

## 04.30.12 Hillel Moral Voices Lecture

Governor Deval L. Patrick  
Hillel Moral Voices Lecture – As Delivered  
Tufts University  
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Good evening. Thank you so much for inviting me to be with you this evening.

I have a soft spot for Tufts. Tufts students turned out in great numbers and with extraordinary creativity in both of my campaigns. It was humbling and inspiring. So it's a special treat for me to be in your company again.

I am looking forward to the conversation tonight about immigration. But I want to start with a few thoughts about the much broader context.

Most of you here know my story. I grew up on the South Side of Chicago, much of that time on welfare and in poverty. Today I serve as governor of the Commonwealth of Massachusetts, in case you missed the introduction. In one generation, my family and I have moved from poverty to a position of some prominence, earning a college degree and a law degree, and a little money, along the way.

That story may not be told as often as we'd like in this country. But it is told more often in this country than any other place on earth. It is a quintessentially American story. The ability to imagine a different place for yourself and your family, and then to work for it, IS the American Dream.

The American Dream is more than the stuff of legend or folklore or political rhetoric. It defines America. Ours is the only nation in human history not organized around a common language or culture or religion. Our country is organized around certain civic values, values we have defined over time and through struggle as equality, opportunity and fair play. These values make the American Dream possible.

On a trade mission to Israel last year, our delegation had the great, great good fortune to sit down for an hour with President Shimon Peres, one of Israel's founding fathers. At one point, President Peres observed that America is the only superpower "whose power comes not from taking, but from giving."

America may be famous for wealth, respected for the rule of law or military might, and envied for ingenuity. But America is founded on civic aspirations, and for those values, at the end of the day, we are the envy of the world.

The values of equality, opportunity and fair play, I contend, place certain expectations on us. They call upon us to treat others as we wish to be treated; to expand opportunity out to the disenfranchised, not just up to the well-connected; and to exercise our powers and liberties without compromising basic fairness.

Of course, living up to our values is a perennial challenge. The Declaration of Independence, which proclaimed that "all men are created equal," was signed by slave holders. In 1933, FDR famously said "the only thing we have to fear is fear itself – nameless, unreasoning, unjustified terror"; and yet, in the aftermath of the attack on Pearl Harbor, he ordered the detention of 110,000 Japanese residents, most of whom were American citizens. In a country that believes people should come before their government as equals, 44 states still deny private citizens the right to marry whomever they love.

What's remarkable about us is not that we sometimes fall short of our ideals. What's remarkable is that we as a nation grapple with our shortcomings – and more often than not do something about them. We see the gap between our ideals and our reality as a matter of conscience and the struggle to bridge the gap as a measure of progress.

For us, faith in the American Dream matters.

You can't separate the American Dream from immigration. Our nation is now, and has always been, a nation of dreamers and of immigrants. It is our ideals, and the Dreams that they make possible, that makes America a magnet for people from everywhere.

And yet the public discourse about immigration is as toxic today as McCarthyism or Jim Crow were in their time. Now, like then, the debate seems to be based more on emotion than reason, more on slogan than fact. Now, like then, the conversation dehumanizes people. Now, like then, the debate exposes a gulf between our ideals and what we do and say.

The fact is that people still want to come to America for the same reasons they always have: for equality, opportunity and fair play. Despite some of the popular rhetoric, people don't come here for driver's licenses or welfare benefits or free health care – especially given the fact that many of them come from places where it's easier to get these things than it is here, especially for citizens. No, they come here for the American Dream. The inscription on the base of the Statue of Liberty reads in part: "Give me your tired, your poor, your huddled masses yearning to breathe free. . . From her beacon-hand Glows world-wide welcome." A lot of the people of the world take that seriously.

But we don't make it easy.

We have remarkably Byzantine visa procedures in America. I hear complaints every day from business and university leaders in Massachusetts. They tell me how difficult it is to bring talent to our innovation economy from overseas, or how enterprising young graduate students with a great idea starts a business here but cannot stay to grow it because of how sclerotic our visa processes are. And the rules are wildly different if you are coming from different parts of the world. It's difficult to come in from Europe. It's nearly impossible to come in from sub-Saharan Africa. If you are poor, forget it.

The federal laws are a problem. President Obama has endorsed the Dream Act and called for comprehensive immigration reform. Surely, some change that

strengthens our borders, perhaps stiffens the fines, streamlines the application processes, and makes the standards and procedures for admission more rational and predictable makes sense. That kind of reform is also consistent with our values, as the refuge for those who seek equality, opportunity and fair play.

That's part is relatively easy. The difficult challenge, the need for a moral voice, comes when we talk about illegal immigration. There are an estimated 11.2 million undocumented people in the United States today. They range from students and tourists who have overstayed their visas to those who slipped across our southern or northern borders in search of work to young girls and boys (often from Asia) caught up in human trafficking, the modern day equivalent of slavery. The term "illegal immigrant" seems to me really to be shorthand for Latinos, but in fact they come from all over the world. Here in Massachusetts, they come from Ireland, Eastern Europe, Africa, Latin America, and even Canada.

The solution for this population seems to me to involve some form of recognition for those who are here and contributing, some pathway to citizenship that involves fines, learning English, paying taxes and the like, but that is about bringing people out of the shadows and into civic, social and economic daylight. We have done this before in America. We could do it again. But some are unable to resist the political opportunity to appear "tough" on illegal immigration, such as in states like Arizona and Alabama where legislatures have passed restrictive laws that punish illegal immigrants, ostensibly because the federal government has not done enough. In fact what such states are doing is establishing a permanent underclass and an environment of fear.

