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Catholic Values and American Immigration Policies

An East African client of mine was granted asylum based on the religious persecution he had suffered as a Catholic Christian in his native Sudan. As we talked recently, he asked why Catholic Charities serves non-Catholic immigrants. In a time of societal hostility to immigrants, even many religious people may question whether any immigrants, Catholic or not, should be allowed to enter the United States. Perhaps many Catholics are unaware that the Church has staked out a position in the debate.

THE CHURCH AND IMMIGRATION ISSUES

The Catholic Church is deeply concerned about immigrants and their problems. At present, professionals estimate that, worldwide, over 100,000,000 persons are displaced from the land of their birth. Principal among the ways in which the Church contributes to the care and protection of these people are (1) its public and repeated witness to gospel values and (2) the participation of its clergy and laity in a whole spectrum of services on behalf of migrants and refugees.

The Church considers it essential to its mission to teach and testify about the way God views these “people on the move” and how they are to be treated in light of the values contained in divine revelation. The most official expressions of this witness emerge in the form of statements about migrants and refugees by the Holy Father (1985) and Vatican Offices (1992), by National Bishops’ Conferences (1988), in documents like those of the Second Vatican Council, church synods, and the Catechism of the Catholic Church. In the United States, the Church’s interest and involvement with immigration questions emerge frequently in the Catholic press, in the writings of individual Catholic leaders, thinkers, and activists, and in the testimony delivered before state and federal legislatures.

The principal elements of the Church’s posture regarding immigration problems can be traced back to the Scriptures and are integral to the broader fabric of Christian moral teaching. As an institution with literally centuries of varied international experience, the Church has gained much valuable wisdom and deliberately adopts a role as advocate for what are otherwise often voiceless victims. In fulfillment of this responsibility, as ubiquitous violence and other tragedies of the

late twentieth century have led to an unprecedented rise in exile, migration, and displacement throughout the globe. Pope John Paul II and the National Conference of Catholic Bishops here in the United States have seen the need over the past two decades to issue several forceful and fundamental declarations.

PROMINENT THEMES IN RECENT CHURCH STATEMENTS

A sampling of these important documents can be found in the bibliography at the end of this article, but let me highlight here some of the themes recurrent within them. I focus primarily on those with the most direct bearing on the juridical aspects of immigration in the United States at the present time.

1. As members of the human family, those living outside their original homeland retain the inalienable natural dignity and rights invested in them by the God who has created them in his image and likeness. All deserve protection from persecution and from discrimination based on race, culture, economic status, sex, and/or religious or political allegiances. Those who enjoy the gift of Christian faith are to look upon immigrants as spiritual brothers and sisters with whom Christ identifies himself as the stranger who needs to be welcomed. Those who do not share this religious perspective can still be expected to honor the natural commonality which should bond and elicit empathy throughout the human race.

2. Individuals and groups of people have the right to flee oppression and to seek residence where they can have access to the material, intellectual, and spiritual well being they should have as human beings. Although there is an obligation to eradicate the causes motivating people to abandon their homelands, in the meantime, governments and other organizations which have the means to do so carry the responsibility to assist those who must emigrate to live dignified human lives. Migration undertaken simply from the desire to improve one's economic status is not morally wrong, but it is not ethical for rich countries to use financial incentives to significantly drain poorer nations of their native talent. In determining admissions, priority must be accorded to those in dire distress.

3. Among the topics most frequently mentioned in these church teachings are the right to apply for protective asylum and to bring family members together and live in adequate housing, the right to the documentation necessary to function as peers in society and to join the ranks of those who may legally earn a living, the right to basic education and medical assistance, especially for children, and the right to adequate pastoral and spiritual care.

4. The bona fide requirements of the common good of society—considered in terms broader than just national self-interest—should influence the handling of immigration problems and the ongoing formulation of public policies. Legislation is a necessary component of social interaction, but human laws and their enforcement always need to be conformed to the higher law of human conscience.

IMMIGRANTS IN THE UNITED STATES TODAY

Catholic social teaching has long stressed, of course, that it is not enough just to make high sounding statements. The Church calls for acts of service to the poor. Catholic Charities and Catholic social service organizations around the country respond to this call on issues affecting the disenfranchised, including immigrants. Tens of thousands of foreign-born persons are served annually by these organizations. One in particular, the Catholic Legal Immigration Network, Inc. (CLINIC), collaborates on a national level with Catholic Charities to provide legal representation to low-income immigrants.

