

Immigration: A Call to Be Patient, Hospitable and Active for Reform

A 2009 Statement from the Catholic Bishops of Nebraska

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With humility and great trust in the guidance of the Holy Spirit, we write jointly as Bishops of the Church and pastors of all Catholic Nebraskans on the topic of immigration, a pressing human reality that seeks a response. We acknowledge the breadth and depth of this topic as we issue these comments as concerned teachers and pastors.

Immigration is at once local and global, personal and social. It is multidimensional and complex, encompassing an array of economic, political, legal, cultural and moral issues. A source of profound challenges, immigration is often identified with unauthorized entry into or presence in the United States—commonly referred to as illegal immigration. It is a subject of intensely felt concern and frustration.

At the same time, the topic of immigration presents opportunities: for expanded understanding and personal growth, for communication and dialogue, for outreach, charity and hospitality, and for spiritual enrichment and a strengthening of faith in God’s divine plan for all humanity. As Catholics, we are called to embrace these opportunities.

Nebraska Experiences

We are mindful of relatively recent events in Nebraska that received considerable public attention and caused strong reactions. These include, but certainly are not limited to, a major workplace enforcement raid in Grand Island, statewide policy debates and intensifying interest on the part of the State Legislature, and an ongoing, much-publicized local policy and political debate in Fremont. Nebraska is by no means immune from the realities and challenges of both legal and illegal immigration. In fact, Nebraska has been identified as a “new destination state,” because it has ranked among the top 10 states in the nation for percentage rate of increase in immigrant population.^[1] Although immigration has slowed more recently,^[2] the challenges remain persistent and formidable.

Whether large or small, urban or rural, Nebraska communities have experienced profound changes as a result of the arrival of immigrants and refugees seeking work, improvement in their standard of living, reunification of their families, greater security and/or more opportunities.^[3] Many communities throughout the state have been affected such as Lexington, Schuyler, Crete, South Sioux City, Scottsbluff-Gering and Tecumseh, to name just a few. We commend all community efforts to respond to the realities and challenges of immigration in positive, constructive, welcoming ways.

Our Catholic parishes have experienced the effects of immigration as well, especially when uniquely local challenges have stressed pastoral services. Often, the local church becomes an anchor for immigrant families and refugees, thus requiring a balancing of social and cultural

differences. The mission has been always to provide opportunities for both spiritual and pastoral growth, and fertile ground for the work of the Holy Spirit.

Church Teaching

Historically, the Catholic Church throughout the United States has had a shared affinity with the experiences of migrants. Moreover, the Church has often been an advocate on social and legal issues stemming from immigration, including public policy debates.^[4] This affinity and advocacy are compelled by two fundamental sources: first, the Church's social teaching, stemming from a Gospel perspective rooted in the Old Testament, and reinforced by tradition and Papal encyclicals; and second, historical experience as an "immigrant Church," from one generation of newcomers to the next.

In the Old Testament, Israel is instructed that "*the great God, almighty and awesome...loves the stranger, providing them food and clothing*" (Deuteronomy 10: 17-18) and reminded of its own experience: "*You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens in the land of Egypt*" (Leviticus 19:34).

Jesus himself was not unlike a refugee as a member of the Holy Family fleeing from the terror of Herod (Matthew 2:13-2:23); and later, one who preached throughout Galilee and Judea, but having no home of his own, "*nowhere to lay His head*" (Luke 9:58). The face of our Lord and Savior is also present in the faces of migrants: "*For I was...a stranger and you welcomed me....Amen, I say to you, whatever you did for one of these least brothers of mine, you did for me.*" (Matthew 25: 35-40). Sacred Scripture is rich in accounts of hope-filled movement to places of promise and that movement has continued as part of our Church's history.

In 1891, Pope Leo XIII issued the encyclical letter, *Rerum Novarum* ("On the Condition of Labor"), which crystallized the meaning and understanding of the Church's teaching on human rights rooted in natural law and God's revelation, including the right to survive and support a family, specifically mentioning the situation of migrants. Later, in the Apostolic Constitution, *Exsul Familia* (1952), Pope Pius XII reaffirmed the right that members of God's one human family have to migrate in order to ensure their right to a life of dignity. This also was expressed by Pope John Paul II when, in 1985, he addressed the New World Congress on the Pastoral Care of Immigrants.^[5]

Basic Principles

More recently, the Bishops of the United States, in their 2003 pastoral letter written jointly with the Bishops of Mexico, "*Strangers No Longer: Together on the Journey of Hope*," presented the Catholic theological tradition in terms of five basic principles through which the Church looks at migration:

First, all persons have the right to find in their homeland the economic, political and social opportunities to live in dignity and achieve a full life by using their God-given gifts. In this context, sustaining life and family is a basic human need.

