# 1AC – Families - Ella

## Remittances

#### Contention One is Remittances.

#### Remittance flows are at an all-time high and on the rise – they outweigh foreign direct investment

World Bank Group, 2018 – The Global Knowledge Partnership on Migration and Development (KNOMAD) is a global hub of knowledge and policy expertise on migration and development supported by the World Bank (“MIGRATION AND REMITTANCES: RECENT DEVELOPMENTS AND OUTLOOK”, MIGRATION AND DEVELOPMENT BRIEF 29, April 2018, [https://openknowledge.worldbank.org/bitstream/handle/10986/29777/125632-WP-PUBLIC-MigrationandDevelopmentBrief.pdf?sequence=1&isAllowed=y, pg. 3-6)//RCU](https://openknowledge.worldbank.org/bitstream/handle/10986/29777/125632-WP-PUBLIC-MigrationandDevelopmentBrief.pdf?sequence=1&isAllowed=y,%20pg.%203-6)//RCU)

1.1 Remittances Rebounded to a Record Level in 2017

After two consecutive years of decline, remittance flows to low- and middle-income countries (LMICs) increased by an estimated 8.5 percent in 2017, to reach $466 billion, a new record (table 1.1). Remittances are now more than three times the size of official development assistance (figure 1.1). Excluding China, remittance flows are also significantly larger than foreign direct investment (FDI) in LMICs. Remittances are relatively more stable than cyclical private debt and equity flows. These figures reflect only officially recorded data; the true size of remittances, including flows through informal channels, is significantly larger.

The recovery of remittance flows in 2017 is significantly stronger than the expectations set out six months ago in the Migration and Development Brief 28. Remittances were larger than expected in Europe and Central Asia, Sub-Saharan Africa, and the Middle East and North Africa, driven by a cyclical economic upturn observed in Europe, the Russian Federation, and the United States,1 and related to exchange rate movements. The valuation effects of a stronger euro and a stronger ruble against the U.S. dollar further accentuated the growth of remittances in U.S. dollar terms. These effects more than compensated for the dampening of outbound remittance flows from the Gulf Cooperation Council (GCC) countries, in particular Saudi Arabia, due to fiscal tightening and policies discouraging the recruitment of foreign workers. (Greater details are given in the later section, Regional Trends in Migration and Remittance Flows.)

Provisional estimates indicate that remittance flows to Europe and Central Asia grew by 20.9 percent in 2017 (in U.S. dollar terms), after three consecutive years of decline. Compared with 2016, in the first three quarters of 2017, the Russian ruble appreciated against the U.S. dollar (from Rub 68 to Rub 58 per dollar). As a result, outbound remittances from Russia (the main source of remittances to Central Asian countries) increased by 5 percent in ruble terms, and 21 percent in U.S. dollar terms (figure 1.2). The inverse relationship between a depreciation of the ruble against the U.S. dollar and the difference between U.S. dollar- and rubledenominated remittances is evident in the quarterly data since 2010.

In 2017, the top remittance receiving countries—in dollar terms—were India, China, the Philippines, Mexico, Nigeria, and Egypt (figure 1.3). As a share of gross domestic product (GDP) for 2017, the top recipients were smaller countries— the Kyrgyz Republic, Tonga, Tajikistan, Haiti, Nepal, and Liberia.

1.2 Outlook for Remittances, 2018–20

The methodology used here to forecast remittance flows—a process that is largely dependent on the global economic outlook—is outlined elsewhere (see World Bank 2017b, appendix A). It is worth noting that economic growth in remittance-source countries of the global South (for example, Côte d’Ivoire, India, Malaysia, Russia, South Africa) impacts the flow of remittances, as does the growth of top migrant destinations in the global North.

The current, accelerated pace of global economic growth may continue due to a cyclical recovery in global manufacturing and investment, propelled by trade in goods. This is likely to hold if commodity prices remain steady, and global financial conditions remain supportive despite some tightening in monetary policy (World Bank, 2018a). The growth of advanced economies in 2018 is likely to continue at the same accelerated pace experienced in 2017. Growth picked up in the United States in 2017, helped by the broad-based strength of domestic demand, and the solid advance is expected to continue into 2018. In the euro area, growth picked up as well in 2017 and has remained strong thus far into 2018, supported by robust consumer demand, strengthening investment, and improved flow of bank credit. Russia’s growth recovered in 2017. Growth in the Europe and Central Asia region, as a whole, continues to benefit from betterthan-expected growth in the euro area. Growth in the Middle East and North Africa is likely to advance, thanks to an easing fiscal stance and stronger non-oil sector momentum. Latin America saw a pickup in growth supported by a cyclical recovery in Brazil and improving conditions in Chile, Colombia, and Peru. Developing East Asian countries’ growth is set to moderate in 2018 after accelerating in 2017, supported by robust domestic demand. Robust growth in South Asia mainly reflects strengthening growth in India as the effects of temporary policy driven disruptions (demonetization and a new tax on goods and services) fade. Regional growth in Sub-Saharan Africa is also expected to increase in 2018, reflecting continued recovery in Nigeria and South Africa and steady growth in the rest of the region.

Consistent with this global growth pattern, remittances to LMICs are expected to grow at about 4.1 percent in 2018, to $485 billion (table 1.1). However, there are downside risks to this outlook. Policy uncertainty and geopolitical risk, increased restrictions on trade, and a sharper than expected slowdown in potential growth may derail global growth. Moreover, no solutions are yet in sight for the difficulties posed by the de-risking practices of correspondent banks. Also, remittance flows are vulnerable to downside risks from spreading anti-migration sentiments and restrictive migration policies in most of the remittance-source countries in North America, Europe, Russia, and the GCC. The United States, for example, has announced a termination of the Temporary Protected Status (TPS) for migrants from El Salvador, Haiti, and Nicaragua, which over time would reduce remittance flows from the United States to these countries (Smith 2018; CMS 2017). Some countries (for example, Kuwait) are considering a tax on outbound remittances, which could not only dampen remittance flows, but also encourage flows through informal channels. 2

#### Family reunification decreases flows by removing the motive to remit – LPR is key to remove the expectation of returning

Cortina and Ochoa-Reza, 8—Associate Professor in the Department of Political Science and the Center for Mexican American Studies at the University of Houston AND Chief Executive Officer at Comisión Federal De Electricidad. Also the Professor of of Constitutional Law at the Universidad Nacional Autonoma de Mexico (Jeronimo AND Enrique, “More Migration and Less Remittances? An analysis of Turkish, Polish and Mexican Migration as they evolve from Remitters to Savers,” Policy Dialogue, [http://policydialogue.org/files/events/Cortina\_Ochoa-Reza\_More\_Migration\_Less\_Remittances.pdf)//RCU](http://policydialogue.org/files/events/Cortina_Ochoa-Reza_More_Migration_Less_Remittances.pdf)//RCUS)

Introduction

The above quotes illustrate a common assumption regarding the relationship between migration and remittances. Conventional wisdom argues that the relationship between migration and remittances is positive and reinforcing. The basic idea is that as the number of migrants in a host country in period one grows, the level of remittances sent to the home country will increase in period two. Likewise, as the level of remittances received in the home country increases in period two, the level of migration to the host country will increase in period three. These phenomena could be summarized in a nutshell as "more migration, more remittances".

Although there is substantial evidence to prove that this dynamic is true, we will argue in this paper that the relationship between migration and remittances is not always positive and could be negative depending on demographic, banking and immigration policies that are seldom analyzed comprehensively by scholars or policy makers (some exceptions are Bauer and Sinning 2006, Cobb-Clark and Hildebrand 2002, Amuedo-Dorantes and Pozo 2002).

