

Testimony of James R. Edwards, Jr., Ph.D.
Before the
House Immigration Subcommittee
on
“Ethical Imperative for Immigration Reform”

July 14, 2010

Madame Chairman, Ranking Member King, and distinguished members of the subcommittee, thank you for inviting me to appear before you today. It is right to consider how Scripture and Judeo-Christian principles should inform such public issues as immigration. I appreciate the opportunity to share my own considered views on this subject.

The critical point to begin from is to differentiate between what the Bible teaches are moral imperatives applicable to individuals and those that are applicable corporately. That is, some precepts might bind one as a Christian that do not apply to the United States government. Indeed, biblical precepts in which Christ requires us personally to show mercy or compassion or forgiveness might not apply to the civil government of the nation-state of which we are citizens. Sometimes, such application would actually be harmful and wrong.

First, I will discuss a key biblical principle that relates to today’s American immigration debate. Second, I will suggest some implications of “comprehensive immigration reform” that ought to inform Congress’s immigration policymaking.

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To begin, what are the most relevant principles from Scripture that relate to U.S. immigration policy in 2010? I have written about this at length elsewhere and testified before this subcommittee on the subject.¹ So, I will focus this morning on one key principle.

Christians as individuals are bound to a high moral imperative, which should be familiar to many of us: Love the Lord with all your heart, soul, strength, and mind, and love your neighbor as yourself. These cornerstone precepts, as

¹ See “Walls or Laws or Amnesty and Grace? Faithful Responses to Illegal Immigration in the United States,” *Vital Speeches of the Day*, Feb. 2008, pp. 92-95; “A Biblical Perspective on Immigration Policy,” *CIS Backgrounder*, Sept. 2009; “A Biblical Perspective on Immigration Policy,” *Debating Immigration*, Carol M. Swain, ed., Cambridge Univ. Press, 2007, pp. 46-62; “Seeking Biblical Principles to Inform Immigration Policy,” ChristianityToday.com, Sept. 20, 2006 (available at <http://www.christianitytoday.com/ct/2006/septemberweb-only/138-32.0.html>); “‘Mankind was my Business:’ An Examination of a Christian Business Ethic and Its Applications to Various Ethical Challenges,” *Business and Religion: A Clash of Civilizations?*, Nicholas Capaldi, ed., M&M Scrivener Press, 2005, pp. 245-257; testimony before the House Immigration Subcommittee, May 22, 2007.

elaborated by Jesus in the Sermon on the Mount and elsewhere in the Bible, instruct believers to go so far as to “love your enemies,” “bless those who curse you,” and care for “the least of these my brothers.” Considered alongside Micah 6:8 — “He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.” — it becomes clear that faithfully living up to those standards is tough. In fact, it is impossible even for those indwelt by the Holy Spirit. In other words, exhibiting Christian mercy and compassion is not for sissies.

But do these high standards apply to civil government? To an extent. For instance, U.S. laws reflect such biblical standards as providing for due process, impartial justice, and prohibiting torturous punishment of criminals. But to attempt to require civil authority to display the same manner of mercy or compassion that individual Christians are commanded to display would be ludicrous. Yet that is what certain advocates in the immigration debate unreasonably demand.

We must understand the God-given role of civil government. Romans 13 clearly teaches that civil authorities are God’s agents in their own specific jurisdictions to constrain evil. Civil authority wields the sword of justice to protect the innocent within its jurisdiction and to punish lawbreakers. The mission, described here and in I Peter 2 and Titus 3, is to “carry out God’s wrath on the wrongdoer.” In the Bible, the “things that are Caesar’s” are concentrated on justice. God deputizes civil authorities as part of His common grace, because we live in a fallen world. Evil exists, and government constrains evil within a body politic.

A civil government necessarily and prudently refrains from overdoing compassion or mercy. The reasons include that officials act merely as agents of the citizens they represent. Public acts of government differ fundamentally from individual acts. Grasping this concept is critical. Otherwise, it could lead to misguided and erroneous courses of action, such as jumping from the early church members’ voluntarily sharing their private resources within the body of believers in Acts 2 to conjuring some supposed biblical directive for socialism.

Compassion and mercy, as exercised by an individual, amount to his or her deciding willingly to bear an injustice. It is merciful when a private person turns the other cheek, goes the extra mile, gives up his tunic, and shares with a beggar. However, the government cannot itself do any of those things. Rather, the government only can obligate the members of its society and their common resources.

