

## Experts Weigh In on Arizona's Immigration Law

*Perspectives contributors offer their points of view on the ramifications of the Supreme Court's decision.*

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The Supreme Court [announced Monday](#) its opinion on the Arizona immigration bill, deciding to uphold the “Show Me Papers” provision, while overturning the three other contested sections. We’ve asked our Perspectives contributors, a diverse collection of think tanks, advocates and leaders in their fields, to tell us what they thought on the ruling.

Here’s what they had to say.

### ***National Immigration Forum***

The [National Immigration Forum](#), an advocacy group for immigrants and immigration, expressed its concern for the surviving provision that requires local authorities to determine the immigration status of those they stop.

Ali Noorani, executive director for NIF, called the provision the “pointy end of the sword of the Arizona immigration law.”

“Just as the nation is inching closer to a consensus on the need for solutions on immigration, the Supreme Court is dividing the nation,” said Noorani in a statement.

“Today’s ruling takes us backwards,” said Dr. Warren Stewart, senior pastor at First Institutional Baptist Church in Phoenix and the board chair of the National Immigration Forum. “Arizona’s discriminatory law is an attack on the American core values of fairness and equal treatment under the law.”

NIF also reiterated their concerns that the legislation has already adversely affected the state’s economy, hurting the local tourism industry and driving away residents.

“The Supreme Court might have given part of Arizona’s misguided law a green light, but states will be making a wrong turn if they decide to follow Arizona. Arizona’s law will only lead down a road to economic perdition,” Noorani said.

## ***Cato Institute***

Two contributors from the [Cato Institute](#), a think tank committed to the values of free markets, limited government and individual liberty, maintain that the ruling reiterates the dire need for comprehensive immigration reform by the federal government, noting the adverse effects already felt on the state's economy.

The decision made it clear that it is not “some baby-splitting grand compromise but rather that this is a really complex area of law,” said Ilya Shapiro, Cato's legal scholar. “My own view most closely aligns with Judge Alito's—I would uphold three of the four provisions.”

Shapiro later added, “In short, immigration policy by either state action or executive whim won't cut it. The federal government—Congress and the president, working out that grand compromise—needs to fix our broken immigration system.”

“As a policy matter this decision changes little. Arizona's immigration laws have already driven about 200,000 people from the state,” wrote Alex Nowrasteh, the immigration-policy analyst at the Cato Institute's Center for Global Liberty and Prosperity, in a statement.

“Those people took their investments, businesses, purchasing power, mortgage payments, and economic activity to other states. As a result the property price decline in Phoenix was the second worse of any metropolitan area in the U.S., the unemployment rate has been consistently higher than its neighbors, and business investment has left the state. Today's SCOTUS opinion will not reverse the economic harm caused by years of misguided state-level immigration laws. In this decision the SCOTUS has made it clear that only a federal solution can solve the immigration mess.”

## ***Center for American Progress***

The [Center for American Progress](#), an educational institute and think tank, also reiterated its concern over the remaining provision, raising concerns that the authority for local officials to ask for immigration papers based on reasonable suspicion would open the doors for racial and ethnic profiling.

“Today's ruling was narrow in that the Court only concluded that federal law did not preempt states from enacting these ‘papers please’ laws,” said [Angela Maria Kelley](#), vice president for immigration policy at the Center for American Progress Action Fund, in a statement.

“Lawsuits challenging the provision on racial profiling grounds will continue to be litigated and we are confident that the measure will ultimately be struck down. Unfortunately, the Court's ruling today means that while we await that future decision, the fundamental rights of Americans living in those states will be degraded.”

Kelley also reiterated the need for more compromise in Washington, including bipartisan support for immigration policy reform.

“Today's ruling increases the urgency of sensible and workable federal immigration reform. But that is only possible with bipartisan support,” she said in the statement. “So we call on the Republican Party to repudiate the politics of division and come to the negotiating table. And in the interim, we call on the Obama administration to continue fighting against laws like S.B. 1070, which have no place in America.”