Inevitably, the attorneys and staff workers of CLINIC are drawn into the current debate over the economic and societal impact of the latest waves of refugees and other newcomers who are arriving at our shores. Although we are a nation composed almost totally of the descendants of immigrants, the reaction of those already established in this country toward later immigrants has often varied. The swing between pro- and anti-immigrant reactions has usually depended on pragmatic perceptions of the current economic situation. In past years there was concern about the arrival of German, Irish, Southern European, and Chinese immigrants, among others, primarily because they were perceived as a negative and competitive element. They would lower the quality of life of those already living here and would not assimilate by abandoning their particular cultural heritages and languages. Further, immigrants from prior eras who had settled in the United States feared these later immigrants would not assimilate and become “American.”

Most Americans can acknowledge today that these newcomers actually enriched the economy, vitalized the country, created jobs, made marvelous contributions in countless fields of endeavor, and integrated themselves quite successfully into society. Today the majority of those seeking to enter this country are non-Caucasians. Although they actually constitute a smaller percentage of our overall population than many earlier waves of immigrants did, they bring comparable talent, promise, and enthusiasm. Unfortunately, many politicians and influential forces in the popular media have fueled an atmosphere which views immigrants, especially those from developing countries, with wariness and disdain.

Ironically, this anti-immigrant sentiment is surfacing at a time of economic strength. Indeed, despite the almost unprecedented financial growth this country has seen over the preceding decade, the Congress in 1996 imposed exceedingly harsh restrictions on the foreign born. Even more restrictions, such as prohibiting undocumented foreign-born children from attending public school and abolishing birthright citizenship, were proposed but did not pass. Such restrictive policies are not academic abstractions. They affect the personal lives of real people. Consider the following true cases (adapted to protect the identity of the persons involved) as illustrations of the discrepancies that exist between basic Catholic social teaching and current United States immigration law.

A FRUSTRATING SEARCH FOR ASYLUM

Evelyne came to the United States scarred both physically and emotionally, after fleeing her native country. She had been outspoken in her opposition to the dictatorial regime currently in power. Because of her political stance, Evelyne was arrested and severely tortured. She had scalding water poured over her chest and was beaten and gang-raped by soldiers and jailers. Somehow the political party of which she was a member managed to get her out of prison and onto a plane to the United States, where she and they believed she would receive protection.

Once she had arrived in this country, however, Evelyne had no one to turn to for assistance and, in fact, she was afraid to trust others from her homeland. Her first priority was to find shelter and a way to support herself and her infant son, conceived as a result of one of the rapes. Evelyne only felt comfortable speaking a tribal language. She did not understand the procedures of applying for asylum based on the persecution she had suffered. She was also unaware that the United States Congress passed a law in 1996 giving her only one year to submit her application for asylum.

When Evelyne finally came to Catholic Charities for assistance, it had been more than one year since her entry into the United States. She was thus ineligible for asylum regardless of the merits of her case. (Asylum is one of the only methods available to Evelyne that would allow her to reside legally in the United States and eventually become a United States citizen.)

Even if Evelyne had found the Catholic Legal Immigration Services before the deadline passed, preparing a good quality application for asylum is extremely time consuming. The attorney would have to meet with her repeatedly to build trust so that Evelyne could talk about the torture she had suffered at the hands of her government and to put in affidavit form all the pertinent details of her case. These ap-

pointments would have to be scheduled around the availability of an interpreter, if one could be found. Documentation would be needed to prove her membership in the political party and any other paperwork that would support her claim. Much of this would have to be retrieved from her country of origin—difficult, if not impossible, to obtain quickly. Evelyne might also need to find a doctor who, without charge, would examine her and corroborate her story about the scars inflicted by the soldiers and jailers. Evelyne would have to work on all this while caring for an infant son, without family or community ties and without financial support or the ability to work legally in the United States.

Since cases like this are not unique, we should consider some of the variations that can and do occur. Assume that officials discovered that Evelyne's passport was not her own when she entered the United States. She would have been transferred to expedited removal proceedings. If, exhausted from the long flight, traumatized by her experiences, unable to communicate in English, and frightened at being questioned by men in uniform, Evelyne did not declare that she feared for her life in her native country, she would have been sent back without recourse.

If she expressed a fear of persecution at the port-of-entry, she would be detained, possibly with the criminal prison population. While detained, and likely without legal assistance, Evelyne would be required to demonstrate a "credible fear of persecution" to the satisfaction of an immigration officer and a "well-founded fear of persecution" to an immigration judge—or be returned to her native country.

