

MIGRATION POLICY AND ADVOCACY IN 2013 AND BEYOND: NEW CHALLENGES AND NEW OPPORTUNITIES

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As the Archbishop of Atlanta, it is my pleasure to welcome you cordially to our city and to the southeastern United States. You have a very full agenda before you but I hope that, as time may allow, you will find time to reflect on and appreciate the life and work of one of our most illustrious citizens - Dr. Martin Luther King, Jr., who was born here and who, along with many associates, based his civil rights advocacy here. You have come here in the tradition of Dr. King to prepare yourselves to serve those who have been marginalized by law and who look to you to advocate for changes to those laws.

I thank the staff of the United States Conference of Catholic Bishops' Offices of Migration and Refugee Services and the Catholic Legal Immigration Network for preparing this challenging and diverse program. I commend and thank each of you for taking your time to join together in studying the many facets of the immigration issue so that together we can serve our brothers and sisters who have immigrated to our country from Mexico, from many other countries of Central and South America, from Asia, Africa, Europe as well as from many other nations throughout the world. I particularly commend your conference sponsors who have included topics related to pastoral ministry and to the theological bases for our Catholic approach to immigration reform. Immigration reform is not just about legislation to be drafted but about people to be served in every way that we can.

From both a public policy and pastoral perspective, our Catholic approach to immigrant people, and to all people, is deeply rooted in the fundamental Scriptural and theological truth that all human beings are *imago Dei* - created in the image and likeness of God. (Gen. 1:26-27) Furthermore, as Christians, we firmly believe that all human beings have immense and irreversible dignity and worth since they have been loved and saved in the life, death and resurrection of Jesus Christ.

As we prepare for Christmas during this Advent season, the mystery of the incarnation reminds us of the real reason why we advocate for immigrant peoples. The Second Vatican Council, whose opening fifty years ago we celebrate this year, based much of its social teaching on the dignity of every human being as an *imago Dei*. In *Gaudium et Spes*, we read that "it is in the mystery of the Word made flesh that the mystery of man truly becomes clear." (*Gaudium et Spes*, n. 22).

Conversation with immigrants among us tells us much more about why we dedicate ourselves to immigration reform and to service for immigrants. As pastors, we, and those of you who work directly with migrating peoples, see firsthand the suffering of people who feel compelled to leave their homes, many family members, their culture, their native language and all they find comforting in order to seek work or security for themselves and their families. We recognize in those people

the virtues of courage and perseverance that sustained our own predecessors who came from many places for many reasons, under different circumstances and contributed to our nation. As we encounter contemporary immigrants on a day to day basis, we also begin to appreciate their daily involvement in the laborious work in agricultural fields, construction projects, hospitality service, and places of work that benefit all. We cannot but admire these people who risk so much and contribute so much yet are often denied basic human rights to a fair wage, to compensation for injuries, to health care, and so many other benefits that are otherwise available in our prosperous society.

Most immigrants would prefer to find peace and prosperity in their homelands and migrate only out of necessity but persons have a human right to migrate to support themselves and their families.

Holy Scripture is filled with migrating peoples who journey toward God. Genesis begins with the forced migration of Adam and Eve from the Garden followed by the journeys of Abraham, Sarah, Jacob, Rachel, Joseph, Moses and so many others. Those biblical migrants were not unlike today's immigrants. In part they saw their journeys through the eyes of faith but they were compelled to journey to support their families in time of famine. Our fathers and mothers in faith sought God's presence in their travels but they also brought God's presence with them just as so many immigrants today look to their faith for encouragement and consolation and bring blessings to their new homes.

The defining event of the Hebrew Scriptures was the exodus by which God brought a people from Egypt into the desert where he made them his people through the covenant. This covenant, furthermore, commanded God's people to welcome the alien and stranger and made no reference to documentation or to immigration status. The Hebrew Scriptures called on the people of Israel to welcome strangers and aliens in their land by reminding them that they had themselves once been strangers and aliens in Egypt much as we in the twenty first century must remember that our forebears also were immigrants, refugees and slaves when they arrived in this country.

