

THE DIFFERENCE PRINCIPLE

A sermon preached by Galen Guengerich
All Souls Unitarian Church, New York City
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One of the two student orations at the Brown University commencement ceremonies last Sunday was delivered by Grace Pemberton, a graduating senior from Rockville, Maryland. Grace began her oration in the following way:

Good morning. You all look very proud, and a little scared, and a little bored, and just radiant. Thank you so much for this opportunity.

I want to be a Unitarian minister some day, so this sermon is something of a trial run for me. If you don't know anything about Unitarianism, I can catch you up pretty quickly. If all the religions are sitting along a continuum from agnosticism to faith, we Unitarians are seated squarely on the agnostic, questioning end, and we're leaning back. We're living the dream of Brown's motto: "In God, we hope."

Unitarians are not too selective when it comes to source material for sermons. We'll take our revelation from anywhere. I once attended a Unitarian service and the book the minister was drawing lessons from was – no kidding – *The Sisterhood of the Traveling Pants*. But the great Unitarian sermons, they're about Hafiz, they're about neutrinos, and Leviticus and Lot's wife and Ida B. Wells, they're about how Anne Carson's simple weirdo prose poetry can make you nice to people for days.

I wanted one more revelation to take with me as I left Brown, but as a Unitarian, I didn't know what book to thump.

The person who sent me Grace Pemberton's speech is a member of All Souls and a Brown parent. She rightly suspected that I was the minister who preached the "sisterhood of the traveling pants" sermon. But she also knows that I take issue with the caricature of Unitarians as congenitally unable to believe anything. It's true that many of us came to All Souls because we found ourselves unwilling to believe what is necessary to be a devout Christian, or Jew, or Muslim. For this reason, we may have come here thinking of ourselves as unbelievers.

If so, our thinking was incorrect. We are indeed willing to believe, but not that all the answers are vested in a single person or text or creed. We have a wide-ranging faith, though hopefully not as indiscriminate as Grace suggests. We have faith in the order of nature, in the authority of reason, in the unity of experience,

and in the power of morality. We have faith in the dignity of each human being and in the motive force of love. We have faith in the goodness of creation and in the benevolence of the divine. This faith accepts what we know about ourselves and our world, then transforms our character by giving us a sense of purpose. What makes Unitarian Universalism unique is our belief that faith is not the external form in which the truth appears to us, but rather the transformation it effects within us, in our character and purpose.

The appropriate continuum on which to plot religion, therefore, extends not from faith to agnosticism, but rather from fundamentalism to universalism: from a belief that there is only one source of truth to a belief that the sources of truth are many. Grace rightly suggests that Unitarian Universalists virtually own the latter end of the continuum. Furthermore, we believe that universalism isn't just a fact to be acknowledged, like the fact that two plus two equals four. Rather, universalism is a value to be championed, like beauty, or justice, or truth itself.

Because of our Universalist faith, we often find ourselves defending the value of the many against the tyranny of the one. Whether the freedom at stake is religious or political, whether the issue is what a family looks like or who can get married, whether the question is the age of the universe or the cause of poverty, we have learned the hard way that truth is multiform, and revelation is not limited to one book, or one person, or one point of view. This is a perspective that's easy to caricature and sometimes hard to explain. But it's the basis of everything we believe as a faith community, as well as everything we stand for as a nation.

This is why, both as a Unitarian Universalist and as an American, I have been profoundly disturbed by some voices in the recent debate about immigration policy. Immigration is a complex and difficult matter. It reaches to the heart of how we understand ourselves, both as a nation of immigrants and as a nation governed by the rule of law. For some Americans, however, the choices are simple and the dichotomies clear. For them, immigration is a battle of us against them, the chosen few against the unrefined multitude. This point of view is both naïve and dangerous. It may also be short-sighted.

Mary Ann Glendon is a Professor of Law at Harvard, a committed Catholic, and an outspoken ally of both the Vatican and the Bush Administration. Writing in the current issue of the Catholic journal *First Things*, Glendon describes what she calls an impending demographic storm. All over the world, but especially among wealthy nations, people are having fewer babies and living longer. When health-care and social-security programs were constructed in the late nineteenth and early twentieth centuries, there were seven to nine workers for every retiree. Now, Europe is approaching three workers per retiree, and the U.S. isn't far behind. In addition, when sixty-five was chosen as the age of eligibility for these programs, it was assumed that relatively few people would live beyond that age.

These demographic trends, Glendon argues, pose a major crisis. She says, "An affluent society that, for whatever reason, does not welcome babies is going to have to learn to welcome immigrants if it hopes to maintain its economic vigor

and its commitments to the health and welfare of its population. The issue is not who will do jobs that Americans don't want. The issue is who will fill the ranks of a labor force that the retiring generation failed to replenish."

Of course, no one is arguing that we should close off immigration completely. The question is how we should treat those who are here illegally and how many more immigrants we should permit to enter in the future, and for what reasons. As Aristide Zolberg notes in his excellent new book titled *A Nation by Design: Immigration Policy in the Fashioning of America*, the question eventually comes down to how far our obligations as human beings extend. Our obligations certainly extend beyond those we consider our fellow citizens, but how much further? Our citizenship of the world must be tempered by realism. If everyone were free to come to America who wishes to do so, there would soon be nothing left worth coming to.

On the other hand, if the pendulum swings too far in the direction of nationalism, the United States and other affluent democracies would need to transform themselves, according to Zolberg, into "police states, protected by a new iron curtain or a Berlin wall." Given our history as a nation of immigrants, he concludes, the burden of proof is on those who want to close the borders. And for those who would keep the borders open, he says, "priority must be given to those in greatest need, people who cannot survive in their country of origin because they are the target of persecution, because of life-threatening violence, or because there is no possible way of making a living."