Second, when persons cannot find employment in their homeland to support themselves and their families, they have a right to seek work elsewhere. This right is not absolute; it must be based on reasons that are just. In today's world, with poverty so widespread and overwhelming, migrating because of economic necessity in order to provide even the most basic of needs is presumed to be a just reason.

Third, sovereign nations have the right to protect and control their borders for the sake of the common good of their citizens. But this right is also not absolute. Nations also have an obligation to the universal common good, which extends beyond individual borders. The more powerful economic nations, such as the United States, have a greater level of this obligation, as they manage substantial resources for human needs and strive for greater accommodation of migration flows.

Fourth, those who flee wars and persecution, that is, refugees and asylum seekers, should be afforded protection by other, designated nations, including the United States.^[6]

Fifth, regardless of their legal status, whether authorized or unauthorized,^[7] documented or undocumented, immigrants, as well as refugees and all other persons, possess inherent human dignity, which is to be respected as a matter of common decency and Christian discipleship.

Process for Input

In order to draw greater attention to these principles, and to gather input for this joint pastoral statement, we sponsored information and dialogue sessions in eight locations around the state.^[8] At each session, under the theme of "*Listening, Sharing and Learning*," participants received information about Catholic teaching as it relates to immigration, as well as information about the concepts and terms that are common to this subject in the media and public-policy arenas. The overriding value of these sessions was the opportunity for participants to express and share their views, concerns and hopes regarding immigration in Nebraska and the nation.

We are grateful to the more than 100 persons who participated in these sessions and also to the 100 or so others who contributed written comments. The sincere and respectful sharing of viewpoints and experiences, as well as openness to the Church's social teaching, proved to be an effective means for addressing such complex, challenging issues.

Those who responded expressed a broad spectrum of views and concerns.

At one end of this spectrum were viewpoints focused exclusively on the rule of law and illegal immigration: that migrants who attempt to enter this country without the review and authorization required by U.S. law should be prevented from doing so by every feasible means. What's more, foreign-born persons residing in the U.S. as a result of unauthorized entry or overstaying a temporary authorized status are first and foremost lawbreakers, to be apprehended as soon as possible and deported.

At the other end of the spectrum were viewpoints according to which the foremost, even sole, concern is that all first-generation immigrants in this country (and their children), both

authorized and unauthorized, be welcomed as neighbors and allowed to stay. What's more, their poverty and other burdens should be alleviated through access to rights, benefits, privileges and opportunities available to citizens.

We might say that the former invited an enforcement-only, punishment-oriented label, while the latter invited an open-border or amnesty label. Neither view, in our estimation, is economically, politically, legally or socially realistic. Neither view can be fully sustained in a legitimate policy debate. Neither view is fully consistent with the social teaching of the Church.

The substantial majority of participants expressed views and concerns between the polar points. They acknowledged the importance of respect for the rule of law and regard for national security, but also acknowledged the complex array of extenuating circumstances, especially the economic realities, which cause migration. They disclosed their struggles of mind and heart with issues of illegal immigration in light of their Catholic faith. They cited the importance of charity, understanding and patience. They expressed profound concern for the vulnerability of children of unauthorized immigrants.^[9]

At each gathering, many of the participants expressed an awareness and understanding that the current system of U.S. immigration policies and controls is unreasonable and ineffective, that a serious disconnect exists between the current system and the economic and demographic realities that underlie immigration. Policies tend to exploit immigrant labor, undermine human dignity and damage family relationships. The human consequences are profound. The system itself is criticized for inadequate numbers of both work and family-reunification visas, large-scale backlogs in most visa categories, frustrating delays and too much bureaucratic "red tape." Many participants expressed frustration that Congress and the executive branch of the Federal government have failed to enact comprehensive immigration reforms.^[10]

On the national front, this ongoing failure to achieve comprehensive reforms not only contributes to negative attitudes and increasing frustration on the part of many U.S. Citizens, but in some the frustration boils over into undue anger, dehumanizing rhetoric and uncivil conduct. Regrettably, unauthorized immigrants, the vast majority of whom lack any malicious intent and whose labor is valuable to the U.S. economy, become easy targets for distrust, resentment and anger, scapegoats for policy failures and subjects for crass political opportunism. What's more, legal immigrants, and even U.S. citizens of other national origin, may experience stereotyping and the same backlash.

