

RESEARCH ARTICLE

The Trials and Consolations of Migrant-Serving Faith-Based Organizations

Donald Kerwin 

Senior Research Associate, Keough School of Global Affairs, University of Notre Dame, USA
donaldkerwin@yahoo.com

doi:10.1017/jlr.2024.9

Abstract

This article is a response to Christians in public and private life who favor policies, employ rhetoric, and view migrants in ways that contravene their faith traditions. Speaking primarily from the perspective of Christian migrant-serving, faith-based organizations in the United States, the author examines their challenges, sources of consolation, and understanding of migrants in light of their work and religious touchstones in an era of political polarization and unprecedented forced displacement. He outlines an inclusive path forward, rooted in a commitment to the common good, to solidarity with the displaced, and to a deeper understanding of the hopes, aspirations, and gifts of migrants.

Keywords: refugee; forced migrants; Christianity; faith-based organizations; borders

Introduction

How do Christian faith-based organizations understand migrants, refugees, and immigrants in light of their religious touchstones and work with these populations? How do Christians in public and private life reconcile their policy positions, deployment of rhetoric, and views of migrants when these are at odds with their faith traditions?

In what follows, drawing from over three decades of work in mostly Catholic institutions,¹ I explore five interrelated challenges facing Christian faith-based organizations in responding to the needs of world's displaced persons:

1. Disunity in their faith communities over migrants as manifested in their use as political instruments, opposition to the work of faith-based organizations, its tepid defense by putative allies, and criticism of policy engagement and the particular positions of faith communities.
2. Exclusionary ideologies, particularly forms of nationalism, nativism, and the misuse of concepts such as sovereignty and the rule of law.

¹ For more than fifteen years, I served as executive director of the Catholic Legal Immigration Network, Inc., a national legal agency for low-income immigrants and refugees in the United States. For eleven years, I directed the Center for Migration Studies of New York, a leading think-tank on international migration and refugee protection. Over the course of thirty-four years, I have worked with hundreds of faith-based organizations on migrant service, policy, research, pastoral, and community-organizing initiatives.



3. Politically symbolic, antimigrant proposals, such as the proposed 2,000-mile US-Mexico border wall and fully sealed borders.
4. Bad laws and bad-faith compliance with sound laws.
5. Maintaining religious identity in the context of diverse partnerships and funding streams in an increasingly secular field.

I also offer reflections on Christian faith-based organizations' sources of consolation, understood in the Ignatian sense as an interior movement to God's love and presence. Consolation is an overarching, often implicit goal of faith communities in their ministries to migrants. In particular, faith-based organizations find consolation in

- the providential sense that they are participating in a larger plan not of their own making;
- the abiding gratitude, generosity, and faithfulness of many migrants despite their suffering and hardship;
- the hopefulness that radiates from acts of hospitality, justice, and the lives of many migrants;
- the ability to connect with persons in need across differences in status, origin, culture, religion, and ethnicity;
- the response by faith communities to the whole person (in all their dimensions) and their interconnected work of charity and justice; and
- the privilege of pursuing a vocation that serves the least and seeks to change the hearts and minds of the comfortable and complacent.

The life-changing potential in encountering persons in need, rooted in a recognition of our common humanity, sustains faith-based organizations in this work, despite tragedy, setbacks, and disappointments.

Faith-Based Organizations and Migration

Migration plays an integral role in “the founding narratives” and normative values of many of the world's religions,² which share a bedrock belief in the “moral duty to care for the stranger.”³ Faith communities, in turn, accompany migrants at every stage of the migration experience and in virtually every place where displaced persons live. They seek to alleviate the conditions that uproot human beings, protect migrants in transit, and promote their integration and well-being wherever they settle.

Faith communities notably serve as a safe harbor in times of crisis and peril, and trusted sources of services and information.⁴ At their best, they “make a profound and durable impact by virtue of their geographic, moral, and political reach and influence” and serve as a bridge between migrants and public/private actors in the migration process.⁵ Their ties to

² David Hollenbach, *Humanity in Crisis: Ethical and Religious Response to Refugees* (Washington, DC: Georgetown University Press, 2019), 37.

³ David Sulewski, “Religious Actors and the Global Compact on Refugees: Charting a Way Forward,” Reference Paper for the 70th Anniversary of the 1951 Refugee Convention, September 4, 2020, 6–8, https://www.unhcr.org/people-forced-to-flee-book/wp-content/uploads/sites/137/2021/10/David-Sulewski_Religious-Actors-and-the-Global-Compact-on-Refugees-Charting-a-Way-Forward.pdf.

⁴ Rubén Parra-Cardona et al., “Faith-Based Organizations as Leaders of Implementation,” *Stanford Social Innovation Review* 19, no. 3 (2021): 21–24.

