

stood for. Back our initiatives, contribute to our campaigns, and line up support for us, whatever we do. Winning and holding a majority was the end, not the means. The chief disappointment is not that Republicans are so much worse than Democrats but that Republicans falsely claimed to be so much better.

Congressman Flake argues for “a course correction.” One surely is needed. But past attempts to make the policy game fair by re-jiggering the rules—limiting campaign contributions, for instance—merely reshuffled relative political influence. There undoubtedly are changes regarding legislative contacts and lobbyist gifts that would improve the image of Congress. They won’t improve the substance of legislation, however.

The real problem in Washington is substantive. The federal government does far too much and does much of it badly. Legislators serve too long, becoming captives to Washington and willing participants in its culture of spending. Congressional rules, by legitimizing fake emergency spending bills, allowing earmarks, and encouraging midnight legislating, reinforce the bias toward ever expanding government. The basic problem is too much and too concentrated political power.

As such, no package of lobbying reforms is likely to prevent another scandal in the future. Until government shrinks, Washington will—inevitably, understandably, and even appropriately be overrun with lobbyists, which guarantees that there will be future lobbying soap operas to thrill denizens of the nation’s capital again. ■

Doug Bandow is Vice President of Policy for Citizens Outreach. A collection of his columns, Leviathan Unchained: Washington’s Bipartisan Big Government Crusade, will be published by Town Forum Press.

Reformers’ Roadblock

The Senate is where immigration control goes to die.

By W. James Antle III

WHEN THE HOUSE of Representatives decisively passed a stringent immigration-enforcement measure that included a security fence along the southwest border, Congressman Tom Tancredo (R-Colo.) exulted, “What would be the best Christmas present to the American people is pictures of concrete being poured.” Now the bill’s proponents will have to scale a different wall—a historically unreceptive Senate.

A combination of custom and entrenched procedural roadblocks to rapid legislation makes the Senate an inherently more conservative institution than the House. But ever since Republicans have controlled Washington, conservatives have found the world’s greatest deliberative body a frustrating place. From tax cuts to abortion restrictions, senators have failed to match their lower-chamber colleagues’ enthusiasm for policies favored by the Right. Conservative congressmen who move on to the Senate often lament its inaction and inertia.

None of this bodes well for immigration reform, since even many conservative senators are of the *Wall Street Journal* editorial-page variety—agreeing with Calvin Coolidge that the business of America is business, they fear a strong immigration-enforcement posture will cripple home-state employers. Political analysts expect many of the tougher sections of the House bill to be diluted or dropped entirely and there may even be a bid to add amnesty in the form of guest-worker status for at least some illegal aliens.

Immigration reformers are acutely aware of the problem. Almost immediately after the December House vote, they shifted from euphoria to guarded optimism. Veteran conservative activist Phyllis Schlafly warned, “Senators up for re-election in 2006 had better listen” to the grassroots. Restrictionist writer Juan Mann asked in VDARE, “Will America ever get to unwrap its H.R. 4437 Christmas presents? ... or will the Senate Grinches steal them first?” Minuteman founder Jim Gilchrist told me that “off the top of [his] head” he “couldn’t think of one senator” aligned with him on immigration.

This is an overstatement, but the differences between the two houses on illegal immigration are stark. The House-passed Border Protection, Antiterrorism, and Illegal Immigration Control Act contains new funds to police the border and remove illegal aliens from the workplace, without offering anything that could be reasonably construed as amnesty. In addition to the famous fence, the bill cuts funds to local governments that effectively shield illegal aliens from federal immigration laws while giving new tools to co-operative state and municipal authorities and makes illegal immigration a felony. This has been dubbed the “enforcement-only” approach.

In the Senate, on the other hand, the main immigration proposals contain elements that strengthen border and interior enforcement while inviting new guest workers and legalizing millions of illegal aliens. Backed in varying degrees

by senators ranging from Ted Kennedy (D-Mass.) to Jon Kyl (R-Ariz.), such bills are marketed as “enforcement plus.” The theory is that guest workers would satiate enough of the demand for cheap foreign labor to make a crackdown more practical, but the huge volume of guest-worker applicants and probable increase in illegal immigration may overwhelm any get-tough strategy—and the toughness of some of these bills’ enforcement provisions is in dispute.