We will present evidence to show that an obvious factor molding the relationship between migration and remittances is the demographic composition of the migratory flow, which could be an unintended byproduct of immigration policies in host countries. A migration flow of children and women, following family reunification policies, will potentially lead to a significant reduction of both the supply and demand of remittances. As families reunify in the host country, both the original and the new migrant will have fewer relatives to send their remittances to. This will result in a counterintuitive dynamic: more migration, but fewer remittances.

An additional phenomenon is the openness of the banking system to non-citizens (including undocumented aliens) in host countries. This has a conflicting effect on remittances. On the one hand, the level of remittances received in the home country will increase as remitting costs from the host country decreases; this could be the case even if the level of remittances sent remains relatively constant. On the other hand, as the banking system opens up for migrants, it also becomes easier to save in the host country rather than to do so in the home country. This choice, along with family reunification, will transform remitters into savers.

In order to support our arguments we will analyze data from the Turkish and Polish migratory experience in Germany and from the case of Mexican migration to the United States.

The paper is organized as follows. In the next section we briefly discuss why people migrate and remit and we outline our argument. In Section II we present the opposing cases of Polish and Turkish migration to Germany, the former being a clear example of “more migration, more remittances” and the later an example of “more migration, fewer remittances”. In Section III we ask if the Turkish migratory pattern, and the fact that Turkish in Germany have evolved from remitters to savers, could be an effect that is starting to happen to Mexican migrants in the United States already. Finally Section IV explores some policy implications and concludes.

I - Why People Migrate and Remit?

Thousands of pages have been devoted to answer the very simple question: why do people migrate? There is no single satisfactory answer as it is evident to see that people migrate for many different reasons. In fact, the push and pull factors that motivate people to move from one place to another may vary by migratory system, depending on the circumstance people migrate for economic, political, and even environmental reasons. Push factors that prompt individuals to migrate include economic crisis, disparities in income and opportunities, political and religious persecution, natural disasters, and population pressures among others. Some of the factors that pull people out of their countries of origin may include higher wages, better job opportunities, religious and political liberties, better standard of living, etc.

In the literature we find a significant number of theories that study the migratory phenomenon from various perspectives such as neoclassical economics, segmented labor market theory, world systems, social capital, and cumulative causation (see Massey 1999 for a theoretical review). In this paper, however, we center our attention to the New Economics of Labor Migration (NELM) (Stark and Bloom 1985). This theory centers on the individual as unit of analysis. Here researchers are concerned with individual values and future expectations of migrants and potential migrants.

The particular focus of this theory is on how the migration decision process is made. According to NELM migration decisions are not made in a vacuum by isolated migrants, but are made within families or even communities in order to maximize their future income and to minimize their financial risks (Stark and Bloom 1985). The question that arises now is, how does NELM help us understand immigrant remitting behavior? Several studies have concentrated on the remitting behavior of the migrants who send money home (Banerjee 1984, Cortina and de la Garza 2004, Durand et al., 1996, Lucas and Stark 1985, Osaki 2003, Stark and Lucas 1988). Immigrants remit for a wide number of reasons that can be encompassed into at least two conceptual perspectives. The first deals with remittances as inter-familial transfers for family maintenance and insurance (Amuedo-Dorantes and Pozo 2002, Durand 1996, Massey 1999, Lucas and Stark 1985). These include transfers for basic consumption and asset accumulation. The second considers remittances as particular and/or community-oriented investment in the home country (see Goldring 2004 for a comprehensive discussion).

In this paper we concentrate on the first conceptual category, that is, inter-familial transfers. In light of NELM migration theory, a common denominator that helps explain why immigrants send money home seems to be given by altruistic and non-altruistic reasons, which are sustained by an explicit or implicit contractual agreement between the migrant those family members left behind and sometimes between the migrant and her/his community of origin (Cortina and de la Garza 2004, Dustmann and Mestres 2007, Lucas and Stark 1985, Stark and Lucas 1988). Nonetheless, others have demonstrated that immigrants may also remit for “selfish”

In particular, some studies have argued that the most significant predictors that explain why immigrants remit are two: 1) having direct family members and/or children living in the home country; and, 2) having the expectation to return to the home country someday (Cortina, de la Garza and Ochoa-Reza 2005, Sana and Massey 2005). Somehow following this literature, others argue that altruism is going to be strongest in cohesive traditional families and weaker in nontraditional families with unstable bonds (Sana and Massey 2005).

In this section we have briefly discussed recent literature that attempts to describe the relationship between migration and remittances. We have argued that once an individual has migrated, he or she has an implicit or explicit contract to send money home to those family members left behind. Within this framework, we would expect that an increase in the number of migrants in period 1 would increase the amount remitted in period 2. This relationship would be reinforced by the number of children and direct family members left behind. In other words, as long as new migrants have direct family members and/or children left behind, the overall number of immigrants that will be sending money home will continue to increase. In short: more migration, more remittances.

The question that begs to be answered then is – what happens once migrants’ family members are reunited with her/him in the host country? Do immigrants continue to remit? If so, do they remit at the same rate? Some argue that given immigrant’s transnational behavior they will continue to send money back home even if they have settled (Gilick Schiller 1999, Guarnizo 2003). We will argue that the opposite is true. Once family members that had been left behind are reunited in the host country, the contract by which migrants and family members left behind were obliged becomes obsolete (Sana and Massey 2005). Migrants then will stop remitting to the home country or at least will substantially decrease the frequency and amount sent home (Sana 2003 for the Mexican case). This of course does not mean that migrants have reduced its level of income. This means that instead of remitting, immigrants will now increase the level of savings they hold in their host country. They have transformed, indeed, from remitters to savers.

#### The scenario is Latin American Governance.

#### We have three internal links –

#### First, *moral hazard* – governments develop a dependency and crowd-out vital social services

Gautam, 14 – PhD candidate in economics from West Virginia University (Durga, “Remittances and Governance: Does the Government Free Ride?”, West Virginia University, 9/22/2014, [https://business.wvu.edu/files/d/d9873b1d-2cef-41f4-955a-c1cfa70683ce/14-40.pdf, pg. 3-4)//RCU](https://business.wvu.edu/files/d/d9873b1d-2cef-41f4-955a-c1cfa70683ce/14-40.pdf,%20pg.%203-4)//RCU)

The substitutability between private and public goods can have important implications. Researchers consider remittances as mostly altruistic in nature and take remittance transfers as gifts, grants or donations. The obvious motivation to remit is simply to care of those left behind: spouses, children, parents, and members of larger kinship and social circles (Rapaport and Docquier, 2004; United Nations Development Program, 2011). However, the government response to such philanthropic supports at national level can shrink the size of public services. Becker and Lindsay (1994) show a dollar-for-dollar crowding-out of public funding by private philanthropic donations for higher education. They get evidence for such government behavior by studying the state-level data for the U. S. economy. They argue that under certain conditions, even democratic governments have some defined tastes over the set of public goods produced by the economy so that substitution is a sensible response to changing marginal conditions.

Recent cross-country studies show the evidence that inflow of remittances leads to a decline in the provision of public goods. Remittances reduce the role of insurer of last resort often played by governments in developing countries (Ebeke, 2011). The inflow of remittances does not only reduce government consumption, it also sets governments free from the political conditions; otherwise imposed by organizations such as the International Monetary Fund while borrowing funds or receiving aids (see Kapur and Singer, 2006). Political incentives in less democratic regimes tend to substitute resources from the provision of public goods to the supply of patronage (e.g. corruption) to derive greater utility. For example, governments of non-oil producing Muslim countries are found to optimally choose to reduce their provision of welfare goods as households receive more remittances (Ahemed, 2013). Motivated by narrow interests, the leaders may grant a certain groups the right to appropriate resources from themselves.