Lives of Fear and Crisis

Another part of the listening process included steps to ensure that the voices of immigrants were heard. This happened by means of small-group meetings at five different locations where the local parish has a significant immigrant attendance. The arrangements were coordinated by staff of the Nebraska Catholic Conference and facilitated by the pastors and others involved in parish ministry. To them and to the participants we express our gratitude.^[11]

The purpose of this outreach was to gain a better understanding of the human aspects of migration, the lives and experiences of immigrant families. Although no questions were asked

about immigration status, it was obvious that many of those who shared their stories are “living in the shadows,” as unauthorized immigrants.

The most frequently mentioned reasons why immigrants leave their homelands, especially rural areas of Mexico, were economic survival and family security. The availability of low-skilled jobs in the meatpacking, food-processing, construction-trades, domestic and services industries attracts them to Nebraska. For many in these circumstances, the risks associated with circumventing the immigration system are outweighed by desperation and hope. The desire to be reunited with family members already present in the U.S. also was cited as a motivating factor.

While poverty and other conditions of the immigrants’ home countries may be unbearable in many instances, the conditions they experience here, especially in an unauthorized status, are extremely difficult as well. Both in the workplace and the community, they experience suspicion, hostility, harassment, discrimination and exploitation.^[12]

Language differences constitute a significant obstacle for transacting business and interacting in the community. Basic living accommodations such as housing, shopping, health care, driving privileges, i.e., things most U.S. citizens take for granted, are often problems in and of themselves. While first-generation immigrants typically appreciate and value the educational opportunities provided for their children, they worry about and cope with pressures that can result if cultural change occurs too rapidly or is unduly influenced by media and other social forces. Within their own families they face struggles to reasonably preserve their ethnic, cultural and religious identities.

The immigrants spoke candidly of their intense feelings of uncertainty and angst, the constant fear they have of being discovered and deported, and the particular concern they have as to what would happen to their children in such circumstances. Their days are filled with these fears and anxieties as they work jobs of difficult labor; their nights are typically restless. Crisis is common, as pastors consistently attest.

In our view, this is duress that should not be burdening the lives of human beings made in the image and likeness of God. As believers in the message of Jesus Christ, we Catholics need to realize the positive effect that respect, understanding, charity, patience and hospitality can have for these, our brothers and sisters in the Body of Christ.^[13]

Essential Parish Role

The local Catholic parish is often a beacon amidst all the confusion that affects the lives of recent immigrants. Their voices confirm that the local church is, as it should be, a place of sacramental stability, spiritual uplifting and social community. It should be a place of calm and security for all who worship there and for those who participate in the life of the parish. Our parishes perform admirably in this context, by responding to local needs and challenges. There are numerous examples of parish-based programs of outreach, assistance and ministry, including, but certainly not limited to, those at St. Mary’s Cathedral Parish in Grand Island, Cristo Rey Parish in Lincoln and Our Lady of Guadalupe-St. Agnes Parish in Omaha.

Our parish priests deserve respect and gratitude, and a broad basis of assistance and support as they lead constructive responses to cultural and social differences and tensions in their parishes. Not to be overlooked as well is the fact that immigrants and refugees enrich the life of the local church through their traditions and religious devotions.^[14]

Illegal Immigration and Enforcement

Before we close, additional comment and reflection upon two dimensions of this topic are in order.

First, concern about illegal immigration, whether unauthorized entry or “out-of-status” presence or both, is understandable, substantive and legitimate.^[15] The laws governing immigration, despite deficiencies and questionable enforcement, are directed toward necessary purposes of national security and orderly control of migration. Border integrity is vital to our nation. Moreover, while immigration is predominantly a civil-law jurisdiction, it is a social and legal reality that illegal immigration is often connected to criminal activity, including identity theft and other forms of false representation, trafficking in drugs and human servitude and intentional violations of other laws and ordinances governing rights and privileges.

