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The Dream Act joins a shameful tradition

By Edward Schumacher-Matos

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In 1830, Congress passed the Indian Removal Act. It forced most Native Americans in the Deep South to move to Oklahoma in what became known as the "trail of tears and death."

Then in 1850, Congress passed the Fugitive Slave Law. It required federal law enforcement officials to arrest any black person in the North that a Southern slaveholder declared as his. Blacks were forcibly shipped south under the law.

In 1882, Congress turned international and passed two laws that called for the deportation of immigrants who were convicts, "lunatics" or "idiots"; one of the laws also targeted many Chinese. The Chinese helped build the railroads and open the West, but nativists had demanded their expulsion.

In the first decades of the 20th century, Congress passed another series of deportation laws, this time aimed at eastern and southern European immigrants who were suspected also of being socialists or anarchists. In 1919 and 1920, thousands were dragged from their homes in the two massive "Palmer Raids" and, often within hours, put on ships.

In 1952, Congress severely limited judicial review of deportation cases; after President Harry Truman objected that the law was too severe, Congress overrode his veto. Two years later, in what officials called "Operation Wetback," nearly 1 million Mexicans suspected of not having visas were summarily rounded up in the Southwest and sent across the border.

Most of us cringe at these past examples of Congress covering itself in shame by stripping almost all rights from ethnic groups not considered fully American and expelling or forcibly shipping them elsewhere. Boston College law professor Daniel Kanstroom, and Donald Kerwin of the Migration Policy Institute have assembled a dispassionate multimedia timeline of some of this past at www.deportationnation.org.

And now it has happened again. History surely will not look kindly on the 35 Republicans and six Democrats in the Senate who on Saturday killed the Dream Act, which would have saved from deportation hundreds of thousands of unauthorized immigrant youths who are here through no fault of their own but who go to college or join the military.

These young people are of many nationalities, but the overwhelming number are Hispanic, and there is no doubt that the public pressure on Congress is largely aimed at limiting the growth of Latinos in the country.

In the final days before the vote, for example, the main argument used by Dream Act opponents was this one sent by Republican Sen. Kay Bailey Hutchison to a constituent and confirmed by her office:

"On November 30, 2010, Senator Richard Durbin (D-IL) introduced this bill, which would allow for a 10-year conditional non-immigrant visa that would lead to eventual citizenship. Once they become U.S. citizens, these individuals would by law be able to petition for family members to also gain citizenship. This would therefore expand citizenship beyond the intended students. Because of this, I am unable to support the current version of the Dream Act."

In other words, the issue is not precedence or legality but the number of relatives, and in Hutchison's state of Texas, that means more Mexicans. It would probably take 20 years before any of these relatives could arrive -- 10 for the Dream Act youth to get citizenship and 10 in waiting time for a relative's visa -- but no matter the time or that it is legal.

It also is not enough to say, as Republican Sen. Lindsay Graham of South Carolina did Saturday, that our immigration system is broken. We all know that. What we expect from our political leaders is wisdom and leadership in how to fix it. What we have gotten instead is cowardism and deferring to today's kick-'em-out mob.

Almost anyone close to the Senate on this issue will tell you that some 80 percent of senators personally believe that we need a comprehensive immigration fix that includes improved enforcement, a legal temporary worker program and legalization of the estimated 11 million unauthorized immigrants here.

That not even worthy youths can be legalized effectively means that immigration reform is dead until after the next presidential election. What we will get in the meantime is more deportations. Nearly 400,000 were kicked out last year, only a small percentage of them legitimate criminals.

How many more does it take for the shame to be felt by us all?