

A Coach's Notes¹

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January 12, 2008

Resolved: In Connecticut illegal immigrant college students should be eligible to receive academic financial aid including in-state tuition rates.

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Introduction

This is the fourth edition of the 2007-08 CDA season. If you would like to receive the previous editions of these Notes, please email me and I will send them to you.

Accompanying this document is a transcript of my notes from the final round in two formats, transcript and flow chart, and a copy of the packet from the tournament. I try to email these to CDA coaches within two weeks of the tournament.

These notes are intended for your benefit in coaching your teams and for the students to use directly. I hope that you will find them useful teaching tools. Please feel free to make copies and distribute them to your debaters.

I appreciate any feedback you have, good and bad. The best comments and suggestions will find their way into subsequent issues. I would also consider publishing signed, reasoned comments or replies from coaches or students in subsequent issues. So if you'd like to sound off on some aspect of the debate topic or the CDA, send me an email.

Debate the Resolution, not the Packet!

Every team I saw, both Affirmative and Negative, including the final round, argued over whether illegal immigrants living in Connecticut who have graduated from Connecticut high schools, should be eligible for financial aid and in-state tuition at Connecticut's public colleges and universities. No Affirmative team specifically defined the resolution

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this way; no Negative team ever questioned that this is what the debate should be about. Everyone assumed this was so. Certainly this is a fair description of the proposal passed by the Connecticut state legislature and vetoed by Governor Rell that was described in the packet.

There's just one small problem. *That's not what the resolution says!*

Look at the words. Read them carefully.

<i>"In Connecticut..."</i>	resolution only applies to the our state
<i>"...illegal immigrant college students..."</i>	nothing about being residents of the state, nothing about being graduates of Connecticut high schools, nothing limiting the scope to students at public colleges and universities
<i>"...should be eligible to receive academic financial aid..."</i>	no limitations other than it be academic aid, so presumable funds for room and board or books need not be considered
<i>"...including in-state tuition."</i>	lower, in-state tuition rates are specifically included, but nothing limits the Affirmative burden to this type of aid alone.

It would have been refreshing to hear just one Affirmative team give a clear sense of the resolution they intended to support, rather than define "eligible" and never use it. It would have been interesting to hear a Negative team argue that the Affirmative was required to advocate a "dry foot" policy—get in and you qualify for aid on the same basis as citizens and legal immigrants—be applied to every college in Connecticut, public or private. Any illegal immigrant, from anywhere in the world, from any high school in the world would be covered. Private colleges as well as public would have to comply. The debates might have been a bit different.

The Affirmative could try to define the resolution to match the Connecticut proposal. You may argue that my reading of the resolution is entirely too literal and not what was intended. But then the resolution could have been written differently: "Resolved: Public colleges and universities in Connecticut should provide in-state financial aid and tuition benefits to all graduates of Connecticut high schools on an equal basis regardless of their citizenship or immigration status."

Debate turns on the careful use of words. Read the resolution carefully!

Background Knowledge

A little background knowledge can go a long way in extemporaneous debate. January's resolution illustrates this point. While many of the topics we debate are complex, immigration is devilishly so, legally, economically and morally. The packet material caught many of the surface issues, but missed many crucial details. As a result, many of the debates including the final round turned on points that were not quite correct. Even the personal testimony of several debaters regarding their involvement in the US immigration system showed an incomplete understanding of the whole, especially with regard to those here illegally.

You should, as a matter of course, review every topic you debate for a more complete understanding. Especially if you are a Freshman or Sophomore debater, you are likely to see a similar topic again in your debating career. Consider how your cases would have changed if you knew more about immigration.

Immigration and the Law

The immigration laws of the US are Byzantine, to say the least. For most ethnic groups and races, until the 1880s immigration was essentially unlimited, and still relatively open until the 1920s. Great numbers came in the 1840s, and from 1880 to World War I. Immigrants were hardly welcomed with open arms: they were often poorly treated and only slowly gained the rights of citizenship. But America needed workers, and as bad as conditions might be for new arrivals, they were generally better than in the countries they came from.

