



Remembering Barbara Jordan And Her Immigration Legacy

By Jerry Kammer

Twenty years have passed since the death of Barbara Jordan. On January 17, 1996, the former congresswoman and civil rights icon succumbed to complications of leukemia at a hospital in Texas. She was 59 years old, a beloved national figure who for the previous two years had been chairwoman of the U.S. Commission on Immigration Reform.

Jordan's death cut short that final public service. It represents the high-water mark of bipartisan efforts to stop illegal immigration and reduce legal immigration by asserting a vision of the national interest over the left-right coalition of ethnic, business, and political interests that seeks more immigration and less enforcement.

In the months following Jordan's death, that coalition came together to defeat legislation that would have advanced the restrictionist goals Jordan had advanced as she declared, "It is both a right and a responsibility of a democratic society to manage immigration so that it serves the national interest."¹

One of Jordan's goals was to reduce legal immigration by eliminating the right for citizens and legal immigrants to sponsor the immigration of siblings. President Clinton endorsed that aim and then backed off, in what the *Boston Globe* described as a favor to Chinese-Americans who had donated heavily to the Democratic Party.² The authors of the book *The Congressional Politics of Immigration Reform* observed that "Clinton could not as easily have abandoned the Commission's proposals on legal reform had Jordan survived."³

"In the years since then," said Commission member Michael Teitelbaum, "the effort to reform immigration policy has deteriorated into increasingly fractious partisan conflict in which politicians and activists and advisors in both parties have increasingly seen that policy as something to serve their own electoral advantage."⁴

In 2013, when the Senate passed a reform bill proposed by the bipartisan "Gang of Eight", its most salient feature was the "grow the pie strategy" that united its left-right coalition by offering more visas to all its members. According to the Congressional Budget Office, by 2030 their bill would have increased the U.S. population by 14.2 million more than was projected to be reached under existing immigration policy, which was authorizing about a million green cards every year.⁵

From Texas to Washington

Born in 1936, Barbara Jordan grew up in segregated Houston, daughter of a preacher who moonlighted as a warehouse clerk. As the *Washington Post* would report, "her parents pushed her to excel ... and they would criticize her for imprecise diction and any report card that contained a B rather than all A's."⁶

Jordan attended Houston's all-black Texas Southern University, where she became a star debater and graduated magna cum laude. In 1966 she became the first black woman ever elected to the Texas state senate. There she took up the cause of the working poor. She pushed through legislation that gave the state its first minimum-wage law, an accomplishment that the liberal *Texas Observer* hailed as "a near miracle."⁷ In 1972, Jordan became the first African-American elected to Congress from Texas since Reconstruction.

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Jordan's friend and fellow Texan, journalist Molly Ivins, described her as "a woman of magisterial dignity" who encountered prejudice and condescension at the legislature. "Jordan overcame all of that by sheer strength of personality, by ability, by her force of intelligence, and, of course, her superb voice, the rhetoric," Ivins said. "We always said that if Hollywood ever needed somebody to play the role of God Almighty, they ought to get Barbara Jordan."⁸

Achieving National Stature

Jordan soared into the national spotlight on July 25, 1974, with a speech that established her as a moral and political force and defender of the Constitution and the rule of law. She was a freshman member of Congress serving on the House Judiciary Committee, which was considering articles of impeachment against President Richard Nixon because of crimes connected with the Watergate scandal, which had burgeoned into a constitutional crisis. It was a period of national trauma and uncertainty. Jordan's speech, a ringing defense of the Constitution, began with a uniquely African-American perspective as she invoked the first three words of its Preamble: "We the People."

She then continued:

It is a very eloquent beginning. But when that document was completed on the seventeenth of September in 1787, I was not included in that "We the People." I felt somehow for many years that George Washington must have left me out by mistake. But through the process of amendment, interpretation, and court decision I have finally been included in "We the People." Today, I am an inquisitor. I believe hyperbole would not be fictional and would not overstate the solemnness that I feel right now. My faith in the Constitution is whole; it is complete, it is total. I am not going to sit here and be an idle spectator to the diminution, the subversion, destruction of the Constitution.⁹

The nation received the speech like a healing tonic, infused with scholarly precision, somber musical cadence, and a patriot's powerful love of country. Jordan's office was flooded with appreciative mail from across the country. The *Washington Post* published the complete text. It articulated the urgent need for the country to come together to assert the rule of law against a president who had usurped it. "She believed that Americans had to be united in a common bond of respect for the Constitution, and that no one — not even the president of the United States — was free to flaunt it," wrote her biographer, Mary Beth Rogers.¹⁰

Rogers said the speech began Jordan's "transformation from a politician to a patriot."¹¹ Her theme — the law as a bulwark against disorder and the guardian of democratic cohesion — would be central to Jordan's work on immigration policy. In order to understand that work, it is useful to see how it was embedded in values and convictions that were central to her vision of American civic life. That vision was especially evident at three moments during the 19 years between her impeachment speech and her 1993 appointment by President Clinton as chairwoman of the U.S. Commission on Immigration Reform.