A key difference is that in the House, Tancredo’s Congressional Immigration Reform Caucus commands over 90 votes. Initially, Congressman James Sensenbrenner (R-Wis.), the immigration-enforcement act’s chief sponsor, expressed some openness to the addition of guest workers to his bill. But the Immigration Reform Caucus decided to vote as a bloc, defeating any language

immigration. Congressman Lamar Smith (R-Texas) led the charge for a new restrictive policy in the House; then-Sen. Alan Simpson (R-Wyo.) was its champion in the Senate. They received support from unlikely quarters. Many of their goals were endorsed by a Clinton-appointed immigration-reform commission, chaired by former Congresswoman Barbara Jordan (D-Texas).

In 1996, the strongest bills were defeated. There were punitive measures taken against illegal aliens as well as the curtailment of taxpayer benefits available even to legal immigrants, but no comprehensive border-security strategy ensued. Immigration levels were not cut. Instead the 1990s set records in mass immigration. Yet the Republican Congress retained the anti-immigrant tag without substantially changing the country’s policies. An activist familiar

slower to gain a foothold among senators than in the House, which is by design closer to the electorate.

But the immigration debate has changed since the 1990s in ways that even the Senate can no longer ignore. In highly affected states, the issue no longer cuts along traditional political lines. Arizona Gov. Janet Napolitano recently called for a \$100 million plan to curtail illegal immigration in her state. She would punish employers, prosecute those who specialize in smuggling aliens or furnishing them with fake documents, and pay the National Guard to police the border. Napolitano is not a conservative House backbencher; she is a mainstream Democrat.

Nor is she alone. Sen. Dianne Feinstein (D-Calif.) told the *San Francisco Chronicle*, “I would have a very difficult time supporting any guest worker bills, because most guest worker programs are magnets for illegal immigration.” This puts Feinstein to the right of the White House, but no one seems to think she is in danger of losing the Hispanic vote. Even smaller, sector-specific amnesties have stalled. Support for the agricultural workers’ AgJOBS amnesty fell 10 votes from 2004, when it had 63 cosponsors, to now, when it cannot even get to the Senate floor.

Freshman Sens. Tom Coburn (R-Okla.), David Vitter (R-La.), and Johnny Isakson (R-Ga.) are all veterans of the Immigration Reform Caucus and have remained amnesty opponents. Sen. Richard Burr (R-N.C.) is also to the right of his predecessor, 2004 Democratic vice-presidential nominee John Edwards, on immigration. And struggling GOP incumbents aren’t going to be eager to add amnesty to their voting records in an election year.

As the Senate takes up immigration, reformers shouldn’t pour champagne—or concrete—but neither should they surrender. ■

THE SENATE HAS NO TOM TANCREDOS AND NO COMPARABLE FACTION SINGLE-MINDEDLY DEVOTED TO IMMIGRATION CONTROL.

that even implied amnesty or guest workers. The Republican leadership decided that an enforcement-only bill was better than no bill at all.

So apparently did the Bush administration, which despite its vocal support for guest workers cautiously praised the House’s bill. But the Senate has no Tom Tancredos and no comparable faction single-mindedly devoted to immigration control. Thus the White House can still hope that when the Senate passes its version and a conference committee meets to iron out the differences, it will get something more to its liking.

It wouldn’t be the first such setback immigration reformers have endured. When the debate last swept Washington in the mid-1990s, Congress was on the verge not only of strengthening law enforcement but also reducing legal

with the debate complained, “They used our own sentiments against us to produce bills that weren’t really reform.”

Part of the problem was that immigration reformers could count on relatively few liberal votes and the Right was split. John Judis, writing in *The New Republic*, noted that these internal conservative divisions persist. He distinguished between pro-business Republicans, attuned to labor-market needs, and social conservatives, who see illegal immigration mainly as an issue relating to the integrity of the American nation-state.

