

## Immigration & Gay Rights

Michael Sean Winters | May. 1, 2013 Distinctly Catholic

I am trying not to be angry. Trying really hard. [Carrie Budoff Brown, at Politico, reports](#) [1] that efforts to include same sex couples in the immigration reform bill threaten to derail the entire push for comprehensive reform this year. The fact that I predicted this would be the most difficult hurdle for immigration reform months ago provides precisely no comfort.

During the debate over the Affordable Care Act, Hispanic Democratic legislators had a choice. They wanted the ACA to include some provisions for undocumented workers. But, if such a provision was included, the already narrow window for passage of the historic legislation would slam shut and no one would get universal coverage. They did the right thing, concluded that they would fight for the undocumented another day, and did not demand that the bill be amended to include undocumented workers. The ACA passed. Millions of American benefited. Some day, if we ever pass immigration reform, the undocumented will regularize their status and be eligible for the provisions of the ACA.

It is imperative that those same Hispanic Democrats in Congress go to the gay rights lobby and explain that bit of recent history. Most Hispanic Democrats in Congress are liberal and they support same sex marriage. They have unique moral authority, given their support for the ACA, to go to the gay rights groups and explain: "Hey, we will help you get front door recognition of same sex partnerships. The Supreme Court may help in that regard soon. Certainly, we can all see that the issue is moving in a direction that will achieve all the rights you seek. But, now, at this moment, if we insist on a kind of back-door recognition of same sex marriage in this immigration bill, it will kill the bill's chances. We need you to back down, just as we backed down four years ago in the health care reform debate."

The Gang of 8, the bipartisan group of senators that forged the historic compromise to push for immigration reform now, has pledged to defeat any poison pill amendments that make passage of the bill impossible. They must stick together now. They must also go to the gay rights groups and explain that this proposal, whatever its merits, will tank the bill. The lives of 11 million people hang in the balance. Is it fair to hold those lives hostage to the gay rights lobby?

To be clear: I wish that conservative Republicans and the religious groups backing immigration reform, including the USCCB, did not view the inclusion of same sex couples as a deal-breaker. I think they are wrong on the merits, although the Republicans in Congress, living as they do in gerrymandered districts, are probably right on the politics: Voting for immigration reform will be enough to earn some of them a primary challenge. Voting for immigration reform that includes back door recognition of same-sex marriage guarantees a primary challenger who will likely win. We can wish it were otherwise, but it isn't. In addition to Hispanic Democrats, Republicans who are supportive of gay rights must also make the case to the gay rights lobby that immigration reform is tough enough already, and that this is not the issue on which to make a stand.

It is important to remember that immigration reform, even if it passes the Senate, faces a steep climb in the

House of Representatives. It will likely require Speaker John Boehner to set aside the Hastert Rule, as there will be no majority within the GOP caucus for the bill. So, in addition to needing 60 votes in the Senate to overcome a filibuster, the Senate really needs to demonstrate that the bill has overwhelming bi-partisan support, which will provide enough cover for the few Republicans needed in the House. This is what happened at the end of last year with the fiscal cliff negotiations. The Senate passed the compromise by an overwhelming margin and the House limped along. Immigration reform is not going to fly through the House, it is going to limp. Adding a provision for same sex couples will kill it. We need seventy votes or more in the Senate to help this reform through the House.

This is politics and if you don't want to consider politics, you should not be in the game. Which is why my anger is not directed at the conservative Republicans. My anger is directed at the gay rights lobby. They are not being asked to abandon their cause or sacrifice their dignity. They are being asked for a bit of patience. Anyone can look at polling on the issue of same sex marriage and conclude that the issue will become a non-issue within a matter of years. There will be front door federal recognition of same sex marriage within my lifetime. I do not doubt it. But, when trying to get back door recognition of same sex marriage threatens to derail the best shot we have at immigration reform in years, shame on the gay rights lobby.

All special interest groups are myopic by definition. Pro-life groups do not focus on the environment, although they should because the implications of climate change for the world's poor are horrific. Gun control groups do not worry about funding for education or foreign policy. AIPAC does not deal with domestic issues. So, gay rights groups are not acting in a way that is hugely different from the way other groups act. Still, reading Carrie Budoff Brown's article, I was reminded of a Bette Midler concert I went to a long time ago. The audience was at least fifty percent gay men. And, the inimitable Ms. Midler, in one of her monologues, asked, "Tell me why can't two gay men walk down the street without calling it a parade?"

There was a time when gay rights groups had the moral stature of speaking for a group of people who were marginalized. Surely, today, in Washington, LGBT groups have political clout far beyond their numbers. There are places where there is anti-gay prejudice and anti-gay bigotry, to be sure, just as there are places where gun control proposals that strike most of us as common sense are understood as threatening. In Washington today, however, two days after the President of the United States called Jason Collins to compliment him on coming out of the closet, and overstays his press conference to praise Collins, well, the idea that gays lack clout is a bit far-fetched. They may lack clout in the House of Representatives. Hello! Rep. Louie Gohmert still thinks Obama was born in Kenya and Rep. Michelle Bachmann has more conspiracy theories in her head than Oliver Stone. We may not want to live in those parts of the country that send people like Gohmert and Bachmann to Congress, but we have a moral obligation to be intelligent in dealing with the political facts their membership in Congress creates.

Members of Congress are called to serve the common good. Members of Congress must worry not only about what is the right thing to do, but how to get it done. Members of Congress must follow the Gang of 8, even though the compromise they achieved is not perfect. In the long history of the Republic, to paraphrase Churchill writing to Roosevelt, immigration reform is a thing to do now. No one, repeat no one, who wishes to call themselves a progressive, or a caring person, or an enlightened liberal, should stand in the way. And, if gay rights groups do, then shame on them.

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[1] <http://www.politico.com/story/2013/04/gay-rights-push-threatens-immigration-deal-90807.html>