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So Help Us God

Life, Death, and Voting Rights in the Texas Colonias

By Michael Seifert

I was invited to come forward and so I walked through a high-vaulted room filled with attorneys. Three black-robed judges looked down at me from their seats high above us all. The judge in charge, a stately looking woman, smiled and welcomed me. Another woman came up and made me promise to tell the truth. The Whole Truth. I did so promise, and I took my seat.

I was in Washington, D.C., in early January, having been asked to be a witness at the hearings before the Third District Court in the matter of the State of Texas' efforts to redraw election districts. Texas' new maps were supposed to take into account the extraordinary growth in Latino constituents so that these communities would be fairly represented in the affairs of Texas and the nation.

My region, the Rio Grande Valley, by any standard of fairness that I could appreciate, was being cheated out of this representation. The extraordinary growth in population meant that we should have had additional districts drawn for us, creating more legislators to represent our interests. The new maps that the state had proposed offered us even poorer representation than we had had before.

I had been asked to speak about my region, to give the judges a sense of what it means, in practical terms, to be under-represented.

The attorney for the Mexican American Legal Defense and Education fund asked me my name, asked me what I did for a living, and asked me about the *colonias*—those 2,000 shanty towns where more than 300,000 Texans make their homes.

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Photos from the Rio Grande Valley courtesy of Michael Seifert

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Colonias are communities that are not guaranteed the usual amenities that Americans take for granted: piped in water and sewer, street lights, safe housing, paved streets.

I had lived in colonias for more than 14 years.

The attorney asked me, “What is it like not to have a paved street?”

I told the court that not having a paved street often meant a loss of critical services—no regular police patrols, no reliable mail service, no school buses. I told the court that sometimes it meant more than inconvenience, that it could also be a matter of life and death.

I told them about the Good Friday morning when a neighbor’s trailer had caught fire, and how, after a while, the propane gas tank had exploded and had destroyed the home and how the family then asked me, their priest, to anoint the body of their eight year old son who had been trapped by the fire. I told the court that the anointing had been impossible, as there was no place on his little body that was not charred black.

The court was quiet, then. I had a hard time speaking.

After a bit, I told the judges that a fire truck had in fact arrived at the home, but it was late. Maybe, with better roads, they would have been there in time to save this child’s life.

I did not need to mention that the roads were the way they were because the state of Texas had opted to invest in other things—domed football stadiums, extra lanes in Dallas to relieve the evening traffic, a shopping mall some place.

The one million residents of this border region, in the meantime, made do with third-world housing conditions, under-funded schools, and next to no health care services.

They made do with the charred body of a little boy who died on his eighth birthday. That was the truth, and the whole truth.

THE MISSION OF THE JESUIT SOCIAL RESEARCH INSTITUTE

The Jesuit Social Research Institute works to transform the Gulf South through action research, analysis, education, and advocacy on the core issues of poverty, race, and migration. The Institute is a collaboration of Loyola University New Orleans and the Society of Jesus rooted in the *faith that does justice*.



Catholic Social Thought and Distributive Justice

By Fred Kammer, S.J.

In their 1986 pastoral letter on *Economic Justice for All*, the U.S. bishops remind their readers of the three classical forms of justice: commutative justice (dealing with fairness in contracts among individuals and private social groups), distributive justice, and social justice. In the context of the nation's recent awakening to economic inequality—prompted in large part by the Occupy movements—it is most helpful here to revisit the meaning and roots of the concept of distributive justice. In the bishops' words:

Distributive justice requires that the allocation of income, wealth, and power in society be evaluated in light of its effects on persons whose basic material needs are unmet. The *Second Vatican Council* stated: "The right to have a share of earthly goods sufficient for oneself and one's family belongs to everyone. The fathers and doctors of the church held this view, teaching that we are obliged to come to the relief of the poor and to do so not merely out of our superfluous goods." *Minimum material resources are an absolute necessity for human life.*¹

Undergirding this form of justice is the fundamental understanding of what the Church calls the universal destination of goods.² This, in turn, reflects God's original gift of all creation for the good of all humanity and our inextricable link to one another in solidarity with all peoples. Private property rights, as important as they are, are to be exercised in the context of our being responsible stewards of our goods for the sake of the common good of society.

