

# The Immigration Dilemma

## *Progressive Christians Uniting*

*Sung Kim is a Korean immigrant. He was able to come to the United States after his parents' death, because his sister had come earlier as a GI bride, and the immigration service allowed him to join her. Life in Korea had been very difficult under successive military regimes that ruthlessly limited the aspirations of workers. It was not easy in the United States either, but Kim worked very hard in his sister's restaurant, saved some money, and started his own restaurant. He is now a successful businessman, still working hard and living frugally, but married, raising a family, supporting a church, seeking citizenship, and clearly contributing to the American economy.*

*James Richardson is an African-American who dropped out of high school after two years. He has no marketable skills. He wants to make his own way and is willing to take minimum wage unskilled jobs. He resists pressures to supplement his income through illegal activities. Although he fathered a child, he can contribute nothing to her support. He keeps hoping that he can move up the ladder enough to help the child's mother. But even minimum wage jobs are hard to keep, partly because undocumented immigrants are willing to work for less. He is often unemployed. He resents the constant inflow of new people as undercutting his chances of a decent future.*

### I. INTRODUCTION

Throughout history, the world's people have always been on the move, migrating from one location to another. People leave their homes for many reasons. Sometimes the cause of migration is an inability of people to support themselves or their families, or it may be because crops have failed and there is not enough food, or because the environment will no longer sustain settlement in a particular area, or because of war or persecution, or because a group of people simply want a better life for themselves or their children.

If history is an account of migrating people, current global realities point to ever increasing migrations. Virtually all of the demographic, political and economic trends that are shaping the world's future are pointing to more, not less, forced migration of people. Swelling populations, growing inequality, mounting violence, and degraded environments will inevitably push more and more people away from their home communities. This means that it is urgent to clarify the policies dealing with migration and immigrants that Christians should support.

Generally, when people talk about migration, they use two different terms for those who are on the move. People who seek admission to another country, owing to a well-founded fear of

persecution if they return to their home country, are usually called "refugees." Their fear typically will be because of the person's race, religion, nationality, political opinion or membership in a particular group. At the start of 2001, the number of refugees "of concern" to the United Nations High Commissioner for Refugees (UNHCR) was 21.8 million, or one out of every 275 persons on Earth. This compares with a somewhat higher figure of 26.1 million in 1996. The highest number of refugees is in Africa, followed closely by Asia and Europe.

A second group of migrants are those who take up residence in another country for other reasons, often economic, and they are referred to as "immigrants." Globally, according to the United Nations Population Fund, there are currently twenty million people on the run from drought or other environmental problems and more than sixty million people are economic migrants seeking a better life or survival. The total of all these migrants amounts to about 2% of the world population.

Another important distinction is between those who seek a permanent new home and those who hope to return to their homes when conditions allow or when they have made sufficient money. In general those who hope to return remain in a neighboring country, e.g., migrant workers from Mexico in the United States. Those who seek to make a permanent change, on the other hand, may look elsewhere for their future home, e.g., Indian and Filipino engineers in the U.S. high tech industries.

However, dividing people into clear-cut categories of refugees and immigrants is becoming more and more difficult. The U.S. government, for example, has tended to regard anyone coming from a Communist country as a refugee, whereas persons in greater personal danger coming from countries with which we are allied rarely receive that status. Are those fleeing grinding poverty and starvation really immigrants or do they also deserve the title refugee? Is their emigration really "voluntary"? How do we classify people fleeing countries where poverty is closely linked with a repressive political system? Increasingly discussions of immigration and refugee assistance will need to deal with all the world's migrants.

## **II. CURRENT MIGRATIONS**

### **Worldwide Problems**

The most massive problems of migration are in parts of the world—Pakistan, Burundi, Thailand, Bosnia—that seem distant to Americans. The Burma-Thai border is an example. Burma (currently called Myanmar by the illegal junta ruling the country) is an example of how a ruthless and repressive government can cause massive emigration. In 2001 there were 135,000 people from Burma living in refugee camps on the Thai side of the border. They had to flee from fighting around their homes brought about by the reign of terror imposed by the military. There are also an estimated one million displaced Burmese living illegally throughout Thailand.

The Thai government does not feel that it can accept responsibility for an increasing number of refugees. In a recent report, the Human Rights Watch/Asia shows that many of the refugees already in camps in Thailand, as well as others who are trying to flee into Thailand, are being pushed back into Burma by force. For many of them, this means persecution and even death. It is hard to see any happy solution to this problem without the replacement of the present junta by Daw Aung San Suu Kyi, whose party won over 80% of the vote in 1990.

When immigrants arrive almost anywhere in large numbers they frequently encounter hostility. In Turkey there is anger toward refugees from Iran, Iraq, and North Africa. Tamils

driven out of Sri Lanka are rejected in England. Moroccans are seen as a problem in Italy. There have been anti-immigrant riots in Germany and attacks on hostels for asylum-seekers in Switzerland. One European in three believes there are too many people of another nationality or race in his/her country. It is apparent that as the need to seek refuge increases, the difficulty of finding hospitality will increase.

We must particularly admire poor countries that, with very few resources, nevertheless provide a place of refuge for huge numbers. An example is Malawi which, with a population of less than ten million, worked with the United Nations to care for over 700,000 Mozambicans for more than a decade before a peace settlement allowed them to begin voluntary repatriation in 1993.