Abdih et al.(2012) argue that remittances are curse and cause a decline in the quality of domestic institutions. They develop a model of public goods provision in the presence of non-taxable remittances to show how remittances can lead to increasing share of funds for the government’s own purposes diverted from public goods provision, even though remittances do not provide a direct source of revenues for the government. Though they discuss a channel through which remittances could incentivize governments to free ride on resources, they do not specify any channel of influence in their econometric model. They argue that the share of resources for the government0 s own purposes diverted from public good provision (i.e., corruption) is increasing in remittances relative to the GDP. We take their model up to derive and show that such diversion of resources is positively associated with the ratio of household consumption expenditure to government consumption expenditure (we label this as “consumption expenditures ratio”), which in turn is increasing in the level of remittances relative to the GDP. If the model developed by Abdih et al.(2012) is consistent with the data, the consumption expenditures ratio should be one of the potential channels through which remittances affect government corruption. The first contribution of this paper is to provide the evidence for the operation of this channel by specifying consumption expenditures ratio variable explicitly in the econometric model. If remittances do not influence the consumption expenditures ratio, we may not expect the government pursuit to be similar.

#### Second, *authoritarianism* – receivers disengage from the political system

Escriba-Folch et al, 18 – Associate Professor at the Department of Political and Social Sciences of Universitat Pompeu Fabra (Abel, “Remittances and Protest in Dictatorships”, American Journal of Political Science, 7/4/2018, [http://eprints.lse.ac.uk/89058/, pg. 5-7)//RCU](http://eprints.lse.ac.uk/89058/,%20pg.%205-7)//RCU)

Remittances Dampen Protest

Two mechanisms suggest that remittances should reduce anti-regime protest: individual grievance and government substitution. Grievance-based approaches to contentious politics posit that economic or political deprivation motivates individuals to dissent (Gurr, 1970). Comparative evidence shows that poor economic conditions and relative deprivation are correlated with protests especially in non-democratic and weak polities (Brancati, 2014). Remittances may thus discourage protests by providing families with additional (external) income that shapes recipients’ attitudes and consequent behavior. If remittances increase economic and, in turn, political satisfaction with the status quo, they should induce disengagement from the political system (Germano, 2013; Regan and Frank, 2014).6 Similarly, remittances may insulate recipients from local economic conditions and, hence, from adverse government policies shaping them, prompting less political participation to hold decision-makers accountable (Bravo, 2007; Goodman and Hiskey, 2008). Barry et al. (2014) also posit –but do not test– that remittances mitigate protest by increasing the opportunity cost of challenging the regime. Indeed, existing evidence indicates that migrant remittances are an important source of income for households in many developing countries, resulting in less poverty (Adams and Page, 2005; World Bank, 2006a; Gupta, Pattillo and Wagh, 2009) and more consumption and investment, including local public goods (World Bank, 2006a,b; Fajnzylber and L´opez, 2007; Chami et al., 2008; Adida and Girod, 2011). Hence, countercyclical remittance inflows (Frankel, 2011) have a compensation and insurance function (Doyle, 2015) that can demobilize citizens during times of economic downturn and declining government spending (Ponticelli and Voth, 2012).

A second argument contends that remittances reduce protests via autocratic governments’ policies. By increasing tax revenue from consumption levies, remittances may augment the government’s available revenue, thereby increasing funds for patronage to cement the support of its winning coalition.7 Even if not generating extra state-revenue, remittances may still allow governments to divert public resources away from public goods: by increasing households’ income, remittances permit autocratic governments to substitute patronage spending and repression for public goods spending (Ahmed, 2012, 2013; Tyburski, 2014). Diverting resources to patronage and military spending can increase citizen loyalty and improve the coercive capacity of the regime, which in turn reduce the opportunities for protesting (Easton and Montinola, 2014).

Both the grievance and substitution mechanisms support the first hypothesis: remittances reduce anti-government protest in autocracies.

#### Third, *economic stability* – foreign funds cause local inflation that devastates export sectors through the Dutch Disease

Martin, 17 **-** Professor of Agricultural and Resource Economics at the University of California-Davis (Philip, *Merchants of Labor: Recruiters and International Labor Migration*, Oxford University Press, p. 124-126)//RCU

Remittances can improve the lives of families receiving them, but may not speed the development of migrant-sending countries. An International Monetary Fund (IMF) paper concluded that remittances

have contributed little to economic growth in remittance-receiving economies... the most persuasive evidence in support of this finding is the lack of a single example of a remittances success story: a country in which remittances-led growth contributed significantly to its development... no nation can credibly claim that remittances have funded or catalyzed significant economic development. (Barajas et al., 2009)

There are several reasons for this pessimism about remittances transforming economies from poor to rich. The first is simple: the dramatic increase in global remittances and remittance flows may reflect better measurement rather than more money flowing to developing countries. Second, outmigration and remittances can keep entrenched elites in power and slow overall economic growth if the migration escape valve reduces pressure on governments to make the policy changes necessary for faster growth. The vice-president of Moldova, the poorest country in Eastern Europe, was quoted in 2004 as saying that if young and ambitious Moldovans could not migrate to Russia and Eastern Europe to work, they may protest at home and force a then-communist dominated government to change its policies. Talani (2014) makes a similar point about vicious circles in North Africa, where outmigration of the most able who cannot get ahead at home allows corrupt elites to remain in power and block the fundamental reforms necessary for sustainable growth.

Remittances can also be a two-edged sword in narrower economic terms. Countries such as Moldova that send workers abroad need to develop other export industries to keep workers at home in the future. However, if remittances raise the value of the currencies of migrant-sending countries, exports can fall, displacing workers in export-oriented sectors and choking off their growth. This is an example of Dutch disease: the rising value of the Dutch guilder after natural gas was discovered in the North Sea in the 1950s shrank the manufacturing sector and eliminated factory jobs. Many migrants are from countries with small export sectors, and the remittances that benefit migrant families may simultaneously hurt other families whose jobs depend on exporting manufacturing and agricultural goods that become more expensive as remittances drive up the value of the local currency (Acosta et al., 2009; Atoyan etal., 2016: 21).

A shrinking export sector and a higher share of the young and elderly among residents who depend on government programs can mean less tax revenue and more demand for government services. Governments must finance services for the elderly and children, and if they do so by raising taxes on ever fewer workers and their employers because many prime-aged workers are abroad, the economy's ability to produce goods and services competitively is reduced.

When a developing country produces workers for richer countries, the result can be a virtuous circle in which sending workers abroad in one period leads to stay-at-home development later, or a vicious circle in which villages turn into nurseries for children and nursing homes for the elderly that depend on external lifelines. There are examples of both virtuous and vicious circles between migration and development, suggesting skepticism when confronting assertions that migration speeds or slows development.

#### Latin America is backsliding into authoritarianism and dictatorships now – Maduro’s election signals a dramatic shift in regional politics

Albertus 2018 (Michael Albertus, assistant professor of politics science at the University of Chicago. His new book, Authoritarianism and the Elite Origins of Democracy, was recently published by Cambridge University Press, "Latin America’s New Authoritarianism: Venezuela’s flawed election is the latest in a regional shift away from democracy.", Slate, May 21 2018, <https://slate.com/news-and-politics/2018/05/venezuelas-flawed-election-is-the-latest-in-a-regional-shift-toward-authoritarianism.html>, mmv)

Despite Venezuela’s people starving and refugees pouring out of the country, President Nicolás Maduro will stay in office for now. In a deeply flawed election marred by low voter turnout and opposition abstention, Maduro bested his opponents with nearly 70 percent of the vote. With his re-election, dictatorship is on the march in Latin America for the first time in a generation.

