

The Fifth Annual John M. Templeton, Jr. Lecture on the
Constitution and Economic Liberty

**The Challenge of “We the People” in a Post-9/11 World:
Immigration, the American Economy and the Constitution**

His Eminence
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I am grateful for the invitation to be with you this evening and to offer remarks on the topic of immigration, the economy and the Constitution. I speak to you as one whose perspective is shaped by the Gospel of Jesus Christ and by a citizen’s vision of our Constitution. I assume you know that I speak about the matters that concern us as a Christian and as a leader in the Catholic Church. If not for these, and for the fact that I serve the most culturally, economically, and religiously diverse metropolis in the United States – if not the world – I would not have had such opportunities to serve so many people who are struggling, or to walk shoulder to shoulder with so many who are yearning to breathe free.

Perhaps the most challenging matter of our topic to be addressed in such a short time is the economy. My perspective on the economy, however, is not the common sense understanding of this term. “Economy” has its roots in the Greek *oikonomia* which, in the first instance, means the arrangement of a household. Here, the principal focus is not monetary. *Oikonomia* suggests care for how a household is ordered or administered

according to a plan. In early Christian history, *oikonomia* collectively referred to the way in which God's household is ordered or administered, and in that sense economized.

God's household, God's grand economy, is one in which holiness and truth, justice and love, and above all, peace (*eirene* or *shalom*) prevail. In my view, what makes for a good economy is the full flourishing of everyone who is part of God's economy, household, or community. The question is: who belongs in the household? Is God's good household roomy enough for all? Or, who precisely is the "We" in "We the People?"

The Wisdom of the Scriptures suggests that HOPE is a powerful push toward a new future in which there is room enough for all in God's household. The beginning of God's people on the earth involved God moving Abraham across ancient borders:

Genesis 12:1 Now the LORD said to Abram, "Go from your country and your kindred and your father's house to the land that I will show you..."

The formation of the ancient land of Israel, similarly, involved the command to cross ancient borders out of a land of despair and slavery, to live out a new hope in a new land, as Joshua was told and, finally, to go to a land of rest across the River Jordan (Josh. 22:4). So powerful is this theme of new hope that in our history, the rich legacy of African-American Gospel and Spirituals time and again refers to crossing the Jordan as the sign of hope; an escape from despair. So, movement to places of hope is woven into the very fabric of the Biblical story, continuing even today as we look around us.

Of course, we also know from history that misery and despair are also powerful forces on human movement throughout the world. Because of war, famine, and despair, ancient peoples sought refuge in lands where life was possible:

Genesis 12:10 ...So Abram went down to Egypt to reside there as an alien, for the famine was severe in the land.

Americans, of course, understand this pull of hope and the push of despair. We hear it every time we contemplate the powerful words of Emma Lazarus, now engraved on the base of the Statue of Liberty. Here are words that continue to speak to a nation built by those whose despair, enflamed by hope, drove them to cross borders and seek new beginnings:

"Give me your tired, your poor,

Your huddled masses yearning to breathe free. . ."

It is precisely because of their own origins in a people who moved in hope to leave behind despair, that the Scriptures teach us to have an unrelenting compassion for those who, even after 9/11 seek new hope in their lives. The ethical injunctions of Moses remind us again and again, in Deuteronomy, in Exodus, and in Leviticus:

Deuteronomy 10:19 You shall also love the stranger, for you were strangers in the land of Egypt.

Exodus 22:21 You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt.

Leviticus 19:33-34 ³³ When an alien resides with you in your land, you shall not oppress the alien. ³⁴ The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt: I am the LORD your God.

Deuteronomy 24:17 You shall not deprive a resident alien of justice...

This wise and urgent teaching to care for the stranger and the alien who responds to hope and despair is emphasized just as powerfully in the teachings of Jesus of Nazareth, who directly teaches His followers to treat the stranger and welcome them as if we welcome Jesus Himself among us:

Matthew 25:35 for I was hungry and you gave me food, I was thirsty and you gave me something to drink, I was a stranger and you welcomed me. . .