In 1995, the Committee on Migration of the National Conference of Catholic Bishops stated that asylum seekers "have a special moral standing and thus require special consideration." The United Nations and the United States profess to recognize this right as well. In practice, however, it is effectively abrogated in cases like Evelyne's. If asylum seekers can be expeditiously removed from the country without serious examination of their particular circumstances, they are not receiving the "special consideration" the bishops insist they deserve. Similarly, a government that places time limits on a person's right to apply for asylum that bear no relevance to the validity of the claim does not recognize the "special moral standing" of the asylum seeker and thereby violates both Catholic teaching and international law.

PENALIZING TWO GENERATIONS

Mr. Ramirez is a United States citizen. He lives with his two seventeen-year-old sons who are eligible for lawful permanent residence (green cards) based on their relationship to their father. The twins have lived with their father in the United States since they were eight years

old. Only now, as they attempt to enter college and look for employment, have the consequences of not having lawful permanent residence become apparent to them.

Immigration reform requires Mr. Ramirez to demonstrate the ability to maintain his sons at 125 percent of the federal poverty guidelines. He is unable to do so, because he only earns \$14,000 a year, which is not rated as sufficient for a family of three. As an alternative, the law allows Mr. Ramirez to find a sponsor willing to maintain the children on an income that does meet the required level. He is unable to do so, because the sponsor is required to sign a contract accepting potential liability for the support of the sons for several years or, possibly, for their entire lives. At this time, Mr. Ramirez's sons cannot receive their green cards, even though the family has never used public assistance and has no expectation of ever doing so.

The Ramirez boys are hindered in their ability to find work, attend college (schools charge higher tuition for non-residents, and few if any scholarships are available to persons not legally residing in the United States), and ultimately lead productive lives in this country. They have lived the majority of their lives in the United States and have no one outside the United States to whom they could turn for help. Ironically, lawful permanent residence (green cards) would be the key for the entire family to improve its financial situation.

A VIETNAMESE VARIATION

Mrs. Pham is a sixty-seven-year-old, disabled, former refugee from Vietnam. She is an American citizen who petitioned to bring her daughter and her daughter's family to the United States. Although Mrs. Pham does not earn enough income to support the family at 125 percent of the federal poverty guidelines, she has found a joint sponsor who earns more than enough. In spite of this, the U.S. Embassy denied the family visas because Mrs. Pham receives Supplemental Security Income (SSI). If the embassy does not correct its erroneous decision within two months, Mrs. Pham's daughter's oldest child will turn twenty-one and no longer be eligible to immigrate to the United States with her family.

Parallel to the Ramirez case, the law puts Mrs. Pham into a catch-22 situation. Her right to be reunited with her family members is blocked on the grounds that her disabled condition forces her to seek supplemental income from the government. By denying her request to bring her relatives to live with her, the law prevents these younger, healthier individuals (who would not be eligible for public assistance under current law) from raising her standard of living and eliminating her need for continued governmental aid.

DISCRIMINATING AGAINST THE DISABLED

Ms. Suleiman applied for citizenship in 1996, eager to become a full-fledged American. While waiting for her interview, a process for which one regularly has to wait more than a year, Ms. Suleiman had a stroke. The INS will not grant her citizenship because, like many elderly and disabled legal residents, she cannot take a meaningful oath of allegiance to the United States. Her adult daughter has not been allowed to take the oath on her behalf as her guardian. Unless her condition unexpectedly improves, she will never achieve her dream of becoming a United States citizen. Although Ms. Suleiman can receive SSI if necessary, a resident in her situation who arrived in the United States after August 22, 1996, will not be eligible for SSI or many other public benefits.

FIGHTING FICTION WITH FACTS

The personal stories summarized here are but a tiny sampling of the realities facing those who serve our immigrant populations and who try to bring a greater level of social justice to the process of admitting and incorporating them into our society. As typical cases, they illustrate a few of the often complex ways in which current legislation and its enforcement fall short of the standards we teach as Catholics. Is there something which we can do to narrow the gap? The enormity of the challenge is daunting, but there are numerous initiatives already in progress with potential for improving the lot of immigrants, and many more waiting to be undertaken.

One of the most important tasks is spreading accurate information and countering false stereotypes which precondition the way people react to the presence of foreign-born individuals in our neighborhoods and schools and in the places where we work and shop. A popular but erroneous impression perpetuated in the public press is that America is being overrun by undocumented foreigners who are draining our resources and undercutting the job market.

