

“The Nation and the Common Good: Reflections on Immigration Reform”

A Theological Resource on Migration and Immigration
From the House of Bishops of The Episcopal Church
Phoenix, Arizona
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“The great crisis among us is the crisis of ‘the common good,’ the sense of community solidarity that binds all in a common destiny – haves and have-nots, the rich and the poor. We face a crisis about the common good because there are powerful forces at work among us to resist the common good, to violate community solidarity, and to deny a common destiny. Mature people, at their best, are people who are committed to the common good that reaches beyond private interests, transcends sectarian commitments, and offers human solidarity.”

-Walter Brueggemann, *Journey to the Common Good*

Introduction

The church was born out of the passionate conviction of a growing number of people that, united with the crucified and risen Jesus in baptism, and empowered by the same Spirit that empowered him in his humanity, they could welcome one another, and everyone else, just the way Jesus did. They rightly discerned the social critique embedded in Jesus’ own total availability to others, and, beginning with the admission of the Gentiles and the blurring of distinctions between slave and free, rich and poor, they organized themselves as a community geared to transform Jesus’ personal example into a collective way of life that could challenge prevailing cultural and social norms. This has practical consequences for our approach to immigration reform as followers of Jesus, since it shifts the focus away from advocacy to formation, from the voting booth to our prayer life. What are the spiritual and moral practices we must maintain, recover, develop and take up so that we, as Episcopalians, can witness responsibly on behalf of the undocumented, can acknowledge our own complicity in injustice, and can recognize our own obligation to fellow citizens who fear that a more open immigration policy spells increasing danger and economic loss for themselves?

We have been asking these questions as we meet in Phoenix, Arizona, the epicenter of national debate over immigration reform. We acknowledge with gratitude the many contributions to this debate that have recently been made by various Christian, Jewish and Muslim bodies (see Appendix A). We are also grateful for the work already done by General Conventions of The Episcopal Church in this area (see Appendix B).

As bishops of a church deeply formed by the idea of nationhood, we are painfully aware of the many ways in which concern for national identity can stereotype and exclude the outsider. We are also aware, however, of the spiritual value of national identity when it is informed by Gods’ love for all nations and peoples, and seeks, within its own borders, to emulate that love.

The Problem of Nationalism

We acknowledge that the modern nation state is itself in flux and may be on the wane under the pressures of globalization, increasing ethnocentricity, and the vast number of human beings who are effectively stateless due to ever increasing migration. We also give thanks for the fact that The Episcopal Church is no longer constituted as a strictly “national” church, but comprises a number of dioceses and judicatories well beyond the geographical boundaries of the United States of America.

This is not to deny the expansionist nationalism that produced this rich diversity. In the early twentieth century, the Episcopal Church extended its reach beyond the borders of the United States wherever the United States asserted its control. Historic missions of The Episcopal Church in such “extra-continental missionary districts” as the Philippines, Cuba, Panama, and Haiti coincided with United States occupation of those countries. Nationalism has thus been a potent force in the missionary work of the Episcopal Church as we sought to support the exportation of American democracy and, at the same time, to export the richness of Anglican tradition in our foreign missions. We rejoice that today many of the historic missions of The Episcopal Church are now self-governing Anglican churches in their own right, or are taking significant steps in that direction.

We therefore approach the question of immigration reform aware that our own history as a national church is a double-edged sword. We are deeply bound up with the American story, and therefore have a quintessentially American perspective to bring to the present crisis. At the same time, the very fact that we are now a multi-national church bears witness to our past complicity in imperialist policies, which even now may raise questions about where we are coming from in the debate over immigration reform. Such questions are sure to arise, inasmuch as we will argue that immigration reform must take into consideration not only the human rights of undocumented immigrants, but also our obligation to fellow citizens who wish to stem the flow of illegal immigration. That said, we turn to the matter at hand.

Resident Aliens: Then and Now

Proponents of immigration reform frequently cite Leviticus 19:33-34 as representing Biblical teaching regarding the resident alien: *“When an alien resides with you in your land, you shall not oppress the alien. The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt; I am the Lord your God”* (NRSV). Here we are dealing with a passage which seems to deal explicitly and specifically with immigrants. The resident alien (Hebrew: *ger*) refers specifically to someone residing in Israel who was not born there, and the term translated here (probably anachronistically) as “citizen” (Hebrew: *eZRACH*) means, literally, someone who was born there. But we must not be too quick to establish an easy correlation between this command and our present experience. Ancient Israel was, for the most part, an ethnic entity, for which citizenship (that is, full membership in the community) meant nothing more than the status enjoyed by those who were members of this ethnic entity by birth. That is to say, membership had nothing to do with having been born within the territory of Israel, and no amount of “naturalization” could procure full membership for those who belonged outside the ethnic group.

Thus the situation envisioned by Leviticus 19:33-34 is significantly different from ours. On the one hand, every resident alien is vulnerable; on the other, there seems to be no such thing as an “illegal” alien. Since all resident aliens are permanent outsiders, there is no point in distinguishing among them. This lends an attractive universality to the command: all resident aliens, whatever their particular status, are

to be loved as if they were Israelites. But it is the *as if* that is crucial: they are to be universally loved, even as they are (at least for the time being) universally excluded.