⁵ Laurie Carafone, “Meeting the Needs of Women and Girl Migrants and Refugees in the Comprehensive Refugee Response Framework: The Unique Role of Faith-Based Organizations,” Center for Migration Studies, August 8, 2018, 5.

migrant populations and host communities position them to advocate for migrants, including on the use of public services.⁶ Some act as mediating institutions that prepare, fortify, and help immigrants to engage their new communities from a position of strength and belonging.

In their multifaceted work with migrants, faith-based organizations face major challenges, or trials, and also draw on powerful sources of consolation. I use the term *migrants* to signify both persons in transit and, in the colloquial sense of the word, persons from different countries living outside their country of origin. I use the term *immigrants* to encompass settled noncitizens with a range of legal statuses, including asylum-seekers, permanent and temporary residents, and persons without immigration status.

I also distinguish between congregations (faith communities that gather to worship and serve) and faith-based organizations that offer humanitarian assistance and longer-term development services, such as education, health, legal, and resettlement programs.⁷ I use the term *faith-based organizations* to refer to formal organizations, programs, and ministries, and to the people who comprise, sustain, and benefit from them. Moreover, I view faith-based organizations' connectedness to migrants as a measure of their success and legitimacy. Faith-based organizations hold themselves accountable to migrants in different ways—by living and working beside them (accompaniment), by constituting themselves with leaders, staff, and volunteers from migrant communities, by making their institutions financially and culturally accessible, and by developing formal accountability systems related to decision-making. Thus, I use the descriptor migrant-serving not to imply distance, but to connote an intimate and often organic relationship to migrant communities.

Trials

Faith communities seek to practice discipleship through their work. Yet they operate in public arenas teeming with ideologies, laws, and policies at odds with their beliefs, goals, and experiences. Many political and media figures use harsh rhetoric to vilify and marginalize migrants, often for political purposes.

Faith-based organizations take pains to understand the values, experiences, and legitimate concerns that may underlie the views of their co-religionists, particularly public figures.⁸ They hope to reach a deeper understanding based on shared religious touchstones and an honest assessment of the situations, aspirations, and contributions of migrants. However, they often confront a style of engagement more intent on mischaracterizing their work and those they serve. In the United States, some public officials advocate stripping federal tax-exempt status or the ability to do business in particular states from faith-based organizations for their lawful work with migrants.⁹ Others champion strategies that imperil

⁶ Sara Campos, "The Influence of Civil Society in US Immigrant Communities and the US Immigration Debate," in *International Migration, US Immigration Law and Civil Society: From the Pre-colonial Era to the 113th Congress*, ed. Leonir Mario Chiarello and Donald Kerwin (New York: Scalabrini International Migration Network, 2017), 111–77, at 149–51.

⁷ The latter are also known as *faith-based service organizations*.

⁸ Kristen E. Heyer, "Migration, Social Responsibility, and Moral Imagination: Resources from Christian Ethics," in *Christianity and the Law of Migration*, ed. Silas W. Allard, Kristin E. Heyer, and Raj Nadella (London: Routledge, 2022), 230–48, at 233–34.

⁹ Jack Jenkins, "GOP Lawmakers Once Praised Catholic Charities. Now They Want to Defund the Group," *Washington Post*, July 28, 2023, <https://www.washingtonpost.com/religion/2023/07/28/gop-lawmakers-once-praised-catholic-charities-now-they-want-defund-group/>; Robert Moore, "El Paso Judge Blocks Texas AG Ken Paxton's Effort to Close Annunciation House," *El Paso Matters*, March 11, 2024, <https://elpasomatters.org/2024/03/11/el-paso-annunciation-house-ken-paxton-court-ruling/>.

persons in flight, deny them access to protection, and marginalize them in local communities.

Faith-based organizations tend to be laser focused on the needs of those they know and serve, local partners, and the distinct challenges related to welcoming newcomers in their faith and geographic communities.¹⁰ Yet they also seek to understand and address the causes of displacement, flight, and exclusion. In biblical terms, they try to rescue babies floating down the river and to stem the conditions upriver that cast so many adrift. The overarching trials and some of the day-to-day operational challenges of faith-based organizations speak to the manifold traumas and needs of migrants.

