

# Federalism in America

## Beyond the Tea Partiers

GARY GERSTLE

*We hear a lot today* about federalism, the doctrine that emphasizes the rights and powers of the states versus those of the federal government. The political Right expresses alarm at the dramatic expansion in central government power that began under George W. Bush during the 2008 financial crisis and that continued during Barack Obama's first eighteen months in office, first through the government's bailouts of financial institutions and the auto industry and then through the passage of the landmark national health care bill. Liberal groups, on the other hand, have turned to federalism in response to the perceived failure of the federal government during the Bush years to address major economic, social, and ecological challenges. Progressive Californians, for example, have been pushing ecologically friendly bills in their state, given the obstructions such legislation has faced in Congress. Massachusetts enacted its own government health care bill in response to a long period of federal inaction on the issue. Many gay marriage and marijuana legalization advocates now believe that they can accomplish more in state rather than national arenas. These advocates want to "free" their states from the grasp of federal authority on the issues that matter most to them. In this essay I explore the historical background to the current interest in federalism and argue that the powers possessed by state governments throughout the nineteenth and early twentieth centuries were more capacious, influential, and resilient than we customarily recognize them to have been. The durability of the states as a force in economic, social, and cultural affairs can only be understood by reference to an expansive and constitutionally sanctioned doctrine of police

power. Police power endowed state governments (but not the federal government) with broad authority over civil society for at least the first 150 years of the nation's existence. The Civil War posed a sharp challenge to this doctrine, and, for a time, it seemed as though Reconstruction would inter it. But in the late nineteenth century, state legislatures, backed by the federal courts, rehabilitated this doctrine to attack and, in many cases, to reverse the centralization of power in the federal government that the Civil War seemed to have done so much to advance. Federalism finally did weaken in the 1930s and 1940s, but not until the 1960s and 1970s can we say that the central government had superseded the states as the premier center of political authority in America. Federalism's demise, then, is still a relatively recent phenomenon, a fact that fuels the hopes of those who want to see it revived.

*In the first half* of the nineteenth century, state governments' involvement in economic affairs exceeded that of the federal government, both in terms of total funds expended and the variety of projects undertaken. Antebellum state governments, for example, spent far more on internal improvements (\$300 million) than did local governments (\$125 million) or the federal government (\$7 million). They were more directly involved than was the federal government in the organization and direction of internal improvement initiatives. The outstanding example of this tendency was the Erie Canal, built by New York State in the 1820s. Although Pennsylvania had no one project of comparable size and importance, it did expend, from the 1820s through the 1840s, more than \$100 million on a comprehensive

internal improvement program of railroads, canals, and roads.

More common were mixed enterprises, in which the state joined with a private bank, transportation company, or manufacturing enterprise, with both partners sitting on a project's board of directors, equally responsible for investing money, hiring workers, and managing the project. By the early 1840s, Pennsylvania had invested over \$6 million in more than 150 such enterprises.

Until the right of incorporation became generally available in the 1840s and 1850s, state governments sometimes used their chartering rights to direct and control private investment. Entrepreneurs had to petition state governments for the privilege of incorporating themselves, and state governments often attached conditions to the charters they granted: through which cities, for example, a transportation company had to build its railroad; to what private ventures a bank was required to lend or grant its money; what standards manufacturers had to meet in producing their goods. Finally, some state governments passed laws limiting the liabilities and punishment of debtors and regulating the conditions of workers by curtailing child labor and limiting the hours of adult labor.

But considering only states' economic power underestimates the true scope of state activity: the power that states exercised in noneconomic areas such as public health and safety, moral behavior, marriage, and immigration. State governments possessed a staggering freedom of action when compared to the carefully circumscribed orbit of federal government power. This freedom rested on a doctrine of "police power" that was rooted in both Anglo-American common law and continental European jurisprudence and was reinforced by the U.S. Constitution.

In the words of nineteenth-century Massachusetts Supreme Court Chief Justice Lemuel Shaw, police power was the "power vested in the [state] legislature to make, ordain, and establish all manner of wholesome and reasonable laws, statutes, and ordinances...not repugnant to the constitution, as they shall judge to be for the good and welfare of the Commonwealth." The crucial phrase in Shaw's definition is the last, "for the good and welfare

of the Commonwealth," which reveals a definition of police power that exceeds our modern, commonsense notion of what it is that police do. The "good and welfare of the Commonwealth" certainly encompassed the customary tasks that we associate with policing: the protection of life, property, and public order. But, in nineteenth-century legal terms, it also included such tasks as the direction of internal transportation improvements; controls on capital and labor; the building of schools, libraries, and other educational facilities; identification and regulation of proper moral behavior; town planning; and public health. As long as an activity could be associated with the public welfare and did not violate the Constitution, a state legislature could pursue it through social policy.

The powers the Constitution granted to the states were vague and virtually unlimited. As the critical Tenth Amendment declared, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved for the States respectively, or to the people." The very refusal to name the powers of state governments meant that the potential power to be exercised by these institutions was vast. State governments could undertake any activity not specifically reserved for the federal government or proscribed by the Constitution.

State and local governments did not just take upon themselves the power to regulate commerce, manufacturing, and labor relations. They also made private (and non-economic) behavior—drinking, gambling, theater-going, prostitution, vagrancy, the flying of kites—matters of public welfare and regulation. Much of the justification for this moral regulation rested on an old common law "nuisance" doctrine that allowed public authorities to act against anybody who was thought to offend public order or comity. In the early nineteenth century, the concept of nuisance expanded from addressing those problems that virtually anyone would agree presented a hazard to the community—a cow carcass rotting in the street, a ship full of diseased sailors—to acts that depended more on one's interpretation of proper moral behavior: drinking, gambling, theater-going, prostitution, vagrancy.

The Constitution permitted slavery, but the

decision about the legitimacy of the institution was left for each state to decide for itself. The Southern states were convinced that a well-regulated society and one that served the "people's welfare" had to be one grounded in the enslavement of their resident African populations. Because they had stripped Africans of their humanity, white Southerners had little difficulty excluding them from the definitions of the "people" and the "people's welfare." The extraordinary power vested by common law and the Constitution in the hands of state governments became "states' rights": a doctrine that white Southerners were willing to—and did—defend with their lives.

*The Civil War* is often thought to mark a transition in the history of the American government, with the victory of the North ensuring both the triumph of federal over state authority and the transformation in conceptions of the scope and uses of federal power. The Thirteenth and Fourteenth Amendments directly challenged prevailing conceptions of states' rights: the former did so through the emancipation of the slaves, which stripped tens of thousands of white Southerners of human property hitherto protected by the laws of their states; the latter did so by transferring the power to grant citizenship and enforce its rights from the states to the federal government.

Yet the end of Reconstruction in 1877 should caution us against drawing too straight a line of influence to the federal-state centralizing tendencies of the Progressive Era and New Deal. Indeed, in what legal scholars regard as one of the key constitutional developments of the late nineteenth century, the Supreme Court, in the 1870s and 1880s, restored to the states expansive notions of police power that Reconstruction, and the Thirteenth and Fourteenth Amendments in particular, had taken away.

From the late nineteenth century through the first quarter of the twentieth, many states exercised what in other societies would be regarded as sweeping forms of control over individual behavior: prohibition of the sale and consumption of alcohol; forced separation of the colored and white populations; and the banning of polygamy, prostitution, contra-

ception, and interracial marriage. The federal government participated in and encouraged this regulatory regime—outlawing polygamy in 1862, banning birth control materials from the U.S. mail in 1873, and prohibiting the transport of women across state lines for sexual purposes in 1911. But even as the federal government expanded its control during this time, the power to legislate moral life remained largely within the province of the states, part of the authority they derived from their police powers. And the Supreme Court repeatedly upheld the states in their rights to exercise their police powers in this way.

Thus, in a series of civil rights cases culminating in the notorious *Plessy v. Ferguson* (1896), the Supreme Court ruled that the police power doctrine entitled state governments, acting on behalf of the "people's welfare," to separate the black race from the white and to deny African Americans freedom of movement, assembly, and participation in institutions designated as white. The courts upheld the legitimacy of such separation even in the face of claims by corporations (such as railroads) that these segregationist practices interfered with the principle of laissez-faire, which they understood to be their constitutionally guaranteed freedom to do business and make money as they pleased.

The resurgence in the states' police power can be discerned equally well in matters pertaining to interracial marriage. The regulation of marriage had always been regarded as lying within the authority of the states. In the early- to mid-nineteenth century, movements arose to enhance the freedom of individuals to choose their marriage partners, which meant treating marriage as a contract freely undertaken by two individuals and not as a civic act in which government, on behalf of the people of that state, took an interest. This tendency marked the increasing sway of laissez-faire in personal life. But a reaction against this liberal approach gathered force in the last third of the nineteenth century amid growing fears that emancipation, urbanization, and immigration were creating general social disorder and too many worrisome sexual and marital unions. Nowhere was this reaction more apparent than in the strengthening of state laws outlawing miscegenation. Emancipation and Reconstruction had temporarily created a

favorable climate for legalizing interracial romance and marriage, but by 1882, the U.S. Supreme Court declared that "the higher interests of society and government" permitted a state to exercise its police power to regulate both sexuality and marriage as it saw fit.