Democracy in Latin America has taken a beating over the past century. Every country in the region has toyed with it and periodically discarded it. But with the exception of Cuba, every Latin American country also returned to democracy in recent decades, marking a sea change in freedom and political competition. As recently as a few years ago, some expressed optimism that the end of dictatorship in Latin America was nigh.

But the seeds of a return to dictatorship were sown in Latin America’s most recent transitions to democracy. Nearly all of the region’s current democracies were founded by outgoing authoritarian regimes that set up institutions in ways that would favor them and restrict responsiveness to the majority of citizens. Disturbingly, research I have conducted indicates that since 1900, members of the top echelon of former authoritarian regimes in Latin America have been four times more likely to return to political office or win influential economic positions under democracy than to be punished for their misdeeds under dictatorship.

In the 2000s, many voters were willing to overlook the flaws of democracy as a massive commodity boom swept over the region. From 2000–10, some 49 million people climbed out of poverty into the middle class in Latin America. Incomes rose dramatically, even as inequality in many countries remained stubbornly high. Leftist leaders rode the commodity boom in what became known as the “pink tide”, spending freely on social programs and infrastructure projects to voters’ delight.

But the party ended with the commodity bust in 2015 through 2016. Leaders were found swimming naked when the tide went out: During the boom years, they had failed to use spending to improve education, diversify commodity-reliant economies, or boost economic competitiveness. On top of that, governments overspent and engaged in all sorts of corrupt deal-making.

Many middle-class citizens in the region began to sink back into poverty. Economic elites became stained by revelations of endemic corruption on a massive scale. Fed up with an inability to improve their lot or get their voices heard, and amid a backdrop of deteriorating economies and sky-high inequality, citizens began to turn to populist strongmen who promised to shake things up.

The Venezuelan election was a hallmark of creeping authoritarianism in Latin America. From 1999 through 2013, former president Hugo Chávez exploited popular disgust at unresponsive and elite-driven politics to revamp Venezuela’s political institutions in his favor, pack the courts, and leverage state resources to dominate his opposition for almost a decade. But his hand-picked successor, Maduro, quickly abolished what little remained of Venezuelan democracy. Thanks to falling oil prices, Maduro lost access to Chávez’s war chest, which had been used to fund popular social programs. With electoral victory unlikely, and after several years of weak leadership and predictions of his imminent downfall, in the past year he has rolled out the security forces to repress popular protests, jailed the most threatening opposition candidates, and pushed aside the National Assembly.

The result is an economy in free fall. Hyperinflation has decimated wages, there are widespread food shortages, preventable diseases are ravaging the population, and more than 10 percent of the population has simply packed up and left. Yet Maduro is stronger than ever politically: His alliance with the military is rock-solid, the opposition is divided, former elites have been systematically hounded and expropriated, and he successfully convened a rubber-stamp constituent assembly.

Other leaders in the region are taking notes as Venezuela’s slide back into dictatorship has gone unchecked. Daniel Ortega in Nicaragua, bolstered in his first term by frothy agricultural-commodity prices, has steamrolled his political opposition and reformed the constitution to stay in office indefinitely as economic fortunes turned. His family has systematically bought up major media outlets to silence opposing voices. And his security forces killed dozens of students in a protest over social security last month.

Bolivian President Evo Morales is also taking the authoritarian cues as he remakes Bolivian society. In 2016, he lost a popular referendum that would have allowed him to run for re-election a fourth time, but then got his wish anyway by pressuring the constitutional court to rule in his favor. His argument: that his human rights would be violated if he weren’t allowed to run.

Meanwhile, dictatorship is alive and well in Cuba. For the first time since the revolution, last month marked a transfer of power to a non-Castro. Yet the new boss is the same as the old boss: a faithful servant of the Castros and the Communist Party.

Peru and Brazil are also flirting with anti-democratic politics. Peru’s disloyal opposition saved its president from impeachment in December in a devil’s-pact exchange for freeing a former dictator. The president went down just weeks later in a corruption scandal tied to the Brazilian conglomerate Obredecht. Brazil impeached its president in 2016 in what was widely viewed as an illegitimate power play by the opposition. And last month it imprisoned Lula da Silva, a former president loathed by the right who was also the odds-on favorite for beating the right in Brazil’s upcoming presidential elections. Lula had refashioned Brazilian politics in the 2000s, bolstered by oil revenue from the state giant Petrobras, only to later be tied to the enormous Lava Jato corruption scandal involving Petrobras, Obredecht, and other firms.

The real barriers to successful democracy in Latin America are the imperfect, elite-biased foundations of democracy itself that were crafted to protect figures from the last batch of outgoing authoritarian regimes. What Latin America needs most are committed democrats who seek to rewrite social contracts in ways that are responsive to the majority without trampling the rule of law, due process, and prudent leadership. Rulers like Maduro are a far cry from passing that test.

#### Multiple hotspots for conflict in Latin America – Venezuela, Bolivia, Cuba, and Honduras all could erupt in conflict within the next two years as that transition away from democracy continues

Stratfor 2018 (Stratfor, international geopolitical news agency, "The Smoldering Hot Spots of Latin American Political Instability", January 2 2018, <https://worldview.stratfor.com/article/smoldering-hot-spots-latin-american-political-instability>, mmv)

Stronger democratic institutions generally allowed for smoother legal transitions of power — even in contested cases such as Brazil's 2016 presidential impeachment. But widespread democratic rule did not eliminate the threat of periodic instability. Unstable political systems that have developed in some countries could, under the right circumstances, boil over. This latent instability will be felt especially keenly in countries where long-established governments try to cling to power in the face of efforts by political challengers to upend them.

Of all the countries in Latin America, Venezuela, suffering a deep economic malaise, remains far and away the leading example of its most politically unstable. But Bolivia, Cuba, and Honduras also provide clear-cut examples of places that will, to varying degrees, become more unstable over the next decade. It's impossible to predict exactly when events, or even specifically which events, could destabilize those countries, but it's clear that the governments of all three will face increasing challenges to their rule. In Bolivia, the leftist government of President Evo Morales is losing ground among voters hungry for political change — yet Morales has resisted the growing wave of political opposition. In Honduras, a populist political coalition threatens to unseat the ruling rightist coalition, which is striving to remain in power as long as possible despite the threat of violent unrest. In Cuba, a shift away from President Raul Castro's rule and an eventual lifting of the U.S. trade embargo will bring with it more competition for political power and financial benefits, which will erode the stable political order created over several decades by the Communist Party.

Bolivia: The Government's Political Pull Erodes

As Morales, president since 2006, loses his grip on Bolivia's political system, instability there will grow. The president, who won re-election in 2014 with 61 percent of the vote, still enjoys some popularity (around half of Bolivian voters still approve of his rule), but support for him and the ruling Movement Toward Socialism (MAS) party has shown signs of slipping. In 2016, voters narrowly rejected a referendum that would have allowed Morales to run for re-election in 2019 despite reaching the limit on terms mandated by the Bolivian Constitution. Despite his defeat at the ballot box, a subsequent Constitutional Court ruling paved the way for Morales' re-election bid by removing the term limit provision.

Even so, a growing number of voters are shifting away from Morales, despite the country's strong economic growth in recent years. Although unemployment has shrunk and Bolivia's economy has grown by around 30 percent since Morales took office (largely due to increasing natural gas exports to Brazil and Argentina), many of the jobs created pay poorly. Morales' waning popularity among the electorate doesn't bode well for MAS, which is closely identified with the president and can feature no other political figure to match Morales. The president's administration has already demonstrated its willingness to keep Morales afloat politically — resorting to the judicial decision on term limits when popular support proved lacking. Without him on the ballot, MAS runs the risk of a greater political defeat in 2019.