The Church sees a role of government in relationship to both property ownership and the common

"Distributive justice requires that the allocation of income, wealth, and power in society be evaluated in light of its effects on persons whose basic material needs are unmet."

good: "Political authority has the right and duty to regulate the legitimate exercise of the right to ownership for the sake of the common good."³ One of the ways in which this is done is by attending to the question of equity in distribution of income:

The economic well-being of a country is not measured exclusively by the quantity of goods it produces but also by taking into account the manner in which they are produced and the level of equity in the distribution of income, which should allow everyone access to what is necessary for their personal development and perfection... Authentic economic well-being is pursued also by means of suitable social policies for the redistribution of income, which, taking general conditions into account, look at merit as well as at the need of each citizen.⁴

Those social policies might include progressive taxation, financial assistance to families and the poor and vulnerable, minimum wage legislation, provision of public education or health care, social insurance, and other measures designed to reduce inequalities in income or

wealth—and, especially, to insure "the priority of meeting the basic needs of the poor and the importance of increasing the level of participation by all members of society in the economic life of the nation."⁵

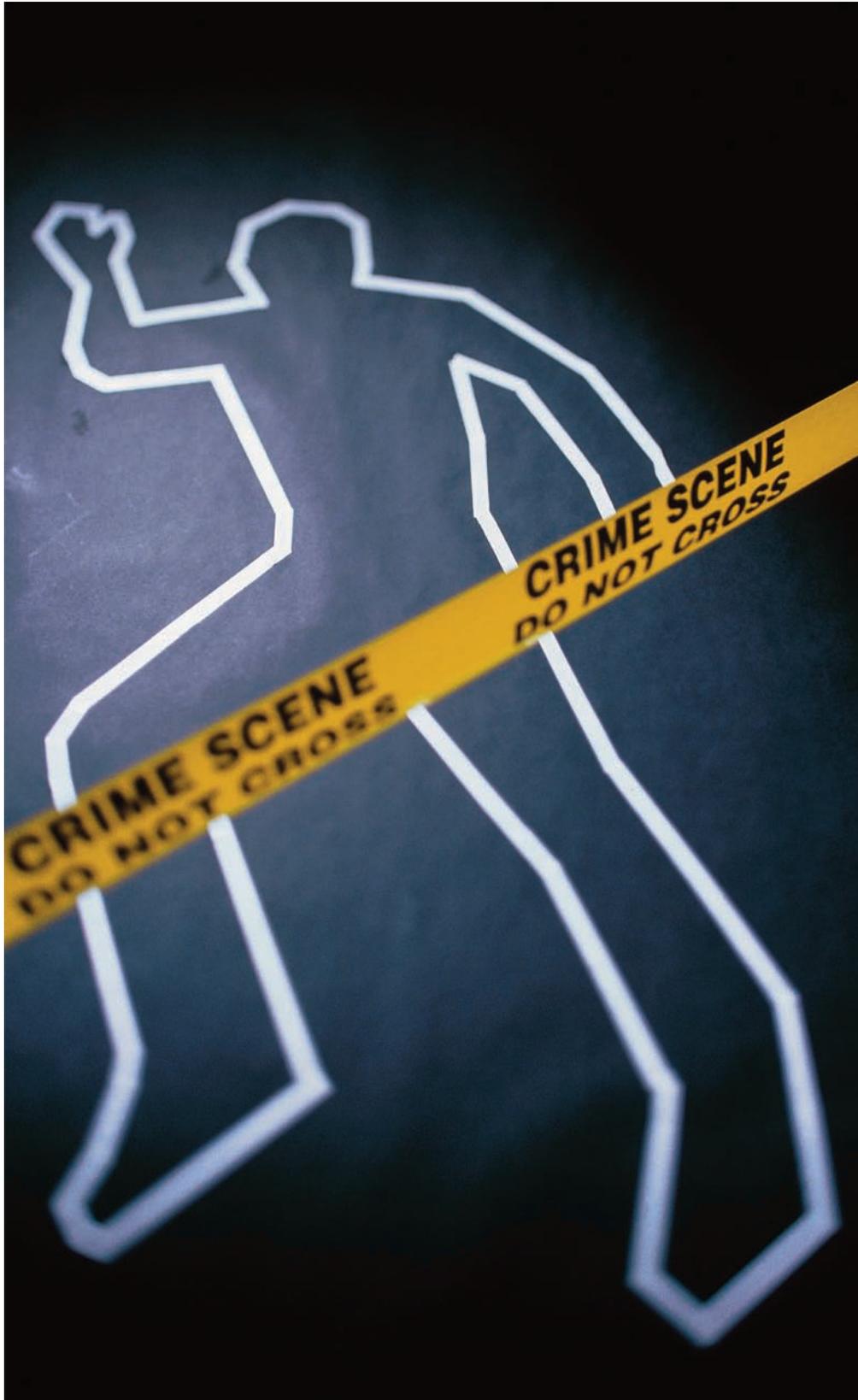
The practice of distributive justice is a delicate balance of various competing economic, social, political, and prudential concerns: "Those in authority should practice distributive justice wisely, taking account of the needs and contribution of each, with a view to harmony and peace."⁶ However complex and delicate, the practice of distributive justice is critical to realizing the common good of the members of society and protecting those who are "the least" among us.

