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Immigration, Affirmative Action and Public Goods

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Max Neiman and Eric McGhee's analysis of California poll data strongly reinforces the conclusions of researchers examining similar questions in other places: Voters restive about a large immigrant population and, more generally, voters in any kind of ethnically or socially diverse society, tend to be more resistant to generous spending on schools, parks, and other public goods than those in more homogeneous communities. That may be particularly the case when, as in California, voters see the likely benefits going to people they regard as not legally entitled to be in the country at all.

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But, adding a significant note of caution, Neiman and McGhee find that this is a more complex story than some of us believed: "When the proportion of individuals who express concern about immigration exceeds a certain level," they conclude, "there is a rapid decline in the issue's influence on broader attitudes about government." The relationship is not a straight line: it looks more like the end of a coat hanger.

That, they say, may explain why recent attempts (almost always by Republicans) to exploit immigration as a wedge in the congressional elections of 2006 (and again in 2008) seemed to be so dramatically unsuccessful. In effect, the more people who join hard core conservatives in citing immigration as the most important issue at any given time, Neiman and McGhee find, the weaker is the intensity of

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the commitment to smaller government. That may, in fact, not be so different from other hot-button issues, say gun control, where passion and activism of hard-core gun-rights supporters can easily overwhelm the larger numbers who support greater gun controls. Political intensity is almost inevitably weaker at the margins.

But the issue may in fact be still more complex. Even as immigration was a smaller factor in 2006 and 2008 than many people had expected, it generated strong waves of backlash in hundreds of local communities that sought to prohibit landlords from renting to illegal aliens and employers from hiring them, and in the passage (in 2004) of state laws or initiatives like Proposition 200 in Arizona, which requires, among other things, all prospective voters and applicants for public benefits in that state to show proof of citizenship. In Maricopa County, which includes Phoenix, Sheriff Joe Arpaio has famously exploited the hounding and public humiliation of illegal aliens in pursuing his political career.

More important perhaps, and something that has rarely been mentioned in the examination of the links between backlash against immigration and voters' willingness to support public goods, is that America's greatest era of progressive social and economic legislation, the years of the New Deal, the New Frontier and the Great Society (1933–1968) was also the era of the lowest rates of immigration in the nation's history. The tight national origins immigration

quota law enacted in 1924 went into effect at the end of that decade. It was repealed in 1965. With the exception of the controversies over the admission of European refugees from Hitler during those years and displaced people after the war, immigration ceased to be an issue during those years.

A few scholars have recently raised the question of whether the New Deal would even have been possible had unrestricted immigration continued into the 1930s. The passage in 1978 of Proposition 13, California's property tax-limitation initiative, which as much as anything else marked the end of the state's postwar New Deal-style optimism, was in part traceable to the state's rapidly changing demographics. California's "immigrants" in the 1940s and 1950s were WASPs from Kansas and Iowa; beginning in the 1970s, they came increasingly from Mexico, Central America, and Asia.

It was Howard Jarvis, the principal author of Proposition 13, who complained (in a newspaper opinion piece) about the "illegal aliens who come here to get on the taxpayers' gravy train." California journalists and officials who warn about the dangers of crowded schools and budget deficits are periodically barraged by letters and email blaming most of the state's ills on immigrants or, more directly on "Mexicans" and their children. In 1994, California Gov. Pete Wilson partially based his re-election campaign on the same connections.

Equally important, at least in the context of the current immigration debates, is the difficulty, which the authors inferentially acknowledge, of teasing the issue of immigration from a wider social conservatism. Nativism in this country, and often elsewhere, has almost invariably hitched immigration and xenophobia to an array of other perceived immigration-associated evils that contemporary poll respondents may conveniently cite as more important: crime, terrorism, disease, drug abuse, alcoholism, unemployment, illiteracy, environmental degradation, urban crowding. Any of them may be invoked as a politically correct surrogate for immigrants, especially in an age when the very phrase “illegal immigrant” or even the word “immigrant” may carry racial overtones. (A century ago immigration was itself sometimes described as an epidemic).

The Obama victory and the losses congressional Republicans sustained in 2008 were widely traced to the growing electoral clout of immigrant and “minority” voters. If only non-Hispanic whites had voted, John McCain would have won. At the same time the posture of besieged defensiveness that many Republicans have assumed both in Washington and in Sacramento itself seems to derive from their discomfort at finding themselves engulfed by a rising tide of non-European immigrants, out-of-the-closet gays, worries about global warming, complex foreign challenges, and declining American dominance that they aren’t prepared for.

But if the basic link between voter resistance to generous public goods and anti-immigrant animosity, now reinforced by the growing body of research to which the Neiman/McGhee paper is a major addition, is correct, it’s also a cautionary signal for liberals supporting progressive public policies. If the nation’s estimated 11 million illegal immigrants are regularized, regardless of the terms, to what extent will it further undercut liberal hopes for additional public goods—access to tax supported health care, expanding opportunities for public higher education, universal preschool, and all the rest?

In California, as elsewhere in this country, as the gap slowly closes between voters who are disproportionately white and the general population, which is increasingly Latino and Asian—as immigrants become voters and cease to be “others”—presumably the phenomenon that Neiman and McGhee so well describe will begin to diminish as well. The national election in 2008 was a step in that process.

But California’s ongoing fiscal problems and its chronic governmental stalemate indicate how long and difficult that process is still likely to be. Californians voted overwhelmingly for Obama and other Democrats, but they stubbornly resist reducing the state’s legislative supermajority requirements for enacting budgets or raising taxes, a step that would deliver real control to the state’s majority Democrats and the ethnic minorities they represent. In

effect, the voters seem no more comfortable with the growing power of Mexicans and Salvadorans than the Yankees of Massachusetts were with the growing political clout of the immigrant Irish at the turn of the last century.

Yet another element lurking behind the Neiman/McGhee findings is the inherent contradiction between race-based affirmative action programs and open-door immigration policies. Affirmative action, created to remedy the lingering effects of slavery and Jim Crow, was never intended for the minorities, particularly groups heavily composed of recent immigrants, whose spokespeople have piggy-backed on to it in the past three decades. In 2007, Ward Connerly, Sacramento's influential anti-affirmative action activist wrote a letter to members of Congress urging the introduction of language into the comprehensive immigration reform bill then being debated that new immigrants admitted or legalized under the act "shall not be considered to be 'historically disadvantaged,' 'underrepresented,' or to be in a 'protected class' and shall not be entitled to any preferential or remedial employment goals, educational admissions goals or contracting goals by any entity subject to the civil rights laws of the United States." If immigration is one of the shadows over public goods, the entitlement of immigrants to public goods is one of the shadows over immigration.

The act never became law, and Connerly's provision sits on the shelf, but as the Obama administration begins

to think about addressing immigration, affirmative action—and more broadly, the nation's willingness to support generous public programs—represents one of the hot socio-political issues that the authors of any future comprehensive immigration legislation will have to deal with. And, of course, they add yet another consideration to the larger point Neiman and McGhee make so well, and one of the many quandaries that contemporary American economic and social liberals have not yet begun to wrestle with.