In the 1920's laws were passed severely limiting the number of legal immigrants. Quotas were established favoring additional immigrants from countries that had provided the most immigrants in the past, limiting newcomers from countries whose racial and ethnic mix were considered less desirable. The process has been made more equitable over time, with quotas by country ultimately replaced by an overall limit, preference for those with family already in the US and those with desirable skills, and a global lottery for green cards. Still, there are a variety of special considerations benefiting certain groups, and such oddities as the "wet foot, dry foot" policy towards Cuban émigrés.

Immigration laws are controlled by Federal statute, but often the same Congressmen who preach the evils of illegal immigration do not vote for anywhere near the manpower and funds needed to enforce the laws. States and citizens are similarly schizophrenic. Some states and towns refuse to aid in enforcing Federal immigration laws and help regularize the status of illegal immigrants. Churches and other private support groups abound. Citizen militias patrol our border with Mexico trying to catch illegal crossers, while citizen aid groups cache water and other humanitarian supplies so illegal immigrants won't die in transit.

Under the law, someone in the United States illegally is subject to deportation when caught after a hearing before an immigration judge. However, the search for illegal immigrants and enforcement are uneven. When caught, some are deported quickly, while others manage to get legal counsel and find ways under the law to remain. Outside of a limited set of loopholes or cases that benefit from favorable publicity, an illegal immigrant must return to their home country and apply for a visa through normal channels. They cannot apply for a visa while illegally in the US, and being caught and deported reduces one's chances of getting a visa afterwards. One of the most contentious issues about various amnesty plans for the large number of illegal aliens already in the US is whether they should be required to return home before applying or can remain here. Needless to say, after struggling to get here, many illegal immigrants are unwilling to leave when return is uncertain or punishment is likely in their home countries.

The Economics of Illegal Immigrants

Whether illegal immigrants are a net economic benefit to the US is highly debated. As illegal aliens, they have to be careful about how they conduct their lives in order to avoid

deportation, so data is incomplete. Their economic activity may be “black market,” paid in cash and unrecorded. However, we can evaluate their economic impact by considering production, consumption, taxes and government services in turn.

Certainly illegal immigrants work and eat. As workers, they produce goods and provide services consumed by themselves and others. These add to gross domestic product and the overall wealth of the country. To the extent that their illegal status permits them to be exploited, i.e. they work for less than citizens or legal immigrants, someone else benefits from their labor more than if legal workers were hired. Illegal immigrants willing to work for lower wages may also result in economic activity that would otherwise not be profitable increasing GDP. Or they may take jobs from legal residents thereby increasing unemployment or reducing the rate of technological innovation—why invest in labor saving machinery if you can hire cheap labor?

All who work spend their wages, much of it on goods and services produced by other Americans, legal and illegal immigrants, increasing economic activity. Some of their earnings will be saved, invested in business, or used to purchase homes or autos or other capital items. Many immigrants, legal and illegal, send a portion of their wages to relatives overseas, so some of their earnings leaks out of the US economy.

Almost everyone who works or spends money pays taxes, including illegal immigrants. The laws of Federal and State governments require employers to deduct income tax and social security tax from wages before they are paid to workers. While many workers—illegal immigrants and others—may try to avoid these by being paid in cash, the law penalizes employers who don’t withhold taxes and workers who don’t pay them. Laws have been steadily tightened to require employers to get valid social security numbers and other identifying information to prevent illegal immigrants from working, or at least avoiding income tax. To the extent illegal immigrants “borrow” the social security numbers of others, income and social security taxes are still deducted and paid to the government, even if they never benefit the illegal immigrant who did the work.

Other taxes are much harder to avoid. Sales tax is collected by merchants who have no need to determine the immigration status of the consumer. Property tax is paid by the property owner. You can’t buy a property without a deed recorded in your name. If you fail to pay property tax eventually the town seizes the property and sells it to collect back taxes. If you rent, the landlord pays the property tax, and he will consider that when setting your rent payment. I saw an article recently about a town in Texas that has passed an ordinance making it a crime to rent to illegal immigrants, but in almost every jurisdiction a landlord is not responsible for checking the residence status of his tenants.

