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## **It's called Federalism, not Treason**

### **By Cain Pence**

Bold mayors standing on courtroom steps proclaiming their opposition to actions in Washington. Proud Governors declaring their desire to resist federal officials. Large groups of voters willing to fight national policy to protect their local way of life. State legislatures taking matters of citizenship into their own hands. Where have we seen this bad movie before? In the Jim Crow South and Civil Rights Era many local officials defied Washington and rallied their political base in opposition to Washington directives.

The great genius of American politics, federalism, also creates the great tension in American politics. It always has. How individual states would share and grant powers to a federal government was one of if not the most difficult issue facing the Continental Congress. States maintained certain rights, the national government had authority in certain areas and states and the federal government shared certain powers. This political compromise reached a great crisis with the Civil War over the massive issues of slavery and whether states could leave the collective political body. The tension between local and national authority has appeared numerous other times in our national history. This tense dynamic is back in the national spotlight with the new Trump administration's executive orders on immigration and the state and local response to such directives.

Most of your life is governed by state and local decisions. The speed limit on the road, building and construction regulations and zoning, control of local schools, police, fire and regulation of most parks, bars, entertainment and shopping are much more determined by local and state regulations than federal mandates. States and the federal government share in some health and education regulations and spending. Many public works projects, such as bridges and roads are also shared by state and federal agencies. The light rail lines here in Minnesota are a fine example of state, local and federal agencies working together to accomplish a worthwhile project.

Two examples where states and local government do not decide matters are the military and foreign policy and immigration laws. It is up to the federal government to declare and fight wars. The bloodiest conflict in our nation's history, the Civil War, taught us that individual states cannot be allowed to declare war. We learned that lesson the hard way, with over half a million American deaths. Foreign policy is also not set by the states. Iowa farmers can lobby to sell their corn to China and Minnesota medical manufacturers may want access to Middle East markets, but it is the federal government, which must hammer out trade and foreign policy agreements and treaties.

Another area where the President and Congress must set the agenda is immigration and the very important question of who gets to be an American and the process of how. It is important to have a

uniform national process on immigration. New York should not set the policy on how many Italians can enter the Big Apple nor should Florida be able to decide how many Cubans are allowed. There is a real problem with mayors and Governors, not to mention an entire political party, lining up to oppose lawful executive action on immigration. It is not the prerogative of mayors and Governors to decide who is an American citizen and who can stay in America any more than it was for George Wallace and the mayor of Little Rock to say who could vote or attend school.

Liberals may want to revisit the Civil Rights movement. Constitutional rights apply to all United States citizens. They are not guaranteed to illegals and foreign citizens. The people of Greensboro cannot deny US citizens service at a food counter based on color or force blacks to the back of the bus in Montgomery anymore than the mayor of Chicago or San Francisco can decide who can stay in the country illegally. The federal government decides who is let in our nation and who becomes a citizen. It is also up to the federal government to enforce immigration laws and deal with those here illegally. Having local and state officials oppose federal executive orders on immigration is no different than local and state officials opposing desegregation and voting rights measures in the Jim Crow South. Mayors and Governors do not get to decide who votes in America and they do not decide who stays in America.

Federal control of immigration does not mean locals and states should not be consulted on these issues. I believe there should be more local input on immigration, not less. My home state of Minnesota is a perfect example where federal immigration policy has drastically changed local communities. For twenty years Somali refugees have flocked to Minnesota. Aided by numerous church groups and very generous welfare benefits, Minnesota has the largest Somali population in the nation. Whole neighborhoods in Minneapolis and in smaller cities like St. Cloud are referred to as "little Mogadishu" with the huge influx of tens of thousands of Somali immigrants. Local officials were never consulted. Longtime residents were never polled. Over two decades, federal officials let tens of thousands of Somalis, many with zero knowledge of Minnesota or its culture not to mention its climate, into America and they flocked to the liberal North Star State.

Many Minnesotans wish we had some say in the matter. Many Minnesotans are deeply troubled by the large number of Somalis on welfare and the very active terrorist recruitment in the Somali community. Many Minnesotans are troubled by the abuse of our social safety net and the nonstop flood of refugees for over two decades and counting. But, it is not up to us to decide who is let in America. It is up to the President and Congress. We have to live with the consequences daily that our elected leaders make. That is what makes America a representative Republic. If we don't like the decisions being made, we can elect new federal officials. In 2016, Americans did just that.

Elections have consequences. Liberals cannot support unbridled refugee resettlement under one President and call a pause on refugee resettlement by the next President illegal. Liberals cannot applaud federal mandates on voting rights and school desegregation as justice and then decry executive orders on illegal immigration as racist. It is not up to local and state leaders to decide who enters the country. It is up to the President and federal officials. Locals should be consulted, but ultimately the federal government decides.

The great American experiment revolves around the sharing of power. This political compromise, often referred to as federalism, creates both the genius and tension in American politics. Local communities are greatly affected by immigration and refugee resettlement. We need leaders in Washington who listen to local officials More, not less. However, the ultimate decision on who enters America and who is granted citizenship rests with federal officials. Federal officials must also decide how people who break our immigration laws and who are here illegally must be prosecuted. Local mayors and state Governors cannot decide who becomes American citizens and who is deported anymore than they can decide which Americans fight in our nation's wars or who is entitled to Constitutional rights. When local officials take immigration laws into their own hands the result is not federalism, it is called treason.