

[reassessing the right's hero]

Ronald Reagan's Big Mistake

Immigration policy could have been reformed before we hit the crisis point, but the Gipper blinked.

By Otis L. Graham Jr.

ON SEPT. 11, 2001, one of the hidden and shockingly high costs of America's immigration policies was put on the books. Porous borders and governmental abandonment of virtually all interior controls had allowed terrorists to glide easily in and out of the country for periods of their choosing, as they trained in this affable society for their suicide missions against it.

Those who threw out the national origins system in 1965 and liberalized U.S. immigration law had repeatedly assured the public that they were making no changes that would result in larger numbers or a shift in source countries. But they had done both. Source regions shifted from Europe to Latin America and Asia. Annual totals of legal immigration, which had averaged 178,000 (with considerable yearly fluctuation) over the duration of the national origins system of the 1920s, rose to 400,000 by 1973, to 600,000 by 1978, reaching one million by 1989. An unknown number of illegal aliens—the official estimate in the 1980s was 200-500,000—were thought to be entering the country annually, while apprehensions along the 2,000-mile Mexican border reached a half-million by 1970 and topped one million by 1977—an “invasion,” in the word of INS Commissioner Leonard Chapman. The impression of a border out of control was enhanced across the 1970s by

bursts of refugee landings from Cuba and Haiti, over 550,000 refugees from southeast Asia following American withdrawal from Vietnam in 1974, and a large flow of migrants asking asylum from civil wars in El Salvador and Guatemala.

There have been few occasions since 1965 when the system might have been successfully challenged and reformed toward lower numbers, toward a different system of selection, and the maintenance of effective border and interior controls. Ronald Reagan was in office when the first opportunity for reform arose. Where immigration is concerned, because it builds its own constituencies, there is often not a second chance.

Immigration reform was not a Reagan sort of issue. Like other Americans born on the eve of World War I, he took on his political outlook in the mid-century decades (and, in Reagan's case, in small-town Illinois settings) when large-scale immigration and the issues it raised had been ended by the restrictionist reforms of the 1920s. One is thus not surprised to find nothing on immigration in Reagan's autobiography, *Where's The Rest of Me?* As California governor for eight years, he continued the political tradition of ignoring immigration, despite its impact on the Golden State, since it was a federal responsibility and the state had problems of its own. And in the election of 1980, immigration never came up,

though the media had been full of public agitation over the flow of illegals over the Mexican border and the unauthorized refugee landings from Cuba and Haiti.

Reagan did have a place in his mind and a rhetoric on the matter of immigration. His was the sentimentalist, Statue of Liberty conception so widely shared among assimilated Americans of his day who could not remember when immigration had been a problem. In one of the few references to immigration in his published state papers covering his eight years in the White House, Reagan displayed in 1984 the then-dominant language of diversity celebration when he told an audience of naturalizing immigrants that immigrants “enlivened the national life with new ideas and new blood,” and “enrich us” with “a delightful diversity.”

So immigration control for Reagan in the 1970s and 1980s had no attraction as an issue appropriate for policymaking or, as Reagan usually preferred, policy unmaking. It was one of those positive buttons politicians push before the right audiences. He never responded sympathetically to an entirely different view growing among Americans of a “border out of control,” nowhere more than in California.

Reforming immigration policy fell to Reagan after fumbling attempts at

reform by the Carter administration, and another Republican might have seen it as a way to criticize liberals. But the issue was fundamentally at odds with Reagan's entire political purpose and temperament. He was interested in shrinking government, and here was a case in which government was charged with not doing enough on an issue of law and order with a natural resonance among Republicans. Presidential leadership in this area could only mean making the government larger, and that was not Reagan terrain.