With this sanction from on high, twenty states and territories, between the 1880s and the 1920s, strengthened their bans on interracial sex and marriage or added new ones. These laws appeared not only in Southern states but in Northern and Western ones as well. Many states extended the prohibition on intermarriage from whites and blacks to whites and Asians and whites and Native Americans.

The federal courts eventually did carve out a sphere of individual rights that no government, state or federal, could abrogate. The elaboration of these protections was part of a long "incorporation" process through which the federal government compelled the states to recognize the primacy of individual rights set forth in the Constitution, the Bill of Rights, and subsequent amendments. In the process, the federal government diminished the police powers of the states. But what impresses one about this story is how long it took to create that sphere and how resistant state governments and the federal courts were to its claims. Only the civil rights revolution of the 1960s dislodged the police power doctrine from its exalted perch.

*This resistance* to recognizing individual rights as primary occurred in a society that has always thought of itself as granting individuals inalienable rights to life, liberty, happiness, and property. But under the police power doctrine, state governments could regulate, even obliterate, many of these rights, and did so for almost two hundred years. They did so even in moments, such as the New Deal era, that we regard as laying the groundwork for the mid-twentieth-century "rights revolution."

Thus, during the New Deal, no state government had to worry that its right to sustain Jim Crow or anti-miscegenation law was imperiled. The repeal of Prohibition in 1933 actually triggered a strengthening of the police powers of the states in regards to "sexual deviants," whom state agencies began sweeping from city streets, bars, and other public places.

These state regimes of moral regulation did not always work as well in fact as they were designed to on paper because it was difficult to achieve the kind of uniformity across states that successful enforcement required. State governments always suffered from a key weakness: they could not control the movement of people in and out of their territory. Because states were often in competition with each other for laborers, industry, investment, immigrants, and settlers, some were always seeking to attract the desired people and commodities by instituting what they understood to be attractive, and liberal, laws. New Jersey and Delaware long sought to draw industry by making public incorporation easier in their states than in any others. A number of states, beginning with Connecticut in the nineteenth century and reaching Nevada in the twentieth, always made it much easier than in most other states for unhappy couples to secure a divorce. Today, some homosexual couples wanting to marry think about moving to Vermont, Massachusetts, and other states that have legalized same-sex civil unions and/or marriage.

The New Deal did create a new federal state, one that was ready, even eager, to interfere with the rights of capital and property to achieve its ends. In the process, it secured, through the commerce clause, a surrogate police power that finally allowed it to assume powers to protect the people's welfare that had hitherto been reserved to the states. That Franklin Roosevelt, in 1937, attempted to "pack" the Supreme Court with liberal judges in order to generate majorities that would uphold the constitutionality of key New Deal legislation testifies to the far-reaching nature of the changes in federal governance he and his supporters had introduced.

And yet the New Deal, too, had to adapt to traditional patterns of governance. New Dealers proved solicitous of state governments. In distributing relief and welfare, they found themselves partnering with the states. The Federal Emergency Relief Administration (FERA) turned to state agencies to distribute direct grants and established a system of matching grants that required states to put up three dollars for every one dollar of federal relief largesse. A similar system prevailed in the Social Security Administration. Although old-

age insurance was a purely federal program, unemployment insurance and other so-called "categorical" forms of assistance—subsidies for the needy, aged, blind, and dependent children—were not. States were expected to fund their own unemployment insurance programs in return for federal tax relief. This system gave individual states the autonomy to choose the scale and beneficiaries of welfare expenditures in their polities and produced, not surprisingly, many little, disparate welfare states rather than one big, uniform one.

The surprising resilience of state governments during the New Deal can be explained by several factors: the lack of bureaucratic and administrative capacity at the federal level and the impossibility, given the imperative of responding quickly to the economic crisis, of waiting patiently for it to develop; the New Dealers' need to win, in Congress, the support of those, especially Southern Democrats, who feared establishing too centralized and bureaucratic a federal state; and the desire to write legislation that would pass constitutional muster.

The national welfare and relief legislation enacted by New Dealers in the 1930s, then, diminished but did not extinguish the power of state governments; the tradition of state governance was simply too old, too honored, and too strong. A new system had to be built on the structure of the old, which often led to patterns apparent in the New Deal and beyond: political compromises and governing arrangements that sometimes tied the federal government up in knots and made efficacious social policy difficult to deliver.

*Only in the 1960s* did political protest and central government pressure finally break this formidable pattern and undermine the concept of states' police powers that lay at its core. The civil rights movement triggered this change. The association between white supremacy and federalism, or "states' rights," ran so deep that a frontal assault on one was bound to generate an assault on the other. It quickly became clear that dismantling Jim Crow in the South required the central government to assert its power over that of the states. Specifically, this meant that the central government had to insist

on its constitutional obligation to ensure that every American be able to exercise his/her inalienable rights even if that meant nullifying the police powers long exercised by the various states.

Thus, in the 1960s the federal government crossed lines in its relations with the states that it had declined to traverse in previous eras of liberal reform. Title VI of the 1964 Civil Rights Act made that act the first federal law specifically to prohibit the use by states of racially discriminatory criteria in distributing federal grants-in-aid monies. The 1965 Voting Rights Act gave the federal government authority to reform electoral rules that had long been regarded as the exclusive domain of state and local governments. The 1965 Medicaid program expanded the power of the federal government by requiring individual states to provide certain kinds of medical assistance to the poor; unlike the welfare programs of the 1930s, Medicaid's provisions prohibited states from deciding on their own whether or not they wanted to participate in this federal program. By the late 1960s, too, the federal government was determining eligibility requirements for AFDC to an unprecedented degree. In undertaking these actions, the federal government was curtailing the autonomy of the states to determine the kind of public welfare that would exist within the latter's borders.

The federal courts participated in this assault on federalism, not only by upholding the constitutionality of legislation discussed above but through "judicial legislation" that they fashioned out of lawsuits that individual Americans were bringing before the federal bench. *Baker v. Carr* (1962) asserted the federal government's power to oversee electoral redistricting, a process that had belonged to the states. *Miranda v. Arizona* (1965), which insisted that individuals being arrested possessed rights that law enforcement had to respect, placed local police under the strictest federal scrutiny they had known. *Loving v. Virginia* (1967) inserted the Constitution into another area of law, marriage, regarded as the province of the states.

The comprehensive shift in power from the states to the federal government occasioned by the assault on Jim Crow made possible the greatest advances in racial equality in a century. It also triggered a "rights revolution," as indi-

viduals of all kinds now came forward to insist on fundamental constitutional rights that no government in America could touch. These included the right to marry a person of one's own choosing; the right to privacy; the right to an abortion; and the right to equal opportunity irrespective of one's gender, sexuality, religion, or race.

Of course states did not disappear. They never will. The American polity continues to comprise tens-of-thousands of distinct jurisdictional units—more than 89,000 in 2008—including not just the states themselves but all the counties, towns, special districts, and schools that fall under state control. Employment in state and local government grew enormously in the Great Society years and beyond. The federal government's imposing its will on this densely populated government landscape was not an easy thing to do; the possibility for federal policy failure or cooptation due to jurisdictional fragmentation, incompetence, or self-interestedness was ever present, and it still is. But the changes of the 1960s eviscerated the foundation on which states had built and accumulated their authority: the police power doctrine.

That the 1960s period of change was different from earlier ones becomes clearer if we compare it to the shift in federal-state relations that occurred during the Civil War and Reconstruction. In both periods there were basic shifts of power from the states to the central government, followed by concerted efforts to restore to the states the powers that had been taken away. During the Nixon administration, Republican conservatives rolled out a "New Federalism" to restore states' rights. This became a central ambition of Supreme Court Justice William Rehnquist and the conservatives who sat on his court from 1986 to 2005. Rehnquist achieved some notable successes in restoring rights to the states, especially during cases decided in the late 1990s. But overall the achievements of this federalist resurgence have been rather modest in comparison to those of the Supreme Court of the 1880s and 1890s. Rehnquist long believed that the Supreme Court's decision in *Brown v. Board* was wrong and that the Court should have used the opportunity presented by *Brown* to reaffirm its 1896 *Plessy v. Ferguson* ruling (to allow states to decide whether or not to enact segregationist policies).

But Rehnquist never dared, in his long tenure as chief justice, to associate his name with a case of *Plessy*-like content and magnitude.

The weakening of federalism went hand in hand with the central government's determination to make itself the guarantor of the individual rights of all Americans—black and white, minority and majority, female and male, homosexual and heterosexual. In this respect, the decline of federalism made possible the advance of egalitarianism.