Faith Communities and the Problem of Disunity

Faith communities view their unity as a source of strength and consolation. However, although Christianity seeks communion between the faithful through the person and teaching of Jesus Christ, it suffers from sharp divisions on social issues, including refugee protection and immigration. Indeed, interfaith and interreligious solidarity in responding to displacement and crises¹¹ and in advocating for migrants¹² can be stronger than intra-faith unity on what many believers perceive to be a political option, not a moral imperative.¹³ For example, between December 2012 and December 2013, 1,700 religious leaders, members of faith communities, and faith-based organizations endorsed the United Nations High Commissioner for Refugees' (UNHCR's) statement "Welcoming the Stranger: Affirmations for Faith Leaders,"¹⁴ which captures the source of this unity. It avers: "The call to 'welcome the stranger,' through protection and hospitality, and to honor the stranger or those of other faiths with respect and equality, is deeply rooted in all major religions."¹⁵

However, Christians form their views and opinions from diverse sources and imperfect knowledge. Religious conviction can help to shape policy positions but can also be lost in partisan, political identities.¹⁶ It offends faith-based organizations when their most ardent ideological and policy foes are co-religionists, many of whom publicly identify and justify their positions by reference to their faith. In the circumstances, faith-based organizations need to decide how to address persons who, they believe, at best misunderstand and at worse use religion to pursue agendas at odds with their shared faith traditions.

Since 2013, the Center for Migration Studies of New York has coordinated the Catholic Immigrant Integration Initiative, a program that seeks to strengthen the individual and collective work of diverse Catholic institutions, programs and ministries with immigrants and their families. A recurrent theme in the initiative's gatherings has been the bewilderment of faith-based organizations and immigrants at co-religionists who champion anti-migrant policies or fail to defend them in the face of sustained public attacks. This is nothing

¹⁰ The challenges vary by receiving community. A community's immigrant heritage, for example, does not make the integration process easy but may make the challenges of immigrants more understandable to the established community while allowing immigrants to view their struggles as a rite of passage to a better future.

¹¹ Carafone, "Meeting the Needs of Women and Girl Migrants and Refugees," 7–8.

¹² See, for example, the diverse membership of the US-based Interfaith Immigration Coalition. Interfaith Immigration Coalition, "Member Organizations," accessed January 12, 2024, <https://www.interfaithimmigration.org/about/member-organizations/>.

¹³ Anne Murphy, "US Catholics Increasingly at Odds with Church Teaching on Immigration," *Where Peter Is*, April 16, 2021, <https://wherepeteris.com/us-catholics-increasingly-at-odds-with-church-teaching-on-immigration/>.

¹⁴ UNHCR, *Partnership Note on Faith-Based Organizations, Local Faith Communities and Faith Leaders* (Geneva: UNHCR, 2014), 18–19. <https://www.unhcr.org/539ef28b9.pdf>.

¹⁵ UNHCR, *Partnership Note on Faith-Based Organizations*, 19.

¹⁶ Mark Satta, "Political Partisanship and Sincere Religious Conviction," *Brigham Young University Law Review* 47, no. 4 (2022): 1221–74, at 1241.

new in the nation's history. Christian communities have a long, tawdry history of failing to protect their brothers and sisters in faith. Legislation passed by the Virginia General Assembly in September 1667, for example, is aptly titled "An act declaring that baptisme of slaves doth not exempt them from bondage." The words of Dr. Martin Luther King, Jr. capture the frustration of faith-based organizations and immigrant communities at many of their co-religionists. "We will have to repent in this generation not merely for the hateful words and actions of bad people but for the appalling silence of the good people."¹⁷

Using Migrants as a Means to the End

Politicians who foreground their faith regularly exploit migrants by using them as political tools. In 2022, for example, three Catholic governors—Ron DeSantis of Florida, Greg Abbott of Texas, and Doug Ducey of Arizona began to transport to New York City, Chicago, Washington DC, Philadelphia, Los Angeles, Denver, and elsewhere a population that had swelled to hundreds of thousands of migrants by mid-2024. Governor Jared Polis of Colorado initiated a similar busing policy in late December of 2022.¹⁸ The City of El Paso transported 14,000 migrants to New York City and Chicago between August 23 and late October 2022.¹⁹ Between late September 2023 and early December 2023, the state of Texas and the City of El Paso bused 1,300 migrants to New York, Chicago, and Denver.²⁰

Faith communities mobilized in support of the bused migrants and strongly criticized the transport programs. It did not escape the notice of the interfaith coalition assisting the migrants that the first group bused to Washington, DC, arrived on Holy Thursday, the day before Passover, and during Ramadan.²¹ Texas and Arizona insisted that the migrants were voluntarily in these programs, but some did not know where else they could go or even where they were headed. Many sought to join loved ones and find work, but elsewhere in the United States.

The buses deposited many of the migrants at Washington, DC's Union Station in the dead of night, including families with young children. Three buses left migrants on a freezing Christmas Eve night near the vice president's residence.²² To faith communities, these unhoused migrants evoked the Holy Family, not an invasion or existential threat to their nation.

The chartered flights by the State of Florida to Martha's Vineyard in mid-September of 2022 and its two flights to Sacramento, California, in early June 2023 particularly troubled faith-based organizations. Florida's first chartered plane traveled to San Antonio in order to *locate* migrants to send to Martha's Vineyard. The migrants boarded in response to promises

¹⁷ Martin Luther King, Jr., *Why We Can't Wait* (New York: New American Library, 1964), 86.