Illegal immigrants also absorb benefits. In most states their children are accepted into public schools and receive basic medical care, as states recognize the long-term risk of not educating or vaccinating children. Most states deny welfare benefits to illegal immigrants, but not all do, or not all benefits are denied. As noted, children often receive benefits even if their parents do not. If illegal immigrants do not have medical insurance, serious illnesses will be treated through emergency rooms, hospitals, public clinics and so on, the cost picked up by the state or by richer patients.

While illegal immigrants are certainly “illegal” this is largely a victimless crime. However, the US spends considerable sums enforcing immigration laws. It is not clear if

illegal immigrants are involved in other types of crime any more than legal immigrants or citizens, though to the extent they are that is an additional burden on the economy.

So are illegal immigrants a net positive or not? They add to economic activity, though their status may distort economic incentives and they may send money abroad. They certainly pay a significant amount in taxes, but while they benefit from public education, medical and other services, they probably don't receive as much as citizens. My guess is they are a net benefit, but there is research supporting both sides.

Morality and Immigration

Humans move around a lot. History is full of the migrations of people, small and large, and conflicts over territory. Why one person has a right to live in a certain area and another does not is a matter of custom, law, might and right. It is only as the world has become smaller and the universality of human rights accepted has the question of the morality of immigration laws has become a concern.

The US is one of the few countries where birth provides automatic citizenship. A pregnant woman who comes to the US illegally and gives birth here not only gives her child the benefit of US citizenship, but may be able to obtain legal status herself as the mother of a citizen who needs care. However, that same woman coming in illegally with a one-month old is subject to deportation with her child. How is one different from another? Taking the argument further, how are they different from all the other Americans who benefit from the lucky accident that their ancestors came here decades, centuries or millennia ago? By what right are we Americans and they not?

Most illegal immigration into the US is driven by economics. Aside from Western Europe, Japan and a few other countries, wages and living standards in the US are much higher than in the rest of the world. This is true even when comparing relatively poor Americans with average citizens elsewhere. Many illegal immigrants come to the US to earn money to send home to their families, with no intention to stay permanently. It's not clear whether they are a net benefit to the US economy or not, but again, by what right do Americans deny them participation in this segment of a global economy?

Recent events have shown that countries have legitimate reasons to control their borders. Illegal immigration may aid terrorists and criminals. It results in economic distortions, and may increase unemployment and lower the living standards of citizens. Illegal immigrants themselves are often those most harmed by either trying to get to the US or after they arrive. Unchecked, illegal immigration might easily kill the golden goose. Don't all societies have a right to their citizen by protecting their boarders? Aren't all societies dependent on respect for the law? Does having less give one a right to take from anyone who has more?

The US economy and society is also much more open and fluid than those of many other countries. The US has historically welcomed most immigrants and provided a path for citizenship. In most other countries legal immigrants can stay for generations and never receive citizenship. The US has accommodated more immigrants than all the other developed countries of the world combined. Shouldn't there be a reasonable limit to this generosity?

US immigration laws have always been an imperfect compromise between the need for cheap labor, a respect for hard work and industry, a desire to share and a reflection of our guilt over our good fortune, and a paranoia about and prejudice against foreigners. As with many compromises, it pleases no one entirely. But it makes a great debate topic.

Welcome to My Almanac!

CDA rules limit debaters to three hardcopy resources: a copy of the Constitution, a dictionary and an almanac. It's probably worth spending some time getting familiar with these. They are each relatively complicated but useful items, and there isn't really enough time to explore them during the one hour of prep time while you are creating your case. Practice for debate should include reviewing these items before, not during, tournaments.

While the **Constitution** is relatively thin, it has accumulated a lot of interpretation in 220 years. If you haven't read it, you should. You should also read a text explaining the major components and their importance. Two of this year's three topics so far and four of last year's seven topics had associated constitutional issues. The relevance of the Constitution to CDA debate is not likely to decrease.