*The relationship of federalism's decline to the pursuit of economic or class equality in America is a more complex matter. We can find many cases in American history of state and local elites using federalist structures to enrich and empower themselves, impoverishing and immobilizing poorer Americans in the process. But state and local governments were hardly the only portals through which private power influenced American democracy. Anyone who has looked carefully at the last quarter century of economic-government relations has noticed that private interests can penetrate central governing institutions as thoroughly as they have at the state and local levels.*

There is also a long and rich history of state governments using their police powers to corral private economic power for the public good. In the antebellum years, state governments often inserted public obligations into the charters that they granted private corporations. In the Gilded Age, states passed a blizzard of laws to regulate corporate behavior in the public interest. In the Progressive Era, the states were in the vanguard of reform efforts to assert the priority of the "people" over the "interests." They passed laws to regulate workplaces, to provide welfare for citizens unable to care for themselves, to limit the influence of corrupt private interests on politics, and to increase the direct influence of people on politics by embracing the initiative, referendum, and recall.

Liberal scholars have often criticized these efforts as futile because the power of corporations has grown too great for any one state to control. Only the central government, they have argued, has possessed the necessary muscle to subdue corporate power. This criticism is fair, but not complete (and the

argument about scale has gotten more complicated in light of the fact that corporations are now global and have extended their reach beyond the point where central governments can enforce their sovereign power). State-level efforts failed as well because the federal courts increasingly exempted corporations from the control of state legislatures. One of the strangest stories of American history is how nineteenth-century courts began to identify corporations as "individuals" whose constitutional rights no government could touch. (The strangeness of this story lies both in the willingness of the courts to transmute corporate bodies into individuals and in the fact that the courts extended these rights to few other groups of individuals until the 1960s). Treating corporations in this way allowed the federal courts to protect incorporated institutions from the police power of the states in which they did business. By the time of the New Deal, it was axiomatic in reform circles that the states could not regulate corporations and that only a dramatic expansion in the power of the national government could accomplish this task.

Liberals and the courts acted on this axiom—and responded to the capitalist crisis caused by the Great Depression—by elevating the Constitution's commerce clause into a surrogate police power doctrine that empowered the federal government to regulate the private economy in the public interest and thus enabling it to succeed where the states had failed. A dramatic growth in the size and effectiveness of the central regulatory state ensued across the next forty years.

But in addressing the legacy of New Deal, we have to ask whether the egalitarian gains of the centralized regulatory state and of substituting a national police power doctrine for that of the states endured. It is remarkable that the Second Gilded Age of the late twentieth century (1980s–1990s) generated so little collective protest about economic inequality, especially when compared to the scale and intensity of these sorts of protests that erupted during the First Gilded Age of the late nineteenth century.

Is it possible that the weakening of federalism that began in the 1930s and that was dramatically accelerated by the rights revolution of the 1960s stripped Americans of one of their most important languages for asserting, as

Theodore Roosevelt did in 1910, that "every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it"? What if the concept of police power as deployed at the federal level cannot be (except at moments of emergency such as depression and war) a robust vehicle for asserting the priority of the commonwealth over private interests? What if the rights revolution of the 1960s has so prioritized individual equality that collective equality has become much harder to attain?

If the answers to any of these questions turn out to be yes, then there may be good reason to encourage progressive forms of federalism to develop. These federalisms would stress the capacious power of government that resides in the states, would call on states to act in the public interest, and would seek to turn state governments into what the liberal jurist Louis Brandeis once celebrated as "laboratories of democracy." These "government labs" would, in the best-case scenario, develop creative, local, and diverse solutions to economic and social problems that America confronts, with the most successful ones being adopted by the federal state and adapted to problems that are national in scope. Such a process, too, might even resuscitate a popular belief in the capacity of active governments at all levels to expand opportunity and promote equality. It may be that the government's evolving commitment to public health care, beginning in Massachusetts and then adopted and adapted by the federal state for the nation as a whole, will one day be understood in these terms. Perhaps California will forge a similarly pioneering role in stimulating or compelling a federal engagement with climate control.

This approach to federalism should not be confused with what right-wing federalists have in mind: dismantling the central government as we know it. Such a dismantling entails eliminating fundamental federal government programs, including Social Security, the Civil Rights Act of 1964, Medicare and Medicaid, and even the Internal Revenue Service. We've already experienced one such counterrevolution against federal power—that which occurred in the nineteenth century, in the aftermath of the Civil War and Reconstruction.

To undertake another one now would require a level of disruption far greater than what Americans experienced in the late nineteenth century: the density of federal programs is much thicker than it was then, and the jurisprudence supporting it has become far more woven into both legal and social life. A seismic rollback is, of course, precisely what archconservatives desire. But it is not what most Americans, not even a majority of Republicans, desire. Nor would it be good for America. A progressive version of federalism

seeks something else: public policy experimentation that triggers a revival in the possibilities of state action at all levels of government.

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# Suburban Diversity and Economic Inequality

## Can the Democrats Meet the Challenge?

MATTHEW D. LASSITER

Since 2004, the sixty-two-foot statue of Jesus erected by the Solid Rock Church has stood as one of the most conspicuous landmarks in southern Ohio, located at the midpoint of the fifty-mile corridor of suburban sprawl along I-75 between Cincinnati and Dayton. The evangelical megachurch built the "King of Kings" statue, featuring a fiberglass and styrofoam Messiah rising with uplifted arms from a large reflecting pool, to proclaim the gospel to the surrounding community and especially to motorists passing by on the highway.

This year, the icon, tagged with such nicknames as "Touchdown Jesus" and "Drowning Jesus," provided an even greater spectacle when a lightning strike burned it down late in the evening of June 14. The complex's large neon billboard, which flashes messages such as "No God, No Peace," emerged unscathed. Solid Rock Church immediately promised to rebuild what it had claimed as the largest sculpture of Jesus Christ in the United States, while secular critics across America had a field day mocking the tacky tastes and in-your-face religious values of this Middle American exurb. A columnist for the *San Francisco Chronicle* sarcastically wondered if gay rights activists had torched the giant Jesus as payback for heartland homophobia and imagined "fundamentalists scurry[ing] about in a baffled frenzy, unsure what it all might mean." Others observed that God had spared the thriving Hustler Hollywood megastore, located at the same interstate exit, which Larry Flynt opened in his home state over the resistance of public officials and a religious right group called Citizens for Community Values.

Like most stories set in the suburbs, the saga

of Ohio's oversized Jesus confirms some stereotypes but challenges many others. Solid Rock Church is located in Monroe, a town that straddles the boundary between the counties of Warren and Butler, each of which has a white population of approximately 90 percent and a median family income above the national average (comfortably so in Warren, just barely in Butler). In addition to several megachurches and Flynt's "erotic boutique," the hybrid suburban/exurban/rural landscape around the Monroe exit includes a giant flea market, an outlet mall, a United Food and Commercial Workers union hall, two prisons, several golf courses, many single-family subdivisions, and plenty of the home and garden stores that flourished during the long housing boom that peaked in 2005.

George W. Bush twice carried each of these solidly Republican counties by wide margins, including 70 percent in Warren and 66 percent in Butler in his 2004 reelection, a time of national obsession with the pivotal swing state of Ohio. But in 2008, with unemployment rising and the economy entering a severe recession, Barack Obama improved the Democratic totals by 4 percent in each county, a microcosm of the statewide shift that flipped Ohio from red to blue in the electoral college.

Viewed from the highway, Solid Rock looks like a prominent exurban base for the GOP's mobilization of white evangelicals in the nation's long-running culture wars. Indeed, the church does condemn abortion and claim success in persuading gay men and lesbians to abandon the "homosexual lifestyle." But its Pentecostal congregation is also marked by extraordinary racial and economic diversity, including a significant African American membership. Solid Rock's unusual heterogeneity reflects the mission of co-pastors

Lawrence and Darlene Bishop to build a "cross-cultural" church that operates prison ministries, runs a home for pregnant teenagers, and has even produced a film called *Segregated Sunday* in which God's love bridges the cultural gulf between a bluegrass and a hip-hop musician.

In 2004, George W. Bush won ninety-seven of the one hundred fastest-growing counties in the United States, including runaway victories in the mostly white exurban precincts of key battleground states such as Ohio and Florida. This oft-cited statistic generated a substantial amount of alarm that blue-state Democrats could not compete for the young, white, middle-class nuclear families that have long represented the popular embodiment of both suburban politics and the American Dream. But the hype over the GOP's success in mobilizing "family values" voters in the white exurbs obscured more than it revealed about contemporary suburban politics writ large. The most rapidly growing exurbs still contain only a small percentage of the total suburban electorate, which is dominated by high-density inner suburbs and diversifying middle-ring suburbs. Although the Republican Party controlled the suburban vote during the 1980s, partisan allegiance in the suburbs actually has been almost evenly divided since Bill Clinton targeted the "forgotten middle class" during the recession-shaped election of 1992.

*Clinton's victory* revealed that economic populism could win back Reagan Democrats in the working-class suburbs, especially during hard times, and the party has also appealed to middle-class moderates alienated by the GOP's culture-war agenda. But more than anything else, the inroads the Democrats have made reflect the increasing racial and economic diversity of American suburbia, now home to a majority of each racial and ethnic minority group within large metropolitan areas. In addition, more poor people today live in suburbs than in the central cities, and a preponderance of suburban households no longer conform to the traditional nuclear family ideal. The suburbs of the 100 largest metropolitan regions, according to a Brookings Institution analysis, now include 78 percent of white residents, 62 percent of Asian Americans/Asian

immigrants, 59 percent of Latinos, and just over half of all African Americans (up from 43 percent in 2000).