### **Immigration into the United States**

Statistics such as these remind us that the United States' record in refugee resettlement is not especially impressive. It ranks behind Sweden, Canada, Australia and Denmark in terms of per capita resettlement. Those who complain that this country carries too much of the burden should be reminded of this fact, especially in relation to our resources and the enormity of the global problem. We should be reminded also of the importance of supporting the United Nations in its worldwide work with refugees.

Even so, this nation has been created by immigration, and debates about the number and sources of immigrants now play a major role in national political life. This has not always been the case. Without much public debate about the merits of accepting more migrants, the level of immigration into the U.S. slowly began to rise during the mid-1960s; it accelerated in the 1970s; it soared in the 1980s; and as a consequence of significant statutory, judicial and administrative actions taken during that decade, a near-record level of annual entries was institutionalized in the 1990s. Unless these policies are reversed by specific policy interventions, mass immigration is likely to remain a significant feature of the U.S. economy and society.

Is this a good thing? As American citizens and Christians, we need to seek answers to this question. Which ethical perspectives should we bring to bear on this policy question? Should the U.S. become more or less restrictive in its admissions? Who will be admitted and who will be turned away?

While it would be useful to frame these questions in more global than national terms, it is to our Christian responsibilities for U.S. policies that this book is primarily devoted. Therefore, the remainder of this essay will focus primarily on the policies governing immigration into this country, and on their implication for those affected by them

Roughly 675,000 immigrants enter the United States each year as legal permanent residents. Most of these are admitted for family unification or employment-related purposes. Another 120,000 people are annually admitted to the U.S. as refugees fleeing political persecution.

The U.S. Immigration and Naturalization Service estimates that approximately 275,000 undocumented immigrants enter the United States and stay each year. Because they are undocumented, it is difficult to obtain accurate numbers. Contrary to widespread impressions, almost half of those do not sneak across the border but rather arrive legally and stay beyond the expiration of their visas. Approximately one-half of the undocumented immigrants are from Mexico. Estimates of the total number of undocumented immigrants range widely, from 5.4 million to more than 11.0 million. California accounts for forty per cent of the total.

### **III. THE HISTORY AND PATTERNS OF IMMIGRATION INTO THE U.S.**

If we go back far enough in time, all human inhabitants everywhere outside of some region in Africa are immigrants. Nevertheless, it is best to view the first humans to arrive in an area as the natives or indigenous people, with those who come later as immigrants. Sometimes immigrants enter a country, mix with the indigenous people and jointly constitute the primary population of a region. At other times, immigrants and indigenous people share the territory without much mixing. At still other times, immigrants conquer and enslave the indigenous people, or even exterminate them.

Several patterns of immigration are to be found in the New World. In some places, the indigenous people were conquered, ruled and exploited by the immigrant minority. In some of these places, there was considerable intermixture of populations as well. In other places, the immigrants displaced or even exterminated the indigenous people, sometimes intentionally, sometimes not.

In the United States, the indigenous population was pushed back, decimated and limited to reservations where they could hardly support themselves. Currently, the vast majority of the population consists of immigrants. If we consider the indigenous people to constitute their own nations, then we may say that the U.S. as a nation is composed almost entirely of immigrants. As we celebrate our immigrant history, we should be mindful of its effects on Native Americans.

Successive waves of European immigrants to these shores added to the security of those who had already arrived. They contributed to their economic prosperity and expanded the "settled" areas, that is, those from which Native Americans were driven out. Some of these settlers came by choice, others were indentured servants and debtors who were rather rapidly assimilated into the new immigrant societies. But Africans brought as slaves remained slaves, as did their children, including those of mixed race, for many generations. Even when they were freed, they remained largely segregated until very recently.

Since the immigration with which we are currently concerned is of persons who want to come, our focus will be on the history of voluntary immigration, but we cannot understand the current scene without remembering the centuries-long history of Black slavery as well as the way in which immigrants displaced the native peoples from their land.

#### **Earliest American History**

Immigration was among the issues behind the war for independence. The colonists wanted rapid growth of population, whereas the king discouraged this. Accordingly, one of the grievances against King George of England listed in the Declaration of Independence concerned the inalienable right of people to migrate. The King "has endeavored to prevent the population of these states, for that purpose obstructing the laws of Naturalization of Foreigners, refusing to pass others to encourage their migration hither."

James Wilson rose at the Constitutional Convention of 1787 to speak in favor of open immigration, noting that almost all the general officers of the Pennsylvania line in the U.S. Revolutionary Army were foreigners. Although the British dominated the early settlement of the American colonies, the Germans were close behind. In 1795, George Washington asked God "to render the country more and more a safe and propitious asylum for the unfortunate of other countries."

But from the beginning the U.S. has had ambivalent feelings about immigrants. George Washington also favored restricting government service to native-born persons. And in a letter to John Adams in 1794, he wrote: "My opinion with respect to immigration is, that except of useful mechanics and some particular description of men and professions, there is no use of encouragement."<sup>i</sup>

People have recognized that immigration has been critical for American economic progress at various points in our history, but there has also been a great deal of anger, and outright xenophobia, toward immigrants. Benjamin Franklin himself noted: "Americans hailed newcomers to its shores as the bulwark of democracy, however, in times of crisis it has also used the foreign born as a scapegoat for unsolved social problems."

