

The Importance of Immigration Reform for Obama's Legacy

Michael D. Layton*

After a U.S. President is inaugurated for a second time, if not before, his attention shifts from his reelection to his legacy. How will the nation evaluate the eight years he served as its first executive? How will future generations judge his tenure in office?

For Barack Obama this question has become paramount, and some tentative answers have begun to emerge. To begin with, he will always be recognized as the first African-American president, an important milestone in the advance of racial equality in the United States. In terms of his decisions in office, a series of both domestic and foreign policy initiatives and events will certainly factor into any assessment of his legacy: “Obamacare”; Guantanamo Bay; the



Arturo Nava

killing of Osama Bin Laden; his use of drones; the Boston Marathon bombing; and an array of foreign policy challenges (Iraq, Afghanistan, Iran, the Arab Spring, Benghazi, Syria, North Korea, and the list goes on).

There is one public policy issue that has emerged from Obama's reelection that will have an important and enduring impact not only on any assessment of his legacy but also

* Full-time professor and director of the “Philanthropy and Civil Society” project at the Autonomous Technological Institute of Mexico (ITAM) International Studies Department, layton@itam.mx.

What is at stake for Obama is not just
a campaign promise, but solidifying his legacy
and a partisan advantage in the electorate
for the long term.

on the balance of power between Democrats and Republicans for decades: immigration reform.

Major policy reforms at key moments of United States history have cemented a president's legacy and solidified his party's electoral support. Abraham Lincoln's defense of the union and support for the Thirteenth Amendment, which ended slavery (and was immortalized in Steven Spielberg's 2012 movie), solidified Republican dominance for the rest of his century. Franklin Delano Roosevelt's New Deal transformed the relationship between the national government and society and forged a dominant partisan coalition for decades.

Can Obama's leadership on immigration reform, combined with looming demographic changes in U.S. America, cement not only Obama's legacy but also a lasting Democratic electoral advantage? In this essay, I will first establish the importance of Latino and minority voters to Obama's two electoral victories and discuss why immigration reform is so important to Latino voters. Then, I will turn my attention to the monumental demographic changes that will transform the United

States in the coming decades, and discuss their implications for Obama's legacy.

WHY LATINOS MATTERED TO OBAMA,
2008 AND 2012

The fact that heightened minority turnout and vote share made it possible for Obama to win the presidency in 2008 and retain the White House in 2012 is by now accepted wisdom. As shown in the table below, Obama lost the white vote in both elections, by 12 points in 2008 (43 percent to 55 percent) and by a staggering 20 points (39 percent to 59 percent) in 2012.¹ His support among minority groups compensated for this disadvantage, as African-Americans (93 percent), Latinos (71 percent), and Asians (73 percent) threw their support even more enthusiastically behind the incumbent (see Table 1).

The other noteworthy change from 2008 to 2012 was the overall racial composition of the electorate. There was a decline in the percentage of the electorate comprised by white voters, from 74 percent to 72 percent, but increases in Latino (from 9 percent to 10 percent) and Asian voters (from 2 percent to 3 percent). This is the first time that the total number of votes declined for any racial or ethnic group, in which the vote total from whites went from over 100 million in 2008 to just over 98 million in 2012, while the total votes cast by Blacks (plus 1.7 million), Latinos (1.4 million) and Asians

TABLE 1
VOTING BY RACIAL/ETHNIC GROUP IN THE 2008 AND 2012 ELECTIONS

	2008			2012		
	Group	Obama	McCain	Group	Obama	Romney
	Percent			Percent		
All Voters	(%)	53	45	(%)	51	47
White	74	43	55	72	39	59
African-American	13	95	4	13	93	6
Latino	9	67	31	10	71	27
Asian	2	62	35	3	73	26
Other	3	66	31	2	58	38

Source: Roper Center Public Opinion Archives, http://www.ropercenter.uconn.edu/elections/how_groups_voted/voted_08.html and http://www.ropercenter.uconn.edu/elections/how_groups_voted/voted_12.html.

If the Democrats can keep
their electoral advantage among Latinos
and other racial minorities, as well as the youth,
they will marginalize Republicans for
the foreseeable future.

