

LAWS and JUSTICE — “Aren’t They Illegal?”

When some people think about immigration, they don’t get beyond, “They broke the law,” or, “They are illegal,” referring to people who either entered this country or remain here without the proper documentation. We on the Immigration Task Force, by the way, do not refer to people as “illegal” or “alien,” because we feel that is not consistent with our First Principle. What we are talking about is illegal conduct. For some people that conduct is an overriding consideration.

That a law has been broken is not the end of the conversation about immigration, anymore than the laws that made homosexuality a crime ended the conversation about the status of gay people, or anymore than Prop 8 can take away one iota from the integrity and beauty of the love between same sex partners. As Martin Luther King, Jr. reminded us from his jail cell in Birmingham, no law or system of laws can establish its own justice.

Our President, Rev. Peter Morales, reminds us how often laws have perpetrated injustice, rather than securing justice:

As a religious people who affirm human compassion, advocate for human rights, and seek justice, we must never make the mistake of confusing a legal right with a moral right. The forced removal of Native Americans from their land and onto reservations was legal. The importation and sale of African slaves was legal. South African apartheid was legal. The confiscation of the property of Jews at the beginning of the Nazi regime was legal. The Spanish Inquisition was legal. Crucifying Jesus was legal. Burning Michael Servetus at the stake for his unitarian theology was legal. The powerful have always used the legal system to oppress the powerless.

It is true that as citizens we should respect the rule of law. More importantly, though, our duty is to create laws founded on our highest sense of justice, equity, and compassion.

One of our Task Force members was interned by military order during World War II, an order that was later upheld by the Supreme Court. Her experience is a daily reminder of the injustices that can be perpetrated under the guise of law.

If we narrow our focus to the legality or illegality of the issue, we would leave out important considerations and fail our responsibility to seek justice. We need to look closely at the whole situation of immigrants.

Why don’t immigrants stay in their own country? They are fleeing severe deprivation to seek a better life for themselves and their families. Putting ourselves in their shoes, how far would we walk to feed our families?

What caused their deprivation? Through policies like the North American Free Trade Agreement (NAFTA), which has driven Mexican farmers off their land and lowered wages in the manufacturing areas, we have contributed to the conditions that lead people to come to this country to find work that allows them to support their families. While some members of our society have reaped enormous benefits from these policies (e.g. agribusiness corporations producing corn), we have all benefited at the expense of people in other countries.

Why didn’t they go through the prescribed channels to come here? For the overwhelming majority of people our system does not offer an alternative way to come to this country illegally. The process is

byzantine with very little opportunity for unskilled workers. Our current policy is dominated by an enforcement-only mentality.

Aren't we just enforcing the law? The enforcement process is inhumane, including forcing those entering into ever more dangerous journeys, warehousing them in awful conditions when they are detained, and inflicting devastating consequences on those who are caught in its dragnet — ripping families apart, separating loved ones, depriving children of their parents and breadwinners. Most of those deported had no criminal record or had committed only a minor infraction. Whole communities are damaged by the loss of these members.

Aren't we better off without them? There is an enormous expense to us from enforcement and the economic cost of removing workers from their jobs in this country. The positive contribution of immigrants to our economy is substantial — including higher wages for all workers, tax and Social Security payments. All that is lost when they are removed. We all benefit from their contribution. Studies repeatedly show that their positive contribution to our economic well being far outweighs whatever costs there are.

Aren't we safer when we deport undocumented immigrants? Immigrant communities are safer than non-immigrant ones, so allocating substantial resources there is counterproductive. Moreover, making local police federal agents charged with enforcing federal immigration law damages local law enforcement efforts — community policing — by diverting resources, distracting officers, and making whole communities reluctant to have any contact with, much less cooperate with, the police.

Aren't we a nation of laws? Yes, laws that secure justice for all, but these laws evict those who have been contributing members of our communities for years, even decades. And we are a nation that proclaims and celebrates family values, but our current enforcement-only policy rips families apart. We celebrate hard work but our policies evict among the most dedicated of our workers. We honor the values of community, but our policies tear at the fabric of closely knit communities.

Our response to the deportation crisis goes far beyond the question of legality. It says a lot about who we are and what our values are. Rev. Morales speaks eloquently to this:

We are all God's children, and we are all equal. We find the same message in every tradition: We are one. We are connected. We are brothers and sisters. If we truly accept that we are all part of a greater whole, that what unites and transcends us is ultimately more important than our illusion of individuality, how might that guide us?

We are people who have always affirmed human diversity. We have always looked to the future and seen new possibilities. We must do so again. Let us be the people who break down the arbitrary barriers that divide us from them. We are one, and love and hope will guide us. Let us, together with all our brothers and sisters, build a new way.

May it be so for us.