A lost decade for immigration reform

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Body

Ten years ago, George W. Bush came to Washington as the first new president in a generation or more who had deep personal convictions about ***immigration*** policy and some plans for where he wanted to go with it. He wasn't alone. Lots of people in lots of places were ready to work on the issue: Republicans, Democrats, Hispanic advocates, business leaders, even the Mexican government.

Like so much else about the past ***decade***, things didn't go well. ***Immigration*** policy got kicked around a fair bit, but next to nothing got accomplished. Old laws and bureaucracies became increasingly dysfunctional. The public grew anxious. The debates turned repetitive, divisive and sterile.

The last gasp of the ***lost decade*** came this month when the lame-duck Congress - which struck compromises on taxes, gays in the military and arms control - deadlocked on the Dream Act.

The debate was pure political theater. The legislation was first introduced in 2001 to legalize the most virtuous sliver of the undocumented population - young adults who were brought here as children by their parents and who were now in college or the military. It was originally designed to be the first in a sequence of measures to resolve the status of the nation's illegal immigrants, and for most of the past ***decade***, it was often paired with a bill for agricultural workers. The logic was to start with the most worthy and economically necessary. But with the bill put forward this month as a last-minute, stand-alone measure with little chance of passage, all the debate accomplished was to give both sides a chance to excite their followers. In the age of stalemate, ***immigration*** may have a special place in the firmament.

The United States is in the midst of a wave of ***immigration*** as substantial as any ever experienced. Millions of people from abroad have settled here peacefully and prosperously, a boon to the nation. Nonetheless, frustration with policy sours the mood. More than a quarter of the foreign-born are here without authorization. Meanwhile, getting here legally can be a long, costly wrangle. And communities feel that they have little say over sudden changes in their populations. People know that their world is being transformed, yet Washington has not enacted a major overhaul of ***immigration*** law since 1965. To move forward, we need at least three fundamental changes in the way the issue is handled.

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Being honest about our circumstances is always a good place to start. There might once have been a time to ponder the ideal ***immigration*** system for the early 21st century, but surely that time has passed. The immediate task is to clean up the mess caused by inaction, and that is going to require compromises on all sides. Next, we should reexamine the scope of policy proposals. After a ***decade*** of sweeping plans that went nowhere, working piecemeal is worth a try at this point. Finally, the politics have to change. With both Republicans and Democrats using ***immigration*** as a wedge issue, the chances are that innocent bystanders will get hurt - soon.

The most intractable problem by far involves the 11 million or so undocumented immigrants currently living in the United States. They are the human legacy of unintended consequences and the failure to act.

Advocates on one side, mostly Republicans, would like to see enforcement policies tough enough to induce an exodus. But that does not seem achievable anytime soon, because unauthorized immigrants have proved to be a very durable and resilient population. The number of illegal arrivals dropped sharply during the recession, but the people already here did not leave, though they faced massive unemployment and ramped-up deportations. If they could ride out those twin storms, how much enforcement over how many years would it take to seriously reduce their numbers? Probably too much and too many to be feasible. Besides, even if Democrats suffer another electoral disaster or two, they are likely still to have enough votes in the Senate to block an Arizona-style law that would make every cop an alien-hunter.

Advocates on the other side, mostly Democrats, would like to give a path to citizenship to as many of the undocumented as possible. That also seems unlikely; Republicans have blocked every effort at legalization. Beyond all the principled arguments, the Republicans would have to be politically suicidal to offer citizenship, and therefore voting rights, to 11 million people who would be likely to vote against them en masse.

So what happens to these folks? As a starting point, someone could ask them what they want. The answer is likely to be fairly limited: the chance to live and work in peace, the ability to visit their countries of origin without having to sneak back across the border and not much more.

Would they settle for a legal life here without citizenship? Well, it would be a huge improvement over being here illegally. Aside from peace of mind, an incalculable benefit, it would offer the near-certainty of better jobs. That is a privilege people will pay for, and they could be asked to keep paying for it every year they worked. If they coughed up one, two, three thousand dollars annually on top of all other taxes, would that be enough to dent the argument that undocumented residents drain public treasuries?

There would be a larger cost, however, if legalization came without citizenship: the cost to the nation's political soul of having a population deliberately excluded from the democratic process. No one would set out to create such a population. But policy failures have created something worse. We have 11 million people living among us who not only can't vote but also increasingly are afraid to report a crime or to get vaccinations for a child or to look their landlord in the eye.

Much of the debate over the past ***decade*** has been about whether legalization would be an unjust reward for "lawbreakers." The status quo, however, rewards everyone who has ever benefited from the cheap, disposable labor provided by illegal workers. To start to fix the situation, everyone - undocumented workers, employers, consumers, lawmakers - has to admit their errors and make amends.

The ***lost decade*** produced big, bold plans for social engineering. It was a 10-year quest for a grand bargain that would repair the entire system at once, through enforcement, ID cards, legalization, a temporary worker program and more. Fierce cloakroom battles were also fought over the shape and size of legal ***immigration***. Visa categories became a venue for ideological competition between business, led by the U.S. Chamber of Commerce, and elements of labor, led by the AFL-CIO, over regulation of the labor market: whether to keep it tight to boost wages or keep it loose to boost growth.

But every attempt to fix everything at once produced a political parabola effect. As legislation reached higher, its base of support narrowed. The last effort, and the biggest of them all, collapsed on the Senate floor in July 2007. Still, the idea of a grand bargain has been kept on life support by advocates of generous policies. Just last week,

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President Obama and Hispanic lawmakers renewed their vows to seek comprehensive ***immigration reform***, even as the prospects grow bleaker. Meanwhile, the other side has its own designs, demanding total control over the border and an enforcement system with no leaks before anything else can happen.

Perhaps 10 years ago, someone like George W. Bush might reasonably have imagined that ***immigration*** policy was a good place to resolve some very basic social and economic issues. Since then, however, the rhetoric around the issue has become so swollen and angry that it inflames everything it touches. Keeping the battles small might increase the chance that each side will win some. But, as we learned with the Dream Act, even taking small steps at this point will require rebooting the discourse.

Not long ago, certainly a ***decade*** ago, ***immigration*** was often described as an issue of strange bedfellows because it did not divide people neatly along partisan or ideological lines. That world is gone now. Instead, elements of both parties are using ***immigration*** as a wedge issue. The intended result is cleaving, not consensus. This year, many Republicans campaigned on vows, sometimes harshly stated, to crack down on illegal ***immigration***. Meanwhile, many Democrats tried to rally Hispanic voters by demonizing restrictionists on the other side.

Immigration politics could thus become a way for both sides to feed polarization. In the short term, they can achieve their political objectives by stoking voters' anxiety with the scariest hobgoblins: illegal immigrants vs. the racists who would lock them up. Stumbling down this road would produce a ***decade*** more ***lost*** than the last.

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