The first two were part of her keynote addresses at the Democratic national conventions in 1976 and 1992. The third, coming shortly after Clinton became president, was her response to news that his nominee for attorney general had knowingly broken immigration law as she hired caretakers for her son.

Three Invocations of National Unity under Law

At the 1976 convention, Jordan said "We are a people in search of a national community, attempting to fulfill our national purpose, to create a society in which all of us are equal. ... The great danger America faces [is] that we will cease to be one nation and become instead a collection of interest groups: city against suburb, region against region, individual against individual. Each seeking to satisfy private wants. If that happens, who then will speak for America? Who then will speak for the common good?"¹²

Sixteen years later, at the convention that nominated Bill Clinton, Jordan addressed the challenge Democrats faced as they sought to end the streak of 12 consecutive years of Republican presidencies. By this time she had been out of Congress for 13 years, having decided to take a teaching position at the University of Texas Lyndon B. Johnson School of Public Affairs.

Her health had long been declining because of multiple sclerosis. She needed a wheelchair to move about, but her vigor was undiminished when she traveled to New York's Madison Square Garden to deliver the keynote for the 1992 convention.

"We must leave this convention with a determination to convince the American people to trust us," Jordan said. She called on the party to work for an economy "where a young black woman or man from the Fifth Ward in Houston or South Central Los Angeles, or a young person in the colonias of the lower Rio Grande Valley ... can go to public school, learn the skills that will enable her or him to prosper." In the absence of such opportunities, she said, the American dream was "slipping away".¹³

Jordan wanted a government that was faithful to its people. She wanted leaders and institutions committed to integrity and the great endeavor of knitting together the national community. She found inspiration and purpose in the phrase she often invoked, *e pluribus unum*, the national motto, which expresses the aspiration to forge a unified national community. Jordan believed that her country's great unifying force was the consensus that everyone must play by the democratically established rules.

In his 1992 campaign for the presidency Clinton had constantly invoked these themes. So when his nominee for attorney general, Zoe Baird, acknowledged that she and her attorney husband had knowingly hired illegal immigrants to care for their son and had failed to pay Social Security or unemployment taxes, there was widespread outrage. Barbara Jordan was one of the prominent figures who said the failure to respect immigration law was a disqualifying offense. "Zoe Baird should not be confirmed as attorney general of the United States," she said.¹⁴

Appointment to the Commission

In 1993, Clinton appointed Jordan to chair the Commission on Immigration Reform. She took the place of Cardinal Bernard Law, whose term expired at the end of the Bush presidency. Had Law continued as chairman, he certainly would have pushed it in a direction far different from that pursued by Jordan. Law, the archbishop of Boston, shared the beliefs of the U.S. Conference of Catholic Bishops, which called for expansive immigration policies and an embrace of illegal immigrants in the spirit of the biblical injunction to welcome the stranger.¹⁵

Jordan assumed leadership of the commission at a time of growing national alarm about illegal immigration. The mood was especially tense in California, where voters the following year would approve Proposition 187, which sought to deny benefits to persons not authorized to be in the United States.

Jordan was alarmed at the tone of much of the debate. So was the commission's executive director, Susan Martin, now the director of the Institute for the Study of International Migration at Georgetown University. "The situation had become so heated that I thought it would take someone with her gravitas and credibility to get past the emotion and bring people together with a reasonable solution," Martin said. "She was exactly the right person for that."¹⁶

Jordan was critical of Proposition 187, saying in an appearance at the National Press Club that it "goes too far" by seeking to deny public school education to the children of illegal immigrants. Once again, the Constitution was her guide star. Referring to a Supreme Court decision regarding a similar attempt in Texas, she noted that the children were "entitled under constitutional decision to education benefits."¹⁷

Jordan often talked of the need to strike a balance between two immigration policy values. "The Commission decries hostility and discrimination against immigrants as antithetical to the traditions and interests of the country," she said. "At the same time, we disagree with those who would label efforts to control immigration as being inherently anti-immigrant. Rather, it is both a right and a responsibility of a democratic society to manage immigration so that it serves the national interest."¹⁸

Jordan made a particularly pointed assertion of the need to stop illegal immigration in 1994 when she said, "Our patience is growing thin toward those attempting to overwhelm the will of the American people by acts that ignore, manipulate, or circumvent our immigration laws. Unless this country does a better job in curbing illegal immigration, we risk irreparably undermining our commitment to legal immigration."¹⁹

The prescience of Jordan's concern would become evident during the Republican presidential campaign of 2016, where Donald Trump gives angry voice to anxieties about illegal immigration. Meanwhile, the three Democratic contenders compete for the support of their party's liberal base by promising expansive immigration policies, including a welcome to illegal immigrants.