### **Immigration and Ethnicity**

Although most Americans in the nineteenth century favored immigration because it added to national power, speeded up the exploitation of new lands, and provided labor for established business and agriculture, there was also opposition. Some of this was based on ethnicity. Indeed, more and more Americans began to call for a monolithic society with an Anglo-Saxon identity, where everyone would speak the same language, profess the same religion, and be similar in manners and customs. Members of the nativist "Know Nothing Party" opposed Irish and German immigration, saying that this did not fit the American Mosaic.

Various states attempted to restrict the influx of immigrants. Laws were passed especially against the return of refugees after the Revolutionary War. There were also attempts to prevent European nations from settling their criminals in the United States. But eventually the U.S. Supreme Court held state laws on immigration to be unconstitutional.

Toward the end of the nineteenth century, sources of immigration shifted from Ireland and Germany to Eastern and Southern Europe and included many Jews. Also, total numbers increased drastically. Whereas the average number during the period of continental expansion (1820-1879) had been 162,000 per year, from 1880 to 1924, it was 584,000. Assimilation became more difficult, and earlier immigrants became increasingly resentful of newer ones.

As cities such as New York became more crowded and more "foreign," reactions against immigration escalated. One New York writer illustrated the worst of this when he said, "The floodgates are open. The dam is washed away. The sewer is choked. The scum of immigration is viscerating upon our shores." Nevertheless, it was during this same period that a Jewish writer, Israel Zangwill, coined the phrase, "melting pot," to describe America, and Americans responded enthusiastically to the questionable interpretation of the Statue of Liberty by Emma Lazarus as welcoming immigrants.

Restriction of immigration explicitly based on ethnicity was directed only against Asians. After the Taiping Rebellion in China in 1848, some 300,000 Chinese came to the U.S. After they had helped America build its railroads and harvest its fields, in 1882 the Chinese Exclusion Act was passed. In 1907-08 Japan entered into a "Gentlemen's Agreement" with the U.S. whereby the U.S. agreed not to exclude Japanese immigrants by law while Japan agreed not to issue passports to any who wished to come to the continental U.S.

These racist actions against Asians were defended by another effect of immigration. New immigrants are typically a threat to the economic advancement of earlier ones. As the earlier

arrivers begin to establish themselves and gain higher wages, new immigrants come who are willing to work for less. It is more difficult to organize labor unions when there is a steady influx of workers who are desperate for jobs. When the economy is expanding rapidly, the problem is minor, but in any contraction, it is more serious. Ethnic conflict has often been triggered and intensified by the economic interests of earlier immigrants.

Ethnic diversity in this country was increased greatly by the annexation of half of Mexico by the Treaty of Guadalupe Hidalgo in 1848. Even today a majority of the Chicano population in the United States results from this annexation rather than from subsequent immigration. It is ironic that these earlier immigrants into what is now the United States are often treated by later arrivals from Europe as if they had less right to full citizenship and participation. The current push for English-only ignores the fact that this treaty guaranteed Mexicans in the ceded territory the right to their own language and culture.

This treaty also illustrates the arbitrary character of many borders. This is especially true of those drawn by imperial powers in Africa that ignored both geography and the affiliations of the native people. The intention in this treaty was for the United States to annex Alta California, leaving Baja California to Mexico. Mexico regarded San Diego as part of Baja California, but the United States forced on Mexico its interpretation of the boundary as running south of San Diego. The resultant boundary is related to no natural barrier and is extremely easy to cross. In considering the right of Mexicans to cross the new border drawn by this treaty, we need to remember the circumstances of its creation.

The absorption of this large Mexican population into the United States led to tensions between it and the increasingly predominant Anglo-Saxon population. In the latter half of the nineteenth century, Mexican culture had the misfortune of being identified in the Anglo-Saxon mind with both Catholicism and revolution, lending sentiments of racial superiority even greater impact. The nativist heritage is one that continues to play itself out today in new and varied forms.

### **The End of Unlimited Immigration**

Despite the growing prejudice against new arrivals, the borders were completely open to Europeans until 1875. Even then restrictions were not placed on total numbers or on nations of origin. The idea was to prevent the immigration of those who were undesirable. Convicts and prostitutes were excluded in 1875. In 1882 exclusion was extended to "lunatics, idiots or any person unable to take care of himself or herself without becoming a public charge." In 1891 paupers, polygamists and those with loathsome or dangerous diseases were barred. In 1903, epileptics, beggars and anarchists were added to the list. In 1906 it was required that immigrants speak English. The process of restricting immigration in this way continued until 1918.

Far more important than these "qualitative" restrictions on immigration was a changing climate among American voters. Throughout the nineteenth century, despite ethnic prejudices exacerbated by economic concerns on the part of workers, the dominant segment of the American people wanted immigration in order to increase the power of the nation, complete the Westward expansion, and provide labor for infant industries. But by the end of the century the population sufficed to give the nation international status, the frontier was gone, and the labor force seemed sufficient. Additional population had to be absorbed in already settled areas. Since most of those who now wanted to come were ethnically different from the majority who were already here, ethnic and racist elements gained ground in the opposition to continued large-scale immigration.

The result of this change in national attitude toward immigration was quantitative restriction favoring the ethnicities that had been longer established in the country. In 1921 the 1910 census was selected as the basis for establishing quotas on new immigrants. It allowed annual immigration from each nation of up to 3% of the population from that country already settled in the U.S. in 1910. This gave large quotas to northern European countries while drastically reducing immigration from Eastern and Southern Europe. To intensify the latter effects, legislation in 1924 shifted the base to the 1890 census and reduced the percentage to 2%. Still more restrictive policies were enacted in 1929.