¹⁸ "Lightfoot, NYC Mayor Pen Letter Demanding Colorado Gov. to Halt Bussing of Migrants to Chicago, NYC," *NBC Chicago*, January 7, 2023, <https://www.nbcchicago.com/news/local/lightfoot-nyc-mayor-pen-letter-demanding-colorado-gov-to-halt-bussing-of-migrants-to-chicago-nyc/3039419/>.

¹⁹ Camilo Montoya-Galvez, "El Paso Halts Practice of Busing Migrants to New York and Chicago, Citing New Expulsion Policy," *CBS News*, October 21, 2022, <https://www.cbsnews.com/news/el-paso-stops-bussing-migrants-to-new-york-chicago-new-expulsion-policy/>.

²⁰ Cindy Ramirez, "More Than 13,000 Migrants Bused out of El Paso in Past Three Months," *El Paso Matters*, December 11, 2023, <https://elpasomatters.org/2023/12/11/migrant-bussing-el-paso-texas-sb4-immigration-law-update/>.

²¹ Emily Neil, "DC's Faith Communities Rally to Protect Bused-in Immigrants," *Religion News Service*, November 22, 2022, <https://religionnews.com/2022/11/22/dcs-faith-communities-rally-to-protect-bused-in-immigrants/>.

²² Stephanie Lai, "Buses of Migrants Arrive at Kamala Harris's Home on Christmas Eve," *New York Times*, December 26, 2022, <https://www.nytimes.com/2022/12/25/us/politics/migrants-kamala-harris-christmas-eve.html>.

of nonexistent jobs, housing, and benefits in Boston.²³ Many had immigration court dates the same week in other jurisdictions.

Faith-based organizations recognized that in pressuring desperate people to travel under false pretenses and using them for its own purposes, Florida had adopted the tactics of human traffickers. Others saw this strategy as analogous to the “reverse freedom rides” of the 1960s, when white supremacists offered Black residents in the southern United States one-way tickets to northern and western cities, with false promises of housing, jobs, and a warm reception.²⁴ In weaponizing migrants to sow discord in more welcoming US states and localities, the governors also borrowed the strategy—employed often (but not exclusively) by autocratic regimes against democratic states—to achieve their geopolitical aims.²⁵

Doubling down on its widely criticized tactics, Florida subsequently used a private contractor to recruit approximately thirty-six out-of-state migrants (mostly Venezuelans and Colombians) near a shelter in El Paso, Texas, with empty promises of employment in California. The contractor flew the migrants to Sacramento and left them without jobs, prospects, or concern for their removal hearings (scheduled elsewhere), depositing some at the steps of the Catholic Diocese of Sacramento.²⁶ Florida also sent recruiters to locate migrants at Sacred Heart Church in El Paso. Bishop Mark Seitz of the Diocese of El Paso characterized this initiative as an “effort to make a political point” and “reprehensible.”²⁷

Faith communities commit their time and treasure to remedying conditions that will have forcibly displaced or rendered stateless a projected 131 million persons by 2024²⁸ and by trying to secure more viable, permanent homes for the displaced. Forced migrants serve as a kind of canary in a coal mine for the world’s myriad crises. In 2023, for example, 72 percent of the migrants “encountered” nationwide by US border officials came from Mexico, Venezuela, Guatemala, Honduras, Colombia, Cuba, Ecuador, Nicaragua, and Haiti.²⁹ These states and their migrant-sending communities are beset in varying degrees by organized crime, repression, environmental crisis, poverty, economic free-fall, political dysfunction, and the effects of the COVID-19 pandemic. Moreover, migrants typically move for a mix of reasons, and violence can be a pervasive threat even for “economic migrants.”³⁰

²³ Edgar Sandoval et al., “The Story behind DeSantis’s Migrant Flights to Martha’s Vineyard,” *New York Times*, October 2, 2022, <https://www.nytimes.com/2022/10/02/us/migrants-marthas-vineyard-desantis-texas.html>.

²⁴ “Before Migrants Were Sent to Martha’s Vineyard, There Were the ‘Reverse Freedom Rides,’” *NPR*, September 17, 2022, <https://www.npr.org/2022/09/17/1123629655/60-years-before-migrants-were-sent-to-marthas-vineyard-there-were-the-reverse-fr>.

²⁵ Kelly M. Greenhill, “When Migrants Become Weapons: The Long History and Worrying Future of a Coercive Tactic,” *Foreign Affairs*, March/April 2022, <https://www.foreignaffairs.com/articles/europe/2022-02-22/when-migrants-become-weapons>.

