



## Our View: Obama should leave immigration to Congress

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Democracy is a messy business. It usually takes a long time to push through reforms. As German Chancellor Otto von Bismarck famously said, "Laws are like sausages; it is better not to see them being made." But the alternative to lawmaking is rule by decree.

That's why President Barack Obama was wrong to use an executive order to grant an effective two-year amnesty to 800,000 to 2.1 million illegal immigrants who were brought into the United States as children. For several years, Congress has been working on legislation to do something similar with what's called the Dream Act. We have supported these efforts.

The Constitution clearly gives only to Congress the power to "establish a uniform Rule of Naturalization." The executive branch of government, overseen by the president, only enforces what Congress decides.

Technically, what Obama did — halting deportations of and granting work permits to qualified illegal immigrants — was legal because the president can grant asylum to foreigners who can claim economic or other hardship, Ilya Shapiro told us; he's a senior fellow in constitutional studies at the libertarian Cato Institute. "But the problem here is atmospherics," he said.

"Congress specifically has rejected the Dream Act. The president then went ahead and showed contempt for the separation of powers. He's also throwing a wrench into potential long-term solutions, such as that being worked on by Marco Rubio," the Florida Republican senator sometimes discussed as a potential running mate to Mitt Romney, the presumptive Republican presidential nominee.

America's founders gave those in Congress the exclusive power to make laws because they are in closer touch with the people. It's still fairly easy to meet your local member of Congress or senator at a town hall, but meeting the president is almost impossible — absent a [campaign](#) donation.

Congress is considering many other factors that the president is ignoring with his decree. The economy still is staggering, and unemployment remains high, in May at 8.2 percent nationally and 10.8 percent in California. Studies by the Cato Institute have shown that immigrants not only take jobs, but create jobs by consuming products and services provided by American citizens. However, it's understandable that many citizens grumble that unauthorized immigrants are "taking our jobs."

Much of the problem stems from Obama's own faulty economic program. By contrast, when President Ronald Reagan signed the most-recent amnesty law, in 1986, the economy had been humming for years. The Gipper's policies of tax cuts, stable money and spending restraints were about the opposite of Obama's.

Another factor is the fast-approaching November election. Obama obviously is appealing to Latinos, many of whose relatives will enjoy the amnesty, and who vote in such battleground states as Nevada, Florida, Arizona and Colorado. That's another reason why Congress should be involved because any action then would have to be bipartisan.

Certainly, any amnesty bill likely would have to wait until after the election. But that's how democracy works.

It's unfortunate that Romney has taken such a weak position on the president's order. Romney criticized the president for waiting "until 4 1/2 months before the general election," when the president could have worked with Congress during the first two years of his presidency, when Democrats controlled both the House and Senate. But Romney did not state whether he, as president, would revoke the Obama order, nor insist that Congress should decide the amnesty issue.

Ironically, Romney won some Republican primaries partly by criticizing Newt Gingrich and other opponents for being weak on amnesty. Romney's new position is another example of what one aide called an Etch A Sketch approach to policies. Instead of posing as a leader, he needs to start being one.