How, then, can Leviticus 19:33-34 be applied today? One option might be to concentrate on the love command here, and relate the passage in general terms to Jesus' availability to everyone, without exception. But since the command to love the resident alien assumes continuing exclusion, it cannot be identified with Jesus' welcoming of the stranger. This does not mean that exclusion is what the people of Israel represent – far from it. But it does mean that this passage is not on its own as helpful to the cause of immigration reform as we might have hoped. Nevertheless, its very unhelpfulness performs an important function, by highlighting an element of our own situation that we might have taken for granted otherwise.

“Citizenship” means something completely different in our context because “nation” means something completely different. It's not that the existential anxiety of being a stranger in a strange land has changed all that much – of course it hasn't. But what *has* changed is how we understand the entity within which the alien is trying to make a home. Before 1500 C. E. or so, a nation was largely defined either as the homeland of a particular ethnic group (e.g., medieval England) or, in a more complex way, as the region over which a particular ruler had jurisdiction (e.g., medieval France).

It was understood that nations in the first sense might contain large minorities who were not, as it were, part of the nation (e.g., Jews in medieval Russia), and that nations in the second sense would persist no matter how populations might shift within them (e.g., Bosnia-Herzegovina under Turkish rule).

By contrast, the modern nation state, which began to emerge about five hundred years ago, has had less and less to do with ethnicity or with the sway of particular rulers, and more and more to do with a clearly defined territory, with citizenship conferred on all who are born within those borders, or who are permitted to make their permanent home there. We recognize there are nations that have never fit this model or do so no longer, but the United States is not one of them.

The United States is the iconic expression of the modern state since, quite apart from its democratic ideals, it is all about citizenship. It is therefore no surprise that United States citizens have a difficult time dealing with a category of persons who are residing in their midst, but who are not, whether by choice or for fear of deportation, on the path to citizenship. In the United States context, to be a permanent resident alien (as many inhabitants of ancient Israel apparently were) introduces a burdensome tension into the national life.

In any case, prior to the modern notion of citizenship, there was no such thing as illegal immigration. The question on which the present debate turns – what to do with *illegal* immigrants – is one which the ancient world would have been mystified by, and which indeed, apart from anti-Semitic legislation (which probably paved the way for modern immigration law), much of the western world would probably not have understood even two hundred years ago.

Church and Nation

So where does all this bring us? Jesus' ministry of welcome has always called the church into radical openness. How shall we respond to that call, particularly as it relates to undocumented immigrants? Again, how can a church that is striving to emulate Jesus enlist society – or, rather, the nation – as a companion? Since nothing like the modern nation – good or bad – is to be found in the Bible, how shall we discern where nationhood's potential for radical openness lies?

This comes down to one question: what do church and nation have to do with each other at this time? This question calls attention to the delicate and rich dialectic of Christianity concerning “discipleship and citizenship.” It is clear that Christians are summoned to discipleship, to participate fully in Christ’s ministry of welcome. It is equally clear that such discipleship cannot be transposed into citizenship wholesale, because citizenship in a pluralistic state faces other considerations.

At the same time, it is inescapable that “discipleship” goes far to shape our sense of “citizenship.” This is the deeper question raised by the church’s advocacy for undocumented workers. Unless we, as Christians, are clear about our own place within the national life, and can demonstrate that we not only care about our nation but see into its spiritual heart, we won’t have much to say that hasn’t been said better by others.

In fact, the Anglican tradition has a lot to say about this. When the Church of England was established in the sixteenth century, it was, to some extent, part of a strategy to assure the absolute authority of the state, at the very moment when England was transforming itself into a modern state. But this is not the whole story. The Church also seized this opportunity to forge a partnership between church and state, grounded in the stake each shared in the spiritual life of the nation.

Several centuries later, the Episcopal Church emerged out of the attempt to transplant that experiment into a decidedly un-Anglican and highly modern republic. Today, as we have noted, the Episcopal Church includes a number of dioceses and jurisdictions beyond the United States. We need to know what that experiment was about if we are to witness effectively about immigration reform, as imbedded as that issue is in our understanding of citizenship and national life.

Hooker and Nationhood

Our best starting-point is Richard Hooker (1553-1600), the first – and seminal – architect of an Anglican theology of nationhood. We turn to his greatest work for guidance, *The Laws of Ecclesiastical Polity*.

Hooker wrote his *Laws* against the backdrop of increasing royal power under Elizabeth I, as England made good its bid to establish itself as a major European power, and the Church of England, amid increasing criticism from Presbyterian circles, settled into life under the royal supremacy. Hooker is sometimes viewed as an apologist for the establishment, and it is true that he defended the forms and worship of the established church with great cogency and vigor. But his analysis of the origin and purpose of the body politic, while it cannot be said to be critical of the Elizabethan regime, does invite a critical assessment of the emerging nation state.