²⁶ Ben Brasch, “Texas Sheriff Recommends Charges over Martha’s Vineyard Migrant Flight,” *Washington Post*, June 5, 2023, <https://www.washingtonpost.com/nation/2023/06/05/texas-desantis-charges-migrant-vineyard/>; Shane Goldmacher, “With Migrant Flights, DeSantis Shows Stoking Outrage Is the Point,” *New York Times*, June 7, 2023, <https://www.nytimes.com/2023/06/07/us/politics/desantis-migrant-flights-outrage.html>.

²⁷ Olga R. Rodriguez and Elliot Spagat, “DeSantis Recruiters Eyed Catholic Church for Migrant Flights that El Paso Bishop Calls ‘Reprehensible,’” *Associated Press*, June 8, 2023, <https://apnews.com/article/desantis-migrants-flights-border-california-catholic-aa274a39b65712ea2d70bd480a62928e>.

²⁸ United Nations High Commissioner for Refugees, Global Appeal 2024, <https://reporting.unhcr.org/global-appeal-2024>.

²⁹ I produced tabulations from US Customs and Border Protection data, using the agency’s interactive tool. US Customs and Border Protection, “Nationwide Encounters,” accessed May 9, 2024, <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

³⁰ Ludger Pries, Oscar Calderón Morillón, and Brandon Amir Estrada Ceron, “Trajectories of Forced Migration: Central American Migrants on Their Way toward the USA,” *Journal on Migration and Human Security* 12, no. 1 (2024): 39–53, at 42–44, 49–50.

Republican politicians once championed the cause of refugees and asylum-seekers from politically repressive countries, such as Venezuela, Nicaragua, and Cuba. Yet governors Abbott and DeSantis tried instead to dramatize what they mischaracterized as the federal government's open border policy, a much-repeated talking point that worked at cross-purposes with federal border control efforts.

The governors also sought to expose the hypocrisy of Northern jurisdictions, which they believed would reject the transported migrants.³¹ Yet the targeted communities instead made significant efforts to assist them. As of December 2023, New York City had 67,200 migrants in its care of the total 150,000 who had passed through the city's emergency shelter system since the onset of the busing programs, and its per diem cost per migrant household neared \$400.³² As the 2023–2024 school year began, it enrolled 21,000 new students (mostly migrants), who were living in temporary housing.³³ By March 2024, it had opened seventeen humanitarian emergency response and relief centers and housed asylum-seekers in 218 emergency shelters.³⁴

Migrant expenses strained other receiving jurisdictions as well.³⁵ By January 2024, Chicago had received nearly 35,000 bused and flown migrants from Texas and other states, and Illinois governor J. B. Pritzker implored Abbott not to send more, stating that their health and survival would be at risk in the frigid weather.³⁶ Yet unscheduled buses continued to deposit migrants at night in irregular suburban locations in sub-zero temperatures.

These receiving communities are not hypocritical. Migrants have found homes in them for generations. In effect, the border reached them long ago. Recent migrants have continued to make their way to these and other communities, typically to join family and to work at a time of well-documented US labor needs.³⁷ Federal programs eased the reception of some migrants. Highlighting the importance of legal status, work, and community ties to immigrant integration, the state of Massachusetts reported virtually *no* use of its shelters by persons admitted under a Biden-era program that offers humanitarian parole to Cubans, Haitians, Nicaraguans, and Venezuelans, who have immediate relatives in the United States and financial sponsorship by US residents.³⁸

³¹ White supremacists have always had an instrumental relationship with busing, fighting the busing of children to integrate public schools but advocating busing immigrants and Black citizens away from their communities.

³² Office of the New York City Comptroller Brad Lander, "Funding for New York City's Services for People Seeking Asylum: Excerpt from the *State of the City's Economy and Finances*," December 2023, 1–2, 7, 9, <https://comptroller.nyc.gov/wp-content/uploads/2023/12/Funding-for-New-York-Citys-Services-for-People-Seeking-Asylum.pdf>.

³³ "New York Mayor Eric Adams Discusses Migrant Crisis He Says Will 'Destroy' the City," *PBS News Hour*, September 8, 2023, <https://www.pbs.org/newshour/show/new-york-mayor-eric-adams-discusses-migrant-crisis-he-says-will-destroy-the-city>.

³⁴ Annie McDonough, "Where Are Asylum-Seekers Living in New York City?," City and State New York, March 25, 2024, <https://www.cityandstateny.com/policy/2024/03/where-are-asylum-seekers-living-new-york-city/395176/>.

³⁵ Muzaffar Chishty, Julia Gelatt, and Colleen Putzel-Kavanaugh, "New York and Other US Cities Struggle with High Costs of Migrant Arrivals," *Migration Information Source*, September 23, 2023, <https://www.migrationpolicy.org/article/cities-struggle-migrant-arrivals-new-york>.