The 2019 election will be the clearest potential flashpoint for political instability in Bolivia. There will be little the government can do to remain in power if it suffers a decisive loss. But if Morales' popularity continues to hover around 50 percent, a close electoral race could result. A hotly contested election, particularly one in which accusations of voter fraud fly, runs the risk of inflaming an already tense domestic political scene. Demonstrations would spread, particularly in eastern provinces such as Santa Cruz, a hub of the Bolivian political opposition's strength. To defend its legitimacy in case of a close vote, the government would mobilize its own voters, raising the possibility of widespread transport disruptions and violent confrontations between groups of political opponents. Such confrontations run the risk of spiraling into a wave of protests and counterprotests, since a close election could give the Bolivian opposition grounds to claim it's the legitimate heir to power. That situation could bring about the risk of a brief period of possibly violent political confrontation across the country.

Cuba: The Communist Party's Internal Challenges

To most observers, Cuba may appear to be an unlikely candidate for political instability. After all, it has a robust internal security apparatus and there are no meaningful domestic political challengers to the Communist Party. But that state of affairs will likely change once the U.S. trade embargo on the island nation is lifted. Despite deteriorating political ties between Havana and Washington, Cuba will continue to press to have the embargo lifted — and despite the prevailing sentiment in the White House, a thawing of relations is likely, at least eventually. While Cuba's sitting government is ideologically hostile to Washington, its state-run economic model is unsustainable without assistance from abroad. To forestall heavier austerity measures, the Cuban administration will attempt a slow economic opening to the outside world. As part of that effort, it will negotiate a lifting of the embargo imposed by its neighbor after the Cuban revolution. Among most U.S. politicians and companies, lifting the embargo is a relatively popular proposal, although the administration of U.S. President Donald Trump reinstated stricter limits on the relationship between the countries after a brief thaw under his predecessor.

If it eventually happens, lifting the embargo would provide an economic windfall for Cuba, mainly in the form of greater tourism revenue and related economic growth. But a greater inflow of dollars into a post-Castro Cuba is a recipe for greater political instability in the long run. The U.S. private sector would likely see lifting the embargo as a long-term benefit, albeit accompanied by a greater risk of upending the traditional, Communist-enforced political balance. While Raul Castro, now 86, would likely have died by the time the embargo is fully lifted, power will rest with a new civilian president whose authority will rest on the approval of the armed forces. The system the Castro brothers established over several decades prioritized political stability by giving direct relatives and associates of the president, such as Raul Castro's son-in-law, Gen. Luis Alberto Rodriguez Lopez, control of key government institutions. These include Rodriguez Lopez's control of a tourism conglomerate that administers much of the island's dollar revenue. Greater tourism revenue would create more opportunities for economic growth, which in Cuba's state-run economy would translate into more money and political power for prominent members of the armed forces. A lucrative, state-run tourism sector in the hands of few military leaders may turn into a tempting target for other members of the military who feel they are being left out.

Such instability would take years to materialize, however. Raul Castro has likely carefully orchestrated his transition of power — planned for this year — to civilian leader Miguel Diaz Canel. The Castro-era stability will likely persist for years after that power transition. As part of any deal to lift the U.S. embargo, Cuba's government would have to make democratic reforms — strengthening the influence of opposition parties in power. Cuba has no sustained history of peaceful political transitions, and so ultimate power rests with whoever can command the most security units. Currently, that command rests firmly with the presidential administration, but as economic opportunities spread out, competing poles of power could arise in the Cuban government. With stronger opposition parties and the potential for factionalization in the post-Castro government, Cuba appears set to become more politically unstable even as more U.S. tourists visit and U.S. companies come to see it as an easier place in which to do business.

Honduras: The Left and Right Struggle for Control

In Honduras, political instability is already present, but future election cycles will only aggravate it. Honduran politics, long the bastion of the rightist National Party and the more centrist Liberal Party, are now sharply split between the ruling National Party and the more leftist opposition alliance spearheaded by former president Manuel Zelaya's Liberty and Refoundation Party. Zelaya's party split from the Liberal Party after he was overthrown in a 2009 military coup. In recent years, high-profile incidents of corruption by the National Party have reduced its support among voters. For the Nov. 25 presidential election, the opposition's addition of popular sportscaster Salvador Nasralla to the ballot helped it closely compete with the National Party — the final margin was less than a percentage point. Even though Honduran authorities declared incumbent President Juan Orlando Hernandez the winner, Nasralla and Zelaya's followers widely considered their loss the result of widespread voter fraud by the incumbent administration.

The political left can clearly gain enough votes in Honduras to closely contest elections. But the entrenched, politically conservative business class in Honduras will perceive a leftist presidency as a threat to its economic benefits and political power. Though Hernandez (their preferred presidential candidate) is poised to begin a second term, the leftist coalition under Zelaya will likely again contest the presidency in 2021. Honduran politics have settled into a pattern of polarization in which the leftist opposition generally considers that it has twice been denied the chance to rule — once in the 2009 coup, and again in the 2017 elections. This resentment among opposition voters will drive further instability in coming years, which will compound the drivers (such as economic hardship and drought) that are already pushing people to immigrate illegally to the United States.

Between now and the 2021 presidential election, the main risk in Honduras will be posed by a higher incidence of protest activity. Any unpopular moves by the sitting administration, such as tax hikes, will unleash thousands of demonstrators onto the streets of major cities such as San Pedro Sula and Tegucigalpa. Opposition factions could also become radicalized to the point that they carry out frequent vandalism or attacks against the assets of Honduran business leaders or foreign companies. The next election may also bring with it further political instability similar to the recent unrest. Unless the presidential administration manages to drive a wedge between opposition leaders and prevent them from successfully contesting power, it runs the risk of another close race (or outright defeat) in 2021.

#### Increasing instability will cause Trump to intervene in Latin America – causes a second Iraq and draws in other powers – empirically an option

Noack 2018 (Rick Noack, foreign affairs reporter who covers Europe and international security issues from The Washington Post's Berlin bureau, "The many problems with Trump’s reported idea of invading Venezuela", Washington Post, July 5 2018,https://www.washingtonpost.com/news/worldviews/wp/2018/07/05/the-many-problems-with-trumps-reported-idea-of-invading-venezuela/?noredirect=on&utm\_term=.c07de5c55598, mmv)

But the same month, Trump reportedly also pondered military intervention much closer to the United States, in Venezuela. According to a report by the Associated Press, Trump repeatedly inquired at a meeting in the Oval Office whether the United States could invade the troubled South American nation.

The president later discussed the same question with Colombian President Juan Manuel Santos and other regional leaders at multiple occasions, according to the same report. The AP said the White House declined to comment. But a National Security Council spokesman told the news agency that "all options" remain open to "help restore Venezuela’s democracy and bring stability."

Here are some of the arguments that were likely brought forward by Trump's own staff and Latin American leaders to prevent the president from a move that would likely touch off huge regional and international backlash.

Even discussing it may play into the hands of the Venezuelan government

For months, Venezuela's cash reserves have been drying up, highly skilled workers have been fleeing elsewhere and foreign investment continues to decline. Hyperinflation has made the local currency, the bolívar, virtually worthless.

The government has blamed the economic downturn on U.S. sanctions, which have targeted Venezuelan leaders and certain other transfers. Repaying its debts has become increasingly difficult for Venezuela as exports or transactions have either been slowed down or entirely stopped.

Blaming the United States for its woes turned out to be an increasingly unsuccessful strategy for the government of president Nicolas Maduro.