In Book 1 of the *Laws*, Hooker argues that all political rule derives its legitimacy from an original compact (or covenant) among equals. This is not a new idea – it was a commonplace in medieval and renaissance political theory that people were governed because they not only needed but *wanted* to be governed, if only because they wished to be protected from each other:

To take away all. . . mutual grievances, injuries and wrongs, there was no way but only by growing unto composition and agreement amongst themselves, by ordaining some kind of government public, and by yielding themselves subject thereunto, that ... by them the peace, tranquility, and happy estate of the rest might be procured (1.10.4).

But this passage needs to be read in light of Hooker's strong assertion that human beings are essentially sociable and crave interaction with one another. While Hooker opens his discussion of political rule by suggesting that human beings form societies because they can survive better together than separately (1.10.1), he closes it by reflecting at some length on the "law of nations" (*ius gentium*), the dimension of law which since late antiquity had been defined as that body of rights and obligations on which there was general consensus throughout the world.

More particularly, the "law of nations" referred to how people and nations were expected to treat one another in situations where local law did not reach or could not be enforced (e.g., on the open seas or in time of war), or where foreigners were particularly dependent on the protection of their hosts (e.g., ships seeking harbor, ambassadors, travelers, tradesmen bringing goods from afar, and resident aliens). In other words, it was a precursor of international law, enshrined not in particular treaties or written codes but in custom.

But Hooker saw something else in the law of nations. For him it cast light on something all human beings have in common, namely, our desire for fellowship, even and perhaps especially with those who differ most from us.

Moreover – and this is significant for our discussion – Hooker uses the origin of civil society itself as his primary illustration of this universal desire:

Civil society doth more content the nature of man than any private kind of solitary living, because in society this good of mutual participation is so much larger than otherwise. Herewith notwithstanding we are not satisfied, but we covet (if it might be) to have a kind of society and fellowship with all mankind (1.10.12).

Hooker is trying to say two things about government. On the one hand, we have the notion of government as a necessary check on the selfishness and potential violence of human beings who have been driven by necessity to associate with one another. On the other, we have the notion of the human race as a species that cannot flourish without an abundant – one might say limitless – social life. Hooker seems to be suggesting that, given our sinfulness, we do need governance, but that this governance must function not simply to protect us from one another, but to maximize the opportunities for communion and fellowship with one another.

We can then take this to be Hooker's view of the purpose of a nation. As such, we may begin to draw certain implications about what it means for us to be fellow citizens of such a nation as we seek one another's common good.

We have only to look back at the rise of the early modern nation state to see the economic and geopolitical forces that drove the process of centralization, militarization and religious conformity in England, France and Spain. It is as if Hooker were saying, if we are to think nationally rather than locally, let it be for the sake of wider fellowship within our borders, not for placing power in fewer and fewer hands, or creating a more efficient economy, or competing more successfully with other governments for the world's goods. However that may be, Hooker's invocation of the law of nations makes it clear that communion and fellowship with the widest possible range of people is the ultimate goal of national life.

This idea can be understood in two ways. On the one hand, any legitimate government must ensure that national life be characterized by more opportunity for internal social exchange, not less. On the other, the government must encourage and support its citizens' contact with the world beyond its borders by adhering to the basic tenets of the law of nations: keeping borders as open as possible, welcoming strangers, and promoting the circulation of ideas and material goods.

What emerges here is the idea of the nation state as an essentially moral enterprise, in which a relatively diverse collection of people from different local regions, speaking different local dialects, belonging to different classes and harboring different religious views, are expected to achieve common ground through the exercise of that "natural delight which man hath to transfuse himself into others, and to receive from others into himself especially those things wherein the excellency of his kind doth most consist" (1.10.12).

What for some may have been a strategic social agenda was for Hooker a spiritual challenge. It was nothing less than the transformation of England into an occasion for love of neighbor on a broad scale. In imagining the emerging nation state as an opportunity for respectful engagement with a wide range of fellow citizens, Hooker is seeing the national community as an anticipation of what the universal church mystically already is.

Hooker's assertion that the church is a spiritual body politic which is universal (not national) in its essence underscores the extent to which he hoped that the body of Christ, as it found itself situated in each particular nation, might aid in bringing the deepest spiritual implications of nationhood to the fore. At their most authentic, church and nation are bound together under God's providence by a common agenda: despite human sinfulness, to be the occasion for as many people as possible to interact peaceably with one another as equals.

We are aware that the society inhabited by Hooker was anything but a community of equals. But the inner logic of his thought clearly points in that direction. It is no accident that John Locke admired "the judicious Hooker's" analysis of civil society and political rule. Even more to the point, it was to Hooker that the young Episcopal Church looked for guidance as it struggled to discover its proper role in the new republic. For John Henry Hobart (1775-1830), third bishop of New York, Hooker's defense of episcopacy and The Book of Common Prayer showed Anglicanism to be the true reviver of the early ("primitive") church, and the subsequent establishment by the American church of a polity which empowered all orders of the church completed that process of revival. Indeed, Hobart was thoroughly egalitarian in his understanding of the church, viewing it as a spiritual community in which "the distinctions of life are leveled" (quoted by R. Bruce Mullin in *One Lord, One Faith, One Baptism*, ed. Marsha L. Dutton and Patrick Terrell Gray, [Eerdmans, 2006], p. 141). While he reviled the rise of partisanship and political wrangling, Hobart also embraced America's steady movement away from a rigid class system, and clearly viewed the life and discipline of the church as a model for national life (See Hobart's sermon, *The Security of a Nation* <http://anglicanhistory.org/usa/jhhobart/security1815.html>).