Between 2000 and 2005, the ten fastest-growing counties in terms of total population (not percentage) increase were all located in the booming Sunbelt region, especially in the metropolitan Southwest. Latinos now make up between one-quarter and one-half of the population of most of these counties, including Las Vegas/Clark County; Phoenix/Maricopa County; Houston/Harris County; Los Angeles County; and the suburban Southern California counties of Riverside, San Bernardino, and Orange. In 2008, Barack Obama carried six of these ten counties and ran very competitively in the traditional Republican strongholds of Maricopa and Orange. His narrow 2.4 percent defeat in the suburbs of Orange County, the former conservative bastion that launched the careers of Richard Nixon and Ronald Reagan in the 1960s, reflects the demographic transformation of a county that is now one-third Latino and one-sixth Asian American.

Nationwide, Obama received only 43 percent of the white vote in 2008, and barely half even in deeply "blue" states such as California and New York, and so his strong support among Asian Americans (62 percent) and Latinos (67 percent) proved critical. Obama carried the diversifying suburban electorate by 51 percent to 49 percent, building on Bill Clinton's success in winning a plurality of suburban votes in the three-way elections of 1992 and 1996, and inverting Bush's narrow victory margins among this demographic in 2000 and 2004.

The political evolution of the Sunbelt suburbs can even be seen in places such as Cobb County, part of the congressional district north of Atlanta that Republican firebrand Newt Gingrich represented during the 1990s. Until quite recently, Cobb seemed to encapsulate the trends highlighted by Kevin P. Phillips in 1969 in *The Emerging Republican Majority*, which forecast an era of GOP dominance driven by white-collar migration to the Sunbelt states of the South and West and the "conservative trends of the vast new tracts of middle-class suburbia." The county's population tripled between 1970 and 2000, with almost two-thirds of the arrivals born outside the state of Georgia, and Atlanta trailed only Phoenix for the

nation's highest rate of metropolitan population growth during the 1990s. Reagan trounced Mondale with 77 percent of Cobb's vote in the 1984 election, and no Democratic presidential candidate received more than 37 percent for the next two decades.

Sunbelt conservatism appeared ascendant nationally by 1994, when the GOP took control of Congress under the leadership of suburban Republicans from fast-growing states such as Georgia, Texas, and California. On the eve of this so-called "Republican Revolution," Gingrich portrayed his suburban Atlanta district as the ideal fusion of traditional family values and the high-tech Sunbelt economy, "a sort of Norman Rockwell world with fiber-optic computers and jet airplanes." Cobb County's white-collar migrants "believe big cities have failed," Gingrich explained, but they "still believe—and are working toward—the American dream of owning our own home, raising our families, giving our children a better life with safe streets, and a future built on self-reliance and hard work."

During the Gingrich era, Cobb County gained a reputation as a bastion of religious right extremism and as a poster child for the double standards of anti-tax, big-government conservatism. A Common Cause expose of "white-picket welfare" revealed that Cobb received more federal dollars per capita than any other suburban county in the nation except for Arlington County in Virginia (home of the Pentagon and the CIA) and Brevard County in Florida (NASA Space Center). Local activists in the religious Right also provoked a series of culture-war confrontations during the 1990s, most notably a county commission resolution proclaiming that the "lifestyles advocated by the gay community . . . are incompatible with the standards to which this community subscribes."

The ensuing national furor obscured the fact that more Republicans in Gingrich's district labeled themselves moderates than conservatives, with tax cuts and the quality-of-life problems of suburban sprawl far outpacing school prayer or gay rights as matters of local concern. "The people here have the same concerns that most Americans have—good schools, [low] crime and their economic future," explained an IBM executive who relocated from a similar Dallas suburb. "In our

neighborhood, we're just regular people," insisted a suburban mother of two. "We want to invest ourselves in our families, and we don't want to be taxed to death. I think most Americans feel this way." In 1998, a moderate Republican transplant who headed an anti-sprawl neighborhood alliance unseated the sponsor of the anti-gay resolution by arguing that the religious Right's agenda was diverting attention from critical suburban issues such as traffic jams and school crowding in the built-out county. Barack Obama also exceeded expectations by winning 44 percent of the Cobb vote, primarily because of the county's demographic evolution from almost all-white in the 1980s to 23 percent African-American, 11 percent Latino, and 4 percent Asian by the time of the 2008 election.

In 2002, progressive strategists John Judis and Ruy Teixeira highlighted the changing political demographics of the suburbs in *The Emerging Democratic Majority*, which inverted Kevin Phillips's formula by predicting GOP reversals in the high-growth, high-tech metropolitan regions of the multiracial Sunbelt. In their vision, the "New Democrats" could build a suburban majority by combining fiscal moderation with cultural liberalism, the recipe for winning postindustrial economic regions such as Silicon Valley in Northern California and the Research Triangle area of North Carolina. In boom states such as Colorado and Virginia, the party has followed the Democratic Leadership Council's admonition that "sprawl is where the voters are" by reaching out to white-collar professionals turned off by the social conservatism of the religious Right and mobilizing the Latino and Asian American voters who increasingly live in suburban neighborhoods.

During the past decade, the Democratic surge in the suburbs and exurbs of northern Virginia has revealed the effectiveness of this DLC strategy. The "New Democrats" have easily carried the populous and multiracial inner-suburban counties of Arlington and Fairfax in most recent contests, while also competing vigorously in fast-growing exurbs such as Loudoun County. In Virginia's 2005 gubernatorial election, Democratic candidate Tim Kaine won Loudoun and several other exurban

counties through a campaign that promised relief for quality-of-life dilemmas such as “overcrowded schools, highway congestion, sprawl, housing prices, and property taxes” in order to “preserve the lifestyle they sought by moving to the suburbs.” Obama adopted the same approach in 2008, when he reversed Bush’s exurban victories by securing 54 percent of the vote in Loudoun and 57 percent in adjacent Prince William County, which now include minority populations of 27 and 40 percent, respectively. These rapidly diversifying exurbs provided a microcosm of the Obama breakthrough in winning three of the South’s largest states—Virginia, North Carolina, and Florida—in large part because of gains among Latinos, Asian Americans, and middle-income households experiencing financial strain.

In the lead-up to the 2008 election, many on the Left doubted that a Democratic ticket could appeal to enough white voters in Middle America to capture key battleground states such as Ohio, Virginia, and North Carolina. Such pessimism reflected a deeply entrenched backlash narrative (popularized most recently by commentators such as Thomas Frank and Paul Krugman), which holds that Republicans have exploited racial backlash and manipulated the culture war trilogy of “God, guns, and gays” to fool working-class whites into voting against their real economic interests.

The backlash thesis conveys some important truths about the past few decades of political history: Richard Nixon’s anti-busing, law-and-order platform; Ronald Reagan’s opposition to fair-housing laws in the 1960s and affirmative action in the 1980s; the recurring GOP strategy of celebrating the “family values” of the middle-class suburbs by attacking gay rights, feminism, and the urban welfare state. But the ubiquitous, timeless recitation of white backlash as a catch-all explanation for seemingly every Democratic defeat since the Watts riot has also served to shield modern liberalism from acknowledging its own failure, despite decades of income stagnation and rising inequality, to address the fundamental economic challenges facing working-class and middle-class voters of all races.

Obama himself offered a more compelling and nuanced interpretation of the backlash thesis when he clarified his controversial

comments about political anger in Middle America (“they cling to guns or religion or antipathy to people who aren’t like them or anti-immigrant sentiment”) by emphasizing that “these voters have a right to be frustrated because they’ve been ignored” and blaming his own party for not being able to “communicate to them effectively an economic agenda.” The Obama campaign conspicuously held its final campaign rally in Manassas, Virginia, in the heart of the Prince William County exurbs. There the candidate promised to fight for “policies that invest in our middle class, create new jobs and grow this economy so that everybody has a chance to succeed.”

*It remains to be seen* whether Democratic policies can counter the nation’s long-term trends of increasing economic inequality and working-class downward mobility. Since the early 1990s, the party has reinvented itself as the fiscally responsible ally of Wall Street corporations, the champion of Silicon Valley technologies, and the defender of “soccer moms” in upscale suburbs. Obama won the inner-ring suburbs by twenty-one percentage points, an expected result given the Democratic base among college-educated professionals and racial/ethnic minorities, but his surprising competitiveness in many newer suburbs and exurbs depended in no small part on a volatile economic climate made worse by rising unemployment, higher energy costs, anger over undocumented immigrants, and the collapse of the housing bubble. According to the 2009 National Suburban Poll sponsored by Hofstra University, about one-third of white suburbanites have experienced a recent job loss within their immediate family, while more than half of African-American and Latino households in the suburbs have suffered the same fate. Home losses through foreclosure or mortgage default also have hammered sprawling exurbs, especially for minority suburbanites in the Sunbelt destinations that grew fastest in recent decades.