As Reagan took office, the Select Commission on Immigration and Refugee Policy, chaired by Notre Dame President Theodore Hesburgh, reported with recommendations for sweeping policy change, especially geared to reducing illegal immigration. Editorials in the nation's major newspapers supported these proposals. Congressional action was sure to follow, and the executive branch had no choice but to participate in the framing of laws it would be expected to enforce. Nicholas Laham, the only historian to undertake a book-length assessment of Reagan's relationship with the immigration issue, describes the White House as "wary on the subject," for which the new administration had "only a marginal priority."

In May 1981, Alan Simpson (R., Wyo.), chairman the Senate subcommittee on immigration, sought to confer with the president prior to Reagan's scheduled meeting with Mexican President Lopez Portillo in order to urge the administration to keep American options open on immigration. But the meeting lasted only 15 minutes. Reagan listened to Simpson's views and limited himself to a broad promise of co-operation. Congress therefore assumed the lead in immigration reform, though Simpson, in the words of a White House staff memo to Reagan, had "indicated his willingness to 'carry the administration's water"

on this issue." They carried different water, as it turned out.

Simpson sensed from his early contacts with White House aides that co-operation with Reagan was shaky. To start with, the president's newly appointed Immigration Task Force was leaning toward an expansion of legal immigration. One important bias appeared to shape the Task Force's deliberations from the start. In the words of one White House staffer, "The President is himself a firm believer in a high degree of freedom in immigration," and other top aides supported this orientation. A memo from White House Chief of Staff James A. Baker and Counselor to the President Edwin Meese concluded that "immigration is a no-win" issue.

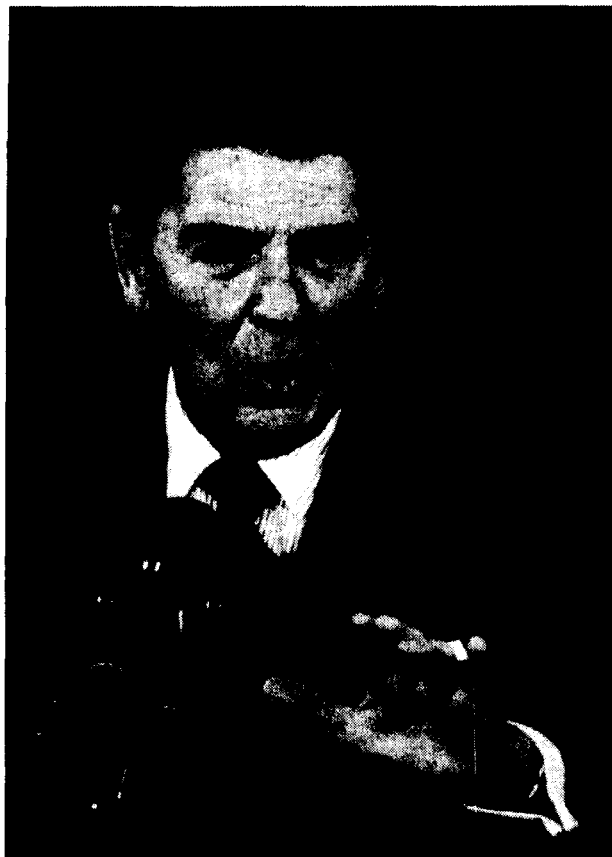
IN THE WORDS OF ONE WHITE HOUSE STAFFER, "THE PRESIDENT IS HIMSELF A FIRM BELIEVER IN A HIGH DEGREE OF FREEDOM IN IMMIGRATION."