Thus for Hobart, as for Hooker, the church had everything to do with the nation as its context for living out its mission; and the nation, all the more because of its free and equal citizenry, was in a God-given position to benefit from the church's influence. The effect of this vision of the Episcopal Church on its subsequent development cannot be underestimated. Not that we have resisted the separation of church and state, still less dreamed of a United States populated by Episcopalians. But our self-identity

as Episcopalians has largely been formed by our effort to discern how our presence *in* the nation might be of service *to* the nation.

Serving the nation remains a viable and authentic agenda for the Episcopal Church in the United States. Our tradition emphasizes common prayer and devotion to the common good. As such, it does not see any contradiction between following Jesus and engaging actively in public life, in this case, national life. We recognize its failings, but we also perceive its spiritual potential as a basis for respectful interaction across economic, ethnic and religious lines. We can reasonably claim that the United States has been shaped, in part, by something like Hooker's vision of the nation as a laboratory for the love of neighbor, and can invite our fellow citizens to look at themselves anew in light of that claim.

In any case, It can certainly be argued that the founders of our nation, while they did not seek to establish a Christian nation in the strict sense, did seek to establish just such a laboratory, since, as Hannah Arendt pointed out, "life, liberty and the pursuit of happiness" included "public happiness," that is, the enjoyment of vigorous debate and creative collaboration in the civic arena, where mutual respect is the political equivalent of love. If that is the case, the collective political will that established our independence and bore fruit in our union is an historical example of that compact or covenant which for Hooker is the origin of all authentic national life, namely, the collective decision to value whoever happens to be around. If Hooker is right that this emergent national covenant implies a decision to value *all* human beings without distinction (including those who are not born or naturalized into the nation), then it is no surprise that our nation began instantly to welcome wave after wave of immigrants.

The Challenge Before Us

To be sure, there were economic incentives for this open door policy, but could it not be said that we welcomed a constant stream of newcomers in order to keep the original compact alive, both by enlarging the circle of those who 'happened to be around,' and by keeping ourselves attentive to the wider human community from which they came?

We do not mean to idealize our history here. We cannot overlook the forced immigration of Africans into slavery, the breaking of treaty upon treaty with the original inhabitants of this continent, and the contempt endured by many immigrants who came here more or less freely (yet also often driven by oppression and poverty at home). Racism and colonialism are deeply woven into our story, and our church has been complicit in the death and marginalizing of countless people. But whenever we have the political will to face this history, the covenant Hooker had in mind has a chance to be reasserted and renewed.

Since the very beginning, the biblical community (ancient Israel and the early church) have faced the tension of being a covenantal community bound to neighborly relationships with all the neighbors and being a community of ethnic identity that readily tilts toward exclusivity. In the Old Testament, the temptation to ethnic exclusivism is visible in Ezra's mandate concerning "Holy Seed" (Ezra 9:2), a mandate countered by the inclusionary statement of Isaiah 56: 3-7. The New Testament church experienced the same tension when it grappled with the inclusion of Gentiles into what had so far been a purely Jewish enterprise. And indeed, every nation state—notably Britain with its recurring image of a "true Englishman" and the United States with its recurring image of a classical "American"—is tempted toward an identity that excludes all those who are "otherwise." That same tension between embracing and excluding the other exists in each of us as persons.

But of course a neighborly national covenant stands against exclusivity and sees that the truth of covenant depends precisely upon the act of welcoming the other. There is no doubt that the temptation to cultural superiority is operative in the current debate on immigration policy. The challenge facing the Church today is to assist the nation in its walk to neighborliness at a time when the nation is fearful. As Walter Brueggemann has noted:

That journey from *anxious scarcity* through *miraculous abundance* to a *neighborly common good* has been peculiarly entrusted to the church and its allies. I take 'church' here to refer to the institutional church, but I mean it not as a package of truth and control, but as a liturgical, interpretive offer to re-imagine the world differently. When the church only echoes the world's kingdom of scarcity, then it has failed in its vocation. But the faithful church keeps at the task of living out a journey that points to the common good

--Walter Brueggemann, *Journey to the Common Good* (Westminster John Knox Press, 2010), p. 32

Witness and Action

So where does that leave U.S. Episcopalians with regard to immigration reform? As a spiritual body politic whose emerging goal is to display Jesus' radical welcome to everyone, it is clear that we have an obligation to advocate for every undocumented worker as already being a citizen of God's reign on earth and one for whom Christ died. This must always be our starting point.

We are part of the universal church, and as such our horizon of concern is global in scope. Our imagination should be informed by the law of nations, with its assumption that humankind as a whole is meant for communion and fellowship, and its bias in favor of spiritual, intellectual or material exchange across all lines. We should not hesitate to join other faith communities in actively protesting racial stereotyping, and demand a halt to practices that treat undocumented workers as criminals – resulting in raids, incarceration, and deportation involving the separation of families. We should continue to offer material and spiritual support to undocumented workers and their families, wherever possible, and should expect that they will continue to receive medical attention and police protection as needed. This is simply a matter of respecting basic human dignity, and we have every moral warrant for calling the nation to account, whether we appeal simply to human rights, divine law, natural law, the law of nations, our national covenant, or to the Bible that grounds them all.