(0.5 million) all went up.² The relatively low turnout among white voters and increasing share among key minorities added up to a victory for Obama, although his overall margin of victory declined from eight to four percentage points. It is also worth noting that the total number of votes he received declined, the first time this has occurred for a successfully re-elected president in modern times.

Noted conservative commentator Bill O'Reilly saw this as a fundamental shift in political power and the orientation of the electorate and the government: "It's a changing country, the demographics are changing. . . . It's not a traditional America anymore, and there are 50 percent of the voting public who want stuff. They want things. And who is going to give them things? President Obama." He rather glumly concluded, "The White establishment is now the minority."³

Eliseo Medina, secretary-treasurer of the Service Employees International Union, had a very different assessment: "The Latino giant is wide awake, cranky, and taking names."⁴ Given the importance Latino voters had demonstrated on election day, they had every right to be cranky: first, at leading Republicans, including Mitt Romney, for embracing the policy of self-deportation as a solution to the broken immigration system; and second, at Barack Obama, who had not only failed to move on immigration reform during his first term but had also deported record numbers of undocumented immigrants in every one of his first four years in office. Obama did have an important saving grace: in June 2012, he took executive action to address the situation of so-called "Dreamers," formally called Deferred Action for Childhood Arrivals (DACA), which temporarily suspended the deportation of young people residing unlawfully in the U.S who immigrated as children with their parents. This action provided a measurable boost among Latinos in their level of support and enthusiasm for Obama's re-election.⁵

In an interview with *Rolling Stone Magazine*, when asked what he would do with a second term, Obama responded, "Immigration reform I believe we'll get done, because the Republican Party will start recognizing that alienating the fastest

growing segments of our society is probably not good politics for them – not to mention the fact that immigration reform is the right thing to do." From November 7 onward, the Obama administration made clear its commitment to comprehensive immigration reform. As the president proclaimed in Mexico City, "Without the strong support of Latinos, including so many Mexican Americans, I would not be standing today as President of the United States. That's the truth."⁶ With his next breath he began to talk about the need for immigration reform.

At first glance it might not seem obvious why Latino voters are so interested in immigration reform. After all, many public opinion polls before the election indicated that the slow economic recovery was their primary concern. In addition, only citizens can vote, so anyone without legal immigration status or who had not yet become a citizen could not vote anyway. But this perspective underestimates the intimate links between Latinos on both sides of the citizenship divide.

A Latino Decisions poll done in March 2013 found that 63 percent of Latinos eligible to vote "know somebody who is an undocumented immigrant" and that 39 percent "know someone who has faced detention or deportation for immigration reasons."⁷ Thus, while commentators might debate the pros and cons of reform in the abstract, for those Latinos who enjoy the right to vote, immigration policy has great personal relevance, especially the harsh reality of detention and deportation. Another groundbreaking poll by Latino Decisions, this time of undocumented immigrants, found that 85 percent have family members who are U.S. citizens and three-fifths have a U.S.-born child. In addition, nearly nine out of ten plan to apply for citizenship if immigration reform were to pass.⁸

INTERPLAY OF CONGRESS AND THE PRESIDENT

In the U.S. system of separation of powers, President Obama is dependent on Congress to enact legislation, and the recently elected 113th Congress presents a fascinating panorama. Many have proclaimed the newly elected House as the most racially diverse ever. Here are the numbers as reported by the *National Journal*: 101 women; 42 African-Americans, 31 Hispanics, 12 Asian-Americans, and 7 openly gay or bisexual members. With a total of 435 members, the House is about one-third minorities, compared with a national minority population of 36 percent. Not only is the electorate more racially

diverse, so are its duly-elected representatives. The Senate, however, has only six minorities among its 100 members: three Hispanics, two African-Americans, and one Asian-American. This year saw a record number of 20 female senators: although a far cry from being half, this number does represent an important advance, when as recently as the 1970s there were years when not a single woman served as senator.⁹