ENDNOTES

- 1 National Conference of Catholic Bishops, *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy*, 1986, No. 70 (emphasis in original).
- 2 *Catechism of the Catholic Church*, nos. 2402-6.
- 3 *Ibid.*, no. 2406.
- 4 Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Washington, D.C.: United States Conference of Catholic Bishops, 2004), no. 303.
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- 6 *Catechism*, no. 2236.

Stop Casting Stones: The Failure

By Alex Mikulich, Ph.D.



It's obscene.

The obscenity is not only in the increasing rate of homicide in New Orleans—up 14 percent from 2010 to 2011—or the loss of innocent lives, or the senselessness of the murders committed. The height of obscenity arrives when we, as a city, acquiesce to the loss of life as if those who died do not matter, or as if “they got what they deserved.”

The collective failure to mourn the loss of every life and failure to recognize how every victim is one of our own marks our own inhumanity.

There is a different way. I will highlight best criminal justice practices from other cities in a subsequent article. This article focuses on a prerequisite: recognizing the failure of a punitive criminal justice system.

In a recent op-ed in the New Orleans *Times-Picayune*, Jarvis DeBerry expressed embarrassment that his reaction to the New Orleans Saints loss to the San Francisco 49ers exceeded his reaction to people dying by gunfire in New Orleans:

I'm embarrassed that I've become acclimated and accustomed to old people being shot, to toddlers being killed, to police chiefs making excuses, to the silence of so many people shrugging.¹

DeBerry rightly asks: “How do I recalibrate my emotions so that violence on the street makes me upset—every single time?”²

I share DeBerry's embarrassment, grief, and outrage.

Yet, these are tricky emotions. In Louisiana's past, the manipulation of collective rage too often led to the swift and brutal use of lynching (see “The Audacity of Eucharistic Hope and the Legacy of Lynching,” *JustSouth Quarterly*, Winter 2011, p.4).

A recalibration of emotion, including the collective mourning of every murder victim, must be joined with a re-focused public policy agenda. First, however, we need to recognize how punitive crime policies over the past 30 years have failed.

of Punitive Crime Policy

We have had a sense of outrage over the past three decades expressed in “get tough on crime” policies. That response has led, both in Louisiana and this nation, to the highest incarceration rates in the world. The hyper-incarceration of African-American, Latino, and poor white men utterly fail to make our state or nation any safer. The disproportionate number of African-American men on Angola’s death row has done little, if anything, to stem violence in Louisiana. Crime policy has been misdirected at punishment rather than reducing crime.