What may not be so obvious is how to pursue this witness in solidarity with the nation as whole. There is a sense in which opposition to inhumane practices needs to move forward whether or not it wins broad approval in the larger community. But certain elements of immigration reform -- in particular, changes in policy that would make it easier for undocumented workers to regularize their presence in the United States, and would make citizenship much easier to achieve – require and deserve a different approach.

Such policies do not fall under the category of humanitarian relief and, generally speaking, no nation is morally obligated to implement them. Indeed, opponents of such policies can and do bring reasonable arguments to the table. For instance, the United States citizens in our House of Bishops are aware and understand that many of our fellow-citizens are opposed to any reform that appears to condone illegality by granting amnesty to undocumented workers.

We know that some are wary of any policy that might further tax the public infrastructure (schools, hospitals, police and fire protection, roads), and are fearful of a glutted labor market that might further increase unemployment and bring wages down. To the extent that we own our own participation in the national community, it is hard to see how we can withhold sympathy from these views, or, at least, not entertain them respectfully, since, if we take the church-nation alliance to heart, apart from matters of humanitarian urgency, our fellow citizens have as much of a claim on our attention and cooperation as do the undocumented workers in our midst.

The claim of the vulnerable is always a strong claim, and undocumented workers are unquestionably vulnerable. Yet so is the claim of those with whom we have entered into covenant as fellow citizens, if, indeed, we, as Episcopalians, regard the modern nation as a collection of more or less diverse communities and individuals who have agreed to engage with one another as equals and, insofar as they are fellow citizens, to love one another. Those who are related to each other by such a covenant have a prior claim on one another. This is so because they depend on one another for the fulfillment of the common goal which the national covenant is meant to serve.

As Episcopalians, we have a twofold relationship with this covenant. On the one hand, we believe this covenant to be essential to any national integrity, whether we are speaking of the United States, or Mexico, or Ecuador, or any nation in which the Episcopal Church makes its witness. On the other, those of us who are citizens of a particular nation bear a responsibility to that particular national covenant as citizens.

This means that the voice and the perspective of our fellow citizen deserves attention. However, it does not mean that we turn our backs on resident aliens and the world community they represent, still less that we place our fellowship with fellow citizens above our fellowship with Christ, but that we remain true to nationhood's more limited and preliminary goal, which is to strive for genuine communion and fellowship within its own borders, for the sake of a wider communion even now.

We do not discount the concerns of our fellow citizens regarding the threat uncontrolled immigration poses to our safety and economic well-being. We insist, however, that these concerns be approached within the broader context of a national commitment and covenant to inclusion and fellowship across all lines for the sake of the common good.

Furthermore, we profess that inhumane policies directed against undocumented persons (raids, separation of families, denial of health services) are intolerable on broadly religious and humanitarian grounds, as is attested by the consensus of a wide range of religious bodies on this matter. With that in mind, we look to another passage from the Torah: "There shall be one law for you and for the resident stranger; it shall be a law for all time throughout the ages. You and the stranger shall be alike before the Lord" (Number 15:15).

Needless to say, before we can use the national covenant as an argument for new policies, we must convince our fellow citizens that such a covenant exists or is at least worth striving to make real. We will do that not so much with words as with our willingness as church people to be involved in civic life at every level, and with our renewed passion to reinvigorate and if necessary reinvent a national life that draws us into lively fellowship across all lines.

Appendix A: Ecumenical and Interreligious Resources

The issue of immigration has been a central concern for our ecumenical and interfaith partners, who have focused on issues of fairness, equality, and social justice, while at the same time taking a stand against racism. For instance, the Evangelical Lutheran Church in America formulates official policy through Social Statements, produced by Churchwide units and adopted formally by the Church Council and Churchwide Assembly. Its statement on Immigration calls for justice and fairness in immigration policy. The ELCA has also adopted a social statement on Economic Life, which calls for “sufficient, sustainable livelihood for all.” Lutheran Immigration and Refugee Services (LIRS) is the refugee resettlement organization for the ELCA, and also engages in advocacy. The LIRS has an Action Network to mobilize grassroots support and spread information. The ELCA also participates in the Ecumenical Advocacy Days sponsored by the National Council of Churches, which this year focused on questions of immigration. Here are some pertinent websites:

Lutheran Immigration and Relief Services: www.lirs.org

Social Statement on Immigration:

<http://www.elca.org/What-We-Believe/Social-Issues/Messages/Immigration.aspx>

Social Statement on Economic Life:

<http://www.elca.org/What-We-Believe/Social-Issues/Social-Statements/Economic-Life.aspx>

The United Methodist Church’s General Board on Church and Society has likewise been heavily involved in issues of immigration reform and fairness in immigration policy. It issues a “Faith in Action” Newsletter to raise awareness and develop a grassroots network. The General Secretary of the General Board also serves as the primary Washington advocacy person for the United Methodist Church, and for 2010 the UMC has made immigration reform and economic justice as two of its four Legislative Priorities for its Washington office. The UMC has played an important role in issues of social justice, and its 1908 Social Creed is an important theological foundation. (UMC General Board on Church and Society: <http://www.umc-gbcs.org>)