Thus, a compassionate act often becomes an injustice when compelled by civil government. Trying to codify mercy, the agents who are supposed to be the guardians of justice for their citizens can end up imposing injustice upon the innocent. What might constitute an act of mercy when an individual does it becomes an injustice against the members of the body politic when government

employs its sword of “justice” to compel such “mercy.” This amounts to a grotesque misuse of power. Even if well intended, such government action is actually unjust.

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So how does this discussion apply to our present immigration debate? It is advisable to consider the impact of proposed “comprehensive immigration reform” on our fellow Americans. More than the welfare of illegal immigrants is at stake here. And the foremost obligation, legally and morally, of the U.S. government is the welfare of American citizens.

The American people too often end up being the forgotten victims of “comprehensive immigration reform.” That is certainly the case were the CIR ASAP Act or the Schumer-Reid-Graham proposal to be enacted. The goals of those bills are principally granting legal status to nearly all of the estimated 11 million unlawful alien residents, as well as guaranteeing a flood of job competition from foreign workers every year for the foreseeable future.

The supposed penalties such schemes would impose on illegal aliens amount to what the law currently would require: payment of certain fees, undergo a background check, and some modest step toward English acquisition. These sanctions hardly constitute meaningful penalty or punishment. Plainly, the government’s display of “mercy” toward millions of people who willfully broke this nation’s laws forces its own innocent citizens to stomach substantial injustice.

Who would “comprehensive immigration reform” hurt? It would put the most vulnerable Americans at risk — native-born minorities, Americans with no more than a high school education including dropouts, legal immigrants, our teenagers trying to land that first rung on the career ladder, veterans, the disabled, and convicts seeking to amend their lives in society.

Before the recession started, native-born youth and those with less education were experiencing extra high unemployment — 11.6 percent for dropouts and 10.6 percent for those with only a high school diploma in the third quarter 2007. Needless to say, their joblessness has worsened. Some 21 million unemployed or underemployed native-born Americans lacked a job or were discouraged from looking for work in the third quarter 2009. “Comprehensive immigration reform” would exacerbate their economic prospects, both by adding many more job competitors to the U.S. labor pool and depressing the wages that U.S. workers could otherwise command. This policy amounts to substituting labor for capital, which runs directly counter to the “American system of manufacture,” based on a tighter labor market and led to the development of a strong middle class.

Today, fewer than half of American teens are in the labor force, compared with two-thirds in 1994. Adding more foreign workers who have displaced our

teenagers from job opportunities accounts for a large share of this situation. The one-two punch of amnesty and massively more “guestworkers” would further kill summer job opportunities for our teens.

The impact of legalizing the 7-8 million illegal aliens in the U.S. workforce and the 11 million total estimated unlawfully resident aliens, plus the untold thousands of foreign workers brought in under the proposed “guestworker” program (lopped on top of the several existing guestworker visa programs) would force Americans who face the toughest job-search circumstances into head-to-head job competition with unimaginable numbers of foreign competitors. It would also drive down their wages. Already, immigration of the scale we have had in recent decades negatively affects U.S. natives’ wages. Scholarly analysis bears this out. For example, Harvard economist George Borjas has attributed immigration with directly reducing yearly average native-born men’s wages by 4 percent, or \$1,700, between 1980 and 2000. For native dropouts, immigration’s wage depression was 7.4 percent over the same period. Northeastern University scholars found nearly all the U.S. job growth from 2000 to 2004 was filled by immigrant workers.

Consider in detail vulnerable Americans’ employment situation, which was already bleak as of third quarter 2009. I am citing the U-6 unemployment figure, which counts those actively looking but without a job, the underemployed, and people who have stopped looking for full-time employment. U-6 unemployment for native-born high school dropouts: 32.4 percent. U-6 unemployment for native-born blacks 18-29 years old with a high school diploma only: 39.8 percent. U-6 unemployment for native-born blacks who dropped out of school: 42.2 percent. U-6 unemployment for native-born Latinos without a high school diploma: 35.6 percent. U-6 unemployment for native-born Latinos 18-29 years old with only a diploma: 33.9 percent.