This principle of giving the highest priority to those in greatest need derives from what John Rawls, the late Harvard political philosopher, calls the difference principle. In 1971, Rawls set out a theory of justice that has dominated the debate ever since. His approach is a variation on the scenario involving two children and one piece of cake, and the problem of how to divide the cake equitably between the two. The answer is quite simple. One child cuts the cake into two pieces, while the other has first choice of which piece to eat. Since the child with the knife does not know which piece of cake she will end up with, she has maximum motivation to ensure that both pieces are as big as possible. This will happen only if the two pieces are the same size.

Using the same basic approach in a rather more sophisticated way, Rawls sets out his theory of justice, which he calls justice as fairness. He imagines a group of people who will select principles of justice for their society. They meet behind what Rawls calls a veil of ignorance, which keeps them from knowing which position they occupy in society.

What principles of justice would they choose? First, according to Rawls, they would declare a principle of equal liberty: each person is entitled to the greatest amount of basic liberty, consistent with an equal amount for everyone else. The second principle they would choose is the difference principle. It states that social and economic inequalities must be distributed to the greatest advantage of the least-well-off person. Rawls argues that people would choose this principle

because they would follow what he calls the “maximin” rule: always maximize the minimum possibility. Or, in less elegant terms, if I do not know beforehand which piece of cake I will end up with, then I will do my best to divide the cake fairly.

Of course, our economic system is built on the premise that people are free to work hard and get ahead, which means securing a bigger piece cake. Rawls is not saying that everyone’s piece of cake must be the same size, only that changes in public policy should not reduce the size of the smallest pieces or reduce the chance that people with small pieces can find ways to get bigger ones. Changes in public policy must enhance, and not diminish, the prospects of the least well off.

When it comes to immigration, our nation has a chilling history of sometimes turning the difference principle on its head. In a recent speech about lessons from the Holocaust, Dr. Barry Coller, Physician-in-Chief of the hospital at Rockefeller University, reminded his colleagues of the history behind the immigration law of 1924. At the turn of the twentieth century, the American Eugenics movement was in full sway. It was based on what was considered cutting-edge scientific knowledge from Darwin’s theory of evolution and Mendel’s discoveries in genetics. Its goal was to improve the human race through intentional genetic selection, an effort that received wide support from both the scientific and philanthropic communities.

To some, the next logical step was to limit the reproductive potential of those judged to be eugenically inferior. In the wake of an Indiana law enacted in 1907, followed by similar laws in 28 other states, including New York, some 60,000 Americans were sterilized, virtually all with limited or no informed consent. The Nazis, including Hitler himself, professed great admiration for the American Eugenics movement, and the Nazis modeled their own sterilization laws and program on those in the United States.

Not surprisingly, the immigration law of 1924 contained provisions for eugenic screening. It also set immigration quotas specifically designed to limit immigration of individuals from Eastern Europe, who were judged to be eugenically inferior. This law, Coller concludes, doomed thousands of Eastern Europeans trying to flee Nazi persecution during the Holocaust by denying them the ability to immigrate to the United States.

My guess is that some people in our nation need to remind themselves of this shameful history. They also need to remember the Mother of Exiles, who stands proud and tall near Ellis Island. “Give me your tired, your poor,” she says, “your huddled masses yearning to breathe free.” The difference principle does not tell us where to set immigration limits or how to deal with people who have flouted the law. But it does give us a way to think about our identity as a nation and our responsibility as free people. Those who are least well off and those who are most in need come first.

What would Rawls say about our current debate? In all likelihood, he would say that changes in immigration policy should not diminish either the economic or the legal prospects of immigrants who are already here illegally. I

commend our President for his insistence on this point. Rawls would also say that policy changes should not reduce the existing chance of success for a foreign citizen seeking political asylum or economic refuge in the U.S. Another way to solve the problem, of course, is for the U.S. aggressively to help other nations improve the prospects of their own citizens, thereby reducing the economic and political disparities that motive people to come here in the first place. The difference principle can work in both directions.

The immigration issue is not just about economics and politics, however. How we treat those who are least well off in our nation and our world is ultimately a religious concern. Our duty as people of faith is to be a voice for those who otherwise have no voice, and to advocate for those who cannot advocate for themselves. In so doing, we will also have the best interests of our nation at heart.

Jonathan Sacks, the Chief Rabbi of Great Britain, wrote a brilliant book several years ago titled *The Dignity of Difference*. Its subtitle reads, “How to Avoid the Collapse of Civilization.” He says:

Economic superpowers, seemingly invincible in their time, have a relatively short life-span: Venice in the sixteenth century, the Netherlands in the seventeenth, France in the eighteenth, Britain in the nineteenth and the United States in the twentieth. The great religions, by contrast, survive. Islam is 1,500 years old, Christianity 2,000 and Judaism 4,000. Why this should be so is open to debate. My own view is that the world faiths...remind us that civilizations survive not by strength but by how they respond to the weak; not by wealth but by the care they show for the poor; not by power but by their concern for the powerless. The ironic yet utterly humane lesson of history is that what renders a culture invulnerable is the compassion it shows to the vulnerable. The ultimate value we should be concerned to maximize is human dignity—the dignity of all human beings, equally, as children of the creative, redeeming God.

When Grace Pemberton said she didn't know what book to thump, perhaps it was because the great scriptures all promote more or less the same principle. Strong people, and people of strong character, are those who look out for the weak, the poor, and the vulnerable. Once in a while, we should imagine ourselves on the least-well-off end of the difference continuum. We should think about what someone else could do to help us lift ourselves up. Then we should do that. It would doubtless make a difference.