Jordan, who said "a well-regulated system of legal immigration is in our national interest,"²⁰ was one of the last liberal Democrats to warn against the destabilizing danger of illegal immigration. In the 1970s, Sen. Walter Mondale expressed alarm that "we have a massive poverty population coming into the country virtually every day from Mexico."²¹ In 1972 and 1973, Rep. Peter Rodino guided employer sanctions bills to House passage, only to see them bottled up in the Senate.

"Any Nation Worth Its Salt"

Jordan wanted be part of a national effort to manage an urgent national problem. That is why the commission's first report, which took an unambiguous stand in favor of enforcement of legally established immigration limits, was titled "U.S. Immigration Policy: Restoring Credibility":²²

*Deportation is crucial. Credibility in immigration policy can be summed up in one sentence: Those who should get in, get in; those who should be kept out, are kept out; and those who should not be here will be required to leave. The top priorities for detention and removal, of course, are criminal aliens. But for the system to be credible, people actually have to be deported at the end of the process.*²³

Jordan was equally firm as she told the *Washington Post's* David Broder, "Any nation worth its salt must control its borders." Broder wrote that there was "no one in public life who has more of the calm deliberation and steadfast adherence to principle that this contentious issue needs."²⁴

Jordan's tough-minded linkage between credibility and legal process made her the target of criticism from many activist liberals who saw illegal immigrants as a vulnerable group in need of protection. But her personal story and her reputation for integrity blunted the attacks. President Clinton acknowledged her stature in the summer of 1994, when he awarded her the Presidential Medal of Freedom, calling her "the most outspoken moral voice of the American political system." He also said that Jordan had "captured the nation's attention and awakened its conscience in defense of the Constitution, the American dream, and the community we share as American citizens."²⁵

As Elaine Jones, director of the NAACP Legal Defense Fund, put it, "Barbara understood that the law was the fabric of society."²⁶ She also understood that part of her task was to forge consensus among the eight commission members. They were a bipartisan group, with half selected by the Democratic congressional leadership and half by the Republican leadership. "She came to the first meeting and said that while a 5-4 decision by the Supreme Court meant something, it would mean nothing here," recalled Susan Martin. Jordan said, "We need to come to consensus about a national policy that serves the national interest."²⁷

Recommendations Drew Fire from Activists

The commission did reach consensus on the issue of cutting off the jobs magnet with a computerized registry of all persons authorized to work in the United States. Its recommendation to curtail legal immigration had one dissenting vote, from commission member Warren Leiden of the American Immigration Lawyers Association. That proposal was to stop granting immigrants the right to sponsor their siblings and adult children, as part of an ever-lengthening process that became known as "chain immigration." (Minor children would have retained a high priority under the commission proposal.)

Those key recommendations appeared, in modified form, in legislation that was thwarted by the left-right coalition of advocates of expansive immigration. The coalition included the National Council of La Raza, whose lead immigration lobbyist, Cecilia Munoz (currently director of the White House Domestic Policy Council), responded angrily, "The recommendations are stunningly radical. They're irresponsible." Munoz was joined in protest by Karen Narasaki, executive director of the National Asian Pacific American Legal Consortium. "We are outraged," Narasaki said. "This is an attack on the Asian com-

munity. There are a million Asians whose families have filed applications for them to immigrate in categories that would be eliminated by the commission — brothers and sisters and adult children of U.S. citizens.”

The proposal for a computerized registry also began to take legislative shape, but it was thwarted by the well organized opposition. As the *New York Times* reported, “Many civil liberties advocates, Hispanic organizations, and Chinese and Jewish groups have opposed such proposals, saying they could increase job discrimination.”²⁸

Jordan was unable to persuade the coalition for expansive immigration that they should curtail their demands and support the commission’s vision of the broad national interest. Nevertheless, a *New York Times* editorial observed after her death that “few lawmakers in this century left a more profound and positive impression on the nation than Barbara Jordan.”²⁹

On immigration, one of the reasons Jordan’s legacy on immigration policy has been eclipsed has been the *Times*’ vocal support for the expansionist coalition. Michael Lind, one of the small number of liberal dissenters, offered this lament about their activism:

*Why have liberals been silent about the economic effects of immigration on their natural constituency — the working poor, and black workers in particular? One reason is the inability of liberals to say no to any apparently generous program, particularly if it aims to help those in poor countries. Another is the influence of Hispanic groups seeking to enlarge their constituencies. Many affluent opinion-makers in politics, the media and academia themselves benefit from a never-ending supply of low-wage immigrant maids, janitors, receptionists and other poorly paid, non-unionized employees.*³⁰

Lind named Jordan as one of the “few courageous liberals ... [who] have dared to bring up the relationship between mass immigration and falling wages.”

