

The question of undocumented immigrants

From a Lutheran faith perspective, answers differ

By Heidi Ernst

Undocumented immigrants. Illegal aliens. Unauthorized residents. The sometimes politically charged monikers are often the only public names given to the estimated 12 million people living in the U.S. against federal immigration laws. In the shadows, yet equal to about 4 percent of our population, they're the focus of a considerable amount of energy—both positive and negative—in border states and the interior, in presidential debates and town meetings, in think tanks and living rooms, on airwaves and city streets.

And in Lutheran churches? The position of the ELCA, related organizations like Lutheran Immigration and Refugee Service and many ELCA members is one of advocacy for undocumented immigrants. But opinions on the issue do vary (somewhat as a reflection of the rest of the country) among ELCA members—from clergy to elected public officials to lay people to academics.

Ultimately, many people want the same goal: to fix a broken federal immigration system while respecting humanity.

The *ELCA Message on Immigration* states: “Newcomers without legal documents ... are among the most vulnerable. Congregations are called to welcome all people, regardless of their legal status.” This resource for congregational deliberation—rather than moral imperative—derives its tenets from the Bible, such as Romans 15:7: “Welcome one another, therefore, just as Christ has welcomed you, for the glory of God.”

U.S. Rep. Tom Latham, R-Iowa, a member of Nazareth Lutheran Church, Coulter, Iowa, said: “I have great empathy for people trying to better their

lives and take care of their families. But as someone sworn to uphold the Constitution, we can't ignore the fact that people are breaking national laws by coming into the country without documents.”

Such a dichotomy has been part of Lutheran thinking for centuries. “The notion of caring for people without any discrimination as to their origins, that's part of the Christian tradition,” said Jean Bethke Elshtain, an ELCA member who is professor of social and political ethics at the University of Chicago and Georgetown University, Washington, D.C.

Emphasis on civic order

“That said, there's a very strong emphasis from [Martin] Luther on down in traditional Lutheran theology on the need for civic order in society,” Elshtain said.

“There is no barrier in Lutheranism for states to say we need to protect our border, to make the process as orderly as we can. So you could see there would at times be tension between the two strands: As a Christian, I'm obliged toward welcoming; as a citizen, admitting and accepting that the state has the function of maintaining civic order.”

In the past few years, a desire for civic order has come with an increase in activities that aren't “welcoming.” According to U.S. Immigration and Customs Enforcement, a record 237,000 immigrants were deported in 2007—about 16 percent more than in 2006—and work-site arrests rose almost eightfold between 2002 and 2007. In addition, Detention Watch Network, co-founded in 1997 by LIRS, says the U.S. detained 280,000-plus people in 2006, more than triple the number of people a decade ago.

The federal government has focused on these and other enforcement efforts in recent years just as legislation to solve the issue has

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stalled. Five years ago, President George W. Bush called for a comprehensive overhaul of immigration laws, the first since 1986. (The visa program was last changed significantly in 1990, even though demand for workers increases yearly.) But division within the Republican Party quashed his proposal.

Three bipartisan bills addressing illegal immigrants were defeated in the past two years—McCain-Kennedy in 2006, the DREAM Act (Development, Relief and Education for Alien Minors) and the Senate’s immigration reform bill in 2007.

“This is an issue that cuts across political parties,” said Ralston H. Deffenbaugh Jr., president of LIRS, a cooperative advocacy and justice agency of the ELCA, the Lutheran Church–Missouri Synod and the Latvian Evangelical Lutheran Church in America. “Because of the upcoming election, we don’t expect any comprehensive immigration reform until late 2009 or 2010. In the meantime, we’re going to have more suffering and dysfunction, more enforcement, more families being separated.”

About 5 million children in the U.S. have at least one parent who is undocumented, according to the Urban Institute and the National Council of La Raza, and kids are sometimes left behind when parents are detained or deported.

In February 2007, LIRS co-wrote a report called *Locking Up Family Values* after observing immigrant families in two federal detention centers. The visits revealed activities—mostly at the T. Don Hutto Residential Center (a former Texas prison)—from children as young as 6 sleeping in cells separated from parents to pregnant women and others receiving what visitors considered inadequate medical care.

The report recommended that ICE “discontinue the detention of families in prison-like institutions.” It led the

American Civil Liberties Union to sue the Department of Homeland Security over conditions. According to DHS, “ICE not only made significant changes prior to [the settlement] agreement, it ensured that the remaining issues were reviewed and issued required modifications to ensure compliance at Hutto.”

ACLU said “conditions at Hutto have gradually and significantly improved.”

In addition, families that included 25 children, plus an additional child, were released, according to LIRS.