Those who express, emphasize, and even prioritize their concern about illegal immigration and the rule of law—presuming they do so in an informed, sincere, civil, appropriately intended manner—are not being unjust or immoral or “un-Christian.” Indeed, patriotism and respect for the rule of law are virtues (but inflamed anti-immigrant sentiments are not). There is plenty of room for respectful, reasoned dialogue on the complexities and broad dimensions of this topic.

Moreover, there is a conclusion regarding which all should be able to agree, namely, that the system of laws and policies now governing immigration in the U.S. is in need of reform. A new, more reasonable, more adequate, more just national policy framework must be developed.^[16] Therefore, anyone who voices concern about illegal immigration must also be willing to engage in some degree of respectful political advocacy for comprehensive immigration reform.^[17]

Secondly, while there might be some room for state-law responses affecting immigration governance and enforcement, we understand that authority to be narrow in scope, pursuant to the doctrine of Federal preemption. It is even narrower in the context of local ordinances. Attempts of this nature therefore, should be approached with considerable caution.

State or local community actions that exceed jurisdictional boundaries invite actionable claims on constitutional, and perhaps other, legal grounds. We have a greater concern, that these actions could become a basis for profiling or other forms of intimidation or discrimination.^[18] However, we agree that efforts to halt the wrongful conduct of unscrupulous employers could be a realm in which state-law responses would be valid and appropriate.

Hope-Filled Vision

In conclusion, let us share our vision for the future. We start with the Catechism of the Catholic Church: “*The more prosperous nations are obliged, to the extent they are able, to welcome the foreigner in search of the security and the means of livelihood which he cannot find in his country of origin....Immigrants are obliged to respect with gratitude the material and spiritual heritage of the country that receives them, to obey its laws and to assist in carrying civic burdens.*”^[19]

The two obligations set forth in the Catechism, when viewed from the perspective of the current national, state and local debates, in which the economic desperation of immigrants is too often pitted against respect for the rule of law, may appear contradictory. We propose they are complementary. Receiving migrants and honoring laws can be a “both/and” rather than an “either/or” policy. This then is the foundation for our vision of the future.

We look forward to the day when a comprehensive, innovative and effective framework of reforms improves and revitalizes our nation’s immigration system. Then, there will be no dual approach, no need to differentiate between authorized and unauthorized immigrants, no reason to use terms such as “undocumented” or “illegal”. All newly arrived immigrants will have legal status, having attained such in accordance with a rational, just and humane policy and process, based upon proper regard for the security, economic capacity and common good of the nation and for the human dignity of the individuals and their families.^[20]

With renewed determination, this can be achieved. The political will to do so can be forged.

We call upon all Catholic Nebraskans to join us, both in urging elected officials and other policy makers to accomplish comprehensive immigration reform and in praying that this vision will soon become a reality.

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^[1] Source: Nebraska Appleseed Center for Law in the Public Interest

^[2] OMAHA WORLD HERALD, “*State sees slight drop in foreign population,*” 09/23/08. After several consecutive years of growth, the foreign-born population in Nebraska was approximately 1,000 less in 2007 than 2006. The estimate in the 2007 American Community Survey was 98,512, which represented 5.6 percent of the state’s total population. The survey did not differentiate on the basis of immigration status. Thirteen other states experienced declines as well. Overall, as reported by The Washington Post, the foreign-born population in the U.S. grew by only 511,000 in 2007, compared with approximately one million per year from 2000 through 2006. The declines are generally attributed to the overall downturn in the U.S. economy and to immigration enforcement activity and the increased publicity given to it.

^[3] While the focus tends to be on immigrants from Mexico, the context of this topic also encompasses immigrants and refugees from other areas of the world, including Central and South America; Cuba, African nations, including Sudan and Somalia; Southeast Asia; and the Middle East.

^[4] The Justice for Immigrants program (JFI) of the United States Conference of Catholic Bishops and programs of Catholic Charities USA are current examples of this. JFI was started in 2005, with these objectives: to educate Catholics about the challenges that immigrants experience in the U.S.; to build support for and work toward the passage of a national comprehensive immigration reform policy that is consistent with the immigration reform principles articulated by the Bishops; to strengthen relationships between immigrant communities and dioceses across the country. www.justiceforimmigrants.org.