With the best of intentions, the Clinton administration helped bring on the housing crisis that has destabilized suburban neighborhoods across the nation. In the 1990s, its “American Dream Commitment” program

pumped \$2 trillion into the private housing market to increase rates of homeownership among racial and ethnic minorities, low-income families, and recent immigrants—thus accelerating an unsustainable bubble economy. Clinton simultaneously signed legislation that deregulated mortgage-backed securities and facilitated the embrace of subprime lending by major commercial banks and other large financial institutions, some of which engaged in practices of “reverse redlining” that deliberately targeted African-American and Latino families searching for the suburban dream. The results have been devastating in recent boom markets from Riverside County in Southern California’s Inland Empire, where subprime loans and plummeting home values have displaced many Latino families, to the Orlando suburbs of Orange County, Florida (24 percent Latino, 19 percent African American), which led the state in foreclosures in 2009.

The 2010 passage of health care reform based on the promise of universal coverage, however compromised by corporate lobbying and the lack of a public option, still represents the most important piece of progressive social legislation since the Great Society. The establishment of an entitlement to health insurance matters enormously in the suburbs—where more than two-thirds of white adults do not have a college degree, where strong unions no longer guarantee many working-class families middle-class wages, where the nation’s continued failure to provide subsidized childcare presumes a norm of stay-at-home motherhood that has been fading for decades, where job loss and catastrophic medical costs represent the most common causes of home foreclosure.

If the history of the New Deal’s social welfare programs is any guide, the extension of health care coverage to forty-six million uninsured Americans and the regulation of skyrocketing

costs facing tens of millions more will enhance the Democratic Party’s fortunes at the ballot box—at least in the long run. For the immediate future, Democratic leaders and progressive pundits ought to pay less attention to the Tea Party movement, which is largely made up of the same types of white Republican activists and affluent conservative ideologues who have always opposed redistributive liberalism, and worry more about how to help the working-class and middle-class families who believe that the Democrats care more about Wall Street than Middle America.

The bipartisan bailout of Wall Street to the tune of \$700 billion (and counting) encapsulates the socialization of corporate risk in modern American politics, as the federal government continues to subsidize the profits and then cushion the losses of companies deemed “too big to fail.” The Obama administration’s initial \$75 billion home mortgage modification program reveals the continued privatization of economic risk for too many ordinary households—a plan based on the largely ineffective approach of providing incentives to encourage voluntary action by banks rather than mandating debt relief or issuing a New Deal-style moratorium on foreclosures. With more than three million home foreclosures expected in 2010 alone and the national unemployment rate hovering close to 10 percent, the Obama administration’s reluctance to place economic inequality at the center of its political agenda is self-defeating—and a broken promise to suburban swing voters in Ohio, Virginia, and other battleground states.

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# Not Your Parents' Minnesota

## Immigration Politics in a Supposed Liberal Bastion

PETER RACHLEFF & DOUG ROSSINOW

*Minnesota was long known* as a progressive stronghold, from its support for Ignatius Donnelly and the Populists of the 1890s and A.C. Townley and his Nonpartisan League in the First World War era to its election of Farmer-Labor governors, senators, and representatives in the 1930s to its later support for liberal Democratic heroes Hubert Humphrey and Eugene McCarthy and its status as the only state to reject Ronald Reagan in 1984. Minnesota was equally known as a bastion of whiteness, gently satirized in Garrison Keillor's ongoing radio broadcasts. Some pundits and scholars conjectured that the state's left-leaning politics had a foundation in its heavily Scandinavian and German ethnic make-up. Minnesota's political move to the right in recent years—Minnesotans have not elected a Democratic governor since 1986, and anti-tax politics has dominated state lawmaking for more than a decade—has coincided with its racial and ethnic diversification, as tens of thousands of immigrants have arrived from Southeast Asia, East Africa, and Mexico and Central America. Are these political and demographic developments related? Have the politics of immigration and diversity arrived in this piece of America's heartland to produce, from a progressive standpoint, a toxic outcome?

On East Seventh Street, in Saint Paul's hard-scrabble East Side neighborhood, sits an excellent Salvadoran restaurant, *Mañana* (where much of the brainstorming for this article was done), with several taquerias within blocks. Up the street is the Mexican consulate, which opened in 2005; a few blocks further on is the Lutheran church where members of FMLN-Minnesota watched Salvadoran election

returns via satellite television a year ago. Once, this was a heavily unionized blue-collar neighborhood dominated by manufacturing workers employed by 3M, Whirlpool, and Hamm's Brewery, all of which disappeared in the deindustrialization wave of the 1980s. In their place, as rents have plummeted and low-wage service sector jobs have proliferated, have come Latinos, African Americans, Hmong, Somalis, and Ethiopians. This neighborhood encapsulates Minnesota's changing face.

Indeed, Minnesota as a whole is less white than it long was. The Latino population in the state almost tripled in the 1990s, passing the 200,000 mark (in a state whose population is about 5.25 million). This total may seem modest to residents of Florida or California, but its significance is a matter of proportion. Between 2000 and 2008, in percentage terms, Minnesota was fourth among states with the biggest increases in their Hispanic populations. It stands out among these large Latino-population gainers by virtue of its storied whiteness. The state is still 85 percent non-Hispanic white. Other states with big recent increases in the Latino share of their populations, such as the Carolinas and Arkansas, include large African American minorities, and liberals in those states have a long history of dealing with questions of race and diversity (one way or another). Minneapolis and Saint Paul, Saint Cloud, and other cities here have become home to highly visible Southeast Asian and African populations, while Latino and African immigrants now provide the work force for meatpacking, poultry and vegetable processing, clustered in smaller, formerly all-white towns across the state. Rochester, home to the Mayo Clinic, an expanding healthcare complex, and a hotel industry that serves the families of patients, has experienced a similar influx of immigrant

workers of color. Immigrant workers seem everywhere, from the checkers at local retailers, who might be women in hijabs and burkas, to the cab drivers at the airport, many of whom are men from the Horn of Africa. Although the traditional African American population here is small, it too has been growing. The State Demographic Center projects that, between 2005 and 2035, Minnesota's non-Hispanic white population will grow only by 8.5 percent, compared to a predicted 121 percent growth in the minority population. Already, the public schools in Minneapolis and Saint Paul have "majority minority" populations.

As some immigrants have gained stable employment, residency, and citizenship, they (and, in some cases, their maturing children) have organized, in workplaces, in communities, and in politics. At times this has generated alliances and coalitions among immigrant groups and communities of color. In 2002, the East Side Saint Paul district elected Mee Moua as the first Hmong woman state senator in the United States. Her political team mobilized Latinos, African Americans, and African immigrants, along with Hmong and Vietnamese, to sweep her into office as a Democrat. In 2000, some 1,700 hotel workers—mostly immigrants, speaking fifteen or more languages, and organized in HERE Local 17—struck the major metropolitan hotels, held firm for two weeks, and won big gains—only to lose many of them as the hospitality industry shrank after the attacks of September 11, 2001. While much of the labor movement has been pushed backward in the past three decades, the mainly immigrant janitors in SEIU Local 26 have waged two very effective contract campaigns, winning not only wage increases and expanded benefits, but also turning part-time jobs into full-time ones and increasing their rights on the job.

Their successes have inspired, informed, and supported white and African American union members who are employed as window washers, security guards, and in other occupations, some of them more highly paid. Interestingly, when 1,200 mostly white mechanics struck Northwest Airlines in 2005 and the mainstream of the labor hierarchy turned its back (the mechanics had committed the sin of leaving the International Association of Machinists to affiliate with the Aircraft

Mechanics Fraternal Association, an independent union), most of the labor support came from SEIU, HERE, and a United Food and Commercial Workers' local that had been organizing immigrant packinghouse workers. In other words, for the past decade, where there has been vim and vigor in the Minnesota labor movement, there has been an immigrant spark.

*Nonetheless*, increasing diversity has coincided with a now-familiar deterioration in the economic standing of white wage-earners overall. The potential for division among workers based on nationality or nativity is all too clear. In smaller meatpacking and poultry processing communities, working-class taxpayers bear the burden for education (think: the visibility of non-Anglo immigrants' children) and public health care (think: immigrant workers and their families, lacking employer-provided health insurance, visiting emergency rooms) while corporate employers enjoy access to a low-paid work force. The costs of immigration are socialized and pressed downward, while the benefits, arguably, accrue disproportionately to employers. In Austin, one hundred miles south of the Twin Cities, Hormel has recruited a substantially Latino work force as long-term replacements (at lower pay and benefits and amid harsher conditions) for the white work force, whose defeat was depicted in the 1990 Academy Award-winning film *American Dream*. While that's hardly surprising, it is disconcerting that, when the strike veterans commemorated the twenty-fifth anniversary of their iconic struggle, they excluded the new Latino workers from their events.

