

PROFESSOR FEATURED ON FOX'S "THE O'REILLY FACTOR"

UD's human rights program director enters the "no-spin zone" on FOX's "The O'Reilly Factor" to go head to head with Bill O'Reilly on immigration issues.

Mark Ensalaco, a political science professor and director of the human rights program at UD, appeared on "The O'Reilly Factor" on March 1. Below is the transcript from the program.

BILL O'REILLY, FOX NEWS ANCHOR: The O'Reilly Factor " is on. Tonight, another controversy in the Catholic Church. LA's Cardinal Mahony says he'll tell his priests not to obey the new immigration law. We'll analyze it. Hi. I'm Bill O'Reilly. Thanks for watching us tonight. The Catholic Church and illegal immigration. That is the subject of this evening's talking points memo. On this Ash Wednesday, the Cardinal of Los Angeles, Roger Mahony, shocked some Americans by saying he will instruct his priests to defy proposed legislation already passed by the house that would crack down on people aiding illegal aliens. Basically, the cardinal is saying that it is the duty of a Christian to help poor people, no matter what their immigration status.

Mahony then went even further, telling the "LA Times" quote, "The war on terror isn't going to be won through immigration restrictions." The cardinal went on to say that al Qaeda would not trek through miles of deadly desert to infiltrate the USA. Well, how Mahony could know that is a mystery. It seems to me al Qaeda killers do a lot of trekking through the mountains of Afghanistan, through the deserts of Syria, Iran and Iraq. Somebody tell the cardinal. Mahony has long been an advocate of immigrant rights and legality does not enter into his thinking.

By the way, the cardinal has been roundly criticized for being soft on priests who molest children, but that is a separate matter. Talking points did have to note it however. There is no question the cardinal believes anyone who gets into the USA deserves help and that is a controversial sanctuary policy. How rendering to Caesar the things that are Caesar's fits into the cardinal's thinking is another mystery.

Surely Mahony must realize that all nations have a right to control who enters their territory. This is just common sense. Right now, the USA has no record of more than 10 million illegal aliens. That is a dangerous and chaotic situation brought about by a federal government that has been derelict in its duty.

The question, is Cardinal Mahony being derelict in his duty as well? He was in the priest pedophilia scandal, but this controversy is a bit more muddled. The philosophy of Jesus is to help the poor and downtrodden and illegal aliens absolutely would fall into that category. It's hard to imagine Jesus would ask a person's national status before giving that person a drink or a sandwich. And that is the crux of the matter. Good Christians must help those in need.

But do we have to enable them? The new law is designed to stop sanctuary movements that aid illegals far beyond giving them a temporary hand. Right now, there's an underground railroad of Americans who actively help illegals evade the law. That has to stop and if Cardinal Mahony orders his priests to disobey the law, then he must suffer the legal consequences.

Finally with all due respect to the cardinal, he's clueless about how to wage the war on terror or about the unintended consequences of illegal immigration. People are indeed suffering and most of them are here legally. Us. And that's the memo.

Now for the top story tonight, the other side of this. With us, **Father Gerald Murray**, the pastor of St. Vincent de Paul parish here in New York City. Dayton, Ohio, **Dr. Mark Ensalaco**, the director of the human rights program at the University of Dayton, a Catholic college. Doctor, begin with you. Where am I going wrong and am I excommunicated?

MARK ENSALACO, PH.D., UNIVERSITY OF DAYTON POLITICAL SCIENCE

PROFESSOR: I can't excommunicate you, Bill. You're going wrong. Earlier I heard you say that the founders declared that all people who reside in this country are endowed by their creator with certain rights. I think you need to understand this issue is one of a labor market. People are here for jobs, to improve their families. There are jobs for them; employers want them. We need a humane policy, an immigration policy that looks at this not as a national security issue, but as a labor market issue. And if you take that seriously, you're going to welcome these people as assets.

O'REILLY: So you say that we shouldn't be looking at this as a national security issue. How can you sit there in Ohio after 3,000 people are dead here in New York City and in Washington, D.C., by the hand of people illegally in this country? Sit there and say this is not a national security issue, sir.

ENSALACO: Two things. None of them were Mexican and none of them crossed the Mexican border. In fact, they were here illegally in the sense of a visa.

O'REILLY: They were illegal aliens. It doesn't matter whether they're Mexican or not. The Cardinal is saying illegal aliens must be -

ENSALACO: 9/11 terrorists entered the country with visas. It was a terrible shortcoming of the State Department. But none of them were Mexican.

O'REILLY: Do you think it's a terrible shortcoming of the State Department that they allow 11 million people across the borders and live here in violation of the immigration laws? Is that a terrible shortcoming?

