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After an Anti-Immigrant Flare-Up, Texas Gets Back to Business

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Austin, Tex.

Everybody said that the nation's anti-immigrant fever was going to spread to Texas this year.

State lawmakers entered the new legislative session with dozens of bills whose anti-immigrant passions ranged from warm to extra hot. They wanted to tax money transfers to Latin America and to sue the federal government for money spent on border enforcement. One even fired a broadside at the 14th Amendment, seeking to deny the benefits of citizenship to Texas-born children of illegal immigrants. Their goal seemed to be to make immigrants' lives as miserable as possible, and to howl at Washington for not fixing the mess.

Meanwhile, an energetic cohort of grass-roots advocates and legislators, Latino and otherwise, stood ready to challenge the hard-liners at every step. A bonfire loomed.

But last week something strange and encouraging happened. The Legislature took a big step back from the immigration fight, as an unusual alliance rose up in support of humane, sensible reform.

The powerful Republican chairman of the State Affairs Committee, David Swinford, declared that most of the immigration bills were constitutionally flawed, needlessly divisive and a waste of time, so he was not going to let them come to the floor. Some members were left spluttering — "Everything we do here is divisive," said Representative Leo Berman, author of the birthright citizenship challenge and other harsh bills. But that was all he could do.

Mr. Berman, an affable Republican from East Texas, says that Mexico is the world's most corrupt country and that its citizens are infecting us with their law-breaking culture and with tuberculosis and leprosy. He has many friends in the Capitol, which is nobody's idea of an immigrant-amnesty zone.

But the convictions gripping him have been eclipsed by something deeper in the Texas soul.

That would be business.

Mr. Swinford said he had consulted the state attorney general and concluded that most of the immigration bills would not survive court scrutiny. Never mind that some sponsors were well aware of their bills' technical flaws and were itching to attract lawsuits anyway. Mr. Swinford clearly had no appetite for crusading or grandstanding, and decisively put a lid on things.

“We’ve got business to do,” he told me. “We can’t be fighting and get our business done.”

He was talking about efficiency. But his words could have been taken from the mouths of the powerful Texas Republicans who have entered the debate squarely on the side of comprehensive reform — that blend of border toughness and pro-immigrant fairness that Republicans elsewhere deride as “amnesty.”

The story dates to last year. It has to do, as Megan Headley wrote in *The Texas Observer*, with pro-business Republicans realizing that anti-immigrant fervor “threatened to purge Texas of the workers that pluck chickens, build houses, and make some people very rich.”

Their attention was grabbed last April, when a Democratic representative, Rafael Anchia, tacked a provocative amendment onto a bill raising business taxes to finance property-tax relief. It would have forbidden employers to cut their taxes by deducting wages of illegal workers.

Mr. Anchia wanted to send the message that any crackdown on illegal immigrants would be met, blow for blow, with bills going after their employers.

That got Mr. Anchia a visit from Bill Hammond, president of the Texas Association of Business, one of the state’s most powerful lobby groups. An alliance was born.

Mr. Hammond is now standing beside the likes of the American Civil Liberties Union, the National Council of La Raza and the Equal Justice Center as a member of Texas Residents United for a Stronger Texas, or Trust.

The group recently sent the Legislature and governor a 15-point statement of principles on immigration reform. It urges economic development in Texas and in Latin America. It argues for cultural diversity, bilingual education and in-state tuition for illegal immigrant children. And it denounces enforcement bills of the sort piled up by the dozen in Austin.

Mr. Swinford represents an agricultural district with a lot to lose from attacks on immigrant labor. (It’s home to a Swift meat plant recently raided by federal agents.) But he insists he did not stifle any bills at the behest of big business.

Maybe not, but he has certainly made it happy. The same week that Mr. Swinford announced that the problematic bills in his committee would die there, like the hoof-and-mouth cattle slaughtered in “Hud,” Mr. Hammond stood with Mr. Anchia on the Capitol steps to unveil an ad campaign urging Congress to pass comprehensive immigration reform, including a path to citizenship.

The ads were created by another new alliance, Texas Employers for Immigration Reform, which includes the Texas Association of Business and executives like Bo Pilgrim, the Pilgrim’s Pride chicken magnate. Its Web site, www.txeir.org, makes some of the staunchest arguments for comprehensive immigration reform you’ll ever hear from rich Republican donors and power players.

This Texas pragmatism has not taken hold elsewhere. Not in Washington, where Republicans are laying out hard-core positions against “amnesty.” Not in states like Georgia, Florida and South Carolina, which are steaming ahead with harsh agendas.

But here, at least for now, powerful forces have come to understand — whether through warm feelings for workers or, more likely, cold self-interest — that in attacking immigrants, Texas is attacking itself.