In the Senate, the pro-business wing has so far had the upper hand. Elected statewide, senators need more support from business interests and are less vulnerable to Gilchrist-style third-party challenges. Immigration reform is largely backed by a populist movement and thus

Beyond Sharon

How does one explain the preoccupation of Washington officials and leading news outlets with the health of Ariel Sharon? Consider this sampling of headlines:

“Sharon Resumes Breathing, Moves Hand, Leg”; “Sharon Starts Breathing But Still Critical”; “PM’s Associates Optimistic; Say He Coughed, Moved.” Or the speculation about who will head the political party he formed, Kadima, with the media providing bios of almost every Israeli political apparatchik. And then there are the tributes, long on words and sentimental accounts of Sharon’s life story, including interviews with his high-school teachers.

Sharon’s death, we are told, could bring an end to the peace process, make it impossible to resolve the Palestinian-Israeli conflict, lead to a full-blown Middle East war, including nuclear exchanges between Israel and Iran, a devastating oil crisis, the collapse of the Global Economy, and who knows what else.

Concerns over the critically ill Sharon led Secretary of State Condoleezza Rice to cancel a planned trip to Indonesia, the world’s largest Muslim nation, and to Australia, a key U.S. ally in the Pacific. Rice stayed, according to Reuters, “to liaise in Washington with President George W. Bush’s other top foreign policy aides without the problems of time differences.” She is worried that with Sharon not expected to return to politics the Bush administration’s bid to resolve the Middle East conflict might be stalled because no other Israeli official has the clout to push a settlement.

But before the White House announces the creation of a special federal agency to deal with Sharon’s health problems and CNN launches a daily news program entitled “Sharon’s Stroke: A Global Catastro-

phe,” let’s put things in perspective.

Israel is a small state with 6 million citizens and a client of the United States. Yes, it’s an important military power in a strategic part of the world. But so are Indonesia and Australia.

Moreover, there hasn’t been any peace process for a long time, and neither Sharon nor the U.S. has done much to revive it. If anything, Sharon has argued that since there was no chance of getting the Israeli-Palestinian talks restarted, his government would take unilateral steps to withdraw from the Gaza Strip and eventually parts of the West Bank.

The withdrawal from Gaza and the removal of about 9,000 Jewish settlers who lived there—it was Sharon who had helped settle them there in the first place—have been backed by more than 70 percent of Israeli voters based on cost-benefit considerations of Israeli interests. Why waste lives and resources protecting a few Jewish settlers living in the midst of a hostile Palestinian population? There was nothing really courageous about Sharon’s decision to withdraw from Gaza, and one should expect that even under the least qualified political figures, Kadima will emerge as the winner in the coming elections.

In any case, the Bushies have neither the power nor the will to take care of the mess in the Holy Land when they are drowning in the mess in Iraq and are forced to prepare for new confrontations with Iran and Syria, while pressing Egypt and Saudi Arabia to “democratize.”

Even if Sharon had continued to function as prime minister, it’s not clear how

Washington would be able to contain the rising political instability and violence in the Gaza Strip, where the moderate head of the Palestinian Authority is facing serious challenges from Hamas—thanks in part to the Bush administration’s insistence on holding elections in the Palestinian territories.

What the Bush administration is confronting in Israel/Palestine and in Iraq are the constraints on U.S. power. It hopes that by talking about “democracy” and “the peace process” and by contracting its business to Iraq’s militias or to Israel’s Sharon, it can create the impression that it’s “in charge” in Iraq and “doing something” to bring peace.

When Madeleine Albright had the nerve to suggest during a recent meeting with Bush that attacking and occupying Iraq, a fourth-rate military power, was “taking up all the energy” of the administration’s foreign-policy team—while the real threats of nuclear programs in North Korea and policies towards China and Latin America were being neglected—Bush bristled and argued that his administration “can do more than one thing at a time.”

In fact, the Bush administration doesn’t seem to be able to do more than one thing when it comes to Iraq, Israel/Palestine, and the rest of the Middle East, not to mention the rest of the world. Washington needs to recognize that it should bring in others, including the Arab states, Turkey, and Iran—not to mention the European Union, Russia, and China—to help it manage the problems of the Middle East. That’s a more important task than following Sharon’s medical condition. ■

Leon Hadar is a Cato Institute research fellow and author of Sandstorm: Policy Failure in the Middle East.