Finally, the head of the Jerusalem Church, the Apostle James, sternly warns us never to take advantage of those who work among us as guests, or their despair will reach the ear of God just as the cries of Hebrew slaves under Egypt once did:

James 5:4 Listen! The wages of the laborers who mowed your fields, which you kept back by fraud, cry out, and the cries of the harvesters have reached the ears of the Lord of hosts.

As a Christian, there are no prior commitments that can overrule, or trump, this Biblical tradition of compassion for the stranger, the alien, and the worker. In whatever economic, political, or social policies we discuss – whatever discussion of constitutional rights and liberties – we cannot turn our backs to this Biblical legacy of hope.

So, the legacy of the *oikonomia*, economics in its most basic sense, is to be concerned, in Jesus' own words, with a "household of many dwelling places" (John 14:2) – welcoming, ordered, with room enough for hope.

These Scriptural and theological foundations can be applied to the current debate on immigration in our country. They also provide the underpinnings of the position of the Catholic Church on immigration reform legislation.

To date, the debate has hinged upon two questions: whether illegal immigration hurts us in the *economic* area and whether those here outside the law, as well as their families, should be allowed to remain or be deported. I will answer each question separately while demonstrating how they are intertwined. A third question is to be addressed if we are to consider all the consequences of a flawed immigration system.

First, do undocumented immigrants help our economy grow or do they use and misuse our economic resources? The premise of the question is whether, in terms of pure

monetary measurement, these individuals and their families are a benefit to our country. I would submit, based on this narrow premise, that these immigrants fill important jobs and contribute overall to our national economy.

If one takes into account the roots of the word *oikonomia* --- the order of God's household---as well as the scriptural themes of hospitality and welcoming I have outlined, the premise of the question changes to whether the worker and their families themselves receive the benefits of their labor. In Catholic thought, the human person should not serve the economy, but the economy should *serve* the human person, so that each person and his or her family can live in dignity and without want and can move, if needed, to find the place of hope. Our laws should be configured to ensure that even the low-skilled laborer, who sits at the bottom of the economic ladder, reaps the fruit of their labor in dignity and with full rights in the society.

The current reality in our nation, however, is that we accept their labor, their separation from family, their taxes, and their purchasing power, yet we do not offer the undocumented population the protection of our laws. While such a system might meet our economic needs in the narrow measurement of monetary gain, it fails to meet the broad definition of *oikonomia* or the call of Scripture. It contributes to a disordered household without hope and without compassion, as we witness in immigrant neighborhoods throughout the nation.

Thus, to restore order to God's household, we must ensure that all are welcome to the table. This means that we need to reform our immigration system in order to provide legal protection for those who live on the margins of our economy and are not invited to

share in the banquet: the undocumented and future migrants who come to our nation, to work, to join family, or to support family at home.

Once it is agreed that all should share in the feast that is the fruit of their hands, the question becomes whether those who reside outside the law have the same claim to a seat at the table as those who are not outside of it. Given the current broken immigration system, Church leaders say “Yes!” Let me explain.

Many persons who in good faith oppose comprehensive immigration reform argue that the “rule of law” should be honored and that anyone who breaks the law should not be given its protection. Church leaders would agree that we are a nation built on a system of laws and that a sovereign nation has the right to protect its borders. But the term “rule of law” refers to how we are governed, and suggests that no one, not even our leaders, are free from honoring the law. Even if the most powerful citizen breaks the law, he or she is accountable to it. This is the basis of our democracy and is *one* of the elements that distinguishes our system from monarchy or dictatorship.

But there are other elements of democracy we must consider before rendering judgment on the undocumented immigrant. First, while we may be governed by laws, these laws are created and administered in the pursuit of *justice*. Any law that does not serve *justice* violates basic human dignity and human rights. Our constitution was written by the founding fathers to prevent unjust laws imposed by a malevolent monarch—“no taxation without representation” was our nation’s first battle cry.