On the contrary, professional statistics indicate that the number of immigrants joining our society is proportionately lower than at many former periods in our history. And it is certainly lower than the percentage of foreign born in many other countries. The process of assimilating them involves expense, but the labor and talent they supply, the buying power they bring, and the taxes they pay all rapidly compensate for the initial outlay when considered on the macro-scale of national economics.

There are situations where newcomers seek jobs in competition with already established populations, but this is not an inevitable consequence of being an immigrant. The distribution of labor is a normal

part of living in capitalist society, but for this to be successful we must find better ways of training the work force and lifting barriers in order to make employment accessible. It is a sad but important fact of life in the United States that migrant workers and recent immigrants are frequently the only ones willing to engage in certain forms of menial work which earn them minimal salaries and which at times also entail dangerous health risks.

OPEN MINDS, OPEN HEARTS

A theme repeated in many Church documents is the call to make immigrants know they are welcome and to develop in ourselves an attitude of hospitality. The concrete applications that might be drawn from this injunction are potentially limitless. Personal experience regularly demonstrates that a mindset like this is the intangible dynamo which generates creative solutions and compensates in a million convincing ways for inequities and oversights that can be found in the letter of the law.

Two recent publications, one from *Cor Unum*, the Pontifical Council for the Pastoral Care of Migrants and Itinerant People, and the other from the National Council of Catholic Bishops' Committee on Migration, are replete with suggestions about how we can more effectively tool ourselves to "welcome the stranger" coming to live among us. The first, entitled *Refugees: A Challenge to Solidarity*, describes programs and activities on behalf of immigrants at the international, national, diocesan, and parochial levels. The second is called *Who Are My Sisters and Brothers? A Catholic Educational Guide for Understanding and Welcoming Immigrants and Refugees*. This text is specifically designed as an aid to help teachers and catechists share knowledge, skills, and attitudes with groups ranging from adult learners down through the primary grades and kindergarten.

LAW AND LEGISLATORS

Continued refinement of laws and policies should be a realizable hope of the citizens of any truly democratic society. As Catholics we hope to be able to improve a system of immigration procedures which has already set and achieved important goals in the areas of admission and resettlement.

Between the end of World War II and 1990, one fourth of all immigrants entering the United States were admitted on humanitarian grounds. Our government currently accepts approximately 700,000 immigrants each year as legal permanent residents. After five years continuous residence these "green card holders" become eligible to apply for citizenship. The United States allows entry to more immigrants through this process than any other country in the world.

There is much that should be retained in our present immigration legislation but there is also much improvement needed. How do we foster further progress? Some of the “machinery” already in place includes some of the organizations mentioned throughout this article. Our American Bishops, both as individuals and through their standing committees on immigration at the national and diocesan levels, have already been proactive in educating and encouraging lawmakers. Agencies such as Catholic Charities, CLINIC, and numerous Catholic groups with sympathies for particular groups of immigrants maintain a constant voice and presence in the public forum. Our concern at this time must be to give adequate support to these spokespersons and to find the courage and resources to broaden our efforts into new and more influential channels.

Our greatest fear at present should be that the witness of our love would lose its momentum right when it needs to grow stronger, more convinced, and more convincing. Because the road is a long and hard one, there is always a concern that we could slip back into complacency, not keep ourselves informed, or give in to more subtle forms of nationalistic self-interest. The 1992 *Cor Unum* document speaks directly to this danger, and to its antidote:

Indifference constitutes a sin of omission. Solidarity helps to reverse the tendency to see the world solely from one’s own point of view. Acceptance of the global dimension of problems emphasizes the limits of every culture; it urges us towards a more sober lifestyle with a view to contributing to the common good; it makes it possible to provide an effective response to the just appeals of refugees and opens up paths of peace.

Keeping my eyes on the religious values that have been passed on to me, and encouraged by those who carry out the Church’s mission every day, I know that the response to my client who asked why Catholic Charities serves non-Catholics is a simple one but ever so solidly grounded: We serve because we are Catholic, and this means we have to reach out to everyone with the openness that Jesus has showed us is possible. “Whatever you do to the least of these, you do to Me.”

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My Mother and Me

My mother lives in another world.
I live in a different world.
My mother wakes up at 6:30am.
I wake up at 7:10am.
My mother works at sewing
While I go to school and learn.
My mother speaks Chinese.
I speak English.
I go to school in the day.
My mother goes to work.
I come home at 2:30pm.
She comes home at 7:30pm.
I see my English friends
While my mother sees her Chinese friends.
In our world I translate English to other people.
In our world, my mother translates Chinese.
Me and my mother are sometimes
Different and sometimes the same.

Mei Lee, 10 yrs. old

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