If reliance on these memories, however, is not a sufficient basis for our acceptance of immigrants, we also look to the words of Jesus who calls us to serve the stranger not out of deference to history but because we encounter Jesus himself in the face of the stranger. Those who do not recognize Jesus in strangers and aliens are not invited into the Kingdom. (Mt. 25:35, 40) As we begin our Advent journey to Christmas, we cannot help but see the migratory aspects of the incarnation when Jesus enters the world amid a drama involving documentation (Luke 2:1-5), then becomes a political refugee fleeing his homeland because of threats to his life (Mt 2:13-17) and returns to live in a small town disdained as unsuitable for the Messiah. (Jn 7:41-43, 52).

Negative labels damage the image of the people whom they brand and they poison public debate when they unfairly characterize people. When people cross borders without inspection or proper documentation or when they exceed the time allowed by travel visas or the limits of work visas, they may break civil laws but they do not forfeit their rights as an image of God and they do not suddenly merit negative or contemptuous labels, such as "illegals" or worse. If we are to achieve

productive reform, we must reject characterizations that demean people and accept only those words which insure accuracy.

We support adherence to civil law and we continue to recognize the right of sovereign nations to the integrity of their borders in order to foster the common good. However, this right is not absolute. Nations, especially the rich nations of the world, have an obligation to the universal common good, as articulated by Pope John XXIII in *Pacem in Terris*, and thus should seek to accommodate migration to the greatest extent possible when migration is necessary for the good of other human beings. The fact that so many migrants are dying in their efforts to meet basic human needs by crossing deserts and risking their lives suggests that there are human needs driving migration to the United States and we are obligated to address those needs through public policies here and in other countries.

Ten years ago next month, the United States Conference of Catholic Bishops and the Conference of Mexican Bishops built upon the teaching laid down by the Popes by publishing a joint pastoral letter entitled *“Strangers No Longer: Together on the Journey of Hope.”* In looking back over those ten years, we can still affirm the principles we enunciated in that document on both a public policy basis as well as on a pastoral basis. We continue our commitment to the human dignity and rights of all people who are entitled to opportunities in their homelands as well as support when they need to migrate to sustain themselves and their families. We recognize each nation’s right to border integrity as necessary to protect the common good. We particularly support those who are compelled to leave their homelands because of religious and political persecution.

At the same time, it is distressing to realize that many of the public policy challenges and responses that we identified in 2003 still remain to be addressed.

The current federal administration has recently attempted to alleviate some burdens on young people by offering opportunities for relief to those brought to this country as children under the Deferred Action Childhood Arrival (DACA) program. Helpful as that program may be to some, we must continue to advocate for comprehensive reform that creates opportunities for many more, particularly for families and for those who are already living here, working and benefiting this country. This is especially true today, as we also have seen a record number of deportations and family separation over the past several years.

Within our Church communities, we need to redouble our efforts to promote the integration of immigrants in our dioceses and parishes as well as to facilitate the availability of community resources for immigrants from all nations. We need to educate our own Catholic people to enhance their awareness of immigrant needs and to build a grassroots network to support your advocacy efforts.

Whatever our reactions to the results of the most recent political election, there is hope that the 113th Congress, which convenes in January, will take up the issue of immigration reform. Thus, this conference begins on a note of hope but none of us can expect that immigration reform will be accomplished easily or quickly or without some compromise. The necessary reforms involve many complex public policy issues and value judgments and the components of any reform bill will be

the subject of much debate and, very probably, contentious debate. Nonetheless, many of you have been, and will continue to be, deeply involved in the nuances of developing legislation and policy. In this talk, I do not propose to spell out the specific policy goals that the U.S. bishops will pursue in any debate, which I will leave to the expert panelists and which can be found in *Strangers No Longer*. There will be many values in play and it will be important that we stand by our Catholic social teachings in Washington, in your State legislatures, and in your dioceses, parishes and communities.

I will, however, lay down some markers that our elected officials should heed. I begin by reaffirming the important principles from *“Strangers No Longer”* as well as some additional considerations that have become part of our political and social landscape since 2003.

First, some in the debate have suggested that undocumented persons be given legal status, but not an opportunity to earn citizenship. This is a position that the U.S. bishops will resist. We will argue against the creation of a permanent underclass in this country, where certain parts of our population do not have the rights that others do. Our nation has been down this road before, with disastrous results. As we know from our nation’s history, many persons, including Dr. King, have fought and died so that all persons can enjoy the full rights of citizenship. We cannot forsake this principle for the purpose of political expediency.

