

Losing the War of Ideas, Again

By Tom Barry | December 14, 2007

In the war of ideas over immigration, liberals are in disarray. Anti-immigration advocates have created the ideological frameworks—security, rule of law, nationalism—that now frame the raging immigration debate. Meanwhile, immigration advocates find that their own humanitarian, economic, and historical arguments supporting liberal immigration flows have little resonance in the public debate.

The restrictionist surge comes at a time when other forces of the right—especially the social conservatives and the neoconservatives—see their hold on the national policy agenda slipping. Liberal ideas on health care, anti-discrimination, environmental protection, economic policy, and international affairs are now ascendant in U.S. politics.

Why then, when liberals have managed to push the right to the sidelines on most issues, have the restrictionists succeeded so dramatically in shifting the immigration debate to their terms?

In part, immigration restrictionism dominates the debate because immigration advocates have failed to frame immigration issues in a way that reaches the U.S. public. They have also failed to counter the new messaging and organizing by the immigration restrictionists, or to adapt to the changing security and economic conditions in the United States.

In contrast, immigration restrictionists have proved adept at adapting their messaging to the evolving concerns in U.S. communities. What's more, by mobilizing activist constituencies they have blocked comprehensive immigration reform in Washington and successfully advanced harsh restrictionist policies at both the local and federal levels.

Slow Rise of Restrictionism

For more than 20 years immigration restrictionists were outsiders. They emerged in the political landscape of the late 1970s along with the social conservatives and neoconservatives. With origins in the environmental and population control movements, restrictionist groups like the Federation of American Immigration Reform (FAIR) were viewed warily at first by the New Right forces of the Republican Party.

The restrictionists' one-issue focus and liberal roots earned them few allies in the rightwing backlash coalitions that

sought to overturn the "liberal establishment" in the domestic and foreign policy arenas. The leadership of both political parties also rejected the restrictionist agenda, making it difficult for anti-immigration groups to gain a foothold in Washington.

But the restrictionists slowly began to expand their reach in the 1990s. As immigration flows into the United States increased and the number of children born to immigrant parents rose, restrictionist alarmism about the threat of immigrants to the U.S. economy and society spread.

New anti-immigration groups, including Project USA, Numbers USA, and the Center for Immigration Studies, joined FAIR in promoting the restrictionist cause in Washington. However, it was at the state level that the restrictionists had their first victory. With the support of the restrictionist lobby in the nation's capital, local restrictionist groups organized anti-immigration referendums in California and several other states in the mid-1990s. The anti-immigrant Proposition 187 in California passed with nearly 60% of the vote in 1994.

But the restrictionist victory in California was short-lived. A federal court overturned the measure. Anti-immigrant organizing in other states such as Texas and Florida stalled, and the restrictionists turned their attention back to Washington.

In 1996 President Clinton signed an immigration reform bill that demonstrated increased concern on the part of the political class that immigration flows were becoming a national issue. The bill provided increased funding for the Border Patrol, curtailed the rights of immigrants, and denied many forms of federal assistance to non-citizens.

The formation of the House Immigration Reform Caucus in 1999 by Rep. Tom Tancredo (R-CO) moved the forces of restrictionism directly into the chambers of government. But without support from the party's leadership, Tancredo's restrictionist congressmen had little impact. The

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Republican Party leadership regarded Tancredo as a crank, and failed to appreciate the rising salience of the immigration issue among social conservatives and heartland government officials.

The booming U.S. economy of the late 1990s, along with the prevailing enthusiasm for globalization, didn't provide fertile ground for anti-immigrant movements. By June 2007, when Congress was considering a comprehensive immigration reform bill, restrictionism was sweeping through the country powered by a new anti-immigration rhetoric stressing national security, respect for the rule of law, and the well-being of citizen workers and government services.

Anti-Immigration Patriotism

September 11th changed everything for the restrictionists. In the aftermath of the terrorist attacks and with the launch of the administration's "war against global terrorism," anti-immigration groups reframed their restrictionism to tap into the swell of concern about U.S. national security. Alarm about the "invasion of aliens" across the U.S.-Mexico border, previously couched in the language of cultural nationalism, is now framed as a national security issue. The xenophobia, nationalism, and racism of many radical restrictionists became draped in patriotism after Sept. 11, 2001.