ENSALACO: No. I think it is a reality of the labor market in the United States.

O'REILLY: So it's not a shortcoming. We should allow people -- open borders then, everybody comes in who wants to come in?

ENSALACO: No, no. No, of course not. We need a rational policy, a labor policy that's been advocated by the Catholic bishops. Ronald Reagan understood this.

O'REILLY: Look, I don't have any problem with guest worker program. My problem with Mahony is, number one, he's defying the law and telling his priests not to obey it and number two, he doesn't want to take any, as far as I can see, provisions to stop the hordes of people coming across the border. Let's go to Father Murray. Am I wrong here?

FR. GERALD MURRAY, CATHOLIC PRIEST: Well, I think number one, it's a proposed law so there's no disobedience yet. And I think he's doing this in order to make his debating point. Number two, I think the narrow issue that he's focusing in on is that Catholic Church people, such as myself or nuns would be required to report to the government if an illegal alien came to us for service.

O'REILLY: That's not what the law says, though.

MURRAY: I was reading his comments. He was saying that the law would require that. And that reporting feature becomes like a law enforcement feature.

O'REILLY: But see, he's wrong. The law requires that if you aid an illegal alien, and you know they're illegal, and you help them evade the law, you can go to jail. That's what the law says. It doesn't say that if you stumble on somebody and you know they're illegal and you give them a drink of water, you're going to have to turn them in. That's not what the law says.

MURRAY: Well, I think that the issue is, would the Catholic Church be liable if an illegal alien was given let's say shelter in a homeless shelter or a meal.

O'REILLY: If they knew.

MURRAY: But what kind of responsibility do we have to find out and I think that's what he's getting at.

O'REILLY: Well, I can't see the government doing a don't ask, don't tell policy here. But look, the crux of the matter is that the cardinal doesn't have a solution to the problem. He doesn't have one. He's ordering his priests, the largest diocese in the country, to say -- if the law passes -- not to obey it. In the sense that you know as well as I do, there are sanctuary movements and the doctor knows it as well, where Catholic churches put illegals in their basements, hide them, feed them, shelter them and try to get them to evade the law. That's what this new law says you cannot do. Do you object to that?

MURRAY: I don't object to enforcing the law. Certainly the church does recognize you can have laws to regulate immigration. I think existing laws if enforced could handle this problem. I think the issue becomes, what is the church's liability, increasing the responsibility.

O'REILLY: Here's why it can't, because right now, entering the country illegal is a civil matter, not a criminal matter, right Doctor? Here's the crux of the matter. This is what the law wants. It wants to prevent a Catholic church, and I know them on Long Island, from putting illegal aliens in the basement of a church, helping them evade authorities and helping them assimilate into society even though they're illegal. That's what the law wants to stop and Mahony knows it. And Mahony is saying we're still going to do it.

ENSALACO: This is such a small portion of the phenomenon that we're dealing with, where millions of Mexicans are coming to work. We're not talking about putting people in basements. What those who are anti-immigrant are proposing is the diversion of tremendous amount of resources, militarizing the border, putting the church and other public institutions and private institutions in the law enforcement business. This is a tremendous diversion of resources away from true national security concerns. What we're dealing with here, Bill, are people who are productive. They're family oriented.

O'REILLY: Does that include the MS 13 gangs that are taking over most of the crime that come across the Mexican border?

ENSALACO: Of course not.

O'REILLY: OK, how can you generalize and say it's all about work. It's all about nice people. They're not hurting anybody and I throw up to you MS 13, which is the most vile gang we've seen in this country in 50 years. They're part of the illegal immigration flow and you don't have an answer for it. You don't have an answer for it.

ENSALACO: Yes, I do.

O'REILLY: What?

ENSALACO: Yes I do. And one thing about MS 13 (INAUDIBLE) it's important to note this, that these were Salvadorians who were living in the United States during the civil war in the 1980s who learned gang behavior in the United States, took that back to their countries. They're very terrible. It's a terrible organization. The Latinos who live and work and worship in this country despise those people as well. They're here to work.

O'REILLY: We can't keep them out because our immigration policies are too soft and you don't have a solution to that.

ENSALACO: There are people here we don't want to keep out.

O'REILLY: Have them sign up for a legal guest worker program.

ENSALACO: Let's expand the guest worker program.

O'REILLY: Militarize the border, keep them out. Have them sign up for guest worker. We have a controlled situation. Gentlemen, thanks very much.

ENSALACO: Do we militarize the Canadian border as well?

O'REILLY: Well, if they move up there and they come down and they're causing problems on the southern border, yes we do.