Hostility toward immigration along with anti-Jewish prejudices led to horrible consequences during the 1930s and 40s. In 1939 Congress defeated a bill that would have rescued 20,000 refugee children from Germany on the grounds that the admission of the children would have exceeded the German quota. This decision was made even though American families were prepared to sponsor the individual children.

The War led to some changes in the direction of flexibility. In 1945 and 1950 laws were passed that waived visa requirements for spouses of American military personnel. And in 1948, the Displaced Persons Act enabled 400,000 refugees from Europe to enter the U.S.

This did not reflect a basic change of attitude. In 1952, the quota system was reaffirmed along with a preference system for distributing visas within each country's allotment. This law passed over the veto of President Truman who wanted a more humane immigration policy. He said, "The quota system is long out of date and it discriminates, deliberately and intentionally, against many of the peoples of the world."

During the 1960s Americans became embarrassed about the overtly racist character of their laws, including those governing immigration. A commission appointed by Truman produced a proposal to end the national quota system, and this change was embodied in legislation in 1965. This legislation did not, however, move in the direction of the unlimited number of immigrants that had characterized the United States prior to 1921. Instead, it set an annual ceiling of 120,000 immigrants for the Western Hemisphere and 170,000 for the Eastern Hemisphere. This policy was revised in 1976 and 1978 to eliminate the Hemispheric quotas as well. The effect of these changes was to increase immigration from Asia, Southern Europe, and Latin America.

In place of quotas a new system of preference categories was established in order to favor those held to be most desirable as immigrants. Three groups were to receive preference. First, the new law put an emphasis on family reunification, so those with immediate family already in the U.S. went to the top of the list. Second there were provisions for labor needs, which meant a priority for "members of the professions and those with exceptional abilities in the sciences and the arts." Third, those with demonstrable reason to seek refuge from war or political persecution were to be welcomed.

Since 1965 legal immigration has been based primarily on the family reunification policy, which gave preference not only to spouses and minor children, but also to adult sons and daughters, parents of adult immigrants, as well as brothers and sisters. If a member of a family gained a foothold in this country, he or she could begin a chain of immigration, also called "network immigration." Limits have been raised several times, reaching 675,000 in 1990. Between 1965 and 1989, immigration was approximately 500,000 a year. Since 1990 annual immigration—both documented and undocumented—has averaged more than a million.

Because a major amount of immigration has taken place outside the law, an effort was made in 1986 to deal with this problem. The Immigration Reform and Control Act of 1986 gave amnesty to about three million undocumented residents who had lived in the U.S. prior to 1982 (or 1986 for agricultural workers). This offer of amnesty recognized the difficulty of identifying and deporting a large number of undocumented persons, and it helped to protect them against abuses by employers who sought to take advantage of their vulnerability. As a means of deterring further illegal immigration, the Act also penalized employers who knowingly hired undocumented workers. At best, this part of the Act provided a mechanism to discourage illegal immigration that could work in tandem with immigration controls at the border.

But in fact, the employer sanctions have not been vigorously enforced, and some employers are prepared to take the risk of occasional fines in order to hire workers cheaply. Those employers who try to obey are easily deceived by readily available counterfeit documents. Worse, the law has had the effect of discouraging other employers from hiring persons who they suppose *may* be undocumented because of their ethnicity.

Then, in 1996, the Congress passed and the president signed the Illegal Immigration Reform and Responsibility Act. Earlier drafts of this legislation had called for major reductions in the number of new legal immigrants. In its final form, however, the Act focused primarily on measures that removed from undocumented persons most of their rights of judicial appeal of administrative actions by the INS. The Welfare Reform Act of 1996 also made alien status the basis for denial of access to key government services and programs. The desire to limit freedom of entry is obviously a powerful political force in America.

In the short-term, immigration restrictions were tightened still more for security reasons after the events of September 11<sup>th</sup>, 2001. Until those attacks, the forces for liberalizing immigration had gained new strength as two new presidents in the U.S. and Mexico set ambitious goals that might allow undocumented immigrants to work legally in the U.S. and guest-workers to migrate freely and openly into America. Then, too, organized labor began seeing new immigrants less as a threat to American jobs than as a potential source of new members. The Catholic Church also supported legalization for the rapidly growing number of Hispanic migrants. Reform seemed finally on the way. Then suddenly, the nation found itself faced with a “war” on terrorism that inevitably would restrict movement across borders.

#### **IV. OBJECTIONS TO LARGE-SCALE IMMIGRATION**

Beginning in the late 1960s a new perspective on immigration began to emerge. This was rooted in concern about global overpopulation and over-consumption, which have come to be seen as threatening to the life-support system of the planet. Although the primary focus is global, it is held that stabilization of population must occur in each region. (See Chapter “The Global Population Crisis.”)

It is sometimes supposed that over-consumption is the problem of the affluent countries and overpopulation that of the poorer ones. However, thoughtful leaders recognize that increasing population in the affluent countries is a greater threat to the future of the earth than increasing population in poorer countries. The impact of each nation on planetary resources is its population times its per capita consumption. Hence, population increase in the United States is a particularly serious matter, and citizens of the United States concerned for the future of the whole earth have a particular responsibility to stabilize population here as well as to stop the increase of per capita consumption.