Opportunistic politicians tap into these resentments with demagogic appeals. Immigration has become a wedge issue for conservative forces here, who clearly believe the issue has traction. Outgoing Republican governor (and 2012 presidential contender) Tim Pawlenty ran a TV ad during his 2002 campaign featuring would-be terrorist Zacarias Moussaoui and intoning, "Terrorists are here," and has vetoed pro-immigrant driver's license and "DREAM Act" bills (the latter would allow undocumented college-age immigrants who graduate from state high schools to attend public colleges at in-state tuition rates). Both

Pawlenty and current GOP gubernatorial candidate Tom Emmer have endorsed Arizona's already notorious (but rather popular) SB 1070. The indications are that such a law stands little chance of being enacted in Minnesota. But Susana DeLeón, a lawyer and immigrant rights activist here, anticipates an "under the radar" effort to encode anti-immigrant appeals in a "public safety first" message in coming election campaigns in the state.

This isn't to say that only liberals can find immigration problematic. This is a potential wedge issue dividing the Republican coalition as well as the Democratic base. Business leaders favor a continued stream of immigrant workers who may depress wages overall, and employers have tremendous leverage, to put it mildly, when they hire undocumented workers. Business does not want to be in the sights of Immigration and Customs Enforcement agents and does not want to police its workforce for residency papers. *The Wall Street Journal*, the foremost platform for right-leaning policy ideas in the country, long has favored an "open-borders" policy. But the grassroots base of the GOP, reflected in the "Tea Party" gatherings, is ferociously hostile to undocumented immigrants—and, it sometimes seems, to immigrants in general. Republican politicians, for their part, are treading carefully, courting the Tea Partiers while doing little to displease their corporate sponsors. But our main concern here is with the challenge immigration poses for progressives.

*Liberals would be fools* to ignore the coincidence of expressions of anxiety over immigration with the ascendancy of the neoliberal dogma of lower taxes and fewer public services in Minnesota. Dane Smith, a longtime reporter for the Minneapolis *Star-Tribune* who now heads a liberal policy shop here called Growth and Justice, says there is "no way to deny" that the state's increased diversity "has unsettled the progressive consensus" that long reigned here. That "consensus" succeeded in creating a high-wage, amenity-rich environment featuring ample public goods—an environment sustained by progressive taxation and by the economic growth this strategy itself generated. It was a "formula for phenomenal success" in economic and social terms, in Smith's words. This liberal

formula was what distinguished Minnesota from, say, South Dakota—and what earned the headline, on the cover of a 1973 *Time* issue that is still famous here, "The Good Life in Minnesota." But this formula for "the good life" was easier to sustain politically, Smith acknowledges, "when the benefits extended to Ozzie and Harriet." In Minnesota, as elsewhere, that is no longer the dominant image of who benefits from government policy.

Recent political history here would have been unimaginable in 1973. Jesse Ventura, a third-party governor between 1999 and 2003, began a tax-cutting trend that paved the way for Pawlenty, whose legacy to the state is a gaping structural deficit, due to his "no new taxes" (but regressive fees are all right) stance. Wayne Cox of Minnesota Citizens for Tax Justice wrote recently that when the next governor "first enters the governor's office, it will be like entering a hoarder's home—crammed to the gills with unpaid bills, warning notices from bond rating agencies, and crumpled up Supreme Court rulings." (Pawlenty unilaterally mandated cuts in government programs last year, a move the state Supreme Court ruled was illegal.) At the end of the spring 2010 legislative session, the governor and Democrats agreed to cut funding for General Assistance Medical Care, the state health-care plan of last resort for many poor Minnesotans, by 75 percent; Pawlenty proposed eliminating it entirely. Under a loaded fiscal gun and with a conservative Republican governor itching to pull the trigger, liberal legislators settled for an outcome that was merely atrocious, with the only available alternative an unqualified catastrophe.

Progressives have plenty to be proud of in the state's history, but Minnesota liberalism risks becoming a museum gallery rather than a relevant force for the future. Advocacy of civil rights and human rights has been an important component of the liberal tradition here since the 1940s. Perhaps paradoxically, Minnesota's progressives have rarely grappled with immigration or diversity in a broad sense (at least not since German and Scandinavian families learned to speak English as their first language). Humphrey's famous speech to the Democratic national convention of 1948, advocating that the party take a stand on civil rights, while it



reflected a genuine personal commitment, also was calculated to co-opt and defeat his left-wing rivals in the recently merged Democratic-Farmer-Labor party. Historian Jennifer Delton has pointed to the paradox of Minnesota Democrats' identification with the cold war-era civil rights agenda during a time when the African American population in the state was tiny. Aside from the complexities of motivation behind Minnesota's tradition of civil rights advocacy, the state's liberal tradition has been rather color blind, which certainly represents a form of idealism, but which may leave it ill-equipped to respond to conservative wedge politics based on race, ethnicity, and nationality.

Opinions are mixed about the prospects for a new, more diversity-conscious progressivism. DeLeón, the immigrant rights lawyer, for one, is not optimistic about the courage quotient of Democrats and unions. She expects the Democrats vying for the governor's mansion to be "really vague" in any support they give to immigrant rights and notes that unions sometimes urge their members, including many immigrants, to support candidates for public office who don't support immigrant rights at all. On the other hand, Dan McGrath, executive director of TakeAction Minnesota, a major progressive organizing group here, is hopeful about the potential for liberals in the state to turn the page toward a politics that will be racially conscious and that can challenge the "dominant story" conservatives have used to frame political issues for years. That "story" is, "We're all on our own" and should just compete with one another for society's benefits. McGrath, who previously worked for SEIU, is acutely aware that Minnesota is "dramatically different racially than it was ten years ago" and believes that politicians understand that people of color can provide the "margin of victory" in close election contests, and not just in the Twin Cities. TakeAction does Saul Alinsky-style organizing in local communities around the state, building toward large gatherings such as one in Bemidji, in northern Minnesota, that brought together two hundred Native Americans, and a larger event this past May held in an inner-ring suburb of Saint Paul and focused on the area's Hmong population. In addition to the standard liberal issue agenda of universal health-care and the like, TakeAction

Minnesota frames its activities around "values" and a "vision" that its members embrace. This vision includes a rejection of the idea "that racism is a thing of the past" and of the notion "that government can solve nothing and corporations can solve everything."

The burning question is whether new and old demographic forces can link up politically in Minnesota to pull together the ideas and political muscle to push back against the neoliberal juggernaut. No one yet knows how far TakeAction's "politics of inclusion" can carry the progressive agenda. Everyone knows what the progressive policy agenda is: it is reflected in the promotion of higher taxes on the wealthy by Growth and Justice, in labor activists' efforts to require businesses that benefit from public subsidies to create full-time jobs that pay a "living wage"—an idea first popularized in America by Minnesota's own Father John Ryan—and in immigrant rights' activists demands for drivers' licenses, access to higher education, and full labor rights. But no one has demonstrated that this agenda can command a political majority here and now.

*Minnesota liberals* are running out of time in which to fashion a definite and strategic response to the new realities of immigration and increasing diversity. Unfortunately, those who wish to pose a real challenge to neoliberal hegemony here have, up to now, offered hesitant, evasive, and divided responses to these questions. In the near-to-medium-term future, growing immigration will make it an increasingly salient issue, but the state will maintain a large white majority (a majority magnified by the relatively low voting rates of immigrants). Even the success of immigrant politicians like Mee Moua—who is part of what is sometimes called the "one-and-a-half generation," someone who came to America at a young age—depended on the politicization of an immigrant community that started arriving in the United States over thirty years ago. The empowerment of more recent immigrant arrivals will not happen overnight. The notion that Minnesota's more diverse population will produce the "new Democratic majority" that John Judis and Ruy Teixeira have predicted will be inapplicable here for quite some time. The

"postindustrial metropolises" that figure large in the landscape Judis and Teixeira describe do not exist here. Instead, distinct suburbs and exurbs remain the vital areas of population growth. In other words, Minnesota is the scene of demographic trends pulling in two directions simultaneously: increasing diversity, which may give new heft to liberals, and continued suburbanization, a process that has empowered conservatives. The coming era of a white majority increasingly concerned over immigration may prove perilous for progressives in the state.

*Progressives can respond* to the new realities in one of two ways. First, they can shift the ground of argument to class politics with a tinge of populist outrage. Amid the Great Recession, with the Obama administration in Washington suffering in part from a perception that it has looked after Wall Street more than Main Street, liberal Democrats might redeem themselves by calling for sacrifice—not from everyone, but from those who have done so well under the neoliberal regime of the past thirty years. The populist gambit holds the promise of unifying working-class and middle-class voters and implies that the wedge-issue politics surrounding immigration is a distraction from what really counts. The second option is for liberals to embrace immigrants as hard-working residents who deserve the same shot at the good life that Norwegian and German immigrants had, and to build a new grassroots base for liberal politics here—one more diverse than the Democratic-Farmer-Labor coalition of a bygone era. This second, openly pro-immigrant stance is riskier, as the timorousness of Democratic politicians testifies. But it would have the advantage of luring Minnesota liberals away from their own habitual distraction: that of seeking, through invocations of the glorious past, to activate a "natural" liberal majority that some believe still exists here, and that the evidence suggests is a myth. This second path would simply take liberal politicians where the liberal votes are, and build out from there.

