ensure that all persons employed in the providing of those services shall diligently protect public funds from misuse, the provisions of this section are adopted.

(b) A Person shall not receive any public social services to which he or she may be otherwise entitled until the legal status of that person has been verified as one of the following:

- (1) A citizen of the United States.*
- (2) An alien lawfully admitted as a permanent resident.*
- (3) An alien lawfully admitted for a temporary period of time.*

(c) If any public entity in this state to whom a person has applied for public social services determines or reasonably suspects, based upon the information provided to it, that the person is an alien in the United States in violation of federal law, the following procedures shall be followed by the public entity:

- (1) The entity shall not provide the person with benefits or services.*
- (2) The entity shall, in writing, notify the person of his or her apparent illegal immigration status, and that the person must either obtain legal status or leave the United States.*
- (3) The entity shall also notify the State Director of Social Services, the Attorney General of California, and the United States Immigration and Naturalization Service of the apparent illegal status, and shall provide any additional information that may be requested by any other public entity.*

SECTION 6. EXCLUSION OF ILLEGAL ALIENS FROM PUBLICLY FUNDED HEALTH CARE.

Chapter 1.3 (commencing with Section 130) is added to Part 1 of Division 1 of the Health and Safety Code, to read:

Chapter 1.3. Publicly-Funded Health Care Services

130. (a) In order to carry out the intention of the People of California that, excepting emergency medical care as required by federal law, only citizens of the United States and aliens lawfully admitted to the United States may receive the benefits of publicly-funded health care, and to ensure that all persons employed in the providing of those services shall diligently protect public funds from misuse, the provisions of this section are adopted.

(b) A person shall not receive any health care services from a publicly-funded health care facility, to which he or she is otherwise entitled until the legal status of that person has been verified as one of the following:

- (1) A citizen of the United States.*
- (2) An alien lawfully admitted as a permanent resident.*
- (3) An alien lawfully admitted for a temporary period of time.*

(c) If any publicly-funded health care facility in this state from whom a person seeks health care services, other than emergency medical care as required by federal law, determines or reasonably suspects, based upon the information provided to it, that the person is an alien in the United States in violation of federal law, the following procedures shall be followed by the facility:

- (1) The facility shall not provide the person with services.*
- (2) The facility shall, in writing, notify the person of his or her apparent illegal immigration status, and that the person must either obtain legal status or leave the United States.*
- (3) The facility shall also notify the State Director of Health Services, the Attorney General of California, and the United States Immigration and Naturalization Service of the apparent illegal status, and shall provide any additional information that may be requested by any other public entity. . . .*

SECTION 7. EXCLUSION OF ILLEGAL ALIENS FROM PUBLIC ELEMENTARY AND SECONDARY SCHOOLS.

Section 48215 is added to the Education Code, to read:

48215. (a) No public elementary or secondary school shall admit, or permit the attendance of, any child who is not a citizen of the United States, an alien lawfully admitted as a permanent resident, or a person who is otherwise authorized under federal law to be present in the United States. . . .

SECTION 8. EXCLUSION OF ILLEGAL ALIENS FROM PUBLIC POSTSECONDARY EDUCATIONAL INSTITUTIONS.

Section 66010.8 is added to the Education Code, to read:

66010.8. (a) No public institution of postsecondary education shall admit, enroll, or permit the attendance of any person who is not a citizen of the United States, an alien lawfully admitted

as a permanent resident in the United States, or a person who is otherwise authorized under federal law to be present in the United States. . . .

SECTION 9. ATTORNEY GENERAL COOPERATION WITH THE INS.

Section 53069.65 is added to the Government Code, to read:

53069.65. Whenever the state or a city, or a county, or any other legally authorized local governmental entity with juris-

dictional boundaries reports the presence of a person who is suspected of being present in the United States in violation of federal immigration laws to the Attorney General of California, that report shall be transmitted to the United States Immigration and Naturalization Service. The Attorney General shall be responsible for maintaining ongoing and accurate records of such reports, and shall provide any additional information that may be requested by any other government entity.

Questions

1. To what extent are these findings and declarations convincing? What, if any, facts are missing?
2. Which provisions seem reasonable, and which seem unfair? Why?

~~Question for Further Thought~~

- ~~1. Discuss and relate the impact of globalization, the computer revolution, and the prosperity of the Clinton years.~~

~~Into a New Century~~

~~Presidents are judged, in large part, by whether their terms are marked by peace abroad and prosperity at home. By these two measures, Bill Clinton's presidency was a success. However, the Clinton years were marked by divided government and political bitterness, the latter of which carried over into the 2000 presidential election. Al Gore of Tennessee, the Democratic nominee who was also vice president and a leading figure in the Clinton administration, won a majority of the popular vote, but George Walker Bush (b. 1946), son of former president George Herbert Walker Bush, two-term governor of Texas, and Republican candidate, was ultimately awarded Florida's contested electoral votes by the U.S. Supreme Court, making him the forty-third president of the United States.~~

~~In office, George W. Bush, whose party controlled the White House and both Houses of Congress, was determined he would not share the fate of his father, George H. W. Bush, who won a war but lost the conservative wing of his party over raising taxes. The elder Bush lost the 1992 presidential election. George W. Bush would remain steadfast on not raising taxes and he kept the support of the conservative wing of the Republican Party. Bush's commitment to tax reduction was more political and ideological than intellectual. After the long slump of the 1970s, Reagan's tax cuts made sense in terms of trying to jumpstart a long stalled economy. Following the boom years of the 1990s, however, Bush's 2001 and 2003 tax cuts made far less sense. Moreover, since Bush did not seek cuts in government spending, he created a fiscal gap that would be very difficult to close.~~

~~At the same time, Al Qaeda attacked the United States on September 11, 2001, killing nearly 3,000 civilians. This action led to a global war on terrorism and an invasion of Afghanistan, where Al Qaeda based its operations, and the creation of a "homeland security" agency, dedicated to the nation's civil defense. Unaccountably, President Bush refused to pay for these efforts; he neither asked for a war tax nor attempted to cut spending. And in 2003, Bush ordered an invasion of Iraq primarily because of its reported possession of weapons of mass destruction (WMDs). The decision to invade was a mistake since no WMDs were found in Iraq but the war may prove to be fortuitous in terms of the long term stability of the Middle East. Apparently, Saddam Hussein, a brutal dictator~~