Among industrialized nations the United States is unusual in its continued population growth. This is not due, for the most part, to an excessive number of children born to those who were born in the United States. The major source of population growth among native-born Americans is unwanted pregnancies among teenage girls exploited by older men, and we should support efforts to reduce these. But it is growth in the number of immigrants and their descendants that will account for as much as ninety per cent of the growth of the U.S. population in the new century.

We have noted three types of objection to continued large-scale immigration. First, there are concerns about the threat to the dominant Anglo culture resulting from the large number of immigrants from Asia and Latin America. People worry that their culture will be swamped by others of a different color or a different language. These concerns often have racist overtones. Second, people are nervous about the economic impact of more immigrants, who may steal their jobs. It is difficult to raise working standards, moreover, when new immigrants are ready to work under almost any conditions. Third, it is impossible to stabilize population as long as a million immigrants enter the country each year and bring with them the desire to have larger families.

There is yet another source of the current opposition. People worry that immigrants will swamp social services such as education, health and welfare. In the 1980s many Americans became convinced that they paid too much in taxes and that governmental programs should be cut back. The programs they especially opposed were the ones that guaranteed all residents some minimum of economic well-being, health care, and education. Many came to believe that these welfare programs encouraged laziness and irresponsibility. They were particularly resentful of immigrants who may have been attracted to this country by these programs and taken advantage of them. These concerns about saving tax dollars were manifest especially in the proposed "Personal Responsibility Act," which was part of the Republican "Contract with America." It would have withdrawn the safety net from virtually all immigrants. This bill excluded immigrants from sixty different governmental programs. Whereas in the past legal immigrants have been viewed as future citizens, they were here viewed as a burden on the state without the right to assistance. Elements of this "personal responsibility" proposal were included in the new welfare legislation, as noted above, although much of their implementation was left to the states.

Much of the public opposition to the current level of immigration is directed against undocumented immigrants. Many, who do not wish to penalize legal immigrants, still believe that the nation should control its borders. California Proposition 187, which passed by a margin of 59 to 41 per cent required that teachers, doctors, social workers and police check the immigration status of all who seek access to public education and health services and deny most services to those without legal documents. The California Supreme Court found several of its requirements unconstitutional, delaying implementation of this proposition.

## **V. A CHRISTIAN PERSPECTIVE**

### **Reflection on the Biblical Material**

The clearest teaching of the Christian faith is that we should love God and one another. Our actions should stem from this love. This involves total concern for the total welfare of all through space and time.

The Bible spells out some of the implications of such love in relation to strangers in our midst. We are told in Exodus that soon after the Hebrew slaves escaped Egyptian oppression and formed a new nation, they spoke of the need to welcome immigrants in their new community: "You shall not wrong or oppress a resident alien." (22:21)

When they developed their law code, hospitality was put at its core. Thus in Leviticus we read, "When an alien resides with you in your land, you shall not oppress that 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 Egypt." (19:33-34)

The law code went beyond that mandate to actually spell out practical dimensions of how people should care for foreigners. For instance, "When you harvest your fields, you shall not reap to the very edges of your field, or gather the gleanings of your harvest." (19:9-10) Further practical specification is given in Deuteronomy, "Every third year you shall bring out the full tithe of your produce for that year, and store it within your towns; the Levites, because they have no allotment or inheritance with you, as well as the resident aliens, the orphans, and the widows in your towns, may come and eat their fill so that the Lord your God may bless you in all the work that you undertake." (14:28)

Our concern to welcome foreigners is not only because they are the neighbors we are called to love. It is also because they bring us blessing. We need to welcome strangers into our midst if we are to grow and move forward in our journeys of learning and faith. We never know in what form we will find God.

There are biblical stories of God coming in the form of the stranger. Abraham and Sarah receive strangers with kind hospitality, only to discover those strangers came with glad tidings from God. A widow offered food and shelter to a stranger, Elijah, who turned out to be a voice from God. And in the New Testament we have the story of Jesus' disciples offering welcoming hospitality to a stranger they met on the way to Emmaus, only to discover the presence of the Risen Christ. In Hebrews the point is made explicit, "Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it." (13:2)

### **Sorting out the Current Issues in Christian Perspective**

There are three groups of immigrants to be considered:

- Refugees—In the past the United States has generally made admission easy for refugees from Communist countries but quite difficult for those who flee repressive regimes that our government supports. The sanctuary movement undertook to work for the latter persons. We are convinced that this is required by our commitment to the gospel. Our refugee policy should never be an instrument of international policy, but should offer a safe haven to those who truly need it.
- Legal immigrants—Their needs for education, medical care, and economic well-being are the same as those of citizens. It is our hope and expectation that they, or their children, will become citizens. Although it is reasonable that the commitments made by their sponsors be enforced, we cannot countenance discrimination against them.
- Illegal or undocumented immigrants—Christians can agree that such persons are children of God to be respected no less than anyone else. We can also agree that denying them health care and denying education to their children are unacceptable policies.

Love calls us to treat the strangers in our midst with hospitality and to care for their needs. But immigration policy poses more difficult questions for the Christian. The fact that we express love quite personally and directly to those who have come to our communities does not

necessarily mean that we should encourage massive immigration. Can our faith give us guidance on this?

We can agree that our concern should be for the well-being of all who are involved. In most instances, people who have to leave their homes in other countries and must make the difficult adjustments required by our society experience separation. In addition, their home nations lose their contributions. The effects on the society into which they migrate are mixed.