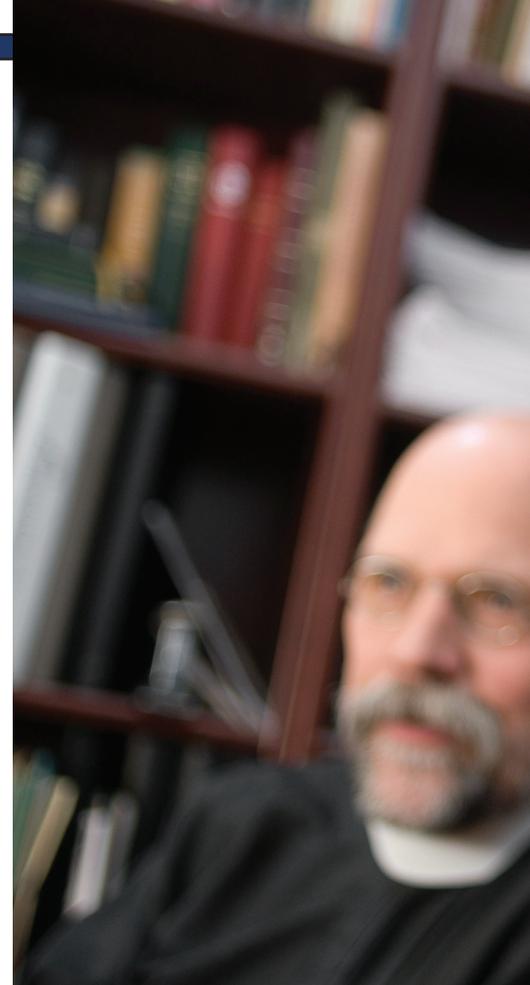
ELCA goal: Family reunification

“Our advocacy will continue to insist that family reunification should be the primary objective of immigration laws,” states the *ELCA Message on Immigration*.

Approved in 1998, that message is currently getting a face-lift, which is expected to be presented by year’s end to the ELCA Church Council. “We’re dealing with things—like 9/11 and the overwhelming influx of immigrants—that weren’t on the radar in ’98,” said Roger A. Willer, director for the Department of Studies with ELCA Church in Society, who is overseeing the development of the message. “The new message will be congruent with the theological basis set forth in 1998.”

Drawing on Bible passages such as “You shall love the stranger as yourself, for you were strangers in the land of Egypt” (Leviticus 19:34), Luther’s question “How do we know that the love of God dwells in us? If we take upon ourselves the need of the neighbor,” and the ELCA history as a “church of immigrants and with roots in immigrant churches in a nation of immigrants,” the message is designed as a tool for reflection.

“It is expected to guide church policy,” Willer said. “But we don’t expect that every member will believe everything a message says.



We expect church members to give it careful consideration as they think through their life of faith.”

The ELCA’s 19 state public policy advocacy offices, in addition to LIRS and other agencies, use official messages to lobby legislatures and inform and involve congregations. Many members don’t read messages or know they exist, said Teri J. Traaen, assistant to the bishop of the Grand Canyon Synod and director of Lutheran Advocacy Ministry in Arizona. And many aren’t aware of how they come about, said Norene N. Goplen, director of Lutheran Advocacy Ministry of Oregon. A small survey of bishops, clergy and lay people says they’re right.

Both Traaen and Goplen have also noted from visits to many congregations in their synods that opinions on illegal immigration are diverse.

“Within our congregations, at least on a quiet level, there is disagreement,” said Bishop Kevin S. Kanouse of the 120 churches in the Northern

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Texas–Northern Louisiana Synod. “That really played itself out in a very concrete way at Good Shepherd.”

The Irving, Texas, congregation had been offering space to *Iglesia Luterana Santa Maria de Guadalupe* for a monthly usage donation for more than six years. Recently, *Santa Maria*’s pastor, Pedro B. Portillo, had been publicly working with city officials to reduce the number of arrests of undocumented immigrants.

(*The Dallas Morning News* reported in November that “Irving has drawn attention for the vigorous manner in which city police cooperate with federal immigration officials” and that “more than 1,600 people have been deported following their arrests by Irving police.” The city’s population is 191,000.)

Portillo had scheduled a town-hall meeting at the church in November with some city officials to “help the entire community understand city services and ask the chief of police why Irving had been arresting so many illegal aliens,” he said. Some members of Good Shepherd’s council voted to cancel it.

“I don’t speak for others,” said Art Schneewind, council president. “I didn’t want our sanctuary being used for that kind of a thing.”

Santa Maria decided to move out the day before Good Shepherd members voted to renew its contract, each without knowing the other’s actions.

Breaking the law?

Opinion nationwide varies among parishioners and clergy on a number of topics on this issue. Breaking the law—on the part of the immigrants—is probably the most apparent. *Called to Be a Public Church*, the ELCA’s civic participation guide, notes in a section written by LIRS that being an illegal immigrant is a civil offense, not a criminal one.

“If our country doesn’t have any laws, then you need to let me know

that,” Schneewind said.

“The law is clear,” said Cynthia E. Nance, dean of the University of Arkansas School of Law in Fayetteville and member of the LIRS board of directors. “But there are some moral and fairness issues, and it reminds me of Jim Crow: The law was clear—you could not enter through that door—but that doesn’t mean it’s right in the higher sense.”

From the advocacy arms of the ELCA to pastors leading educational efforts, the church tries to use facts as a basis for discussion, such as: The number of undocumented immigrants has risen by 3.5 million since 2000, reflecting a favorable economic climate in the U.S. and an unprecedented backlog for applications for people to take the legal route; and the jobs they take are often those in the service sector that most Americans don’t want.

Nevertheless, people won’t always agree on how to fix the broken system and what to do with the immigrants who are already here illegally. Perhaps we are called to struggle with why we don’t agree.

“We are not a law-based religion,” ethics professor Elshtain said. “One of the interesting things about the Christian tradition is that people have a lot of interpretation and soul-searching to do.” □

Ernst, a frequent contributor to The Lutheran, lives in Sante Fe, N.M.; www.ernstwrite.com.

Read more about it

A range of resources from the ELCA, other faith-based groups, government and secular organizations provide more information about the issue of undocumented immigrants. For a selection, see www.the.lutheran.org/feature/march.