But Trump's threat of a "military option" in Venezuela last year was enough to boost Maduro's government and trigger anti-U.S. protests in the capital Caracas, even though few U.S. observers took his threat seriously in absence of the details that have now emerged.

On Wednesday, responding to the AP report, Maduro repeated his previous criticism of the United States, lashing out at Washington's “supremacist and criminal vision.” The backlash bears similarities with Trump's support for Iranian opposition groups earlier this year, which was similarly used by the Iranian regime to portray opponents as being tied to unpopular foreign powers. (A poll later found that only 9 percent of Iranians thought Trump's support for the opposition helped those who were demonstrating.)

The backlash would not have been limited to Venezuela

Responding to Trump's thoughts on Venezuela last August, then-national security adviser H.R. McMaster and other officials reportedly argued that any U.S. intervention could easily create a backlash across Latin America. When asked directly by Trump whether they supported military action, a number of Latin American leaders apparently rejected the proposal outright, as well.

Some Latin American leaders have deepened ties with the United States in recent years, despite Trump's unpopularity in the region among voters. A military intervention could force many of those leaders to reconsider their cooperation with the United States amid public pressure.

The risks of "gunboat diplomacy"

In Venezuela itself, foreign regime change could easily result in the rise of a regime that's at least as unstable as the Maduro government. The Iraq war is the most obvious example for the challenges that arise when regimes are toppled by foreign powers.

In Latin America, CIA-supported coups or direct interventions have frequently resulted in disastrous outcomes. The 1954 CIA-supported toppling of Guatemalan President Jacobo Árbenz, for instance, led to the Guatemalan civil war and a succession of authoritarian juntas.

According to AP, Trump cited the invasions of Panama and Grenada in the 1980s as examples for successful military interventions abroad during his conversations about Venezuela.

However, Grenada has a population of about 90,000, compared to more than 30 million Venezuelans. And while the military intervention in Panama was indeed considered a military success at the time, it was welcomed by many locals — a stark contrast to Venezuela. Only 20 percent of Venezuelans said last spring that they felt confident the U.S. president would make the right foreign affairs decisions.

## Plan

#### Thus is the plan: The United States federal government should reduce numerical restrictions from family-based immigration preferences sufficiently to end backlogs in those preferences and adopt a “known and emotionally important to” standard for determining what constitutes a family-based relationship in immigration law.

## Solvency

#### Contention Two is Solvency.

#### Current family-based immigration is limited and caps have created decades long backlogs

Runes, 18 — research analyst in the Center on Labor, Human Services, and Population (Charmaine, “Justifications for slashing family-based visas are not supported by evidence,” Urban Institute, 2/6/18, <https://www.urban.org/urban-wire/justifications-slashing-family-based-visas-are-not-supported-evidence)//RC>U

After referring to family-based immigration as “chain migration,” the president said in his 2018 State of the Union speech that “a single immigrant could bring in virtually unlimited numbers of distant relatives.” To address this, the president outlined a vision also present in the proposed RAISE Act, which would greatly reduce authorized immigration to the US.

Family-based immigration represents two-thirds of legal permanent migration to the United States and has been an important part of our immigration policy for decades. The origins of family-based immigration can be traced to the Immigration and Nationality Act of 1965, which removed strict nationality quotas and explicit racially exclusive policies (e.g., the Asian Exclusion Act), from the 1924 Immigration Act.

But the justifications for reversing this long-standing immigration policy are rooted in misconceptions that are not supported by evidence.

Misconception: Family-based visas lead to an overwhelming influx of immigrants

Karthick Ramakrishnan, a professor at the University of California, Riverside, has noted how the term chain migration “shifts our mental images away from families reunited in a country offering a fresh start, and gets us to think instead of immigration as a malign chain reaction, an overwhelming and unstoppable process.”

In this way, rhetoric can depict family-based immigration and reunification as an immediate process with explosive effects. In reality, the process is painfully slow.

Family-based immigration is made possible through five broad permanent admissions categories. The first grouping is immediate relatives of US citizens—that is, children younger than 21, spouses, and parents. (The White House immigration framework argues that current policies bring in too many “distant relatives” and proposes limiting sponsorship for only individuals’ spouses and children younger than 18.)

The other four categories fall under “family preference” and include adult unmarried children of US citizens; married children of US citizens, along with their spouses and children; and siblings of US citizens, along with their spouses and children. Spouses, minor children, and unmarried children of legal permanent residents fall into another “family preference” category.

Although immediate relative visas have no annual cap, a maximum of 480,000 visas are available for family members. To determine the number of family-preference visas issued each year, the number of visas issued to immediate relatives is subtracted from the 480,000. For example, in fiscal year 2015, about 69 percent of family-based admissions went to US citizens’ spouses and children. Immigration policy also requires that at least 226,000 visas be designated for family-preference categories so that family visas are not just issued to immediate relatives.

In addition to these numerical limits, US immigration policy limits legal permanent resident admissions from each country to a maximum of 7 percent of the total number of family-based and employment-based admissions for that year. Immediate relatives are exempt from “per country ceilings,” as well as 75 percent of visas slotted for spouses and minor children of legal permanent residents.

Because the number of eligible people applying for family-preference visas exceeds the number of visas available because of annual numerical caps and per country ceilings, there is a backlog or waiting queue for family-preference visas every year. As of November 2015, the queue for qualified foreign nationals with processed petitions for family-preference visas included 4.5 million people, with waits as long as 23 years for those from the countries with the most petitions.

#### The plan’s weakening of numerical restrictions solves backlogs

National Immigration Forum, 12(“Immigration Backlogs are Separating American Families” 7/26, <https://immigrationforum.org/article/immigration-backlogs-separating-american-families/>)

Our family immigration system places people who want to immigrate to the U.S. into visa categories (most with numerical limits) according to the closeness of the relationship and the citizenship status of the U.S. family member.

As the table above shows, there is no numerical cap for spouses, unmarried minor children, and parents of U.S. citizens. This category is called “immediate relatives of U.S. citizens.” For all other relations, however, there are strict limits on the total number in each category. All “immediate relatives” plus all of the family preference categories must fit within an overall ceiling for family-based immigration of 480,000, but this ceiling can be exceeded due to the fact that there is a “floor” of 226,000 for the family preference categories (non-immediate relatives) coupled with the fact that immediate relatives are not capped. (So, when immediate relative immigration is more than 254,000 (480,000 – 226,000), the overall ceiling is “pierced.”) For many years now, there have been no more than 226,000 visas allocated to the family preference categories because immediate relative immigration has been more than 254,000 per year. This is the heart of the backlog problem with family preference immigration.

In addition to these category limits, the ceiling on the number of people we allow in from any one country is approximately 25,600. This ceiling includes immigrants in the family-preference categories and immigrants who are coming here through the sponsorship of an employer. There are some exceptions to the per-country limits, including an exemption from per-country limits for three-quarters of the visas allocated to the spouses and children of legal permanent residents (the family 2A preference).[1]

Two kinds of backlogs

There are two kinds of backlogs. At the end of the immigration process, when an immigrant visa is available to the immigrant, there may be an administrative backlog due to the fact that the immigration service may not have sufficient resources to handle its workload. These backlogs can be dealt with by giving the immigration agency more resources to handle its workload.

However, the more serious problem—often confused with the administrative problem—is the much longer backlog that has developed because the number of visas available by law each year is less than the number of prospective immigrants getting in line to wait for a visa. This problem cannot be solved by making the immigration agency more efficient, but will only be resolved by reforming our immigration system so that the number of visas available better meets demand.