Second, the U.S. bishops will fight to ensure that family reunification remains the cornerstone of our nation’s immigration policy. As I mentioned, families, many with U.S.-citizen members, continue to be divided under our current enforcement policies, while those who apply for family reunification in the regular process must wait years to join their loved ones. We will seek to improve the family-based immigration system so that families—mothers, fathers, children, brothers, sisters, grandparents—can remain together and be reunited more expeditiously. We welcome the addition of employment-based visas, especially for the low-skilled, but not at the expense of the family based system. And, as in 2007 when it was first proposed, we will oppose a point system which places value on a person’s resume over a person’s family ties.

Finally, the U.S. bishops will accept and support reasonable enforcement measures, since, as I mentioned earlier, it is part of the right of a sovereign to ensure the integrity of its borders and protect the common good of its citizens. However, such measures must respect basic human rights and dignity, as imbued by our Creator, and include basic due process protections for immigrants and their families.

Too often over the past 25 years, those rights have been ignored or trampled upon, as our nation has pursued an enforcement-only immigration policy. We have witnessed the results of this policy in the inhumane detention conditions in which many immigrants are held in this country; the separation of parents from their children due to deportation; and the deaths of thousands of our brothers and sisters in the American desert.

As bishops and as a Church, we do not seek immigration reform based on some political calculus of how many votes can be garnered by one political party or the other. We do not seek reform

because it may seem expedient to expand party affiliation or to pander to parts of the electorate. We do not seek reform as a way to gain political power or self-aggrandizement. We seek justice for all migrating peoples because they are our brothers and sisters and are made in God's image.

Immigration and Religious Freedom

Immigration reform and religious liberty are also interconnected. We are challenged when we advocate for immigration reform as if it were something unrelated to religious teaching or outside our purview but neither is the case.

As most of you are no doubt aware, the United States Department of Health and Human Services has issued regulations which, if implemented against Catholic religious institutions, would require that those institutions provide or pay for contraceptive, abortifecient, sterilization and other medical services which are directly contrary to our moral teachings. Many dioceses and religious institutions, including the Archdiocese of Atlanta, have filed lawsuits challenging those regulations as contrary to religious liberty. Beyond the specific issues raised by this HHS mandate and litigation, we see more and more an attempt by government and society to marginalize the effect of religion in our lives to a degree that does violence to the common good of all.

Religious liberty is threatened not only by the actions of one governmental agency or one area of law. An indifference to religious teachings also infects public policy related to immigration and our conviction that any reform must be grounded in the rights of human persons, not a philosophy harming people in an effort to exclude them. In the absence of the comprehensive reform from Congress, a number of State legislatures, including the Georgia General Assembly, have passed legislation imposing burdens on those who are undocumented as well as on all citizens who, in the exercise of their religious teachings, want to assist those in need. Georgia, Arizona, Alabama and other states have proposed legislation in the past few years to limit benefits, including health benefits for unborn citizens, for undocumented persons and to criminalize those who provided assistance to them. Fortunately, the federal courts have prevented implementation of some of the most draconian of these laws but we must continue our vigilance and our advocacy against legislation which demeans human beings and interferes with religious freedom. Comprehensive immigration reform must originate with the federal government but, as your workshop topics indicate, vigilance is necessary in State legislatures and local courthouses as well.

We are blessed in this country with our constitutional recognition of religious freedom and our long history of that liberty. Yet, we know that millions of people around the world do not share enjoy religious freedom and daily suffer persecution for their religious beliefs. If we value freedom and particularly religious freedom, we are obliged to open pathways to resettlement for many of those who flee persecution elsewhere in the world. In Atlanta, we are particularly proud of the refugee resettlement work done by Catholic Charities of Atlanta for people from many lands and we know that many other Catholic Charities agencies do the same. Not only do their efforts give needed material help but they support the cause of freedom throughout the world and they bring within our community diverse peoples who enrich our local community. Whenever social currents seek to restrict refugees and asylees, we must be quick to advocate for their human dignity and the blessings they bring with them.