How have Minnesota Democrats met this challenge? Some of them don't want to talk about it. But the issue isn't going away. The two leading DFL politicians running for governor, former U.S. senator Mark Dayton and retiring

Speaker of the Minnesota House Margaret Kelliher, have taken somewhat different tacks. Dayton has struck a populist note, emphasizing his determination to raise taxes on the wealthy and to spend money on what he calls a state-level "stimulus package." His Web site proclaims, "Read my lips, 'Tax the rich.'" (Dayton is the wealthy heir to a department-store fortune.) His campaign did not respond to our inquiries about his position on immigrants' rights, and his Web site says nothing about immigration issues. Kelliher's campaign replied, "Margaret believes immigration is both an economic and social benefit to our state," and noted Kelliher's co-sponsorship of the failed DREAM Act (which Minnesota's Senator Al Franken has co-sponsored at the federal level). She "thinks the Arizona law is divisive," the campaign stated; she "strongly opposes this law and would never sign a law" like it. TakeAction Minnesota endorsed Kelliher, but not Dayton. As for economic issues, Kelliher stated in a campaign ad that as Speaker she "fought ... corporate special interests," but she has been more muted in explaining what mix of tax increases and spending cuts she would use to fix the state's terrible budget problem. She made a bit of news when the Republican candidate, Tom Emmer, proposed reducing the minimum wage for restaurant servers (because, he said, they make so much in tips). Kelliher got out in front of the Democratic pack to denounce this proposal as picking the pocket of the state's working class in a time of economic distress. Of these two candidates, Kelliher has done more to combine the two strategies we outline, but her message could be more forceful. (As this article went to press, Dayton won a close victory over Kelliher in the August primary.)

Perhaps liberals can pursue both populist appeals and base-broadening strategies at the same time. Indeed, there is no way for progressives, in good conscience, not to support a combination of these two approaches. Progressives should see it as their duty to stand up against nativism whenever it surfaces. At the same time, it would be perverse for progressives not to advocate an emphatic call for greater economic equality and for fairer burden-sharing, particularly after so many years of increasing inequality and tax cuts for the rich. Conservatives try to divert white Americans' anger over eco-

conomic frustration into resentment of immigrants and racially charged lamentations over the loss of "the America I know and love," as many put it. Progressives, for their part, could link macroeconomic issues and immigration in a different way, by pointing to the laissez-faire dogma that has reigned for thirty years as the key to the unregulated labor markets in which immigrant workers appear as a threat rather than as potential allies in the fight for a better deal for all. Whatever approach liberals take, they can be sure that conservatives will continue to raise the immigration issue in the most destructive way possible. Progressives here

haven't yet come up with a clear and unified answer to the politics of immigration. Whatever answer they choose, they'd better find one.

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## Two Who Left a Legacy of Ideas

*In every issue of Dissent* we encourage our readers to "Leave a Legacy of Ideas" by remembering us in their wills. Over the years, these sums, not large in the grand scheme, but invaluable to us, have helped us weather the economic storms through which all small magazines of opinion must navigate. Each gift comes as a welcome surprise, almost always at a crucial moment. In the past six months, we were touched to receive two such gifts and want to pay tribute to the longtime readers who made them.

Henry Fagin, who died at age ninety-six, was an architect; Second World War veteran and witness to the devastation in Hiroshima; machinist; urban and regional planner; and professor of political science, urban planning, and later of administration at the University of California and at the University of Wisconsin. In retirement he was a health care advocate, president of the Orange County, California, ACLU chapter, and co-

founder of a men's group that met weekly for more than a quarter-century. In the words of his daughter, he was a "lifelong thinker committed to progressive ideas and action." He was "quick to listen, slow to speak," and "not hesitant" to state his views "even in the face of opposition." He led a "life of creative accomplishment, always in service of the common welfare."

Hilbert Schwartz, who died at age ninety-one, was a graphic artist, a son of immigrants, who left no known survivors, but divided his estate among the causes and publications close to his heart. The co-executor of his estate wrote to us that his "life was most of all the books and magazines that he read. His apartment was wall-to-wall books even up to the ceiling. He loved reading *Dissent* for the brilliance of the ideas that it afforded him. He wanted to show his love for your magazine and its staff."

—EDS

# Corn and Country

## Nebraska, Mexico, and the Global Economy

JULIE GREENE

*On June 21*, residents of Fremont, a small meat-packing town just outside Omaha, Nebraska, voted by 57 percent to deny work and shelter to undocumented immigrants. Why Fremont, Nebraska, and why now? Some observers, not knowing the Fremont measure was cooked up by the same coalition that passed Arizona's law—Kansas City lawyer Kris Kobach, for example, was involved in both measures—are calling it a homegrown, heartland, good ole Nebraskan approach to solving the immigration problem. The fact is that numerous dynamics have combined to make immigration particularly explosive in Fremont: ambitious politicians across Nebraska and nationwide; widespread economic turmoil combined with fast-paced globalization; and neoliberal policies that limit governments' abilities, both in Mexico and the United States, to respond to these widespread transformations. Tying all of it together is the global journey of one transformative commodity: corn. Following Nebraska corn as it travels across the United States, to foreign countries like Mexico and back to meatpacking plants in Nebraska, illuminates the forces that made immigration a hot-button issue in Fremont.

Starting with corn comes naturally to me. I grew up surrounded by it, on our family farm about thirty miles southwest of Fremont. Back in 1891, my German great-grandparents acquired the farm, buying the land from the man who had homesteaded it. We occasionally find arrowheads and flint lying around in our fields, left by the Pawnee men and women who called the place home long before the Homestead Act. When I was growing up, my immigrant grandparents could still be heard speaking German—especially if they didn't

want us kids to understand what they were saying.

Like farms across Nebraska, these days, ours grows mostly corn. Corn is the undisputed king—not since the 1930s has the crop so dominated agriculture in the state. Its popularity is partly due to demand for ethanol, but also due to the fabulous market conditions that exist for U.S. corn around the world. Early twentieth century developments in the hybridization of corn, more recent genetic modifications (85 percent of U.S. corn seed is now genetically modified), and the use of fertilizer products made with petro-chemicals have radically increased the productivity of corn farms over the last fifty years. In 1932, Nebraska produced 250 million bushels of corn; by 2009 that figure had risen to 1.5 billion bushels, while the amount of acreage devoted to corn production dipped slightly. Meanwhile, massive government subsidies allow farmers to sell their corn for much less than it costs to produce it. Our farm receives more than \$10,000 in direct government subsidies, plus another \$15,000 or so for conservation techniques such as planting grass buffers or using GPS technology for maximal efficiency when we spray herbicide across our 450 acres. This \$25,000 means that some years as much as one-third of our profit comes from the federal government.

All this lowers the cost of corn production in Nebraska and, combined with globalization, it has generated soaring corn exports from the United States to Mexico. The passage of the North American Free Trade Agreement (NAFTA) in 1994 required that Mexico eliminate both tariffs that protected corn farmers as well as a measure in its constitution forbidding the sale of communal peasant lands. Mexican tariffs on corn were gradually reduced and finally ended altogether in 2008.

These changes have meant the loss of at least 1.5 million agricultural jobs in Mexico. U.S. corn exports now constitute one-fifth of Mexican corn consumption, a tripling in volume since the passage of NAFTA, and the U.S. Department of Agriculture (USDA) estimates that figure will double again in the next decade. The decline of peasant agriculture, the resulting rise in unemployment, the increase in food costs, and concerns about importation of genetically modified seed corn have led to massive protests across Mexico, much of it organized as part of the "*Sin Maíz, No Hay País*" campaign ("Without Corn, There Is No Country"). The campaign demands a renegotiation of NAFTA, recognition of the multifunctional value of peasant agriculture, a moratorium on genetically modified seeds, a ban on using corn to produce ethanol, and a return to sustainable agricultural practices. Meanwhile, as farmers and farm employees have been pushed off the land, they increasingly look to emigration to the United States—and to towns like Fremont—for work. As Harley Shaiken has observed, "The beginnings of immigration are in the displacement of farmers in Mexico."

*To see how it works*, keep following the corn. The 35,000 bushels of corn our farm produces go first to the nearby Farmers' Cooperative grain elevator. The Co-op, a product of early-twentieth-century populist agitation, rises up from my small hometown like a rare prairie skyscraper. It holds onto the corn for a few months and then sells most—two-thirds of it—to grain dealers. They in turn ship the corn in rail cars to Texas, California, or, very often, to Mexico, which is the top foreign destination for Nebraska corn. Our local co-op also sells just a bit of its corn to ethanol producers. Meanwhile, one-quarter of the Co-op's corn goes to feed Nebraska cattle, and there lies the final key to the Nebraska-Mexico economy of today.