The Roman Catholic Church has also been an extremely important voice in calling for immigration reform as well as advocating for issues of social justice. Cardinal Roger Mahoney of Los Angeles, for instance, issued a pastoral letter ordering priests to ignore a potential California law which would make it a crime to assist illegal immigrants. On a formal level, the US Conference of Catholic Bishops issued a pastoral letter in 2003, *Strangers No Longer: Together on a Journey of Hope* which calls for comprehensive and fair immigration reform. It also set up a diocesan-based Justice For Immigrants (JFI) network. It has also set up the Catholic Legal Immigration Network Inc (CLINIC) which provides a number of resources as well as advocacy.

Strangers No Longer: <http://www.nccbuscc.org/mrs/strangers.html>,

Justice for Immigrants (JFI): <http://www.justiceforimmigrants.org/>

Catholic Legal Immigration Network Inc (CLINIC): <http://cliniclegal.org/>

The National Council of Churches of Christ consists of 36 member communions, including The Episcopal Church, and has historically been an important voice in issues of social justice. It has also made immigration reform, along with economic and social justice, a priority for 2010. A collection of resources is available at: <http://www.nccusa.org/immigration/immigmain.html>.

See also the following statement, submitted by the Commission on Social Action of Reform Judaism to the 696th Union for Reform Judaism General Assembly and adopted on December 14, 2007 in San Diego, California.

BACKGROUND

American immigration policy has long reflected the tension between those who seek to welcome new immigrants and those who seek to limit their entry into the United States. Historically the Jewish community has identified closely with those supporting opportunities for newcomers. As noted in the 1995 Resolution on Immigration adopted by the Union of American Hebrew Congregations (now the Union for Reform Judaism), "we support those efforts that compassionately seek to regulate and to aid newcomers to this land but we oppose those that will unduly restrict immigration or burden the lives of illegal immigrants." Other resolutions adopted by the Union related to the status and treatment of immigrants include Refugees in Canada (1989), Immigration (1989) and Citizenship (1997). In 2006 the Central Conference of American Rabbis (CCAR) adopted a resolution supporting efforts seeking "comprehensive immigration reform, which would include not only better enforcement of our nation's laws, but also a guest worker program and a path to earned legalization."

JEWISH TEXTS AND VALUES

Both our Jewish tradition and our historical experiences lead us to support immigration policy that is compassionate and fair. The Torah teaches us to reach out to and care for vulnerable populations, including non-citizens and resident aliens: "If your brother, being in straits, comes under your authority, and you hold him as though a resident alien, let him live by your side" (Leviticus 25:35). We are repeatedly commanded to care for the needy within our extended family: "If there is a needy person among you, one of your kinsmen in any of your settlements... do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs" (Deut. 15:7). Rabbinic Judaism also entitled non-Jewish individuals to financial and emotional support from the Jewish community in order to create a harmonious society: "Our rabbis have taught: 'we support the poor of the non-Jew along with the poor of Israel, and visit the sick of the non-Jew along with the sick of Israel, and bury the poor of the non-Jew along with the dead of Israel, in the interests of peace'" (BT Gittin 61a).

Our historical experience also sensitizes Jews to the need of family members to extend a helping hand to one another, even across borders, in times of economic hardship. As told in the Book of Genesis, during the difficult years of famine throughout the Middle East, Joseph's position in Egypt made possible the resettlement and survival of his family: "God has sent me ahead of you to ensure your survival on earth, and to save your lives in an extraordinary deliverance..."

come down to me without delay—you and your children and your grandchildren, your flocks and herds, and all that is yours. There I will provide for you... (Genesis 45). The Book of Ruth similarly personalizes the required response of the Jewish community toward the immigrant. Ruth, the impoverished recent arrival to her new land, gleans alongside full Israelite citizens who are also in need—a privilege to which Ruth is entitled once she adopts her new homeland and links her fate with its citizens. From the patriarchs' and matriarchs' sojourns in foreign lands to our seminal experience as strangers in Egypt, the plight of the non-citizen resonates for Jews.

The halachic (legal) obligations to resettle family members apply to our extended family. Taken literally, we might conclude that these mandates only obligate us to work for the resettlement of Jews. However, our desire to care for members of our own extended family sensitizes us to similar claims for family reunification expressed by other immigrant groups in America. Further, our historical memory of dangerous flights in search of safe havens inspires a desire to help others in similar distress. The Union reaffirmed these views most recently by adopting the 2003 Resolution on Civil Liberties, which states our opposition to "measures that strip the power of immigration and federal judges to review decisions and exercise discretion regarding the status, detention, and deportation of non-citizens."

As a community of immigrants and refugees with a long history of sojourning in foreign lands, American Jews have a unique responsibility to ensure that the rights of non-citizens are protected by our nation's immigration policy. Just as our ancestors were permitted to reunite their families and resettle refugees from their lands of origin to their newly adopted homelands, today's immigrant communities deserve similar opportunities.