While before September 11th, the restrictionists were voices in the desert warning against porous borders and the threat of "aliens" to our national security, most proponents of immigration reform now routinely preface arguments for legalization with promises to secure U.S. borders. The terms *security*, *border security*, and *national security* appear in virtually all reform bills whether at a federal, state, or local level, such as the Secure America and Orderly Immigration Act proposed by Senators John McCain and Edward Kennedy in 2005 or the Georgia Security and Immigration Compliance Act of 2006.

By ignoring or downplaying border control concerns for so many years, immigration advocates had left the "security" framework open for the restrictionists to seize. Now, liberal immigration reformers regularly incorporate calls for improved security into their arguments for comprehensive immigration reform. Together with Republicans, congressional Democrats support security-first agendas long advocated by the restrictionists, such as the Secure Fence Act to build a U.S.-Mexico border barrier.

During the November 15 candidate debate, Barack Obama, responding to a question about immigration, said: "As president I will make sure that we finally have the kind of border security that we need. That's step number one."

Although some immigration advocates hope that the approval of "law enforcement first" measures will open up new policy space for comprehensive immigration reform, the immediate result has been to encourage the restrictionists to expand their demands for immigration law enforcement and border control—all in the name of national security.

Liberals have lost the war of ideas about security and immigration. By the time immigrant rights advocates joined the national security debate, the anti-immigration groups already owned the issue. Never having seriously weighed in on border control issues (a longtime rallying call for the restrictionists), those advocating comprehensive immigration reform had little credibility on the security and immigration issue. Unable to advance counterarguments—such as that national security would be best served by processing and legalization of unauthorized immigrants rather than driving them further into the shadows—many proponents of comprehensive reform lined up with the restrictionists and their enforcement-first agenda.

"What don't you understand about illegal?"

Anti-immigration forces in the last several years have also succeeded in popularizing the "rule of law" argument. The current rule of law framework used by restrictionists is an extension of their slogan, "What don't you understand about illegal?" which they found had great resonance among those looking for a restrictionist argument that wasn't tinged with racism or nativism.

Building on this demand that the government treat unauthorized immigrants as law breakers, restrictionists have in the past couple of years mounted a broader, conceptual plea that government uphold the "rule of law" and no longer tolerate "illegal" immigrants, who from the moment they crossed the border became criminals, and when in the country routinely engage in document deception and document theft.

An October 2005 Heritage Foundation essay, "Rule of Law at Stake in the Immigration Debate," helped propel the rule-of-law framework into the mainstream media. Written by former attorney general Edwin Meese, a Heritage Foundation fellow, the essay was broadcast by Fox News.

Meese and foundation colleague James Jay Carafano wrote: “We need to encourage federal, state, and local governments to enforce our laws and work together to improve the security infrastructure at points of entry. Enforcement should include prosecuting benefits fraud, identity theft, and tax evasion, in addition to immigration violations.”

Today, the restrictionist camp frequently frames its anti-immigration position as a principled stance in favor of the rule of law. They have positioned themselves as the protectors of law, while they paint immigrants and their defenders as undermining legality in the United States.

Oftentimes, the security and rule-of-law frameworks are conjoined, as presidential candidate Rudy Giuliani does. “Real immigration reform must put security first because border security and homeland security are inseparable in the ‘Terrorists’ War on Us,” says Giuliani on his website, “The first responsibility of the federal government is to protect our citizens by controlling America’s borders, while ending illegal immigration and identifying every non-citizen in our nation. We must restore integrity, accountability, and the rule of law to our immigration system to regain the faith of the American people.”

The rule-of-law framework, as used by the restrictionist movement, has left liberals floundering. After all, there is no denying that 12 million immigrants are in the United States illegally. Not only are they undocumented, but they also use counterfeit documents and fake Social Security numbers when seeking employment or applying for services and utilities.

The rule-of-law framework is a powerful tool for the restrictionists. But rather than concede this territory to the anti-immigration groups as was done with the security framework for immigration, immigration advocates would do well by taking the rule-of-law argument head on. Restrictionists generally limit their discussion of law and immigration to infractions by immigrants. They fail to note that in the absence of comprehensive immigration reform, illegality has spread through our society and economy, as many businesses and homeowners employ immigrants without legal papers.

How far should society and government take the rule of law: Deport 12 million illegal immigrants? Penalize the millions of businesses and homeowners that employ immigrants? Force providers of humanitarian and social services to break the law if they meet the needs of illegal immigrants?