A Bush-era policy that has survived into the Obama administration illustrates the point. "Secure Communities" is a program that requires the FBI to share fingerprint information with ICE about criminals who are undocumented. The objective is to target for deportation people who are violent offenders through better sharing of information among federal agencies. It is a wise policy and serves laudable public safety interests. It takes effect in 2013, though nothing prevents the agencies from sharing information now and frequently they do. States were offered the opportunity to sign a memorandum of understanding with the federal government to "join" the Secure Communities program. Now what does that mean? In reality, nothing. Not one thing, because the program is about the sharing of information by one federal agency with another. And the Federal Government does not need any state's permission to do that. The real purpose of the MOU was to give governors the political opportunity to say they we are cracking down on illegal immigrants.

I declined to sign the MOU. Many in law enforcement had been building relationships in immigrant communities to fight crime and expressed concern to me that signing the MOU would compromise those efforts. I was also concerned about racial or ethnic profiling by police who felt authorized to stop anyone and question anyone who looked or sounded foreign. Since Massachusetts was already sending all fingerprints to the federal government, and had been doing so for years, we gained nothing of practical value from signing the MOU. The downside was that we would compromise public safety and put a lot of people in needless fear.

For that I have been called everything but a child of God!

People ask "Governor, don't you understand that illegal means illegal?" As a lawyer and a citizen, I get that overstaying a visa or entering without permission is illegal. But I also know that it is a federal misdemeanor. Harsh penalties for immigration violations, like separating families (in some cases whose minor children are themselves citizens), are the equivalent, in my view, of demanding the death penalty for a speeding ticket. We can be serious about the legal violation without being absurd.

It's also true that there are practical concerns about a policy of rounding people up and expelling them. Business leaders and investors are among the first to advocate for accommodations for foreign workers – because they appreciate the need for world-class talent and because they know that without immigrants our economy would collapse. I heard a report of a farmer on the radio the other day who put it very simply, either import the labor or import the food. They get it, too.

I also refuse to ignore the human impact of our decisions, or to scapegoat people who are vulnerable. Whether they have a valid visa or not, we are talking about human lives just like yours and mine. If they are a victim of crime, they deserve the protection of the law. If they are sick, they deserve decent health care. Their children, most of whom were brought here through no choice of their own and often know no place other than this place, deserve an education and an opportunity to reach their potential. I will not dehumanize 11 million people to secure political points.

Yet in America today, it is nearly impossible to have a constructive conversation about fixing our immigration laws. In fact, the public discourse about immigration is often hysterical and poisonous.

To my surprise, one of the most thoughtful comments on illegal immigration I have heard from a public figure was from George W. Bush. Governors have the great privilege of sitting down as a group with the president once a year at our February meeting in Washington for an open-ended conversation on policy and politics. At my very first one of these in 2007, sitting with my colleagues at tables in the State Dining Room in the White House, one governor asked about the problem of a growing underground economy of illegal immigrants. President Bush started by saying that, as the former governor of a border state, he certainly understood the issue and that something needed to be done. He went on to say that reform "should reflect our values as a nation," and the reality that we are a nation of immigrants composed of people who have come from all over the world in search of a better life. He said we needed a combination of better border control and a path to citizenship for those who are here and contributing. Interestingly, this is exactly the formula for which the late Senator Ted Kennedy, Senator John McCain, before he was the Republican nominee for President and most recently Texas Governor Rick Perry have advocated.

Not long after that first meeting with President Bush, ICE conducted a raid on a plant in New Bedford. ICE and other law enforcement officials surrounded the plant and systematically arrested every black or brown employee. While the owner of the plant was fined and released, hundreds of working poor, many of whom spoke little English, were separated from their spouses and, in some cases, their small children, and flown to Texas for holding until their cases could be processed. The night following the raid, I visited the family members left behind; they sat, huddled and dazed, in the basement of a New Bedford church, trying to get information and understand what happened to them. ICE lauded the raid as law enforcement at its best. I was embarrassed.

We can do better than that, because we are better than that.

I have been to citizenship ceremonies where new Americans barely able to pronounce the Pledge of Allegiance well up with pride over those sacred words. I

have visited scores of small businesses started by immigrants, brimming with hard work and entrepreneurial spirit, where the flag is unfurled out front at the start of every workday. I have been to funerals of soldiers who enlisted as a way to demonstrate their commitment to American aspirations. And yet we cannot even muster the civility to have a serious debate about how to fix our broken immigration laws, let alone make changes that are more consistent with our values.

Meanwhile, the same politicians and activists who march under the banner of "Liberty" readily defy the sentiments of generosity and justice to which Lady Liberty is dedicated. And no one blinks. To me, that is more than a political failure, that is a moral failure.

While Americans crave action, we face political stalemate in Washington. The actions of various states to take matters into their own hands have been ham-fisted, self-defeating and even racist. But it has been the consequence of the failure of action in DC. That much I think we have to acknowledge. The Congress has yet to pass a transportation bill to secure the future of our public infrastructure; has yet to prevent interest rates on student loans from doubling; and has yet to give the President the tools to fix the economy and reduce the deficit, expecting him to do it with one hand tied behind his back. In circumstances like these, it's no surprise that people want states to do the federal government's job on immigration.

But the answer in my view is not to fracture the nation and let the Congress off the hook. The answer is to demand more of the Congress – and to change the personnel in the Congress if they don't deliver. The measure of our success must not be how harsh we can be on illegal immigrants. But rather how sensible and how sensitive we can be about solving a problem that involves real people, with aspirations remarkably consistent with our own.

And that's where you all come in. We are here today to have exactly the kind of conversation Washington has failed to have – a conversation of respect, of intellectual honesty and of moral integrity. And I want to acknowledge and thank all the members of the Merrin family for enabling precisely that kind of conversation. To my mind, you cannot do that without our most cherished values, and the faces of the people affected, foremost in mind.

I look forward to the conversation, and thank you again for having me.