### ***Asian American Justice Center***

Mee Moua, executive director for the [Asian American Justice Center](#), applauded the Supreme Court's decision to overturn several provisions within S.B. 1070, but was cautious about the surviving provision.

While she felt that the ruling based on federal preemption was an appropriate decision, she maintained that the AAJC was "concerned about the application of the 'Show Me Papers' provision," adding, "I think it's very unclear what reasonable suspicion translates into."

"In my mind, based on the language that's in the decision, is now being a person of color or speaking English with an accent, is that now similar to slurred speech or alcohol on the breath?"

She later added, "It's not just about being Latino but it is a concern to us for the community of color as a whole."

### ***Migration Policy Institute***

The [Migration Policy Institute](#), a think tank studying the migration of people worldwide, offered the following statements from their experts.

"What the Supreme Court is saying is that the states can't impose on unauthorized immigrants more punitive sanctions than the federal government," said Michael Fix, senior vice president of MPI and co-director of the National Center on Immigrant Integration Policy. "They can, however, adjust the intensity of their permitted enforcement activity -- in this case compelling state and local officers, during the course of an otherwise authorized stop, to inquire into the immigration status of those whom they suspect to be in the country illegally."

"While this ruling imposes some restrictions on the states, it can still lead to quite differing climates of reception for immigrant populations depending on how states interpret and embrace this ruling," Fix said.

"This ruling re-confirms the long-held principle of federal primacy in immigration policy. It should largely put to rest questions about the respective roles of state and federal authorities in enforcing the nation's immigration laws and raises important cautions for the policing provisions that Arizona enacted," said Doris Meissner, senior MPI fellow and director of MPI's U.S. Immigration Policy Program. "The decision underscores yet again the need for Washington to respond to legitimate state concerns and take up the challenge of creating an orderly and fair immigration law."

### ***American Islamic Congress***

The [American Islamic Congress](#) is a nonprofit advocacy group dedicated to supporting civil rights for the Muslim community. Its executive director, Zainab Al-Suwaij, also weighed in.

"I am pleased that the Supreme Court has followed through on its obligation to protect our constitutional freedoms by striking down most of the Arizona immigration law," Al-Suwaij said in a statement. "Our civil rights are undermined when laws are put in place that can single out any group and treat them with suspicion. At the same time, illegal immigration will continue to divide the country until our leaders address the issue with thoughtful measures that encourage legal immigration, discourage intolerance and promote our economy and communities."

## ***New American Leaders Project***

The [New American Leaders Project](#) is a national organization that offers training for first- and second-generation immigrants in civic leadership roles. Sayu Bhojwani, founding director for NALP, expressed her concern that the upheld provision would lead to racial profiling.

“SB 1070 is antithetical to American values of tolerance and diversity. The Supreme Court’s upholding of one of SB 1070’s provisions—that makes immigrant profiling acceptable—is a disappointing statement by our country’s highest judicial powers, and will contribute to immigrants living in fear of “showing their papers,” Bhojwani said in a statement.

She added: “The ruling affirms a culture of fear and arbitrary questioning and negates the significant contributions that immigrants are making to the fabric of Arizona life and to every aspect of American society.

“This ruling is simply another misplaced band-aid and is sure to encourage a patchwork of policy from state-to-state instead of the long overdue, responsible answer to our broken immigration system we need, so that all Americans—regardless of where they were born—are treated with dignity and respect by law enforcement, school teachers and administrators, and healthcare professionals.”

## ***Hispanic Leadership Network***

The [Hispanic Leadership Network](#), an initiative by the American Action Network to engage the Hispanic community on center-right issues, issued the following statement.

“Arizona’s SB1070 law and similar legislations in other states are a direct result of the federal government’s failure to achieve immigration reform,” said Executive Director Jennifer Korn in a statement. “The blame for inaction on the immigration front cannot be placed on either political party, but on forces within both parties.”

She added, “It’s unfortunate and undisputable that during the first two years of this Administration, the President and a Democrat-controlled Congress had the opportunity to push through immigration reform, but chose not to do so. It’s disappointing that this President only talks about immigration when it is politically convenient for him.”

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