We do not have a labor shortage. Further, the wages of the least educated and less skilled fellow Americans have been declining for decades, beginning well before the current recession. Male high school dropouts have seen hourly wages fall 22 percent between 1979 and 2007, for example. Immigrants in general and illegal aliens in particular tend to fall into the lower end of the job scale, because of their low education and skills levels. With figures like those above, it would seem impossible to justify either amnesty or a generous guestworker program. To do both would be unconscionable, at least from a biblically informed perspective. The most vulnerable of our national community would see 7-8 million jobs currently held by illegal aliens permanently tied up and those jobs foreclosed to jobless Americans. And “comprehensive immigration reform” would vastly increase the number of working-age immigrants legally brought into the country year after year into the future.

Another set of consequences of “comprehensive immigration reform” must also be carefully and fully considered. Those include the impact of legalizing 11

million illegal aliens on America's dire fiscal crisis. Beneficiaries of amnesty would qualify for many public programs from which they currently are disqualified on account of their unlawful presence. Those programs include welfare, health care, the earned income tax credit, and entitlement programs. Because illegal aliens are predominately less educated and unskilled, they would disproportionately participate in these programs and collect far more in benefits than they would ever contribute in taxes.

This means native-born American taxpayers would effectively be required to subsidize foreign-born public program participation, on an even larger scale. It also means enriching former illegal aliens at the expense of lawful immigrants who played by the rules.

Consider the fiscal impact of "comprehensive immigration reform" on just one entitlement program, Medicaid. While illegal aliens are excluded from Medicaid, many would in all likelihood become eligible when they gained legal immigration status under amnesty. Under the recently enacted health reform, Medicaid is expanded substantially. In 2014, those with incomes up to 133 percent of the official poverty level will qualify for Medicaid. Analysis I have just completed indicates that 3.1 million current illegal aliens would have incomes that qualify them for Medicaid. They would add an extra \$8.1 billion annually to the cost of the Medicaid program. In the budget window the Congressional Budget Office used for estimating health reform's costs, amnesty would cost taxpayers another \$48.6 billion during the years 2014-2019.²

The entire fiscal impact of amnesty and massively expanded immigration must be factored into the consideration of any immigration legislation. Rather than add to the nation's unsustainable fiscal obligations through immigration, it would be more fiscally responsible to reduce immigration and forego legalization.

In short, what "comprehensive immigration reform" would do unto "the least of these" fellow Americans hardly ranks as ethical treatment.

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In closing, it would be unwise to misapply biblical principles in any public policy area. This is true with respect to immigration. Immigration is one of those issues in which Scripture does not detail a normative public policy. This issue differs from clear-cut biblical precepts such as prohibiting murder, stealing, or perjury. Thus, we have to consider which biblical principles do appropriately apply, carefully assess the situation at hand, consider this nation's experience and unique characteristics, judiciously estimate the impact of various policy options, and then exercise prudential judgment.

² "The Medicaid Costs of Legalizing Illegal Aliens," *CIS Memorandum*, July 2010.

For biblical principles to inform our immigration policy, we must tread carefully. There is no proof text that justifies or mandates broad legalization, visas for certain countries or groups or skill levels, country quotas, or anything like that. Migration, where it comes up in Scripture, is incidental. The most precise teachings relate to fair treatment of resident aliens. Those who assert a biblical imperative for enacting “comprehensive immigration reform” or a specific bill are skating on thin ice.

Thinking prudentially, we know that in 1986, we tried immigration reform that looked largely the same as today’s proposals: amnesty with border enforcement and employer sanctions. Some 3 million illegal aliens were legalized, including a number suspected of doing so fraudulently. Within a decade, the illegal population had mushroomed to three times the 1986 amnesty level. The supposed enforcement measures failed to secure the border or shut down the jobs magnet, because of fundamental flaws that guaranteed failure. The most vulnerable Americans have suffered the consequences most severely.

Then as now, what passed for “enforcement” mainly amounted to inputs — hire this many more border officers, etc. — and completely ignored requiring results — curb illegal entry to near zero, reduce visa overstays to near zero, achieve near zero attempted re-entries by those previously removed or excluded, reduce to near zero the number of illegal aliens holding American jobs, etc.

Pursuing essentially the same failed “solution” hardly measures up to prudence. Today’s proposals punish our fellow Americans through forced “compassion” they cannot afford. Perhaps the most ethical thing Congress could do is to suspend most immigration, at least until unemployment rates return to prerecession levels.

Thank you, and I am pleased to respond to your questions.

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