³⁶ Tina Stondeles, "Pritzker Urges Texas Gov. Greg Abbott to Stop Migrant Drop-Offs in Winter Storm: 'I Plead with You for Mercy,'" *Chicago Sun Times*, January 12, 2024, <https://chicago.suntimes.com/2024/1/12/24036176/pritzker-urges-texas-gov-greg-abbott-to-stop-migrant-dropoffs-amid-winter-storm>.

³⁷ Dany Bahar, "Politicians Are Playing Politics with Refugees, but These Workers Are Exactly What the US Economy Needs," Brookings Institution, September 29, 2022, <https://www.brookings.edu/articles/politicians-are-playing-politics-with-refugees-but-these-workers-are-exactly-what-the-us-economy-needs/>.

³⁸ Statement of Susan Church, Chief Operating Officer, Office for Refugees and Immigrants, Commonwealth of Massachusetts, Event at Rappaport Center for Law and Public Policy, January 24, 2024, 29:10–30:50, <https://www.youtube.com/watch?v=nwTb090x54k>.

What particularly offended faith-based organizations about the busing programs was the deliberately poor and often nonexistent coordination with receiving communities,³⁹ and the absence of any concern for the welfare of the migrants or their new communities. Whatever the migrants' trajectories, the governors used human beings—survivors of journeys that have killed record numbers—as political props and as a tool to try to divide and create disarray in other US communities. The welfare of the migrants and the receiving communities has never been the point.

On May 10, 2023, Governor DeSantis signed into law legislation that allocated \$12 million to the state's migrant "transport program," invalidated drivers' licenses from other states of persons lacking immigration status, required hospitals to determine the immigration status of patients, and made it a felony to transport undocumented immigrants, including family members, into the state.⁴⁰

Employers feared the law would lead to the loss of immigrant construction, agricultural, and tourism industry workers in a state already experiencing labor shortages.⁴¹ In a meeting with faith leaders and community groups, legislative champions of the bill minimized its likely impact, characterizing it as "political" and intended mostly to "scare" people.⁴² Archbishop Thomas G. Wenski of Miami argued that the legislation criminalized "empathy" and gratuitously made the lives of select immigrants more difficult.⁴³ Governor DeSantis also made the US-Mexico border a centerpiece of his presidential campaign, likening asylum-seekers and other migrants to an invading army, home burglars, a threat to US sovereignty, and "criminal aliens."⁴⁴

Both DeSantis and Abbott raised the specter of killing border crossers, with DeSantis threatening to leave suspected drug smugglers at the border "stone-cold dead,"⁴⁵ and Abbott complaining that the "only thing we're not doing is we're not shooting people who come across the border, because of course, the Biden administration would charge us with murder."⁴⁶

³⁹ On the lack of coordination, see J. David Goodman, "Texas Has Bused 50,000 Migrants. Now It Wants to Arrest Them Instead," *New York Times*, October 18, 2023, <https://www.nytimes.com/2023/10/18/us/migrants-buses-texas-abbott.html>; "21st and 22nd Buses Carrying Migrants from Texas Arrive in Downtown Los Angeles," *ABC7*, October 4, 2023, <https://abc7.com/migrants-bus-union-station-downtown/13862734/>.

⁴⁰ CS/CS/SB 1718: Immigration (Fla. 2023), <https://www.flsenate.gov/Session/Bill/2023/1718>.

⁴¹ Vanessa Romo, "Why Florida's New Immigration Law Is Troubling Businesses and Workers Alike," *NPR*, May 30, 2023, <https://www.npr.org/2023/05/30/1177657218/florida-anti-immigration-law-1718-desantis>.

⁴² Nichole Acevedo, "Republican Legislators Who Backed DeSantis Immigration Law Appear to Downplay Its Potential Impact," *NBC News*, June 6, 2023, <https://www.nbcnews.com/news/latino/republican-lawmakers-backed-desantis-immigration-law-appear-downplay-p-rcna88000>.

⁴³ Charles R. Davis, "Catholic Leader Accuses Ron DeSantis—Who Has Positioned Himself as a Defender of the Christian Faith—and Florida Republicans of Seeking to Criminalize 'Empathy' with New Anti-immigrant Crackdown," *Business Insider*, April 13, 2023, <https://www.businessinsider.com/miami-archbishop-accuses-desantis-of-trying-to-criminalize-empathy-2023-4#:~:text=The%20church%20has%20also%20criticized,came%20to%20Florida%20as%20refugees>.

⁴⁴ Valerie Gonzalez and Steve Peoples, "DeSantis Unveils an Aggressive Immigration and Border Security Policy That Largely Mirrors Trump's," *AP News*, June 26, 2023, <https://apnews.com/article/desantis-border-immigration-republican-president-policy-33e73877fe029705ca6c8246f97a560>; DeSantis for President, "Mission, Stop the Invasion, No Excuses," accessed January 12, 2024, <https://rondesantis.com/mission/stop-the-invasion/>.