By appealing to the rule of law, restrictionists tap the core belief of the U.S. public that we are a nation of laws and that no one should stand outside the law. They have transformed a fundamentally liberal concept into a conservative law-and-order framework. On yet another front in the immigration debate, liberals have lost the war of ideas.

Protectionism and Populism

Liberals are also losing the debate in what has traditionally been their strong suit—the economic benefits of immigration. A wealth of data supports the contention that immigrants are good for the economy.

Until the early 1990s restrictionists argued their case mainly on social, cultural, environmental, and even racial grounds. When addressing the economic impact of immigration, the anti-immigration forces mainly focused on the cost to government, particularly local governments, of providing services to poor immigrants.

With the deepening of globalization, right-wing nationalists like Patrick Buchanan began integrating their protectionist positions against free trade and immigrants. Rather than disputing the overall economic benefits of immigration, Buchanan and other economic nationalists challenged the underlying assumption that economic growth always benefits the majority. What’s good for the economy, they counter, is not necessarily good for workers and the middle class. What’s good for profits of big business, they assert, is not necessarily good for the average person.

It was not, however, until the last several years that economic nationalism has taken hold. In the 1990s, this right-wing populism was driven largely by opposition to NAFTA, the World Trade Organization, and other free trade agreements. In the last several years, the main target of the right-wing populists like Buchanan and CNN’s Lou Dobbs has been immigration. In both cases—free trade and immigration—they make a persuasive case that the main beneficiary is Corporate America, not what Dobbs in his “Broken Borders” program calls the “American citizen.”

While there is certainly an explicit cultural and racial component of the restrictionist movement, the populist message that taps resentment of the government and big business is now central to the anti-immigration movement. This was evident in the post-immigration bill rhetoric of the restrictionists. The defeat of comprehensive immigration was framed as a populist victory against the “establishment.”

Buchanan exclaimed that the posed immigration bill had “ignited a spontaneous uprising against the leadership of both parties, corporate America, and the mainstream media.” Not only did the president suffer a “major humiliation,” wrote Buchanan, but “routed, too, were Teddy Kennedy and John McCain, the Chamber of Commerce and La Raza, the *New York Times* and the *Wall Street Journal*.”

NumbersUSA president Roy Beck congratulated the 455,000 members of the restrictionist group for “defeating a bill—and embarrassing the whole Establishment.” Right-wing columnist Rich Lowry called it “a techno-populist victory,” noting that “bloggers, talk-radio hosts, and citizens were able to have a synergistic power of the Internet, radio waves, and telephone lines.”

Members of the Immigration Reform Caucus also celebrated what they regarded as a victory of the people over the elite. “The public should take note of all those who dismissed their opposition as uninformed skepticism and remind their elected leaders not to underestimate the powerful voice of the American people,” advised Rep. Dana Rohrbacher (R-CA). “Congratulations, Mr. and Mrs. America, we just saved America,” said Rohrbacher.

Summarizing the restrictionist victory, Buchanan wrote: “The Beltway was routed by a coalition of TV and radio talk show hosts, grassroots activists, and backbenchers with the courage to defy their masters. The regime was run off the hill by the country that it claims to represent.” In his view, the masses won a rare victory. “A defeat like this is almost unheard of in Washington. For when the establishment unites—as it did behind the Panama Canal giveaway and NAFTA—it almost always wins.”

While right-wing populists like Buchanan and Dobbs rail against the impact of globalization and “open borders” on the middle class, they fail to acknowledge that globalization is also driving increased immigration flows—that U.S. workers and immigrants themselves are in many ways

victims of the same disruptive economic forces. At the same time, however, immigrant advocates have a difficult time reaching beyond the immigrant and church communities because they generally fail to acknowledge that immigration flows also can have a disruptive social and economic impact, especially on the poor and least educated.

The larger problem is that there is no vibrant social democratic or populist movement on the center-left within which immigrant advocates can situate their demands. Until immigration advocates can take the thunder out of the Lou Dobbsian populism by speaking directly to the economic plight of U.S. citizens and all workers, the prospects for immigration reform that supports a just legalization process are grim.

A major success of the restrictionists has been their recent strategy of calling for anti-immigration reform in the name of American citizens and the “common good” while leveraging the inchoate rage against the federal government and transnational corporations.

In the immigration debate, as in all wars of ideas, the challenge is to frame messages that make intuitive sense without being dangerously simplistic and without appealing to the emotions that are easiest to tap—fear and hate.

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