Priority dates and backlogs

An immigrant begins the process of joining his or her family member in the U.S. when the family member submits a petition to the government. The filing of that petition establishes a priority date, holding the immigrant’s place in line. The State Department keeps tabs on whether or not there are visas available within the category and per-country limits. If there is no backlog, an immigrant visa (or “green card”) is immediately available to the immigrant, and the immigrant will receive one as soon as the government processes the application. In the application process, checks are performed to make sure the individual has no criminal history, is not a security threat, and is otherwise not inadmissible as an immigrant to the U.S.

In recent years, however, the number of visas available in our family immigration system has not met the demand. Except for the spouses, children, and parents of U.S. citizens, for which there are no per-country or category ceilings, there are backlogs in all categories of family-based immigration[2]. Each month, the State Department publishes a table showing the availability of immigrant visas relative to their priority dates. The “Visa Bulletin,” in which this table is published, can be found on the Web site of the State Department at:

http://www.travel.state.gov/visa/bulletin/bulletin\_1360.html.

As of November 2011 (according to the most recent State Department report on the number of persons waiting for an immigrant visa), there were more than 300,000 wives, husbands and children of legal permanent residents waiting for immigrant visas[3]. By August 2012, these immigrants were only now receiving a visa if their priority date was earlier than March 15, 2010—that is, after a wait of almost two and a half years. A U.S. citizen who petitioned for a sibling is only now being rejoined with that sister or brother after a wait of 11 years and six months. Compared to the number of visas available each year, the category of siblings of U.S. citizens has the largest backlog. As of November 2011, there were more than 2.5 million siblings waiting for the 65,000 visas available each year.[4]

The current projections of the backlogs that appear in the Visa Bulletin may actually understate the wait an immigrant will eventually have. For reasons having to do with the ability of the government to keep up with the demand for “adjustment of status” cases, the “current” priority date may actually go backwards from one month to the next. For example, in January 2011 the priority date for which visas were being allocated for the category of siblings of U.S. citizens was January 1, 2002. By February 2011, the priority date had actually receded to January 1, 2000.

Given that we have already decided, in the structure of our immigration law, to make family unity a priority, it does not make sense to have an outdated quota system that keeps families separated for many years. If we as a nation continue to believe that it is important to keep families together, then we must reform our immigration system so that the category and per-country limits that we now have on family-based immigration meet our needs.

Current law regarding family unification should be updated

The emphasis we place in our immigration law on the reunification of families makes sense in terms of helping our newcomers adapt to their new home. Family members help each other adjust to their new surroundings by pooling resources and sharing responsibilities (for example, for the care of children or elderly parents).

The inability to bring family members makes it harder for U.S. companies to attract the workers they need. Workers who do come may be less productive if forced to endure a long separation from their families. Additionally, immigrants coming to the U.S. as a result of family ties also get jobs and become valuable contributors to our economy. Finally, strong families help stabilize communities.

As the backlogs grow, more families are facing the choice of remaining separated for several years or keeping the family intact by having some members enter illegally. The backlogs are also yielding consequences contrary to some of our other policy goals. For Filipinos, for example, becoming a U.S. citizen may mean a longer separation from adult children. The backlog for the adult children of Filipinos who become citizens is longer than the wait to bring in adult unmarried children of permanent residents. As a practical matter, reuniting with family in this case may mean postponing citizenship.

Immigration reform is needed to speed the reunification of families

Changes to the family preference system are needed so that families might be re-united in a timelier manner. Updating our family immigration laws will reduce the pressure for family members to migrate outside of legal channels. By creating wider legal channels for immigrants to come here, the number of people who come illegally will be reduced or eliminated.

There are a number of things Congress could do to alleviate the backlogs and their consequences.

Update the immigrant quota system: Our immigrant quota system has not been updated in more than two decades, despite increased demand. There are several ways that Congress could reform the system. “Immediate relatives” could be exempted from the family-sponsored immigrant cap 480,000, so that the cap would apply only to preference immigrants. The definition of immediate relative might be expanded to include the spouses and minor children of legal permanent residents. This would free up visas in the limited family preference system so they could be re-allocated to the remaining categories of family-sponsored immigrants. With these extra visas, there would be much progress in reducing the long backlog now experienced by these categories of immigrants.

Place a cap on the backlog: Congress could provide for waivers to the per-country and world-wide numerical limits to family reunification that would be triggered when an immigrant’s wait exceeded a period of time—five years, for example. Any eligible family-sponsored immigrant who had waited five years or more would be given a visa whether or not that year’s quotas had been reached.

Re-allocate unused visas from the prior year: Even though there is more demand for visas than there are available visas, it sometimes happens (usually, because of processing delays or security screening) that some of the visas that should be allocated in a given year are not allocated. If not allocated, the visas are not used. Congress could change the law so that when processing delays result in unused visas, those unused visas are made available the following year, outside of the current year’s per country or quota limits. Going back and re-capturing unused visas would have a significant impact on backlogs. According to the USCIS Ombudsman, between 1992 and 2009, there were nearly 242,000 visas in the family preference system that went unused.[5].

#### Plan broadens the definition of family to include any kinship network

Hawthorne, 07 – Pro Tem Instructor at the University of Oregon School of Law (Monique, “FAMILY UNITY IN IMMIGRATION LAW: BROADENING THE SCOPE OF “FAMILY”,” Lewis and Clark Law Review, Vol. 11:3, 9/15/07)//RCUSNAF = Standard North American Family

C. Broadening the Scope of “Family”

When a government chooses to adopt a strong family reunification policy, it must follow through by recognizing that “family” cannot be limited to a statute’s narrow view of who is and who is not “family,” when society itself reflects different models than those embodied in the statute. “Relations between immediate family members—spouses or parents and children, ‘legitimate’ or ‘illegitimate’—constitute family life with little need for extensive inquiry.”100 However, stopping at this point fails to fulfill the United States’ policy goal for family unity. A resounding policy for family reunification cannot be limited to only the legal “family” as defined in the INA, but must encompass the social family as well.101 “Many scholars express concern that hegemonic images of the Normal American Family are ethnocentric and that they denigrate the style and beliefs of . . . immigrant[s] . . . .”102 This concern demonstrates the importance of broadening the definition of “family.”

1. The North American Family Model Versus Other Cultural Family Models

The SNAF image may be more prevalent in movies, television shows, magazines, and books, but this does not make it the only family model in the U.S. Many movies and television shows depict fathers who work, mothers who cook and clean (she may have a job, but her dominant role is caretaker), and children who are all in school.103 “Scholars concerned about the impact of such images point to those who blame family structures that deviate from th[e] norm for many of society’s problems and who suggest policies that ignore or punish families that don’t fit the construct.”104 The cultural values of these “deviant” types of families are considered abnormal to the SNAF. In reality though, other family models exist all over the world and throughout the United States.

Single person and two-person households have come to play an ever more important role, as have other models—grandparent-grandchild households, for example—in which others, relatives and non-relatives, live in the household, either in addition to or instead of the expected nuclear family members . . . . Despite its diminished reality, immigration law is based on the assumptions of the dominant model.105

The question remains, though, if family dynamics are changing in the United States, why do immigration laws continue to preference the SNAF model of family?

In most of the different ethnic groups immigrating to the United States, family structures are multigenerational.106 Growing up in the Asian culture, I myself have experienced a multigenerational family with cousins and grandparents living under the same roof. For most of my life in the United States, my paternal grandfather was a primary caregiver. My cousins in Taiwan lived with our maternal grandparents, two sets of aunts and uncles, and all of their children. Each family member contributed to the well-being—both financially and emotionally—of the entire family.

