

How Would Jesus Vote?

Week Five

Immigration And Judicial Activism

They're Coming To America

In America and really around the globe we have an immigration problem. In France, Britain, Germany and other parts of Europe people have come to countries with bad intentions. While there are some who really want to be good citizens, there are a lot of others who want to overrun accepting nations with the goals of turning them into the countries that believe like they do rather than assimilate in these countries like immigrants of the past. In the United States we learned this from an [article](#) from *justthenews.com*:

According to a letter ICE Deputy Director Patrick Lechleitner sent to Rep. Tony Gonzales, R-Texas, with statistics on non-detained non-citizens with criminal convictions still inside the U.S.

Non-detained citizens include those apprehended at the border and released as well as those currently involved in immigration court proceedings.

The article tells us exactly how many there are and what crimes they committed:

The letter, released on Friday, states that there are 13,099 non-detained non-citizens with murder convictions, 15,811 with sexual offense convictions and 425,431 convicted criminals.

There are 222,141 total non-detained non-citizens with pending criminal charges. Of that total, there are 1,845 with homicide charges and 4,250 with pending sexual assault charges.

These figures are only the tip of the iceberg on illegal immigrants, but it makes the point that we do have a problem and it is a matter of life and death for those who become victims of these dangerous criminals. But what does the Bible say about this?

Treating Them Like Jesus

...for I was hungry and you gave Me food; I was thirsty and you gave Me drink; I was a stranger and you took Me in... (Matt 25:35, NKJV)

Few things are more controversial in our current society than this topic. We have seen riots and revolts over it and I highly doubt that will change anytime soon. The last place there should be controversy is in the church. But for the most part, Christians have just decided to play it safe and say nothing for fear of criticism. That needs to change and not just in the ballot box.

However a great deal of well-meaning people including believers think that if people from other countries come to our country we can't just turn them away. And they use a variety of Bible verses to support those views. I mentioned the one from **Matthew** above, but here are few others: "You must not mistreat or oppress foreigners in any way. Remember, you yourselves were once foreigners in the land of Egypt." (**Ex 22:21, NLV**)

Do not take advantage of foreigners who live among you in your land. 34 Treat them like native-born Israelites, and love them as you love yourself. Remember that you were once foreigners living in the land of Egypt. I am the Lord your God. (Lev 19:33-34, NLV)

When you read these verses, it sounds like we must take them in as Christians. Some would say it is our duty to show them the compassion and care we would to anyone and the kind we would want for ourselves. But is it that simple?

What About Illegal Immigrants?

This is where those who use the verses about foreigners often forget to mention, overlook, or just plain say it doesn't matter how they come across our borders, once they get here we have a moral obligation to let them in and, as believers, help them out as a witness for Jesus. However, are we to just ignore the fact that many of these people coming here are doing so illegally? Is it right to allow anyone to violate our laws to stay in our country regardless of why they came? Does the Bible address this quandary? Actually, it does. I like how an [article](#) from [gotquestions.org](#) handles this:

Romans 13:1–7 makes it abundantly clear that God expects us to obey the laws of the government. The only exception to this is when a law of the government forces us to disobey a command of God (Acts 5:29). Illegal immigration is the breaking of a government's law. There is nothing in Scripture that contradicts the idea of a sovereign nation having immigration laws. Therefore, it is rebellion against God to unlawfully enter another country. Illegal immigration is a sin.

Some say that if a law is unfair it can be broken and that's why we should ignore those on immigration. The article addresses that as well:

Illegal immigration is definitely a controversial issue in the United States (and some other countries) today. Some argue that the immigration laws are unfair, unjust, and even discriminatory—thus giving individuals justification to immigrate illegally. However, Romans 13:1–7 does not give any permission to violate a law just because it is perceived as unjust. Again, the issue is not the fairness of a law. The only biblical reason to violate a government's law is if that law violates God's Word. When Paul wrote the book of Romans, he was under the authority of the Roman Empire, led by Emperor Nero. Under that reign, there were many laws that were unfair, unjust, and/or blatantly evil. Still, Paul instructed Christians to submit to the government.

Should We Have Totally Open Borders?

Some argue for that, but those pesky laws keep getting in the way. A whole cadre of Christians advocate for civil disobedience, but does the Bible allow them to do that? The authors of the [gotquestions.org](#) article tell us this on that point:

Are the immigration laws of the United States unfair or unjust? Some think so, but that is not the issue. All developed countries in the world have immigration laws, some more strict than the USA's, and some less strict, and all have to deal with illegal immigration. There is nothing in the Bible to prohibit a country from having completely open borders or to have completely closed borders. [Romans 13:1–7](#) also gives the government the authority to punish lawbreakers. Whether the punishment is imprisonment, deportation, or even something more severe, it is within the rights of the government to determine.

So does the Bible tell us that nations should have borders? Actually it does. I now cite another article from [vvdailypress.com](#) that believes we can make a case for that:

Get this, a citizen of the far-reaching Roman Empire declared, "God has made every nation ... and has determined their preappointed times and the boundaries of their dwellings" (Acts 17:24-27). Paul spoke of "preappointed times and boundaries" — isn't that something? God actually has set national borders and the time for each nation's day in the sun. The New Living Translation reads, "He decided beforehand when they should rise and fall, and he determined their boundaries." Presently, Christians pray for their governing officials to wisely exercise their God-ordained authority in doing what is right for the welfare of their citizens (Rom 13:1-7; cf. 1

Tim 2:1-3). Enforcing their nation's borders is one of these... Ancient city walls were built to keep the unwanted out and welcome the invited in. Watchmen warned when enemy forces approached the "border," but unless the Lord guarded the city, the watchmen stayed awake in vain (Ps 127:1). Every nation that has fallen, has fallen from within — its fortifications torn down by spiritual and moral compromise.

