Opinion
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Republican members of Congress arrive via bus at the Texas-Mexico border Jan. 3 in Eagle Pass, Texas. The visit to the border by about 60 congressional Republicans came as they demanded hard-line immigration policies in exchange for backing President Joe Biden's emergency wartime funding request for Ukraine. (AP/Eric Gay)



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January 29, 2024
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No one who examines the migration crisis with an ounce of ordinary human compassion and reasonable political savvy could have expected the current Congress to fashion a border policy that would qualify as decent. But at least there were signs that a bipartisan consensus in the Senate in favor of some toughening of immigration policy combined with aid to Ukraine would pass the upper chamber, although its fate in the House seemed uncertain.

It might not have been a great policy. It was sure to fall short of the biblical injunction to welcome the stranger. But in a polarized society and fractious polity, you take your compromises where and when you can get them.

Then former President Donald Trump entered the fray, letting it be known that he did not want Congress to reach any compromise. The New York Times concluded Trump's "vocal opposition to the emerging border compromise has all but killed the measure's chances in a divided Congress as he puts his own hard-line immigration policies once again at the center of his presidential campaign."

Members of Congress are never immune from partisan political considerations, still less from thoughts of political preservation. Lest we forget, that is how the system was designed to work. Our constitutional system was constructed around the idea that competing interests would frustrate concentration of power, making tyranny impossible. In the late 18th century, such thoughts made sense and the system the founders invented has served the nation well.

What the founders could not foresee, and what is unique to our time, is not that members of Congress could be pusillanimous. It is that they are so craven.

Republicans have been complaining about the crisis at the border throughout the Biden presidency. I have never shared their fears of a more expansive immigration system, but calling for the admission of fewer migrants is not, per se, an illegitimate position.

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Toward the end of George W. Bush's presidency, the two parties came close to reaching a deal on comprehensive immigration reform. In 2013, Congress was again close to striking a deal. Like all deals, those compromises had flaws. No one can seriously doubt that the situation would be much improved if they had clinched the deal.

Since then, immigration has become a cudgel for the GOP. Ever since Trump came down the escalator and launched his presidential bid in 2015, he has framed the issue in the most morally despicable way.

"When Mexico sends its people, they're not sending their best. They're not sending you. They're not sending you," he told the small crowd gathered in the Trump Tower lobby. "They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people."

Since then, Trump and his allies have added a gross disregard for the rule of law to their anti-immigrant playbook.

It was predictable that Texas Gov. Greg Abbott would ignore an order from the White House to stop blocking federal agents from entering Shelby Park in Eagle Pass, Texas. State troopers are deploying concertina wire to prevent migrants from reaching border control officials in the park. Now, however, Abbott has dug in even though the U.S. Supreme Court has ordered him to let the federal border control agents in.

Abbott claimed that Texas' right to defend itself from the "invasion" of its southern border "is the supreme law of the land and supersedes any federal statutes to the contrary."

Excuse me? Republicans are always complaining about what gets taught about history. Abbott perhaps needs to be reminded that our nation fought a great and terrible civil war about what is, and is not, the supreme law of the land.



Members of the Texas National Guard stand near a razor wire fence used to prevent migrants from crossing into the United States, along the Rio Bravo, at the U.S.-Mexico border, as seen from Ciudad Juárez, Mexico, Jan. 22. (OSV News/Reuters/Jose Luis Gonzalez)

Abbott wasn't alone. Firebrand Texas Rep. Chip Roy also urged Abbott to resist the Supreme Court's order. "It's like, if someone's breaking into your house, and the court says, 'Oh, sorry. You can't defend yourself.' What do you tell the court? You tell the court to go to hell, you defend yourself and then figure it out later."

Time for a field trip to Fort Sumter. And to Gettysburg.

Kentucky Sen. Mitch McConnell, who leads the GOP in the Senate, said he is continuing to push for legislation that includes both a border deal and an agreement to fund Ukraine's war effort. Our nation has come to a sorry point when it must look to the most Machiavellian political figure of his time to save us from his cowardly colleagues.

Former President Trump has no constitutional power over members of Congress. They all placed their hands on the Bible and swore to uphold the Constitution when they took office. They did not swear to do Trump's bidding. If the situation at the border is the crisis they have claimed it is, they can't now just throw up their hands.

Worse, the situation in Ukraine is getting dire. The Pentagon reported that Ukrainian forces are running out of ammunition because the U.S. has failed to continue its aid. Top security officials briefed congressional lawmakers on the dire consequences in the fight to resist Russian President Vladimir Putin's aggression if more aid is not forthcoming soon.

In the autumn of 1936, with war raging in Spain and evidence of German rearmament abounding, British Prime Minister Stanley Baldwin tried to justify his previous opposition to British rearmament in the House of Commons. He recalled a by-election in Fulham in 1933 that was won by a pacifist candidate. "My position as the leader of a great party was not altogether a comfortable one," Baldwin said.

The verdict from the man who would assume the premiership four years later, Winston Churchill, was and remains sound: "That a Prime Minister should avow that he had not done his duty in regard to national safety because he was afraid of losing the election was an incident without parallel in our parliamentary history."

Sadly, what was once without parallel is now a commonplace in our political system. If Republican members of Congress will not do their duty to the country because they prefer to be obedient to Donald Trump, they deserve the same opprobrium with which we now view Baldwin's disastrous legacy.