Many Latin American communities are known for viewing entire villages as helping to raise the children of all.107 “[T]he most significant characteristic of the Chicano family has been identified as familism . . . .”108 Researchers have found that Mexican-Americans, when compared to Anglo-Americans, are more likely to rely on relatives for emotional support.109

In ethnographic studies of African-American families, researchers have found relations that exist “between fictive kin (non-blood kin who relationally define themselves as family) are as strong and lasting as those established by blood,”110 and provide support and mutual aid in an extended family.

None of these models are “better” than the North American model, but the are different. Even so, U.S. immigration law seems to prefer the North American Model, which defines family, perhaps, even more narrowly than the actual, average North American family.111

A question to ask ourselves is why we seem to hold immigrants seeking admission into the United States to a narrowly standard of “family” than we do our own native families already living the U.S.? If our own American society cannot reflect the ideals of our laws, how can we expect others to conform to our idealized standards? For example, the United States may deny admission to a foreign national with a criminal history.112 However, a United States citizen with a criminal history who goes on vacation will be admitted back to the United States.113 One possible explanation is the desire to limit admissions to people who we think will add to the quality of our society and to not admit those people who will add to or exacerbate our society’s problems. We, as members of our society, can decide who we want to include.114 While this idea may be applicable when immigration laws exclude criminals,115 prostitutes,116 and people with communicable diseases,117 it loses applicability when applied to family models. The function of family is subjective and unique to each family unit. It is clear that “[t]he idea of what constitutes a family and its positive characteristics needs to be expanded.”118 Although advocating that each family be allowed to define themselves for immigration purposes would be ideal, this solution would lead to an unworkable rule. Instead, the United States should broaden its family categories so that they are broader and more flexible, similar to Canada’s immigration laws.

2. A Broader Definition of “Family”: Canada’s Example

The United States should adopt an immigration model that is similar to Canada’s model. Like the United States, Canada has a policy for family reunification. However, unlike the U.S., Canada’s policy is more effectively carried out in its immigration statutes. Canada’s Immigration and Refugee Protection Act of 2001 119 expanded the definition of “family” to include family members that are not presently included under U.S. immigration law. The first apparent difference is the inclusion of a “common-law partner or conjugal partner.”120 This allows same-sex partners to enter Canada as a member of the family. Under the INA, the U.S. doesn’t acknowledge same-sex partners as “family,” even if the country of origin acknowledges the two as a married couple. In order to adopt a policy similar to Canada’s policy, the U.S. does not need to recognize the same-sex marriage, but merely that same-sex partners have family bonds that should be protected under United States’ immigration laws.

Canada also allows “the mother or father of the sponsor’s mother or father” to enter as a member of the family.121 Therefore, a petitioning citizen or legal permanent resident would be able to bring their grandparent to Canada. The inability to bring in one’s grandparent to the United States under existing family preference categories, is a source of major frustration for many immigrants, especially if they come from a culture where families are multigenerational and grandparents are considered part of the “nuclear” family.122 If the U.S. is to effectuate its policy for family reunification, then Congress should amend the “immediate relative” category to include grandparents. Hence, when birthright U.S. citizens, naturalized citizens, or legal permanent residents reach the age of twenty-one123 they would be able to petition for the admission of their grandparents. This chance would solve some of the mixed-status family’s problems.124

For some U.S. citizens and legal permanent residents, another source of frustration is not being able to sponsor relatives whom they have raised as their own children, but that are not necessarily their biological children.125 However, Canada has recognized that these types of relationships must be included within the definition of “family,” and are necessary if family reunification is to be more than just an aspirational goal. If an orphan is under the age of eighteen and is unmarried, Canada will allow him or her to enter as long as the child is “a child of the sponsor’s mother or father” (a brother or sister), “a child of a child of the sponsor’s mother or father” (a nephew or niece), or “a child of the sponsor’s child” (a grandchild).126 The United States should adopt these provisions.

Canada’s broadest expansion of “family” is the inclusion of any relative, regardless of age, as a member of the “family class.” If the petitioner does not have any family members that fall within the aforementioned family categories, the petitioner is allowed to bring in any relative.127 Canada recognizes that despite the fact that someone may have no blood relatives, he or she may still have family-like relations that are worthy of protection by the country’s immigration laws. This final category provides a necessary element of flexibility to encompass different notions of “family.”

3. Broadening the Scope of “Family” and its Effects on Mixed-Status Families

The definition of “family” cannot remain static because the status quo has led to problems with family reunification and created mixed-status families. As discussed above, undocumented immigrants often desire to legitimize their presence, but because of the possibility of family separation, they tend to avoid drawing attention to themselves. Many of the problems facing mixed-status families would be solved if they could have entered legally in the first place. Assuming arguendo that a majority of people seeking entry have some familial contact to the United States, they would have more opportunities to seek sponsorship among those already in the United States. After receiving permission to enter, their families would then be derivative beneficiaries. The United States could even provide a threshold standard in order to take advantage of the family petitions. For example, Canada has considered a standard requiring the sponsored individual to be “known and emotionally important to” the sponsor.128 If the “known and emotionally important” standard is adopted in the United States, Congress could create factors for an immigration officer to use, such as actual familial kinship relationship, length of acquaintance, length of shared residence, geographical distance between residences, knowledge of each other’s personal histories, number of shared experiences, and strength of bond, which would aid in a flexible application of derivative beneficiary status.

Critics of expanding the scope of “family” may argue that the Department of Homeland Security—more specifically the INS—is already overwhelmed by the number of entrants, pointing to the log jam in the priority dates. They may claim that an expansion of those who may qualify as “family” will burden an already overburdened agency and that examining each applicant’s relationship would be too cumbersome and difficult. Consider, however, that the U.S. Customs and Border Patrol (CBP) recently received a nearly 4.8% budget increase under President Bush’s Fiscal Year 2006 budget.129 This equals a $6.7 billion total budget. If people are given more legal avenues to enter the United States, fewer people will attempt crossing the borders illegally. The money saved could then be diverted to deal with a heavier volume of family applications. Not only are there enough resources to administer this broader definition of “family,”

[C]ountries find it to their advantage to admit close family members of migrants. Often they are able to facilitate the integration process and to enable the migrant to establish him- or herself more quickly . . . . The presence of family members also reduces remittance abroad—a useful benefit for the receiving countries since the immigrants will spend the money on consumption or investment in their new home country.130

When all factors are considered, a broader scope of “family” seems to be a win-win situation.

#### Strict definitions of family in immigration law undermine effective kinship networks

Gubernskaya and Dreby, 17 – Gubernskaya is an Assistant Professor of Sociology at the University at Albany-SUNY; Dreby is an Assistant Professor of Sociology at the University at Albany-SUNY (Zoya and Joanna, 2017, "US Immigration Policy and the Case for Family Unity," Journal on Migration and Human Security, Volume 5, Number 2)//RCU

Although the current US immigration policy includes a relatively large list of relatives, it emphasizes legal definitions of family and assumes that formal, close kinship ties are the most instrumental. As a result, US immigrants are unable to reunite with certain relatives who may be extremely important for their family but fall outside of the defined set of eligible relatives. Two of the most common situations in which this may occur are familial relationships that are not officially documented (e.g., the absence of a formal marriage or adoption) and a relationship category that is considered too distant by the law (e.g., cousin, grandparent, godmother). For example, cohabitation without official marriage is widespread in many countries of Latin America and Caribbean, as are informal (de facto) adoptions and multigenerational families. Cohabiters and adoptive parents who did not formalize their relationship are unable to prove that relationship through official documentation to US immigration authorities. Also, godparents, aunts, uncles, and grandparents often play instrumental roles in children’s upbringing, especially for families involved in international migration, but because these familial relationships do not qualify a migrant for a family-based visa, there is no mechanism for reuniting with them in the current immigration system.