So How Would Jesus Have Us Vote On This Issue?

I go back to the gotquestions.org article for this:

Illegal immigration is a complex issue. The vast majority of illegal immigrants in the United States have come for the purpose of having a better life, providing for their families, and escaping poverty. These are good goals and motivations. However, it is not biblical to violate a law to achieve a "good." Caring for the poor, orphans, and widows is something the Bible commands us to do (Galatians 2:10; James 1:27; 2:2–15). However, the biblical fact that we are to care for the unfortunate does not mean we should violate the law in doing so. Supporting, enabling, and/or encouraging illegal immigration is, therefore, a violation of God's Word. Those seeking to emigrate to another country should always obey the immigration laws of that country. While this may cause delays and frustrations, it is better than acting illegally. A frustrating law is still a law.

Jesus would follow this admonition:

What is the biblical solution to illegal immigration? Simple—don't do it; obey the laws. If disobedience is not a biblical option, what can be done in regards to an unjust immigration law? It is completely within the rights of citizens to seek to change immigration laws. If it is your conviction that an immigration law is unjust, do everything that is legally within your power to get the law changed: pray, petition, vote, peacefully protest, etc. As Christians, we should be the first to seek to change any law that is unjust. At the same time, we are also to demonstrate our submission to God by obeying the government He has placed in authority over us.

Judicial Activism And The Courts

Hate evil, love good; Establish justice in the gate... (Amos 5:15; NKJV)

I'm so glad we're addressing an issue that's not controversial now. Yes, I was being sarcastic there if you needed me to point that out. This is a hot button issue for both political parties and I highly doubt that will change in the near future. The issue stems from those who are strict constitutionalists and those who feel the Constitution is a "living document." In the former, judges interpret the laws and, in the latter, they rewrite the laws. Our founders feared that unelected judges could change our laws without being accountable to the electorate. Fortunately, they provided checks and balances to avoid that.

Judicial Tyranny

Thomas Jefferson and Abraham Lincoln both chimed in on this issue:

"It has long, however, been my opinion, and I have never shrunk from its expression ... that the germ of dissolution of our federal government is in the constitution of the federal Judiciary; an irresponsible body, (for impeachment is scarcely a scare-crow) working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped from the States, and the government of all be consolidated into one." (Thomas Jefferson in a [letter](#) to Charles Hammond, 1821)

At the same time, the candid citizen must confess that if the policy of the government upon vital questions, affecting the whole people, is to be irrevocably fixed by decisions of the Supreme

Court, the instant they are made, in ordinary litigation between parties, in personal actions, the people will have ceased to be their own rulers...(Abraham Lincoln. [First Inaugural Address](#) March 4, 1861)

Lincoln was referring to the Supreme Court's rulings on slavery so we can see how important issues can be affected by their rulings. But we can't vote for these judges so our vote should be based on those who play a role in how they are selected.

A Matter Of Power

When one considers why any judge or justice would take the law into their own hands, the reason is simple. If you show restraint and let the legislature make laws you are not as influential. It is more prestigious to say the law means what I think it means and that's the final decision. But there is a way to stop the judicial overreach and it is seen as checks and balances. I think we all know what the checks and balances for the Executive Office are and we know what they are for the Legislative Branch. But what few citizens know are what they are for the Judicial Branch. Did you know that judges are not appointed for life? They are appointed only as long as they serve in good behavior. If they don't, they are to be impeached. If our elected officials had the backbone to fight back, I am certain the Supreme Court would go back to being the weakest branch as designed.

The Legislature Decides What Is Constitutional

And this is the founder's intent. It should be noted that all Supreme Court rulings are opinions and are presented as such. In the past it was not thought a bad thing to ignore an opinion of the court. The notion that the Supreme Court is the final arbiter for the constitutionality of laws was created by the court [itself](#) in *Marbury V. Madison* in 1803. It was not in the Constitution and still isn't. And the decision was ignored by then President Jefferson without public outcry.

So How Would Jesus Have Us Vote On This Issue?

This one is a little trickier since the Bible really doesn't deal with making decisions constitutionally. In other words, we have to look at bigger issues and come back to this one. We should vote for politicians who believe that the Supreme Court and all lower courts interpret laws and not make laws. While they may say it is not constitutional they should refer it back to the legislature for remedy, always stopping short of fixing it for them. In short we need a congress with a backbone. So we should vote for legislatures that understand the Constitution and use the power given to them in it. This will require them to vote in ways that might be seen as unpopular but will help the people they serve both short and long term. In the matter of judges, they should only support moral and fair ones who are not opportunists and can't be swayed by public opinion.

Taking The Big Picture Into Account

Jesus wants America to not get in the way of the spread of the gospel so court rulings that infringe on religious liberty are to be avoided. And decisions that restrict Christians from freely exercising their beliefs are to be avoided as well. Voting for congressmen and a president that nominates and appoints only moral people who respect the Constitution as it was intended for judges is what I believe Jesus would advise us to do.