Christians are called to examine the conditions that cause people to emigrate from their homes. We can agree that in most instances it is better to change conditions in those countries from which would-be immigrants come so as to enable them to stay than for them to migrate. We must acknowledge that some of our government's policies in Latin America have driven many from their homes who would have preferred to remain. The low intensity warfare against peasant populations by Latin American governments has been supported by the United States. We should certainly admit refugees who are victims of this warfare, but even more clearly we should do what we can to change the policies of our government, and especially the often-destructive role of the CIA.

Today the basic problems are economic rather than military. The United States is working with the World Bank and other governments of industrial nations to impose the neo-liberal economic system of a global market on Third World nations. The resulting economic disruptions sometimes lead to heavy pressure on some segments of society to emigrate. Defenders of the neo-liberal paradigm argue that in the long run these policies will bring a prosperity that will solve the problem. Critics believe that the application of this paradigm permanently divides the rich and the poor, and that in some instances the poor will continue to be under increasing pressure to emigrate. Many Christians believe that major redirection of the global economy is needed. (See Chapter “Globalization of the Economic.”)

If we work wisely and effectively to improve the economic possibilities in other countries, the desire to immigrate into this country ought to decline. The difficult question is by how much the pressure to admit all those who want to enter would then be eased. But as long as many do wish to enter, chiefly for economic reasons, we must reflect as Christians as to how to respond. Here we differ.

### **A Theological Debate about Borders**

Some argue for a world without borders on the grounds that the earth belongs to God, and all its resources should be available to all its people. As people move freely to whatever part of the world they wish, there will be increasing intermingling of cultures. This will be enriching to all. From this vision they conclude that all restriction on immigration into the United States should be abandoned. They see its basic motive as selfish hoarding of our resources. From these premises one should also conclude that all the earth's resources should be held by a world government for the use of all, since national boundaries are by no means the only obstacle to access to resources. Apart from such other changes, freedom of a poor Mexican to cross into the U.S. may be more the freedom to work for U.S. agribusiness or sweatshops than equal access to economic resources. (See Chapter “Responding to Sweatshops.”)

The underlying view of human beings in this argument is individualistic and universalistic. That is, the ideal world is a single community composed of all the individuals who make it up. Although diversity of individuals is prized, existing communities of people—familial, ethnic, and religious—play no role except to contribute individuals to the new pluralism.

There is much in the biblical heritage that leads in this direction. Primitive Christianity, especially, cut against established community identities, calling people out of them into the new reality of the church where there was neither Jew nor Gentile, neither male nor female, neither slave nor free. Extending this ideal for the church to the whole world, the goal can now be depicted as a world that has abolished all antecedent identities in the new one, which is enriched by all the diversities brought into it but also transcends them all.

Nevertheless, many Christians experience problems with this vision. By no means all people want to give up their special ties to those who share their ethnicity and religious culture. Jews and Native Americans are among the most vociferous objectors, but ethnic and religious ties are important to most people. To condemn all of this because we Christians have a different set of values may not express Christian love. Imposing our ideal for the church on the public life of the world is likely to be felt by others as Christian imperialism.

An alternative Christian vision that allows for continuing diversity of peoples and cultures is that of the world as a community of communities, each of which in turn is a community of communities. This requires that each of the sub-communities have concern for the common good of all as well as for the good of its own people. But it recognizes the contribution to the common good of the special caring that people have for their own families and for the larger communities of which these are a part.

Communities require some kind of boundaries. Not all of these are geographical, and even those that are geographical may be quite porous. But the elimination of borders is not part of this vision. Within a community, people accept a responsibility for each other that is more immediate and practical than the responsibility they take for humanity as a whole. They require structures in order to exercise this responsibility. Some of these communities require political governments. These cannot function without geographical borders.

The issue in this Christian perspective is not whether borders are acceptable but what decisions are to be made about restrictions on movement across them. Should capital, goods and people move freely across them, or should the governments involved control these movements? In the past, the United States has welcomed capital and labor while restricting goods. At present the tendency is toward ever-freer movement of capital and goods while restricting the movement of people. Are these acceptable policies? Decisions should be made for the sake of the national community, but also with the common good of the whole world in view.

The emphasis on all the earth as belonging to all its people, on the other hand, supports continuing policies of free movement of capital and goods while adding that of free movement of people. Other Christians believe that this global market concentrates wealth, and therefore also power, in fewer and fewer hands, destroys urgently needed human communities, and leads to radically unsustainable practices. They favor restrictions on the movement of capital, goods and people, so as to strengthen the ability of people in national and sub-national communities to participate in shaping their own destinies. These are issues for further discussion among Christians.

Clearly, in wrestling with these questions, the Christian should be guided by love. This has a double character and expression. Love functions as an immediate response to the one who is present, especially the one who is in greatest need. Love also functions to guide reflection about the wide range of consequences of every action over time and space. Sometimes acting spontaneously to satisfy the expressed desire of another individual may work against the common

good viewed over time. Many of the most difficult decisions facing the Christian are occasioned by this tension.

If the emphasis is placed on the immediate expression of love to the individual before us, it is difficult indeed to justify refusing entrance to this country to one who will personally benefit by it. If the emphasis is placed on concern for the whole community over time and throughout the world, then arguments can be made for three positions:

- Admit into our country any who want to come.
- Continue to restrict immigration, perhaps more than at present, and to do what can humanely be done to limit it to legal channels.
- It is not wrong for the U.S. to restrict immigration but there are particular arguments against closing the border with Mexico.