Immigration in the Year of Faith

Important as it is, immigration reform cannot be regarded in isolation from other concerns. In fact, it is right that immigration reform could be considered during the “Year of Faith.” We have recently begun the “Year of Faith” proclaimed by our Holy Father. During this Year of Faith, we are called to intensify reflection on our faith so that our adherence to faith becomes more conscious and vigorous. (*Porta Fidei*, n. 8) The Year of Faith complements with your work for immigration reform.

Along with reflection on the principles of our Catholic faith, prayer, particularly the Eucharist and liturgical prayer, are essential. The work you do is difficult, draining and frustrating at times and you need the nourishment of prayer to nourish yourselves. Furthermore, as you discern among the strategies, tactics and hard choices of advocacy, public liturgical prayer and personal prayer, as Pope Benedict reminds us, will refresh and purify your minds and hearts to free yourselves from the hidden deceits and compromises which can undermine even the best intentions. (*Spes Salve*, nn. 33-34)

The Year of Faith involves evangelization – spreading of the word of God. Advocacy on behalf of immigrants is evangelization since you share the Gospel teachings on human dignity and the needs of immigrants with others, many of whom have yet to recognize the face of Christ in these brothers and sisters. Public officials and often our own Catholic people need to recognize Christ in all whom we meet from all countries and all walks of life.

Finally, the Year of Faith calls each one of us to intensify our witness through charity for “faith and charity require each other in such a way that each allows the other to set out along its respective path.... Through faith, we can recognize the face of the risen Lord in those who ask for our love.” (*Porta Fidei*, n. 14, citing Mt. 25:40) Along with charity, advocacy seeks justice as a form of service and charity.

Therefore, as you advocate on behalf of immigrants this year and next, you are expressing your faith and are seeing the face of the Lord in the immigrant, who asks for our love.

Conclusion

In conclusion, it is my belief that the Church, above all, can play a unifying role on the issue of immigration reform, speaking to those on both sides of the issue and bringing them together in a productive way. Particularly in an area of complexity and emotion, such as immigration reform, people of good will may disagree as to how the reform can be accomplished, but we cannot achieve lasting reform, nor can we make positive strides toward resolving our immigration crisis, unless our public discourse focuses on solutions, not personal attacks on those who provide basic support to our society nor on those with whom we disagree. We continue to call on all government leaders to resist the imposition of harsh and unnecessary legislation which will only tear apart the fabric of our families and communities and jeopardize our future.

We also must commit ourselves, as advocates for the principles of our Catholic tradition, to enter this important public debate in a spirit of civility that reflects our recognition of the dignity of every human being and our belief that even the most complex problems can be solved through civil discourse. In immigration reform, we face factual situations and limitations that must be factored into any solution. For example, there are an estimated eleven million (11,000,000) undocumented persons in the United States. It is unreasonable to expect them to return to countries many left years ago or where they no longer have a place in society.

Recognition of facts is not sufficient to forge a solution. Various proposals must be evaluated in light of differing philosophies but, even when there are apparently divergent proposals for solutions, we must still look for and foster areas where there is common ground on which a productive solution may be erected.

Before I close, I address those among us who lack documentation or live in the shadows of an irregular status. You are not strangers. You are our brothers and sisters and we see in you the very image of Christ. We renew our pledge to advocate on your behalf for just and fair immigration policies with our states and with the federal government.

We pray in particular that you may live with faith and hope that the United States will adopt fair and just laws that will allow you to live in the dignity that is yours by rights as children of God.

And to those here tonight and colleagues and friends across the nation, I would like to encourage you to continue your efforts to help immigrants and others who come to our land. If you are new to this mission, I pray that this forum during these next several days will inspire you to get involved, whether it be on a service, advocacy, or pastoral level. As we offer these works of solidarity, however small, the Lord Jesus sees them and sends the Holy Spirit to help us, so that our work helps unify all His people.

In the end, by opening the door to the stranger, we are opening the door to Christ in our lives. The Lord is the one who says in the Book of Revelation: “Behold, I stand at the door and knock. If anyone hears my voice and opens the door, then I will enter his house and dine with him, and he with me” (Rev. 3:20).

God bless you.