As criminologist Mark Kleiman explains, the focus on severity of punishment in the “get tough on crime” agenda tends to create more costs, and more crime, than anything else. New Orleans may be in the midst of a “vicious cycle,” where vast numbers of severe prison sentences and the imposition of the death penalty not only fail to deter crime, these policies are part of a cycle of violence itself. Kleiman calls “get tough on crime” policies the failure of brute force.³

This failure is evident in a recent practice in New Orleans. Nearly one year ago, Police Superintendent Ronal Serpas introduced a policy to publicize the criminal records of murder victims. The policy was designed to “reassure locals who live by the law that they are most likely going to be absolutely fine if they refrain from criminal activity.”⁴

Fortunately, the New Orleans Police Department announced on February 1, 2012, that it would no longer release the criminal record of homicide victims, in response to the advice of local clergy.⁵

Sadly, however, the police chief continued to highlight the sociological link between victimization and criminalization in the same announcement. The NOPD will continue to release victims’ data monthly without any names.

Although many victims commit no crimes, few criminals avoid victimization. The problem is that such a policy only re-victimizes victims’ families and heaps insult on the same communities that

suffer poverty, social exclusion, weak schools, and crime itself. The problem is that releasing victims’ criminal record more likely contributes to, rather than deters, violent crime.

African-American communities tend to perceive past and present injustices by the police and criminal justice system as the expression of disrespect and unfairness against African-Americans. Perceptions of the injustice of criminal justice leads to crime because, first, individuals believe that the law, the police, and the system lack legitimacy, and, second, individuals deny the shame of being treated unfairly and externalize these feelings by acting out with anger, rage, and defiance.

As criminologists James Unnever and Shaun Gabbidon explain:

*Extant research indicates that African Americans should be more likely to offend—externalize anger-rage-defiance—in order to distance themselves from the shame that results from being... unjustly treated by whites who show little remorse for their actions.*⁶

In the case of 17-year-old Corey Thompson, who was shot dead near his mother’s Sixth Ward apartment in December 2011, police said Thompson was arrested for juvenile fighting, but police did not mention that he was found not guilty. Hyatta Droughn, Thompson’s aunt, says she “hurts for grieving families every time she sees such information.” She adds that it is “just not appropriate to put someone’s record on television, especially at that time.”⁷

The illogic of that policy became doubly apparent when a good samaritan, Harry “Mike” Ainsworth interrupted a car-jacking in Algiers Point and was shot to death on Wednesday, January 25, 2012. Although the New Orleans police recognized Ainsworth’s heroism, they also released information that he had been arrested for drug distribution and served time on probation in the 1980s and from 2006 to 2008. It strains reason to ask how such information is relevant to Ainsworth’s murder.

It is hard not to think of the Pharisees and Scribes, who brought a woman caught in adultery to Jesus and demanded that she be stoned, according to the commandment of Moses. We all recall Jesus’ response: “Let the one among you who is without sin be the first to cast a stone at her” (*John 8:7*, New American Bible).

ENDNOTES

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- 7 Ibid., Quote in Reckdahl, “NOPD release.”

Growing Economic Inequality Matters!

Why People of Faith Should Be Concerned

By Fred Kammer, S.J.

ECONOMIC INEQUALITY IS REAL AND WORSENING.

Having monitored economic inequality for 30-plus years, the current “news” about growing inequality seems almost to be too late and too little. Accusations of “class warfare” against those who question our current economic realities in the United States ignore the “stealth class warfare” of four decades that has

brought us to this yawning gap between rich and poor in both income and wealth.