In the view of Church leadership, and many others, our current immigration laws are, in a word, *unjust*. We gladly accept the toil and taxes of the immigrant work force to fill our economic needs, but we look the other way when they are exploited in the

workplace, die in the desert, or are arrested for providing “nanny” and cleaning services at desirable addresses. When convenient politically, we scapegoat the immigrant without acknowledging our complicity. Our immigration laws perpetuate this reality. Of the nearly one-half million immigrants who enter unauthorized into the U.S. each year (or overstay their visas), nearly 90 percent obtain jobs within six months, but there are only 5,000 immigrant visas available. This is a disordered system, hardly the arrangement of a household according to a plan where there is room enough for all at the table.

In this regard I must note that while detractors make much about the burden immigrants place on our health care and similar systems, I see just the opposite. I would suggest that we could not deliver health care in any city in this country or could not have cleared the World Trade Center debris without our immigrant workers. They are not a burden but, rather, are essential to the delivery of those economic benefits.

Our Constitution was written to ensure that justice is achieved in our land and that all receive due process under the law. In our democratic system we can *change* unjust laws, and, I would add, are obligated to do so. In the area of immigration, the Church leadership argues that our country has a *moral* obligation to change the law because it violates the order of God’s household and undermines basic human dignity.

This leads to the central question which must be considered in the debate, both by our elected officials and all Americans: is our immigration system a moral one which honors the Biblical tradition and humanitarian principles upon which our nation was built: fairness, opportunity, and compassion? Or, does it lead to human suffering, such as family separation, exploitation, abuse, and the loss of life? Given our experience of witnessing the evidence of such suffering in our social service programs, hospitals, and

schools, Church leaders are compelled to say that it is an immoral system that thrives upon the weakness and suffering of those without a voice. From the Catholic perspective, the ultimate question in the immigration debate is whether we want to live in a society that accepts the toil of undocumented workers with one hand and then treats them like criminals with the other. I want to believe that the answer is “No.”

Given this reasoning, the Church maintains that our immigration laws must be changed. The remedy to our broken system is to provide legal status and an opportunity for permanent residency for those in the country currently as well as legal avenues for future migrant workers to enter, depart and reenter the country safely and legally.

There is consensus in our nation that our immigration laws should be changed. Surprisingly there also is consensus that those who have broken the law cannot be forgiven without penalty. If so, it is argued, it would harm those who abided by the law and worked within the system to change it. The controversy revolves around how to craft a penalty that all can agree is commensurate to the offense. Let me remind you that the rule of law in a democracy means that all are accountable.

The Church’s position is compatible with this. In the current immigration system, there are those who played by the rules, however flawed they may be. They should not be displaced by those who came here outside the rules. Undocumented immigrants must “earn” their permanent residency through several years of work, the payment of a fine, and participation in English and civics instruction, getting in line behind those already there. This is a just penalty for their violation, especially when you consider the *cause* and *effect* of the law breaking, two mitigating factors often considered by courts. The

intent of the undocumented immigrant is to work and support his family and the *effect* is that they fill crucial jobs in our economy and benefit our economy.

In summary, then, the Church's position on immigration seeks to change an unjust law to a just one, within the democratic system, while also respecting the rule of law. It respects the place of national sovereignty – based on moral principles and freedom – not a fiction of artificial national security. It also is grounded in a proper view of economics, true to the etymology of the term which emerged in ancient civilizations and in early Christian history to describe the arrangement of a household – God's household which is ordered and open to those who long to sit at the table which they helped set. Finally, it rests upon a basic moral principle: that we should not, either systemically or individually, undermine the basic dignity or God-given rights of every human person.

In addressing you this evening, I have done so as a Christian and as Archbishop of Los Angeles. That is to say, I am not Archbishop simply of the Archdiocese of Los Angeles. Rather, I am at the service of all the people of such a richly blessed metropolis, not just Catholics. And, I am an American who cherishes the constitutional rights and liberties we have struggled to provide for those who continue to build this “city on a hill.”

We continue on a lifelong journey that is guided not only by the legacy of the Christian tradition, but by the deepest yearnings of every human heart – the heart of every person of every nation – the soul of each human being regardless of religious persuasion. Because fundamentally the deepest desire, the highest aspiration, and the most enduring hope of each and every person, is to breathe free.