On July 1, 1981, a 26-page Task Force report went to Reagan. Issues surrounding illegal immigration dominated the report and generated internal divisions that remained unresolved. The Task Force had reached agreement to make a large part of the problem of illegals simply disappear through an amnesty, though the details of this were in dispute. And it agreed to make more future illegals disappear by admitting them as legal guestworkers in agriculture. But there was no final agreement on the proposed employer sanctions provision, let alone whether it should be enforced through a national identity card. Later that month, Reagan presided over at least one Cabinet meeting to resolve intra-administration differences. While Cabinet meeting minutes have not been opened for research, Assistant to the President for Policy Development Mar-

tin Anderson has provided in his memoir an account of this crucial July Cabinet meeting where the immigration reform project inside the administration was emasculated (in Anderson's view, cleansed of a very bad idea). At this meeting Attorney General William French Smith presented the Task Force proposals, including the idea inherited from the Select Commission of "an improved Social Security card" to help employers determine legal residency. After the mention of an identification card—we are not sure of the Attorney General's actual wording—there was silence. Then Anderson, in his account, rallied the real Reagan anti-government faithful, suggesting that it would be cheaper to "tattoo an identification number on the inside of everybody's

arm." Secretary of Interior James Watt at once pointed out that this brought to mind the Biblical "Mark of the Beast." The image of Nazi concentration camps was in the air. Reagan was aroused and made his contribution. "Maybe we should just brand all the babies," he smilingly proposed, getting into the swing of bad analogizing.

Whatever happened in this July meeting, it was effectively the end of the administration's receptivity to beginning the national experiment with a single counterfeit-resistant identifier. Getting wind of the decision, the *Washington Post* criticized the Cabinet for abandoning the "new and less easily forged Social Security card" and declared that "the test of any administration's determination to confront the problem seriously becomes a willingness to devise some national identifier," as recom-



The administration, agreed that there were problems. Attorney General Smith declared "Current laws and enforcement procedures are inadequate—particularly with regard to illegal aliens and mass requests for asylum." But the administration's proposals opened the borders more than firming them. The principal recommendations were 1) sanctions on employers knowingly hiring illegals, enforced through reliance on existing documents (the administration "explicitly opposed" a national identity card or system); 2) an "experimental" guestworker program admitting up

Immigration Reform, James Gimpel and James Edwards argue that a political opportunity may have been lost at this early stage. Immigration issues, formerly without clear partisan configuration, had under the pressure of the mass refugee and illegal alien flows of the late 1970s taken on in the early Reagan years a partisan alignment. Some Republican politicians, formerly with no interest in or position on immigration, found that flows of Third World immigrants expanded the welfare state and angered their constituents who faced growing local social welfare costs. In this view, a restrictionist Republican complaint-issue was emerging, but the Reagan administration did not recognize it.

Reagan was in the White House during one of the only two occasions in the last three decades of the century in which illegal immigration so vexed the national mind that serious reform was not only intensely discussed but a legislative result could have been produced. He allowed that opportunity to pass, though he probably did not recognize the import of that decision. The administration's brief period of leadership had taken the form of a retreat, and it would now stand mostly on the sidelines. "The focus on immigration reform definitely shifted to Congress and remained there," wrote historian Thomas Maddox.

On March 17, 1982, Simpson and Romano Mazzoli (D.-Ky.) introduced the Immigration Reform and Control Act (IRCA). After a tortuous passage through Congress, in which its provisions were continuously watered down and its scope narrowed, the legislation was signed by Ronald Reagan in 1986. IRCA granted amnesty to illegal aliens in return for sanctions on those who hired illegally—sanctions that ultimately proved without teeth. Never considered satisfactory by immigration reformers, the legislation signed in 1986 did next to

mended both by the Select Commission and the Attorney General's Task Force. "The cosmetic substitute of requiring workers and employers merely to sign a piece of paper ... is meaningless ... Only the president himself can rescue [this] ... critical component ..." The newspaper was not alone in sensing a pivotal issue and turning point. "Sanctions won't work without it [the national identity card]," Simpson immediately declared, promising to restore the essential element in hearings. "We'll consider everything but tattoos." The president did not rescue this component. The Justice Department on July 30 put forward the administration's immigration proposals. The president simultaneously issued a short statement of his own.