From roughly the end of World War II until the early 1970s, we saw substantial economic growth in this country and, with it, a “broadly shared prosperity” across income groups. This is what is called *absolute mobility* (“a rising

tide lifts all boats”) or, simply, the percentage change in income over time (adjusted for inflation). All income groups saw their incomes

grow rapidly and at roughly the same rate, basically “doubling in inflation-adjusted terms between the late 1940s and early 1970s.”¹ (The Census and others analyze population “quintiles,” which divide individuals or households into five equal size groups based on level of income.)

Then, beginning in the 1970s, economic growth slowed, household income growth in the middle income and lower ranges slowed sharply, while those at the top saw their incomes grow strongly, even skyrocket. Chart 1 shows the income gains of four groups of households in terms of percentage gains in after-tax income from 1979 to 2007, as measured by the Congressional Budget Office.³

A second way of looking at 60 years of the economy is to compare U.S. productivity with real median income over time. As you can see from chart 2⁴, for nearly 30 years after World War II median household income and productivity rose in

tandem. Then, beginning in the 1970s, the two began to part ways and, since 2000, they have grown even farther apart. Essentially, in the past 30 years, workers’ incomes have not kept pace with the nation’s productivity, as they had in the previous 30 years. In contrast, between 1978 and 2005, the pay of corporate CEOs increased from 35 times the average worker’s pay to nearly 262 times that average.⁵

As Alan B. Krueger, chairman of the Council of Economic Advisers, noted in January, “A consequence of the momentous shifts in the income distribution that I have just documented is that the middle class has shrunk ... We have gone from having just over 50 percent of households within 50 percent of the median in 1970, to 44 percent in 2000, and 42.2 percent last year.”⁶

A third way of looking at this reality is to focus on what is called *absolute mobility* across generations. This is the inter-generational upward mobility that is due to overall economic growth, meaning that each generation, on average, has a higher standard of living than the preceding one. As the Pew Economic Mobility Project⁷ reports, however, “Men in their 30s today earn less than men in their fathers’ generation...” The project compared the income of men aged 30 – 39 in 2004 with their father’s generation—in their 30s in 1974—and found that median income, adjusted for inflation, showed a decline in median income from about \$40,000 to \$35,000 per year. As the project observed, **“Indeed, there has been no progress at all for the youngest generation. As a group, they have on average 12 percent less income than their fathers’ generation at the same age.”**⁸ This decline applies to both white and black men in their 30s, but the decline was greater for black men.⁹ Income in a person’s 30s is important because, research suggests, it is a good indicator of lifetime earnings for workers.

Does this mean that average family income declined overall across past decades? Not generally. There have been overall income gains. The main reason, however, is that more and more women have gone to work, thereby increasing family income. Those annual increases for families with two earners, however, also have slowed for the most recent generation of families with men in their 30s.¹⁰ Indeed, the project reported that, in exit polls after the 2006 election, “less than one-third of the voters said that they thought life would be better for the next generation,”¹¹ reflecting an unsettling of the “American Dream” of upward mobility.

The raw data of *income inequality* is reflected in the first pie chart,¹² reflecting the fact that in 2007 the top one percent of households in the United States received 21 percent of all income, the top 10 percent received 47 percent of income, and all the remaining 90 percent of U.S. households shared 53 percent. (The poorest quintile—20 percent—of households took home only 5 percent of all after-tax and after-transfer income.)

The accumulated result of years of inequality in income, estate transfers, tax policy, investments, etc., has resulted in even greater inequality of wealth—that is, the value of a household’s