Supporters of each of these positions confront their distinct problems. Those who support open borders must propose ways of dealing with the disruptions that would result and alleviating the hardships these disruptions would cause. They should also respond to the concerns about total population and environment. Finally, they should clarify the full implications of the principle that the earth is the Lord's for the economic system that should accompany open borders.

### **Arguments for Restricting Borders**

Those who defend restricting immigration need to show that despite the apparent cruelty of this policy in relation to individuals who are denied admittance, it is beneficial to our own country and at least compatible with the common good of the whole world. Hence we must review, from a Christian perspective, the reasons that have led to favoring such restrictions.

The first argument is for the need of a relatively homogeneous society that is threatened by the ethnic diversity of immigrants. This argument may make sense for some societies such as Japan. But the United States has a different history and should continue to engage in a different experiment, that of a truly multi-ethnic nation. We do not know whether this experiment will succeed, but we do know that a monolithic Euro-American society can only be oppressive to many of the nation's inhabitants. A Christian may at most argue that immigration should be so controlled that the increase of diversity should be gradual, so that society can adjust successfully.

The second argument is that the rapid influx of new workers cuts against the improvement of conditions for workers already here, whereas restrictions on immigration make improvement possible. According to Roy Beck, the reduced rates of immigration from 1925 to 1965 had the effect of tightening labor markets. "Sweatshops virtually disappeared, black Americans finally got the chance to enter the industrial economy in major numbers, and most Americans eventually achieved a middle-class economic status during this era."<sup>ii</sup> Of course, such changes have multiple causes, and Beck cannot demonstrate how much of the improvement was due to reduced immigration. But there can be little doubt that while the increasing availability of cheap labor often benefits employers and consumers, it impedes efforts to raise standards for workers. Christians must take this argument seriously.

The third argument stems from global consideration of the population-consumption problem. This was spelled out above. As long as individual countries are able to export surplus population, they are likely to be insufficiently motivated to work for population stability by other means, and the global population explosion is not checked. Furthermore, the increased population of high-

consumption countries such as the United States is a far more serious problem for the planet than that of low-consumption countries.

This is an important point. On the other hand, Christians cannot be satisfied to deal with this problem simply by denying other countries a safety valve for their excessive population growth. This should be accompanied by assisting these countries to provide a livelihood for their own people and by supporting their efforts to improve birth control practices. We should also make sincere efforts to reduce our own consumption and shift from our present national quest for endless growth to a goal of sufficiency and a sustainable life system. Apart from this larger pattern of effort, keeping out those who seek to solve acute economic problems by entering the United States takes on the character of selfishness ascribed to it by its opponents.

A fourth argument has considerable political importance but cannot be decisive for Christians. Some argue that immigrants are costly to tax payers. Others reply that, overall, they at least pay their way in taxes. Perhaps the answer is that nationally they pay their way through federal taxes, but that taxes paid by them to some states, such as California, fall short of their cost to those states. If so, then special assistance from the federal treasury to those states may be in order. But Christians will not support either free immigration or restrictions on such grounds, unless the problem looms far larger than is now the case. We support instead paying what taxes are needed to meet the basic needs of all the inhabitants of our nation.

### **What Means of Enforcement Can Christians Support?**

Those Christians who adopt the systemic expression of love and also find the arguments for restricting immigration persuasive must face the question of what these restrictions should be. Do they support present law and enforcement procedures? Do they support the Jordan commission's proposed modifications? Or do they have their own policy proposals to make? At present we commend the Jordan commission's report as the most balanced and humane proposal now realistically before us as a nation.

Setting limits for legal entry into the country and defining priorities is relatively easy. Much more difficult is preventing others from entering the country without documents or staying on when visas expire. At present most of the attention is focused on the former task although, as noted earlier, more than half the now undocumented residents have entered the country legally.

While immigration issues are not specific to any one country, border control seems to focus on the Mexican border. It seems that efforts to stop the flow of would-be, undocumented, immigrants across that border fail to achieve their objective and that intensified efforts add more to suffering than to effective enforcement. Although Christians who think in systemic terms cannot but acquiesce in the imposition of some suffering in pursuit of the common good, they must oppose policies that increase suffering with little compensatory gain to the common good. In short, the militarization of the border is not an acceptable strategy of enforcement.

The Immigration Reform and Control Act of 1986, which curtailed the possibility of employment and granted amnesty to those who had already settled here, was a far more appropriate approach than the militarization of the border. If work were not available, the number who would try to enter would decline sharply. This, too, would inflict hardship on some, both the would-be workers and those who now employ them, but it would be much less inhumane than what is now happening at the border. Furthermore, it would discourage those overstaying their visas equally with those crossing the border without documents. Attempts to prevent border crossing by force could be greatly reduced if not eliminated altogether.

Thus far this policy has not worked for the reasons cited above. More serious efforts to enforce it are possible, and these would be preferable to the militarization of the border. But the more basic problem is that efforts to reduce the "pull" factor while leaving the "push" factor untouched are never likely to suffice. When conditions in Latin America are sufficiently miserable for political or economic reasons, the difficulty of obtaining work in the U.S. will not stop the effort to enter. Any effort to enforce employer sanction should be accompanied by heightened efforts to address the problems that lead people to leave their homes in other countries.