⁴⁵ J. David Goodman and Nicholas Nehanas, "DeSantis Calls for 'Deadly Force' against Suspected Drug Traffickers," *New York Times*, June 26, 2023, <https://www.nytimes.com/2023/06/26/us/politics/ron-desantis-border-drug-traffickers.html>.

⁴⁶ Uriel J. Garcia, "Abbott's Immigration Rhetoric Criticized Again after Interview Response about Shooting Migrants," *Texas Tribune*, January 12, 2024, <https://www.texastribune.org/2024/01/11/texas-border-migrants-greg-abbott-interview-shoot/>. Abbot subsequently sought to walk back the remark saying, "I was asked to point out where the line is drawn about what would be illegal and I pointed out something that is obviously illegal." Garcia, "Abbott's Immigration Rhetoric Criticized Again."

Opposition to the Work of Faith Communities with Migrants and Its Tepid Defense by Co-religionists

Public officials also regularly criticize faith-based organizations for their work with migrants and immigrants. On April 21, 2022, Congresswomen Marjorie Taylor Greene, a self-described “cradle” Catholic and Christian nationalist, claimed that Catholic Charities’ work with immigrant families proved “Satan’s controlling the church.”⁴⁷ She accused the church of “destroying our laws,” “perverting” the US Constitution, and “forcing America to become something that we are not supposed to be.”⁴⁸

Publicity-seeking politicians present an occupational hazard, but the tepid defense of this ministry by putative allies and co-religionists reveals a deeper problem. The Catholic League for Religious and Civil Rights, an institution devoted to responding to “slandering assaults” against the Catholic Church and the defense of its teaching, demanded that Greene immediately apologize to Catholics. However, it also spoke of the abundance of “opportunities” to criticize the Catholic Church’s work with “illegal aliens.”⁴⁹

Why do defenders of the faith view criticism of this ministry as an opportunity? What opportunities does it present? In the Christian tradition, human beings cannot *be* “illegal” any more than brothers and sisters or the children of a loving God can be. Moreover, to characterize human beings as “illegal” is to portray their Creator as a lawbreaker. Yet prominent Christians and Catholic media persist in slandering migrants as “illegal aliens,” “illegal alien children,” “invaders,” and worse.⁵⁰ Such terms are message-tested to inflame public sentiment against migrants, typically in service to political ends. Biblical scholar Gregory Cuellar argues by associating migrants with “criminal aliens,” “gang member[s],” and “Mexican rapist[s],” former president Trump sought to “desacralize” migrants—the children of God—and “sacralize” “border security,” while sanctifying his vision of the nation, its true members (the “people”) and himself (their leader).⁵¹

Christianity seeks to “gather into one the dispersed children of God” (John 11:52, NABRE). It does not restrict love of “neighbor” to those in a “closely knit community of a single country or people,” but extends it to “[a]nyone who needs me, and whom I can help.”⁵² It sees the faithful as part of the body of Christ, which reflects its hope “to bring wholeness and unity to a fragmented and divided human family,” to bind “all people together through love,” and to call all to “re-member especially those who have been dis-membered from the body.”⁵³

⁴⁷ Bevan Hurley, “Marjorie Taylor Greene Says Christians Who Help Undocumented Migrants Are Being Controlled by Satan,” *Independent* (US edition), April 27, 2022, <https://www.independent.co.uk/news/world/americas/us-politics/marjorie-taylor-greene-christianity-migrants-satan-b2066997.html>.

⁴⁸ Hurley, “Marjorie Taylor Green.”

⁴⁹ Catholic League for Religious and Civil Rights, “Marjorie Taylor Greene Slanders Catholics,” comment by Bill Donohue, president, Catholic League, April 27, 2022, <https://www.catholicleague.org/marjorie-taylor-greene-slanders-catholics/>.

⁵⁰ Heidi Pérez-Moreno and James Barragán, “Critics Denounce Greg Abbott and Dan Patrick’s Invasion Rhetoric on Immigration, Saying it Will Incite Violence,” *Texas Tribune*, June 17, 2021, <https://www.texastribune.org/2021/06/17/greg-abbott-dan-patrick-el-paso-invasion-immigration/>; Michael Sean Winters, “EWTN’s Hateful ‘The World Over’ Sides with Trump on Immigration,” *National Catholic Reporter*, June 20, 2018, <https://www.ncronline.org/news/opinion/distinctly-catholic/ewtns-hateful-world-over-arroyo-sides-trump-immigration>.

⁵¹ Gregory L. Cuellar, *Resacralizing the Other at the US-Mexico Border: A Border Hermeneutic* (London: Routledge, 2020), 2–3, 83.

⁵² Benedict XVI, *Deus caritas est* [Encyclical on Christian love] (December 25, 2005), ¶ 15, https://www.vatican.va/content/benedict-xvi/en/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est.html.