Dictionaries are also a bit more than they seem. Yes, they have meanings of words, often several. Do you know which order they present them in? Did you know there was an order? Most dictionaries also have a section on geographical place names, and some have the names and one or two sentence biographies of important historical and current persons. There are also a variety of specialized dictionaries available: law dictionaries, dictionaries of financial terms, etc. Since the CDA rules simply state "a dictionary," it might be worth some time in your local library or on Amazon.com to see if some dictionaries might be more useful than others.

Almanacs are the great unexplored frontier of CDA debate resources. I have yet to see a debater carrying an almanac or citing evidence from one. Perhaps they are being used stealthily by those of you who have seen their value. As with the other two, this is a resource worth spending some time with before you come to a tournament.

The general almanacs published by Time, The New York Times or The World Almanac are each around 1,000 pages of fascinating material. They usually start with a review of the major events of the past year—if CDA topics come from recent headlines there is a good chance you will find an item on topic. There are usually large sections on the United States covering history, the government, the states, the economy, population, finance, business and so forth. This is usually followed by thinner sections on the world at large, with some information on each country. There are a number of almanacs available, and some may provide more information on different topics.

Were any of you interested in air travel statistics last November? One almanac I have has twelve years of airline statistics from passenger miles to net profit or loss. Didn't we have a resolution on prescription drugs two years ago? A resolution last year on drug testing of high school athletes? Another almanac I looked at has seventeen pages on healthcare issues. And did you know that 8.7% of the Connecticut population is foreign born? Or would a short history of US immigration policy have helped you a bit this last tournament? These are all in one or more of my almanacs.

There is only one hour from the time you receive the resolution packet until you have to debate your first round. You have to understand the resolution, read the packet, and prepare a case for both Affirmative and Negative. This is not the moment to start reading the constitution or to browse through an almanac. You need to do that work before you get to the tournament if these references are to be of any use.

One summer years ago I read an encyclopedia, 24 volumes in all. It has been a continuing source of humor for my family and friends who have learned about it. I'm not suggesting that you read an encyclopedia or even an almanac. But you might consider getting familiar with the CDA permitted references and thinking about how to use them. It may not win you any debates, but it couldn't hurt.

Using Time Efficiently

I believe there are two fundamental principles of debate: (1) the most important thing a debater does is to listen, and (2) the most important resource a debater has is time. I am still amazed to see debaters rise to speak without taking at least a minute of prep time to organize themselves before the First Negative, Second Affirmative and Second Negative constructives, and before the First Affirmative, First Negative and Second Affirmative rebuttals. The Affirmative and Negative are mentioned three times each, and each team has six minutes of prep time, so each team can take approximately two minutes of prep time before rising for each of these speeches. The First Affirmative Constructive is prepared ahead of time, and the Second Negative can prepare his rebuttal while listening to his partner, so prep time is not needed before each of these speeches.

Based on the rounds that I have seen over the years, every debater needs to take that time. Before each speech you and your partner—you are a team, remember—should agree as to what the points to make and their relative importance. You should review what your opponents have just said, and consider the cumulative effect up of all the speeches in the debate. What are the main areas of contention that need the most emphasis? What specific points need to be answered? Have you or your opponents missed anything? You should never rise to speak without a written outline of what you intend to say, and an idea as to how long you should spend on each point.

Time must be managed within a speech, also. I saw several debates where varsity speakers failed to use their allotted time. A varsity debater or an experienced novice should always be able to find enough to say to fill their speaking time. Similarly, as a team you should always be able to come up with three minutes of questions for cross-ex.

I also saw debates where a speaker would get lost in discussing one contention and use half or two-thirds of their time on that alone. Even if you cover the point brilliantly, it's unlikely to be the only one in the debate. Speaking for too long on one point leaves scant time for the others. The outline you speak from should note how long you want spend on each argument, and you be mindful to keep things moving along.

Time is a scarce resource, and you must choose how to spend it both before and during a speech. An extra minute on one argument means one fewer on another. Five minutes of prep time before your final rebuttal isn't going to craft a winning speech if you need eight minutes to present it and you only have four. Better to have taken time earlier in the debate to make sure you only need four.