

Cynical politicking has trumped policy

By Tamar Jacoby
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The latest Wall Street Journal/NBC poll numbers are stunning – in case it isn't already obvious from conversations with your friends and neighbors. Just four years ago, after the 2010 elections, Americans were closely divided on whether newly elected lawmakers should stick to their campaign positions or compromise in order to pass laws and solve problems. Today, the public's mandate is much clearer: 63 percent want members of Congress to make compromises – while only 30 percent want them to stick to their campaign positions.

Neither the president nor Congress has been ready to compromise on immigration in recent years, and anyone who cares about reform should hold them both responsible. But the president's executive order will only worsen the gridlock, making it much harder for Washington to address the problem or solve it.

As president, Obama has shown little interest in negotiating with congressional Republicans on any issue – and he failed to pass an immigration overhaul even when Democrats controlled Congress. As for Republicans, House leadership has been looking for opportunities to tackle the issue but has been unable to round up enough support to make it worth holding a vote.

The two branches had an opportunity for a reset this month. There was lots of talk on the day after the election about working together and getting things done. And with all eyes

turning to 2016, when Latino voters will carry much more weight than they carried this year, Republican leadership just might have been able to find a way forward on immigration.

It wouldn't have been easy. Both sides would have to find ways to handle the pressure on their flanks – in Obama's case, from immigrant rights advocates, within the GOP, from a noisy nativist minority. The president would have had to set the table, restoring trust by proving to skeptical Republicans that he can and will enforce the nation's immigration laws. And GOP lawmakers, leadership and rank and file, would have had to stretch on substance.

The House was never going to pass the comprehensive immigration bill approved by the Senate last year – and it would never have endorsed a path to citizenship for unauthorized immigrants. But if the two sides had gone about it the right way – negotiating in private, in the right spirit – they might have produced meaningful step-by-step reform.

Instead, the president is going it alone – in full defiance of the Republicans' landslide victory and the public's preference for a different, more conciliatory way of governing.

His action is already triggering a reaction, intensifying the polarization that has blocked progress for more than a decade. Republican immigration hawks feel empowered. Their comments are fanning the flames of restrictionism among confused voters. Even pro-reform Republicans feel compelled to denounce the order – with good reason – as an abuse of presidential authority.

Meanwhile, saddest of all, the order does virtually nothing to fix what's wrong with the broken immigration system. It addresses one symptom – 5 million people living and working in the country illegally – but does nothing to solve the underlying problem that stranded these workers in the U.S. in the first place.

Most unauthorized immigrants come to the U.S. to work. Even in the downturn, many industries depended on foreign workers to fill unpopular, physically demanding or dangerous jobs, often working alongside more skilled Americans and keeping businesses open. If there was a way for less-skilled immigrants to enter the country to work legally, the overwhelming majority would take advantage of it. Yet try as it might over 30 years, Washington has failed to create a visa program that would allow these workers to come in legally.

That's the root cause of the problem. Obama's executive action does nothing to fix it. And if anything, by polarizing public opinion, the order will make it harder for Congress to address the issue in coming months.

Bottom line: once again, cynical politicking has trumped policy. Americans want solutions, but Washington just can't seem to come through. This time, clearly, the president started it by taking unilateral action in defiance of Congress. The only question now is how much political damage his move will do.

Tamar Jacoby is president of ImmigrationWorks USA, a national federation of small business owners in favor of immigration reform.