TODAY'S IMMIGRATION SYSTEM

Despite a sweeping overhaul of the United States' immigration policy a decade ago, it is clear that our immigration system is still inequitable. There are currently nearly 12 million individuals living in the U.S. without legal status. Chronic backlogs in visa distribution result in families being separated for years. While "immediate relatives" face the shortest wait for visas, those in lower preference categories are plagued by delays as long as 11 years. Employment-based visas are available in numbers too small to meet either employer demands or accommodate the laborers available for work. Unauthorized crossings at the U.S.-Mexico border—aggravated by Border Patrol strategies—have led to a record number of deaths in the past year alone.

The failure to address these problems within our current immigration system has created an enforcement vacuum, too often leading non-federal authorities to attempt to enforce federal immigration law. In addition to the humanitarian issues these problems create, domestic security can be undermined when so many people

live in the shadows of society and are unable or unwilling to work cooperatively with law enforcement agencies. We cannot ignore the economic, social, and human reality of these “strangers” who are, in fact, our neighbors.

THE CURRENT IMMIGRATION DEBATE

Recent discussion in Congress has reflected the historic tensions in our immigration policy. Debate in both the House and Senate has primarily focused on two approaches: 1) legislation that promotes enforcement or border security measures exclusively (the "enforcement-only" approach) and 2) legislation that promotes security measures but also includes a path to earned citizenship for undocumented immigrants, along with measures to ensure that those who came here illegally make appropriate restitution (the "comprehensive immigration reform" approach). In October 2006, President Bush signed into law the Secure Fence Act embodying the enforcement-only approach. The law authorizes the construction of 700 miles of fencing along the U.S.-Mexico border.

Measures designed solely to keep immigrants out of the U.S. ignore the domestic and global forces that lead to rising levels of immigration. A truly comprehensive immigration policy must address these circumstances. In the U.S., undocumented immigrants are concentrated primarily in low-skilled, low-paying jobs in the service sector. Contrary to arguments of those who claim that there are fewer job opportunities available for American workers because of the high rate of illegal immigration, undocumented immigrants often fill positions others are unwilling to take. By doing so, they play a vital role in the American economy. In addition, immigrants, including many undocumented workers, pay federal income taxes and contribute to Social Security. In fact, the Social Security Administration estimates that three-quarters of undocumented immigrants pay Social Security taxes, even though they are ineligible for benefits.

Advocates of a comprehensive approach to immigration reform believe that an earned legalization program would 1) be more humane than the alternatives, 2) grant new immigrants the opportunities that generations of immigrants to the United States have enjoyed, 3) acknowledge that undocumented workers meet our demand for essential workers, and 4) broaden the tax base by integrating millions of new workers into the above-ground economy. They also stress that a program of earned legalization for undocumented residents would enhance cooperation with law enforcement officials by members of the immigrant community who would no longer fear deportation, likely resulting in reduced crime and improved national security.

Even some provisions in Comprehensive Immigration Reform proposals would create unreasonable family and economic hardships for those seeking to legalize their status. For example, proposals that would provide visas to those who are

currently undocumented by requiring immigrants to first leave the U.S. and return to their country of origin, known as “touchback,” are unreasonable. Recent ICE (Immigration and Customs Enforcement) raids raise due process concerns and have led to families being separated and deportation of parents of U.S. citizens.

A comprehensive approach to reforming our nation’s immigration system is the most realistic and humane solution to this escalating crisis. Such an approach takes into account not only the importance of securing our nation’s borders and upholding the law, but also the fact that millions of undocumented immigrants currently live in the shadows of society where they are potential targets for unscrupulous employers. They live in fear of law enforcement and thus are afraid to report crimes, including domestic violence, or threats to our nation’s security. And they face obstacles to obtaining needed health care, posing a threat to public health. When local law enforcement agents or health care professionals are required to enforce federal immigration law, it undermines their ability to work cooperatively with the immigrant community on such issues. Providing opportunities for the undocumented to eventually become legal citizens after meeting specific requirements is a necessary component of comprehensive immigration reform.

THEREFORE, the Union for Reform Judaism resolves to:

1. Call for a comprehensive and generous United States immigration policy that treats all immigrants justly and reflects the basic principles of human dignity and human rights;
2. Oppose enforcement-only legislation while maintaining support for effective and humane border security to curb illegal immigration as part of a comprehensive immigration policy;
3. Support legislation providing for pathways to earned citizenship for undocumented immigrants that reflect fair and compassionate eligibility standards;
4. Call on the Department of Homeland Security to ensure that the Immigration and Customs Enforcement units act within the framework of U.S. law, which requires court-ordered search warrants, due process, and humane treatment of detainees and their families.
5. Call for Congress and the Administration to adopt:
 - a. Fair and expeditious processes to deal with the problems of family separation and backlogs in resolving applications for citizenship, asylum, and visas,
 - b. Provisions that would allow undocumented immigrants in the process of applying for legal status to remain in the U.S.;