Ironically, the Senate is the point of origin for the most important and promising comprehensive immigration reform proposal. The Group of Eight, evenly divided between Democrats and Republicans, has taken the lead in developing the legislation. One of its members, Sen. John McCain (R-Arizona), frankly stated the core motivation of Republican support: “Elections, elections.”¹⁰ But this pragmatic, electoral motivation is at odds with a key element of the conservative, Republican ideology: the rejection of any “amnesty” for those who have broken the law by immigrating illegally. For Democrats and their constituents, a pathway to citizenship is an essential element of reform. Hence, the proposed legislation, the Border Security, Economic Opportunity, and Immigration Modernization Act, contains two key aspects: first, securing the border combined with rigorous employer enforcement, and second, a comprehensive reform of immigration law that includes a challenging pathway to citizenship.¹¹

It did not take long before cracks in Republican support for the bill began to emerge. The primary Republican spokesperson for the bill is Senator Marco Rubio (R-FL), a rising star in the party not only for his Cuban-American heritage, but also for his conservative credentials. He has come into direct, public confrontation with former Senator Jim DeMint, who now leads the Heritage Foundation conservative think tank. Heritage published a damning analysis of the reform that claimed it would cost more than US\$6.3 trillion to implement, although the contents of the report have been overshadowed by a scandal involving racist claims by one of the co-authors in his doctoral dissertation. (The researcher, Jason Richwine, wrote in his 2009 Harvard dissertation, “No one knows whether Hispanics will ever reach IQ parity with whites, but the prediction that new Hispanic immigrants will have low-IQ children and grandchildren is difficult to argue against.”)¹²

What is at stake for Republicans is not simply their support of immigration reform, but their relationship with a growing segment of the population. What is at stake for Obama is not just a campaign promise, but solidifying his legacy and a partisan advantage in the electorate for the long term.

DEMOGRAPHY, PARTISANSHIP, AND OBAMA’S LEGACY

The question this essay addresses is whether immigration reform can cement Obama’s legacy in terms of cementing the support of “minority” voters, especially Latinos, for the Democratic Party. One issue beyond dispute is that soon whites will no longer constitute a majority of the U.S. population, and the country will soon be “majority-minority,” i.e., what are today considered racial and ethnic minorities will soon constitute more than half the population. Whichever party wins their loyal support will dominate electoral politics for the foreseeable future.

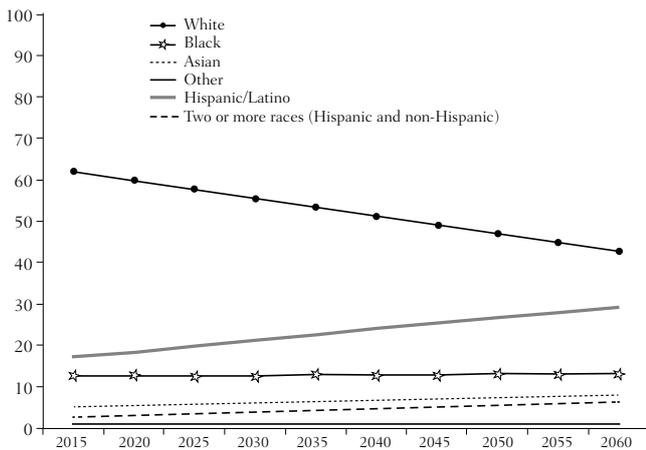
The demographic projections tell a compelling story. By 2060 the Census Bureau forecasts that the percentage of whites will decline by 20 percentage points, from 62 percent to 43 percent, while the percentage of Hispanics will rise from 18 percent to 29 percent, Asians will grow from 5 percent to 8 percent, and those reporting two or more races will double from 3 percent to 6 percent. The United States will become what California, Texas, New Mexico, Hawaii, and the District of Columbia are today: minority-majority (see Table 2).

The other critical aspect of this demographic transformation is age: this demographic showdown was presaged by Ron Brownstein writing in the *National Journal*: “Brown Versus Gray,” popularizing the work of Brookings Institution demographer William Frey, who “projects that minorities will constitute an absolute majority of children by the end of this decade.” As the young, brown generation grows, the white population will age, with the number of senior citizens enrolled in government programs doubling from 40 million to 80 million in two decades, and more than four-fifths of these beneficiaries are white.¹³

The reality is that if the Democrats can keep their electoral advantage among Latinos and other racial minorities, as well as the youth, they will marginalize Republicans for the foreseeable future. What impact will immigration reform have upon how racial and ethnic groups align with the political parties?