Some have proposed that all of us carry identification that would indicate whether we have the right to work in this country. This would have to take a form that is difficult to counterfeit. Others regard this as an appalling infringement on individual rights. However, in a culture in which we are accustomed to carrying various sorts of identification, this would not be a terrible hardship. If the payment of this price by all of us would enable the nation to enforce its laws with much less violence, we should consider it seriously.

On the other hand, if we judge that the price of enforcing the law, by whatever means, exceeds the benefits, then we should accept the fact that, for practical purposes, we have an open border with Mexico. Remembering that much of the West was settled earlier by Mexicans and then taken from Mexico largely by force, we might consider that Mexicans have a particular right to enter freely. The resources we now use to control immigration across this border could then be shifted to assimilating the increased number of immigrants and easing the economic hardship of those adversely affected by this immigration. This need not mean that we open ourselves to unlimited immigration from all sources.

### **Where Does this Leave Us?**

We should not expect all Christians to agree on this issue. Some will continue to work for restrictions on immigration and others will seek to ease or remove them. Either approach benefits some and hurts others. We can agree that we should be particularly concerned for those who are hurt. Whatever policy we adopt, we should keep in mind the global problem of excessive pressure on the life-support system of the earth and do what we can to slow the growth both of population and of per capita consumption by the affluent.

We share commitment to welcoming the strangers who are in our midst, learning from them, and working to create a multi-ethnic society in which all have a place of integrity and full participation. Depending on our judgment, some of us may decide that this welcome will not extend to employment of those who circumvent our laws. But we will strongly oppose the denial of education and health care to their children.

This discussion illustrates the difficulty of arriving at a shared Christian view on some issues. Even when we agree that we want to act out of love for all, we may differ as to whether this places our treatment of the needy individual above systemic considerations of the common good. We may differ in our judgment of the importance of local communities in relation to the global one. We may also differ in our assessment of the amount of evil necessarily inflicted in the process of enforcing our laws.

We may also disagree in our visions of the common good. In this case, we may disagree in our judgments of the seriousness of the ecological crisis and in our evaluations of the currently

dominant neo-liberal global economy. That requires additional study and reflection. We commit ourselves to that.

But there is much on which we agree. We can agree that our immigration policies should express love for the people of the countries from which immigrants come, for those already in this country, especially the poor, and for immigrants and would-be immigrants themselves. We can agree that we should work toward a world in which no one is forced to emigrate because of political injustice, economic desperation, or ecological degradation. This means that we cannot be complacent about the enormous disruptions all around the world—political, economic and ecological—which threaten only to become greater in this new century and which force tens of millions of people to leave their homelands and seek resettlement in other countries that are ill-equipped to provide for them. Nor can we be complacent about the harshness with which refugees and immigrants are often treated in the lands into which they move, including our own.

## **VI. WHAT WE CAN DO**

We should become increasingly informed and concerned about what is happening in the countries from which people want to emigrate in large numbers. Especially when policies promoted by our own government are responsible for their need to leave their homes, we should demand change in those policies. We should support all those who are working wisely to improve conditions in those countries so that people can find fulfilling lives in their own homes.

We can agree that those who enter this country legally should be helped to adjust to life here and treated respectfully and appreciatively first as guests and then as fellow citizens. And we can agree that the only means that we can use to prevent others from entering the country outside the law or remaining when their visas expire are humane ones that respect the human rights of those whose presence in our country we disallow.

Congregations can pay attention to the difficulties faced by recent immigrants in their communities. Sometimes they can provide tutoring in English or arrange for assistance in dealing with the Immigration and Naturalization Service and other government agencies.

Many congregations share their buildings with congregations made up of immigrants who want services in their own languages. This provides opportunities for other expressions of friendship and support.

In the aftermath of September 11, 2001, immigrants from Muslim countries often suffer harassment. Churches can express solidarity with them and undertake to learn more of their faith and culture.

### **Discussion Questions**

1. Does the Christian faith justify us in restricting immigration into our country?
2. If so, what criteria should Christians support for selecting those whom we admit?
3. If not, what is our responsibility to those already here who may be disadvantaged by the inflow of new people?

4. Is concern about population a legitimate Christian consideration in determining immigration policy?

### To Learn More

*Heaven's Door: Immigration Policy and the American Economy* by George Borjas (Princeton, NJ: Princeton University Press, 1999) is the best introduction to the economics of immigration. See also Roy Beck's *The Case Against Immigration* (New York: W.W. Norton, 1996). *The Handbook of International Migration: The American Experience*, edited by Charles Hirschman and others (New York: Russell Sage Foundation, 1999) is the best introduction to non-economic aspects of migration to the U.S. See also the two-part series on "Who Should Get In?" *New York Review of Books*, Nov. 19 and Dec. 20, 2001. The only book-length introduction to the Christian ethics of immigration policy is Dana Wilbanks' *Re-Creating America: The Ethics of U.S. Immigration & Refugee Policy in a Christian Perspective* (Nashville, TN: Abingdon Press in Cooperation with The Churches' Center for Theology and Public Policy, 1996).

---

<sup>i</sup> Letter to John Adams in 1794 quoted in *The Myth of Open Borders: The American Tradition of Immigration Control*, by Wayne Lutton (Monterey, VA: American Immigration Control Foundation, 1988), p. 6.

<sup>ii</sup> Roy Beck, *The Case Against Immigration* (New York: W.W. Norton, 1996), p. 40.