The *New York Times* occupies a prominent place among the affluent, liberal opinion-makers. Its editorial board has called on Congress to embrace the millions of illegal immigrants as “Americans in waiting”. In the new millennium, the *Times* has moved sharply away from its previous position of backing enforcement of immigration limits.

Barbara Jordan spoke for the millions of Americans waiting for the promise of *e pluribus, unum*. A statement she made in 1995 to the National Conference of United We Stand, America stands as a fitting, final admonition. Said Jordan:

*The commission finds no national interest in continuing to import lesser-skilled and unskilled workers to compete in the most vulnerable parts of our labor force. Many American workers do not have adequate job prospects. We should make their task easier to find employment, not harder.*³¹

End Notes

¹ Testimony Before the U.S. Senate Committee on the Judiciary Subcommittee on Immigration and Refugee Affairs, August 3, 1994.

² Michael Kranish, “Clinton Poly Shift Followed Asian-American Fund-Raiser”, *Boston Globe*, January 16, 1997.

³ James G. Gimpel and James R. Edwards, Jr. *The Congressional Politics of Immigration Reform*, Boston: Allyn and Bacon, 1990, p. 309.

⁴ Author telephone interview with Michael Teitelbaum, January 5, 2016.

⁵ Steven A. Camarota, [“Shifting the Balance”](#), Center for Immigration Studies *Backgrounder*, November 2013.

⁶ Richard Pearson, “Ex-Congresswoman Barbara Jordan Dies”, *The Washington Post*, January 18, 1996.

⁷ Cited by Mary Beth Rogers, *Barbara Jordan: An American Hero*, New York: Bantam Books, 1998, p. 146.

⁸ Ivins on the [“PBS NewsHour”](#), January 17, 1996. See also: Amy Alexander, *Fifty Black Women Who Changed America*, New York: Kensington, 2003, p. 210.

⁹ Jordan’s [speech before the House Judiciary Committee](#).

¹⁰ Rogers, p. 225.

¹¹ Rogers, p. 226.

¹² [Keynote address](#) at the 1976 Democratic National Convention.

¹³ Keynote address at the 1992 Democratic National Convention.

¹⁴ Rogers, p. 342.

¹⁵ Cardinal Law resigned as the Archbishop of Boston in 2002 after the *Boston Globe* revealed that he had covered up abuse by pedophile priests.

¹⁶ Author interview with Susan Martin, January 8, 2016.

¹⁷ Jordan’s response to a question regarding Proposition 187 can be seen in the C-SPAN video of her September 30, 1994, presentation to the National Press Club. It begins just before the 51-minute mark.

¹⁸ “As a nation of immigrants committed to the rule of law, this country must set limits on who can enter and back up these limits with effective enforcement of our immigration law.”

¹⁹ Gilbert Klein, “Cost of illegal immigration is high”, *Richmond Times-Dispatch*, April 17, 1994.

²⁰ Barbara Jordan, “The Americanization Ideal”, *The New York Times*, September 11, 1995.

²¹ David Reimers, *Still the Golden Door: The Third World Comes to America*, New York: Columbia University Press, 1985, p. 209.

²² [“U.S. Immigration Policy: Restoring Credibility”](#), U.S. Commission on Immigration Reform, 1994.

²³ Testimony before House of Representatives, Committee on the Judiciary, Subcommittee on Immigration and Claims February 24, 1995.

²⁴ David Broder column, October 4, 1994.

²⁵ [“President Clinton: Remarks on Presenting the Presidential Medals of Freedom”](#), August 8, 1994.

²⁶ Rogers, p. 325.

²⁷ Interview with Susan Martin.

²⁸ Robert Pear, [“Change of Policy on U.S. Immigrants is Urged by Panel”](#), *The New York Times*, June 5, 1995.

²⁹ [“Barbara Jordan’s Ideals”](#), *The New York Times*, January 19, 1996.

³⁰ Michael Lind, “Liberals Duck Immigration Debate,” *The New York Times*, September 7, 1995.

³¹ [Jordan address](#) to conference of United We Stand America, October 19, 2015.