For Latinos who enjoy the right to vote,
immigration policy has great personal relevance,
especially the harsh reality of detention
and deportation. Eighty-five percent have family
members who are U.S. citizens, and three-fifths
have a U.S.-born child.

TABLE 2
POPULATION PROJECTIONS BY RACE
AND HISPANIC ORIGIN, 2015 TO 2060



Source: United States Census Bureau, “Projections of the Population by Sex, Race, and Hispanic Origin for the United States: 2015 to 2060,” 2012 *National Population Projections*, <https://www.census.gov/population/projections/data/national/2012/summarytables.html>

Using a bizarre analogy, conservative and Tea Party leader Dick Armey said, “You can’t call someone ugly and expect them to go to the prom with you. We’ve chased the Hispanic voter out of his natural home.” But it is wishful thinking on the part of Republicans to imagine that their support of immigration reform will win them Latino votes: on a number of other issues there is an important rift. In other words, the Republican Party is not necessarily the “natural home” for many Latinos. For example, Latino voters are more supportive of gay marriage and health care reform, and many see the government as key to their achievement of the American dream, a notion at odds with the Republican anti-government rhetoric. Some polls estimate that Latinos lean Democrat by a two-to-one margin, and that advantage is even more pronounced among younger Latinos.¹⁴

Obama’s support for immigration reform and the internal debate among Republicans about whether to favor it reflect the histories of both parties. When the Republican Party was born in the 1850s, it benefitted from the support of the nativists elements of the Know Nothings and the American Party, who opposed immigration and the Catholicism of most immigrants. On the other side, the ranks of the Democratic Party swelled with newcomers to America, especially the Irish and Germans. In a sense it is more consistent historically for

Many have proclaimed the newly elected House as the most racially diverse ever. 101 women; 42 African-Americans, 31 Hispanics, 12 Asian-Americans, and 7 openly gay or bisexual members. The House is about one-third minorities.

the Democrats to favor immigration reform, while it goes against the grain of the history of the Republican Party.¹⁵

It the end, Obama’s support for immigration reform might not be enough for him to be credited with solidifying the support of Latinos and other minorities for the Democrats. Clearly, he is the beneficiary of the long-term trajectory of his own party and that of his opponents. A central issue in determining a president’s legacy is how much credit he deserves for what transpires during his term. In the case of Barack Obama, his biography aligned with demographic change in America, and a test for Democrats will be whether subsequent candidates will elicit similar levels of support, enthusiasm, and turnout. **MM**

NOTES

- ¹ It is important to note that it is not uncommon for Democratic presidential candidates to do poorly among white voters. In their losing efforts in 2004, Kerry garnered 41 percent, and in 2000 Gore earned 42 percent of their votes.
- ² Thom File, “The Diversifying Electorate-Voting Rates by Race and Hispanic Origin in 2012 (and Other Recent Elections),” *Current Population Survey Reports*, pp. 20-569 (Washington, D.C.: U.S. Census Bureau, 2013), <http://www.census.gov/prod/2013pubs/p20-568.pdf>, accessed May 9, 2012.
- ³ Bill O’Reilly, “The White Establishment Is Now the Minority,” November 07, 2012, Fox Nation, <http://nation.foxnews.com/bill-oreilly/2012/11/07/bill-o-reilly-white-establishment-now-minority>, accessed May 9, 2013.
- ⁴ Carrie Budoff Brown, Jake Sherman, and Manu Raju, “2012 Election Puts Spotlight on Immigration Reform,” November 8, 2012, <http://www.politico.com/news/stories/1112/83552.html#ixzz2Sj0BqwZs>, accessed May 10, 2012.
- ⁵ Immigration Policy Center, “Deferred Action for Childhood Arrivals (DACA): A Resource Page,” October 25, 2012, <http://www.immigrationpolicy.org/just-facts/deferred-action-childhood-arrivals-resource-page>, accessed May 7, 2012. *Latino Decisions*, “New Poll: Obama leads Romney among Latinos in key 2012 battleground states,” June 12, 2012, <http://www.latinodecisions.com/blog/2012/06/22/new-poll-obama-leads-romney-among-latinos-in-key-2012-battleground-states/>, accessed May 17, 2012.
- ⁶ Douglas Brinkley, “Obama and the Road Ahead: The Rolling Stone Interview,” *Rolling Stone Magazine*, November 8, 2012, <http://www.rollingstone.com/politics/news/obama-and-the-road-ahead-the-rolling-stone-interview-20121025>. “Remarks by the President to the People of Mexico,” <http://www.whitehouse.gov/the-press-office/2013/05/03/remarks-president-people-mexico>, accessed May 7, 2013.