If observers had expected a conservative government to shift the policy options toward firmer law enforcement while condemning liberal laxity, they were surprised.

to 50,000 Mexicans to work in sectors of agriculture where it appeared that American labor was unavailable; 3) a grant of amnesty for illegals in the country prior to Jan. 1, 1980. In short, the Reagan administration merely offered a softer, more expansionist version of the Carter administration's recommendations, with a new "experimental" guestworker program added.

Reagan's own short message announcing these proposals could have been written by Ted Kennedy. He began with the ritual incantation that "Our nation is a nation of immigrants" which would always welcome more to our shores. But the "Cuban influx to Florida" required more effective policies that will "preserve our tradition of accepting foreigners to our shores, but to accept them in a controlled and orderly fashion ... consistent with our values of individual privacy and freedom."

In *The Congressional Politics of*

nothing in the long run to stem illegal immigration.

Had President Reagan committed himself to "fixing" the immigration problem, he might have made great progress in the early 1980s. Recalling that Simpson and Mazzoli in 1981-82 proposed to reform both legal and illegal immigration, the Smith Task Force could have helped "carry Simpson's water" by addressing at least the most glaring of the flaws in legal immigration that were vexing the public at this time of unprecedented refugee and asylum pressures from the Caribbean and Central America. Gempel and Edwards present evidence that many conservative Republicans in Congress had recently come for the first time to see refugee flows and illegal immigration as "redistributive policy," bringing into the country large numbers of impoverished and unskilled foreigners who would swell the welfare rolls. Broad immigration reform appeared ripe to become a popular Republican issue.

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Had the Reagan administration not squandered the available political and policy opportunities, a strong stand against amnesty would have had considerable support in Congress and, more so, with the public. If this fight had been made and the package had not cleared the House before the 1984 election, the president could have made the obstructionism of Tip O'Neill, Walter Mondale, and the Democrats an issue before an electorate strongly supportive of effective border control. After Reagan was re-elected, effective immigration reform would have come with his mandate.

More important, the Republican Party would have chosen the right, winning voice on immigration, marginalizing its open-border wing.

This scenario is not airtight. Even if we imagine Reagan taking a leadership role on an issue he disliked, it fails to reckon with the deeper forces at work upon the American political system. Democracies in the West demonstrably could not cope with the massive immigration pressures that began to build globally in the 1960s and that promise for at least another century to wash uncontrollably from south to north. Politicians in the West, most especially in the U.S., have feared to make immigration restriction an issue, lest the backlash of a swelling pool of ethnic voters cost more than is gained from the diffuse approval of an ambivalent public.

Ronald Reagan called himself a conservative, but on immigration, he was not, and neither were thousands of Republican operatives he installed in places where they could implement his

revolution. The Republican Party had two souls, one devoted to law and order and respect for the institutions of family, church, and nation; the other and more animated one steering not by those cautious and preservative instincts but by a libertarian, free-market, government-hating ideology. The latter quickly understood that immigration reform meant strong government somewhere, so with religious conviction they moved quickly from a total lack of interest in the subject to vigorous opposition. This struggle for the soul of the Republican Party did not last long because Ronald

Reagan's heart was not with the conservatives, but with the rightist ideologues.

Indeed, the reality was more startling. Reagan swam comfortably in a sea of liberalism. Yale law professor Peter Schuck has argued that the 1980s produced expansionist policy changes despite much public sentiment in the opposite direction: the genuflection to "diversity," universal humanitarian principles of human rights, a muddled notion that global free labor markets offer a sort of economic free lunch, and the idea that national sovereignty is obsolete.