While U.S. corn exports to Mexico have received a fair amount of media attention, meat exports have also grown significantly since the passage of NAFTA. Mexico is the top foreign destination not only for Nebraska corn, but also for its beef and pork. This means Nebraska corn grown on our farm often ends up being fed to Nebraska cattle, which then end up slaughtered in the huge meatpacking plants that have

sprung up in Nebraska towns during the last two decades. In the late twentieth century the meatpacking industry restructured and moved out of cities like Chicago and Kansas City. Corporations wanted to escape urban environments with powerful unions like the Amalgamated Butcher Workmen or the United Packerhouse Workers. New conglomerates like Iowa Beef and ConAgra aggressively relocated in small Midwestern and Southeastern towns. Across Nebraska meatpacking plants popped up in Fremont, Lexington, Grand Island, North Platte, and Schuyler. The labor force composition also changed, as companies began energetically recruiting Mexican workers. As a result the Mexican population of Nebraska grew by 155 percent between 1990 and 2000. Today 75 percent of Nebraska meatpacking workers are Mexican. This is part of a major demographic shift, involving new destinations for Latino immigrants. Since 1990 they have begun to shift away from border states such as California and Texas and move in much larger numbers to the Midwest, Southeast, and Northeast. The restructuring of the meatpacking industry also generated lower wage structures; deskilling; much faster production line speeds; and, not surprisingly, much higher rates of injury.

Even as cheap Nebraska corn helped transform Mexican agriculture, generating economic turmoil among Mexicans who migrate to the United States for jobs in the new meatpacking industry of Nebraska, other forces were at work to make the migrants' presence in Fremont such a tense issue. Homegrown economic troubles generated anxiety across Nebraska, and neoliberalism has also reached the state. The resulting strategy of limited government leaves few resources for towns needing help to integrate new immigrants culturally and socially or to cope with the tumultuous changes wrought by the smells, waste matter, and high accident rates of the new meatpacking plants in their midst.

Although the government has been relatively ineffective and uninvolved, individuals and organizations across the state and nation have been drawn to Fremont and helped to intensify hostilities. Nationwide groups like FAIR—the Federation for American Immigration Reform—have stirred Nebraska's pot. Ambitious individuals from Omaha to Kansas City who were looking for a hot issue

found Fremont attractive. Thus Omahan Susan Smith, for example, the founder of Nebraskan Advisory Group (NAG, the group that pushed most forcefully for the passage of Fremont's measure), became an anti-immigrant activist and soon moved to Fremont, where she would have a local address. Since then, Smith has been mentored by FAIR and by Kansas City lawyer Kris Kobach, giving her political style a somewhat sophisticated veneer even as she presents herself as a hometown gal.

Still, a look at NAG's Web site shows that the group relies on the same scare tactics as right-wing, anti-immigrant groups across the country, proclaiming that "illegal aliens" in Nebraska are responsible for higher mortality rates on highways, increases in drug trafficking, gang warfare, and so on. Such claims seem far-fetched in Fremont, where crime is low, gangs do not wander the streets, and housing seems readily available. In a population of 25,000 people, Latinos constitute less than 10 percent, immigrants less than 5 percent. The town's unemployment rate, at only 4.9 percent, is about half the national average. The meatpacking companies there, the town's major employers, are located mostly outside of city boundaries, so they will be unaffected by the measure residents passed on June 21. Yet it is a town that has experienced significant economic and social change, and this, particularly when combined with anti-immigrant politics rising nationwide, has led some in Fremont to focus on the immigrants in their midst as the source of their troubles. Lourdes Gouveia, a sociologist at the University of Nebraska, Omaha, who has studied Midwestern meatpacking towns for many years, analyzed the situation in this way: "People need someone to blame and this is fertile ground. If you look different and sound different, and people are facing a time of anxiety, economic difficulty, confusion, then you are going to be the one who is blamed."

Nebraska state politics have also played a role in strengthening the anti-immigrant movement. Governor Dave Heineman hails from Fremont, and he won election in 2006 after a fierce battle in which the politics of immigration played a central role. His opponent was Tom Osborne, a veritable god to Nebraskans because he coached Cornhusker football for twenty-five years and led the team to national titles. Osborne supported Nebraska's version of the

DREAM Act, which gives in-state tuition to the children of undocumented immigrants. Heineman had vetoed the act, Osborne said he would sign it, and local analysts credited the issue with giving Heineman the support of western and central Nebraska. The Nebraska legislature overrode Heineman's veto, and in 2010 a protégé of Heineman's, Fremont state senator Charles Janssen, introduced a bill to repeal Nebraska's DREAM act. Simultaneously, Kobach filed suit against the DREAM Act, naming regents of the University of Nebraska as defendants. So far these actions have been unsuccessful, but this powerful group of politicians has continued to make headlines and encourage anti-immigrant agitation across the state. The popular Heineman is soaring to re-election this year with little opposition.

*While politicians advance their careers* (Kobach is seeking election as secretary of state in Kansas), Mexican immigrants across the state of Nebraska struggle to build decent lives. Facing low wages, poor working conditions, and, sometimes, no union, they look for support from the communities around them. Sometimes they find it. A few years ago in North Platte the local police refused to cooperate with U.S. Immigration and Customs Enforcement (ICE) agents raiding and arresting undocumented immigrants. The police chief there explained that his job was to protect and serve all town residents, and if he cooperated with an ICE raid he would become unable, in effect, to serve the Latino community in the future.

Last year, my daughter and I visited Lexington, a meatpacking town in central Nebraska, far from any major city, where Mexican immigrants now compose nearly one-third of the population. In Lexington, the huge Tyson plant dominates the town, and Mexican panaderias and tortillerias are as plentiful as any other shops. We chatted with the Anglo owner of an antiques store about how he was experiencing all the changes in his town. He stressed that things were going well. "There have been some good results and some more challenging ones from the influx of new residents," he said. "But even the challenging ones would have happened with any new residents—like strains on the educational system. The fact that many

are Mexican rather than U.S. citizens is irrelevant." This shop owner's comfortable reaction to immigrants in his midst was a reminder, especially useful in the face of the recent vote in Fremont, of the complexity and diversity of Anglo Nebraskans' responses to the changes around them. For many years, Lexington prided itself on welcoming both the meatpacking plant and immigrants to their town, and relations remained harmonious. More recently, however, observers sense growing resentment and hostility aimed at immigrants.

Small towns like Lexington have few resources to help them cope with the ill effects of the meatpackers. The United Food and Commercial Workers has established a presence in some Nebraska plants (including the Hormel factory outside Fremont). But generally the meatpackers have put unions on the defensive. Lexington's Tyson is a prime example. Known as the "Wal-Mart of meat" for its determination to control every step of the food chain, Tyson is the second largest food company in the United States, controlling 27 percent of the poultry and meat industry. Famous for the absence of safety protections in its plants as well as suits against it for racist practices, Tyson has managed to keep the UFCW out of many of its plants, including in Lexington. As we left the antiques store that day in Lexington, my daughter pointed out a beautiful old porcelain sign on the wall proclaiming *Amalgamated Meat Cutters and Butcher Workmen*.

Meanwhile, back in Fremont, opinions differ. Many residents—43 percent—opposed the measure in June. Those who supported it seem concerned about the rise of a different Nebraska, a Mexican Nebraska. They have watched as the Mexican population has risen. They cite the fact that some of their new neighbors don't know English or don't know the laws. They are bothered by having to select one for English when they dial certain numbers or hearing someone speak Spanish at the local Wal-Mart. And when groups like NAG link "illegal aliens" to gangs and terrorism, they encourage Anglo residents of Fremont not to lift their gaze beyond individual immigrants to the larger economic and social forces—the meatpacking companies, the decline of government support—shaping their lives and their town.

NAG founder Smith explained in a television

interview why bills like the one that passed in Fremont were needed: "When we implement an illegal alien ordinance, illegal aliens usually leave the city and with them they take their children, so you have a decrease in costs, a decrease in education, the hospitals, criminal and judicial proceedings. You then have an increase as openings in jobs, as Americans take those jobs, they are paying taxes, the businesses are paying taxes on those Americans and your tax coffers go up." Despite Smith's fantasy the measure will most likely result in further cuts to social services and education in the town. Fremont government officials—who opposed the measure—expect costly and ultimately unsuccessful court battles, as occurred in towns in Pennsylvania and Texas that passed similar laws. To pay the court costs, officials have already announced, they will be forced to cut city services and raise taxes.

Latinos in Fremont see things differently from Smith and her allies. A young Mexican American in Fremont explained why: her grandparents had come to the United States from Mexico, had learned English, and the United States was now her and her family's country. "I'm Hispanic, I'm not illegal, but the measure will lead to racial profiling of all of us."

The sea of corn across Nebraska still seems a symbol of heartland goodness to many, but this gen-mod, petro-chemically fed crop is a global commodity with global consequences. In Mexico, the campaign declares, "Without corn, there is no country." Many in Nebraska also believe they are losing their country. There are the Anglo, native-born U.S. citizens who believe their imagined community is threatened by the Latinos in their midst, while the Mexican and Central American immigrants feel that in coming to the United States they have become men and women without a country. Meanwhile, U.S. citizens of Hispanic descent believe that Fremont's measure would deprive them of their country as well. As corn's journey reshapes imagined communities across Mexico and the United States, perhaps it is time for everyone to begin, in effect, some new imaginings.

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