- ⁷ Latino Consortium/Latino Decisions CIR Poll Toplines-Released March 18, 2013; http://www.latinodecisions.com/files/1913/6357/1744/Latino_Consortium_Toplines_-_March_18_Release.pdf, accessed May 15, 2013.
- ⁸ Matt Barreto and Gary Segura, "Poll of Undocumented Immigrants Reveals Strong Family and Social Connections in America," *Latino Decisions*, April 15, 2013, <http://www.latinodecisions.com/blog/2013/04/15/poll-of-undocumented-immigrants-reveals-strong-family-and-social-connections-in-america/>, accessed May 17, 2013.
- ⁹ Doris Nhan, "Map: Compare the Diverse 113th Congress with a Diversifying U.S. Population," *National Journal*, March 15, 2013, <http://www.nationaljournal.com/thenextamerica/demographics/map-compare-the-diverse-113th-congress-with-a-diversifying-us-population-20130315?mrefid=skybox>, accessed May 12, 2012.
- ¹⁰ Dana Bash and Tom Cohen, "Possible Compromise on Immigration Reform Takes Shape," *CNN*, January 28, 2013, <http://www.cnn.com/2013/01/28/politics/immigration-reform>, accessed May 7, 2013.
- ¹¹ For the complete bill and summary, see <http://www.govtrack.us/congress/bills/113/s744>.
- ¹² Anna Palmer and Tarini Parti, "Immigration Battle: Marco Rubio vs. Jim DeMint," *Politico*, May 8, 2013, <http://www.politico.com/story/2013/05/rubio-demint-immigration-91048.html>; Robert Rector and Jason Richwine, Ph.D., "The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer," The Heritage Foundation, http://thf_media.s3.amazonaws.com/2013/pdf/sr133.pdf; Dylan Matthews, "Heritage Study Co-author Opposed Letting in Immigrants with Low IQs," *The Washington Post: Wonkblog*, May 8, 2013, <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/05/08/heritage-study-co-author-opposed-letting-in-immigrants-with-low-iqs/>, accessed May 17, 2013.
- ¹³ Ronald Brownstein, "The Brown versus Gray: The Demographic Schism between Minority Youth and Elderly Whites May Polarize American Politics for Decades," *National Journal*, June 2, 2011. http://www.nationaljournal.com/njonline/no_20100508_1960.php/brown-versus-gray-20110602, accessed May 7, 2013.
- ¹⁴ Andrew Dugan, "Democrats Enjoy 2-1 Advantage Over GOP among Hispanics," February 25, 2013, <http://www.gallup.com/poll/160706/democrats-enjoy-advantage-gop-among-hispanics.aspx>; Matthew Cooper, March 17, 2013, "GOP Can't Win Latinos Over Immigration," <http://www.nationaljournal.com/thenextamerica/politics/gop-can-t-win-latinos-over-immigration-20130317>; Paul Taylor, Mark Hugo Lopez, Jessica Hamar Martinez, and Gabriel Velasco, "When Labels Don't Fit: Hispanics and Their Views of Identity," Pew Hispanic Center, April 4, 2012, <http://www.pewhispanic.org/files/2012/04/PHC-Hispanic-Identity.pdf>, accessed May 16, 2013.
- ¹⁵ William E. Gienapp, "Nativism and the Creation of a Republican Majority in the North before the Civil War," *The Journal of American History* vol. 72, no. 3, December 1985, pp. 529-559, <http://www.jstor.org/stable/1904303>, accessed May 7, 2013. Robin Dale Jacobson, *The New Nativism: Proposition 187 and the Debate over Immigration* (Minneapolis: University of Minnesota Press, 2008).