6. Support measures to clarify that enforcement of federal immigration law is the exclusive province of the appropriate federal legal authorities by:
 - a. Opposing efforts by non-federal entities and local law enforcement officers to enforce federal immigration law;
 - b. Opposing efforts by non-federal entities to establish punitive regulations or legislation targeting undocumented immigrants;
7. Support legislation that recognizes the contribution of immigrants to the U.S. economy and labor force by providing increased opportunities for immigrants to work legally in the United States through temporary worker visas;
8. Support legislation and policies that address the causes of illegal immigration including legislation that:
 - a. Increases the number of visas allowing unskilled laborers to work in the U.S. legally;
 - b. Increases guest worker programs and temporary worker visas; and
 - c. Addresses the U.S. policies that contribute to the flow of immigrants;
9. Oppose the exploitation of immigrants in the workplace and encourage employers to maintain the highest safety standards and provide fair and just compensation for all workers;
10. Encourage congregations and other arms of the Reform Movement to:
 - a. Educate their own members and the broader community on the important and beneficial role that immigrants play in our nation's economic, social and cultural life and the need for a fair, compassionate and comprehensive immigration policy;
 - b. Participate in coalitions that advocate comprehensive immigration reform consistent with these principles; and
 - c. Assist immigrants to integrate into local communities, while recognizing and respecting the importance of preserving immigrant culture and heritage.

Appendix B: Resolutions Pertaining to Immigration, General Convention of the Episcopal Church

1982-A063

Encourage Relief for Refugees - *Concurred as Substituted*

The 67th General Convention commends efforts to resettle refugees and encourages Episcopalians to accept refugees in their communities. It urges fair treatment of Salvadoran and Haitian refugees and permanent status for political and economic refugees.

1982-D051

Urge Immigration and Church Sponsorship of Amerasian Children - *Concurred as Amended*

The 67th General Convention urges that immigration laws be changed to allow Amerasian children into the US. It encourages dioceses, congregations and families to provide for them and urges the Presiding Bishop to encourage sponsorship.

1985-D018

Call on the Government to Grant Immigration Status to Central American War Refugees - *Concurred as Amended*

The 68th General Convention reaffirms the call for the U.S. to offer safe haven to Central Americans seeking temporary refuge in our nation from civil strife in their home countries.

1985-D113

Request Congress to Reform Immigration Legislation - *Concurred as Amended*

The 68th General Convention calls the Congress to enact immigration legislation that recognizes the human realities of undocumented people in this country and that provides asylum for those fleeing political repression.

1988-B032

Request the ACC to Assist With the Settlement of Refugee Bishops and Clergy - *Concurred as Amended*

The 69th General Convention calls for steps to be taken for the employment, support, and maintenance of Anglican bishops, clergy, and lay workers who are forced by political or military circumstances to flee their dioceses in developing countries.

1988-B034

Commend Participation in the Legalization Program for Refugees - *Concurred as Submitted*

The 69th General Convention encourages continuing Church participation in the legalization program established Congress to assist persons to prepare for permanent residency through education and counseling.

1994-D113

On the Topic of California's "Save Our State" Initiative - *Rejected*

The 71st General Convention rejects the resolution declaring opposition to California's "Save Our State" initiative.

1994-D132

Reject Racism Toward Immigrants and Request the Church to Respond - *Concurred as Substituted and Amended*

The 71st General Convention condemns widespread racist and unjust treatment of immigrants in political discourse and directs provinces and dioceses to develop programs to counteract violations of civil rights.

1997-D081

Develop Advocacy Agenda of Refugee Admissions and Asylum - *Concurred as Submitted*

The 72nd General Convention charges the Episcopal Migration Ministries to develop an advocacy agenda for refugee admissions, asylum and access to essential services.

2000-A053

Adopt Migration Ministries Mission Statement - *Concurred as Amended*

The 73rd General Convention adopts the Migration Ministries mission statement, "The Episcopal Church in Service to Refugees and Immigrants."

2003-C028

Support the Immigrant Workers Freedom Ride - *Concurred*

The 74th General Convention calls for support of the Immigrant Workers Freedom Ride (IWFR) through the education of Church members about the importance of immigration law reform.

2003-C033

Urge Legislation to Expand Temporary Workers' Programs - *Concurred as Substituted*

The 74th General Convention urges Congress to enact legislation to expand temporary workers' programs.

2006-A017

Adopt the Fundamental Principles Included in "The Alien Among You" as the Policy of the Episcopal Church - *Concurred as Amended*

The 75th General Convention adopts the fundamental principles included in "The Alien Among You" as the policy of the Episcopal Church.

Source: www.episcopalarchives.org/

In addition, a resolution of the Lambeth Conference of 1998 states, "On the fiftieth anniversary of its proclamation in December of 1948, this conference: (a) resolves that its members urge compliance with the United Nations Universal Declaration of Human Rights by the nations in which our various member Churches are located, and all others over whom we may exercise any influence; and (b) urges extension of the provisions of the Declaration to refugees, uprooted and displaced persons who may be forced by the circumstances of their lives to live among them" (Resolution I.1). Since Article 13 of the UNUDHR speaks of "the right to leave any country, including his own, and to return to his country," and Article 14 says, "everyone has the right to seek and to enjoy in other countries asylum from persecution," the Lambeth Conference of 1998 is urging a discussion of the issues of emigration and immigration in the context of human rights.