^[5] “*Every human being has the right to freedom of movement and of residence within the confines*

of his own country. When there are just reasons in favor of it, he must be permitted to migrate to

other countries and to take up residence there. The fact that he is a citizen of a particular state

does not deprive him of membership in the human family, nor of citizenship in the universal society,

*the common, world-wide fellowship of men.” Also see, BENEDICT XVI, PAPAL LETTER, *Migration: A Sign of the Times* (2006 Message for World Migration Day, 10/18/2005).*

^[6] Conflict and political turmoil in many parts of the world cause persons to leave for fear of death or harm, e.g., Sudan, Somalia, Iraq, parts of Latin America. Protection means that at a minimum these migrants have a right to claim refugee status without being incarcerated and a right of due process to have their claims fully considered by a competent authority. Refugees are a classification distinguishable from immigrants in that they flee out of well-founded fear of persecution or death due to political views, tribal affiliation, religious practice or armed conflict. Typically they are received into United Nations-sponsored camps until receiving “convention status” and resettlement. Asylees fit a classification somewhat similar to refugees, but they come straight to the U.S. and apply for authorized status.

^[7] “Unauthorized immigrant” is the term used by the U.S. Department of Homeland Security, Office of Immigration Statistics, to describe/designate foreign-born persons who entered the United States without “inspection” or were admitted temporarily and stayed past the date they were required to leave, i.e., a person who resides in the United States but who is not a U.S. citizen, legal permanent resident, or holder of an authorized temporary visa.

^[8] The communities were Hastings, Lincoln, Lexington, Gering, Grand Island, Omaha, Columbus and Nebraska City. They were selected on a regional basis in order to encourage and accommodate participation of Catholic Nebraskans throughout the state. These meetings were initially publicized in all three of the diocesan newspapers and in parish bulletins throughout the state. The meetings were coordinated and conducted by staff from the Nebraska Catholic Conference, an agency we operate jointly and cooperatively to represent our mutual interests and concerns in the realm of public policy.

^[9] This vulnerability is so very real, as evidenced by the poverty often endured by immigrant families and also by the chaotic aftermath of worksite enforcement raids in Omaha, Grand Island, Postville, IA and other locations throughout the nation.

^[10] The United States Conference of Catholic Bishops (USCCB) has been among the leading advocates of legislation to implement comprehensive immigration reforms: www.usccb.org.

^[11] In addition, telephone interviews were conducted with the pastors of two other such parishes.

^[12] While almost all of the immigrants who provided input to this process emphasized the reasons, opportunities and benefits associated with their decisions to enter the U.S., a few expressed regret, saying that if they had known of the hardship and undignified treatment they would experience, they would not have “crossed the border.”

^[13] In a recent Zogby poll, released November 11, 2008, 75 percent of 1000 self-identified Catholics throughout the United States agreed that there is a moral obligation to help provide for the humanitarian needs of immigrants, regardless of their legal status.

^[14] UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, “*United States Catholic Catechism for Adults*,” 2nd printing, 2006; Part 4, Chapter 35, pg. 476, citing devotion to Our Lady of Guadalupe as an example.

^[15] The fact to which many Americans and Nebraskans understandably react is that an estimated 12 million immigrants are residing in the U.S.—including 35,000 to 50,000 in Nebraska—in unquestionable violation of current Federal law.

^[16] The USCCB’s call for reforms includes the following elements: a more rational and humane system by which laborers from other countries can enter the U.S. legally to fill positions in the labor force on both temporary and more permanent bases; for those in the country without legal status, opportunities should be provided for broad-based, independently verifiable earned legalization if they can demonstrate good moral character and have built up “equities” in this country; a reduction of the pending backlog and an increase of visas available for family

reunification purposes; U.S.-led international efforts to create conditions in which people do not have to leave their homelands out of economic necessity; assurance of due-process protections for immigrants and refugees; and improved border security.

^[17] USCCB's Justice for Immigrants program is an example of how this political advocacy can be organized and carried out. www.justiceforimmigrants.org.

^[18] The idea, for example, of a city ordinance making proof of legal status a pre-condition for being able to obtaining housing, i.e., shelter for oneself and one's family, strikes us as being fundamentally unjust, vindictive and harmful.

^[19] Paragraph 2241, CATECHISM OF THE CATHOLIC CHURCH, 2nd Edition.

^[20] The term "newly arrived immigrants" is used for the purpose and with the intent of describing in general first generation immigrants (and their children) of more recent and future timeframes, as distinguished from a historical era and tradition, e.g., the description heard relatively often: "we are (historical) immigrants," meaning descendants of immigrants.