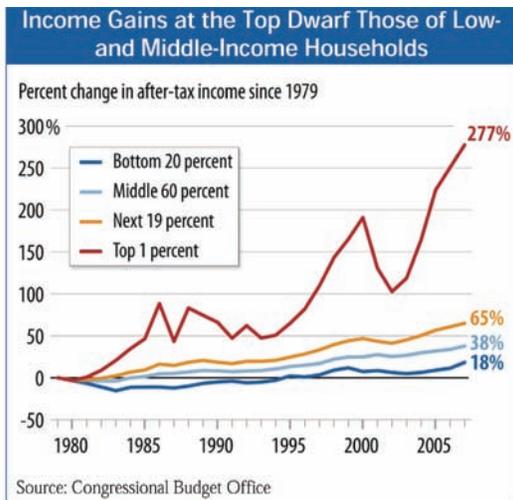


Chart 1



Chart 2

Chart 3

Distribution of before-tax income, 2007

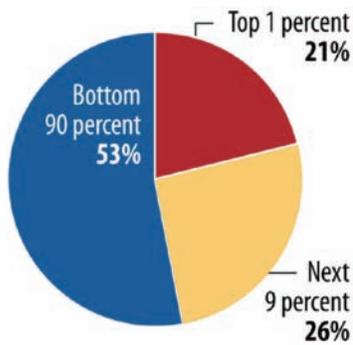
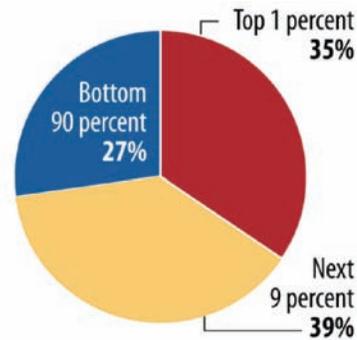


Chart 4

Distribution of wealth, 2007



property of all kinds and financial assets, less the value of its indebtedness of all kinds. That inequality is reflected in the second pie chart¹³ above, with the provocative revelation that the top 10 percent of U.S. households hold 74 percent of all wealth in this country, while the other 90 percent hold only 27 percent of accumulated wealth.

INEQUALITY HAS MULTIPLE CAUSES

Researchers disagree about the causes of the dispersion in wage rates, which is key to understanding the rise in inequality. But, notes Krueger, the economics literature has coalesced around some key hypotheses: skill-based technical change that we associate with automation and computer technology; the proliferation of high salaries earned in the financial sector (the proportion of people in the top one percent of income who were from the finance and real estate industries nearly doubled from 1979 to 2005); increased globalization so that U.S. workers are competing worldwide now, especially with China; the decline in union membership and, with it, in the wage structure; the decline in the real value of the minimum wage; and changes in tax policy favoring the wealthy and very wealthy without spurring income growth, business formation, or job growth.¹⁴

ECONOMIC INEQUALITY MATTERS:

Forty years ago, in 1972, the United Negro College Fund launched its famous campaign slogan, “A mind is a terrible thing to waste.” The economic, social, and political costs of children raised in families mired in poverty have been well documented. As Chairman Krueger put it, “There is a cost to the economy and to society if children from low-income families do not have anything close to the opportunities to develop and use their talents as the more fortunate kin from

better off families who can attend better schools, receive college prep tutoring, and draw on a network of family connections in the job market.”¹⁵ Children of poor parents simply have a much harder time climbing the ladder of economic success.

While many applaud the increasing workplace opportunities for women, many women are working simply to help their families make ends meet, knowing that two parents working means a loss of important attention to children. Reduced income for those in the middle and below also means less consumption with the consequent drag on the nation’s economy, as well as increased borrowing by many families to maintain their standard of living. A strong middle class has been critical to our economic growth and helped to build stronger communities.¹⁶

A more subtle consequence of rising inequality is its corrupting impact upon the American Dream of economic opportunity for all, which has been “a unifying tie for an increasingly diverse populace.”¹⁷ A December 2011 Pew Research Center survey disclosed that a 46-percent plurality believes that most rich people “are wealthy mainly because they know the right people or were born into wealthy families,” while 43 percent say wealthy people became rich “mainly because of their own hard work, ambition or education...”¹⁸

Finally, in the context of faith, rising inequality raises serious concerns about the common good and justice in U.S. society. *The Catechism of the Catholic Church* puts it this way:

There exist also sinful inequalities that affect millions of men and women. These are in open contradiction of the Gospel:

Their equal dignity as persons demands that we strive for fairer and more humane conditions. Excessive economic and social disparity between individuals and peoples of the one human race is a source of

*scandal and militates against social justice, equity, human dignity, as well as social and international peace.*¹⁹

Excessive economic inequality is immoral because it violates the basic principle of distributive justice. (See *CST and Distributive Justice* in this issue.) The U.S. Catholic bishops discussed this inequality in the U.S. context:

*Catholic social teaching does not require absolute equality in the distribution of income and wealth. Some degree of inequality is not only acceptable, but may be considered desirable for economic and social reasons... However, unequal distribution should be evaluated in terms of several moral principles we have enunciated: the priority of meeting the basic needs of the poor and the importance of increasing the level of participation by all members of society in the economic life of the nation. These norms establish a strong presumption against extreme inequality of income and wealth as long as there are poor, hungry, and homeless people in our midst. They also suggest that extreme inequalities are detrimental to the development of social solidarity and community. In view of these norms we find the disparities of income and wealth in the United States to be unacceptable. Justice requires that all members of our society work for economic, political, and social reforms that will decrease these inequities.*²⁰

When the bishops wrote this in 1986, inequality in income and wealth was rising in this country, but hardly to its dramatic present levels.

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Does “relative income mobility” cure inequality? In other words, does the fact that some people do move between income levels mean that inequality does not matter? See our next issue of *JustSouth Quarterly*.

—Continued on back cover



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Growing Economic Inequality Matters!

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ENDNOTES

- 1 Chad Stone, *Exploring Income Inequality, Part 1: Overview*, *Off the Charts* blog, Center for Budget and Policy Priorities, November 28, 2011 at <http://www.offthechartsblog.org/exploring-income-inequality-part-1-overview/> (accessed January 30, 2012).
- 2 Chad Stone, Hannah Shaw, Dnilo Trisi, and Arloc Sherman, *A Guide to Statistics on Historical Trends in Income Inequality*, Center for Budget and Policy Priorities, November 28, 2011, p. 8, at <http://www.cbpp.org/cms/index.cfm?fa=view&id=3629> (accessed January 30, 2012).
- 3 The Congressional Budget Office calculations for after-tax income uses a broad measure of income defined by CBO as follows:
Comprehensive household income equals pretax cash income plus income from other sources. Pretax cash income is the sum of wages, salaries, self-employment income, rents, taxable and nontaxable interest, dividends, realized capital gains, cash transfer payments, and retirement benefits plus taxes paid by businesses (corporate income taxes and the employer's share of Social Security, Medicare, and federal unemployment insurance payroll taxes) and employee contributions to 401(k) retirement plans. Other sources of income include all in-kind benefits (Medicare, Medicaid, employer-paid health insurance premiums, food stamps, school lunches and breakfasts, housing assistance, and energy assistance).
- 4 Isabel V. Sawhill and John E. Morton, *Economic Mobility: Is the American Dream Alive and Well?*, Economic Mobility Project, Pew Charitable Trusts, May 29, 2007, p. 12, at http://www.brookings.edu/~media/Files/rc/papers/2007/05useconomics_morton/05useconomics_morton.pdf (accessed January 30, 2012).
- 5 *Ibid.*, p. 6.
- 6 Alan B. Krueger, *The Rise and Consequences of Inequality in the United States*, address to the Center for American Progress, January 12, 2012, p. 2.
- 7 The Economic Mobility Project of the Pew Charitable Trusts is an important resource because it brings together experts from four often adversarial think-tanks in identifying agreed-upon facts, figures, and trends related to mobility: The American Enterprise Institute, The Brookings Institution, The Heritage Foundation, and The Urban Institute.
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- 19 *Catechism of the Catholic Church*, no. 1938, quoting the Second Vatican Council, *Gaudium et Spes*, no. 29.
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