So it came about that President Reagan, and those who shared his gut-level sentiments that immigration policy should be decided with reference to core beliefs in weak and frugal government and sunny California optimism, kept the nation on the road the Democrats put them on with the Immigration Act of 1965 and subsequent lax policing of borders. That road amounted to what Harvard sociologist Christopher Jencks has called "a vast social experiment of the kind that Republicans normally detest." Liberal Democrats, whose mission it is to launch social experiments, sent down the rails in the '60s this vast social experiment in essentially open borders and fought off ill-focused efforts by conservative Republicans in the '80s and '90s to question and slow it. On this issue, conservative Ronald Reagan, in a moment of critical import, lined up with the liberals, and his historical reputation should reflect this. ■

Otis L. Graham Jr. is professor emeritus of history at the University of California at Santa Barbara. This piece is adapted from an essay that will appear in The Reagan Presidency, edited by W. Elliot Brownlee and Hugh Davis Graham, to be published fall 2003 by University Press of Kansas. Used by permission.

[prosperity paradox]

Little Boxes Made of Ticky-Tacky

First they homogenized the milk—then the countryside.

By Fred Reed

IT IS FASCINATING, when it isn't just depressing, how often the things people want lead to exactly the things they don't want. The other day I was reading G. Gordon Liddy's book of conservative nostalgia, *When I Was a Kid, This Was a Free Country*. He paints a sunset picture of former times when America was free, farmers could fill in swamps without violating wetland laws, and guns were just guns. People were independent, had character, and made their own economic decisions. The market ruled as it ought, and governmental intrusion was minimal.

The picture is accurate. I lived it. I wish it would come back, but it won't. That was a world certain to kill itself. I wonder whether Mr. Liddy understands this—that the freedom he craves leads inevitably to the modern world he, and I, detest. The problem is the fundamental difference between a farmer's filling in a swamp on his land and a remote corporation's buying of the entire country for purposes of its own and not the nation's benefit. Both are exercises in economic freedom.

What happens is that, in an independent-minded rural county full of hardy yeomen, the density of population grows, either nearby or at distant points on each side. A highway comes through because the truckers' lobby in Washington wants it. Building a highway is A Good Thing, because it repre-

sents Progress and provides jobs for a year.

It also makes the country accessible to the big city fifty miles away. A real estate developer buys 500 acres along the river from a self-reliant, character-filled owner by offering sums of money that water the farmer's eyes.

First, 500 houses go up in a bedroom suburb called Brook Dale Manor. A year later, 500 more go up at Dale View Estates. This is A Good Thing, because the character-filled independent now-former farmer is exercising his property rights and because building the suburb creates jobs. The river now looks ugly as the devil, but worrying about that is for wackos.

At Safeway corporate headquarters, the new population shows up as a denser shade of green on a computer screen, and a new supermarket goes in along the highway. This is A Good Thing, exemplifying free enterprise in action and creating jobs in construction. Further, Safeway sells cheaper, more varied and, truth be known, better food than the half-dozen mom-and-pop stores in the county, which go out of business.

Soon the mall men in the big city hear of the county. A billion-dollar company has no difficulty in buying out another character-filled, self-reliant farmer who makes less than \$40,000 a year. A shopping center arrives with a Wal-Mart. This

is A Good Thing, etc. Wal-Mart sells everything—cheap.

It also puts most of the stores in the county seat out of business. With them go the restaurants, which no longer have the walk-by traffic previously generated by small shops. With the restaurants goes the sense of community that flourishes in a town with eateries and stores and a town square. But this is gronola philosophy, appealing only to meddlesome lefties.

K-Mart arrives, along with, beside the highway, McDonald's, Arby's, Roy Rogers, and the other way stations en route to coronary occlusion. Strip development is A Good Thing, because it represents the exercise of economic freedom. The county's commerce is now controlled by distant behemoths to whom the place is a pin on a map.

This is A Good Thing. The jobs in these outlets are secure and comfortable. The independent, character-filled frontiersmen are now low-level chain employees, no longer independent because they can be fired. Their new circumstances illustrate the rule that centralized power trumps rugged individualism every time. The local control of the past existed not because of the American character but because technology did not yet allow centralization.

A third suburb, Brook Manor View Downs, appears. The displaced urbanites in these eyesores now outnumber