⁵³ Daniel G. Groody, *A Theology of Migration: The Bodies of Refugees and the Body of Christ* (Maryknoll: Orbis, 2022), 132–33.

While politicians consistently use divisive rhetoric to “other” migrants and refugees, Christianity seeks to move “from a narrative of otherness to a vision of one-ness.”⁵⁴ Under its core teaching, unity does not turn on legal distinctions, but models the triune God and Christ’s identification with the dispossessed and disinherited. Migrants are not “alien” to this tradition. They are angels in disguise (Hebrews 13:2), the self-sacrificing daughter-in-law in the messianic line (Ruth 1–4), and the Good Samaritan, a foreigner who models compassion and mercy (Luke 10: 25–37). They evoke the Holy Family in its dangerous journey to Bethlehem to secure documentation (Luke 2: 1–7), and its flight to Egypt from King Herod (Matthew 2: 13–15).⁵⁵ Jesus charged his followers to “make disciples of all nations” (Matthew 28: 19–20, NABRE), and to spread God’s word “to the ends of the earth” (Acts 1:8, NABR).

Christians see in the “least” a means of salvation and the way “to encounter the face of Jesus Christ.”⁵⁶ At a 2022 event, Fessahaye Mebrahtu, director of Black Catholic and ethnic ministries for the Archdiocese of Milwaukee, described himself as an African “immigrant, in a lifelong process of integration.”⁵⁷ He spoke movingly of Eritrean migrants he knew who had died at sea trying to reach a better life, and of their family members. “On the last judgment,” he said, “Jesus will tell us, ‘I am the brother or sister you neglected.’ Therefore, we cannot abdicate our responsibilities as our brothers/sisters’ keepers, especially those on the margins.” Christians believe they will be judged by the God of the least, the God crucified as a criminal,⁵⁸ the God of persons who died in transit, the God of the “nobodies” of the world.⁵⁹

In a telling irony, Christian lawmakers who applaud Texas, Florida, and Arizona for transporting asylum-seekers to other jurisdictions, seek to deny Catholic Charities agencies federal funding and accuse them of “aiding and abetting” illegal migration by meeting the humanitarian needs of migrants.⁶⁰ To that end, the Secure Border Act of 2023 would have prohibited the processing of migrants arriving between ports-of-entry (ensuring that these border crossers could not *legally* enter), stripped funding from nongovernmental organizations that “facilitate or encourage unlawful activity,” and barred funding to organizations that offer lodging and legal services to “inadmissible” persons.⁶¹ Yet Catholic Charities agencies do not violate the law. In fact, border officers transport migrants to these agencies *because* they offer humanitarian services.

⁵⁴ Daniel G. Groody, “Cup of Suffering, Chalice of Salvation: Refugees, Lampedusa, and the Eucharist,” *Theological Studies* 78, no. 4 (2017): 960–87, at 975.

⁵⁵ Daniel G. Groody, “Crossing the Divide: Foundations of a Theology of Migration and Refugees,” *Theological Studies* 70, no. 3 (2009): 638–67, at 649.

⁵⁶ Francis, “The Hope of the Poor Shall Not Perish Forever” [Message of His Holiness Pope Francis, Third World Day of the Poor] (November 17, 2019), ¶ 9, https://www.vatican.va/content/francesco/en/messages/poveri/documents/papa-francesco_20190613_messaggio-iii-giornatamondiale-poveri-2019.html.

⁵⁷ Fessahaye Mebrahtu, “The Long Journey to Integration: A Layman Response to *A Theology of Migration*,” presented at Catholic Immigrant Integration Initiative Conference, Marquette University, September 13, 2022, <https://cmsny.org/2022-ciii-statement-by-fessahaye-mebrahtu/>.

⁵⁸ James P. M. Walsh, *The Mighty from Their Thrones: Power in the Biblical Tradition* (Philadelphia: Fortress Press, 1987), 160–64.

⁵⁹ Groody, “Cup of Suffering,” at 962–69.

⁶⁰ Jack Jenkins, “GOP lawmakers Once Praised Catholic Charities. Now They Want to Defund the Group,” *Washington Post*, July 28, 2023, <https://www.washingtonpost.com/religion/2023/07/28/gop-lawmakers-once-praised-catholic-charities-now-they-want-defund-group/>; Alejandra Molina, “Faith-Based Groups on Border Unswayed after Lawmakers’ Call to Investigate Them,” *Religion News Services*, December 22, 2022, <https://religionnews.com/2022/12/22/faith-based-groups-helping-migrants-say-theyre-not-intimidated-by-lawmakers-call-to-investigate-them/>.

⁶¹ Secure the Border Act of 2023, H.R. 2, 118th Congress (2023–2024).

Faith communities would far prefer that potential migrants could flourish in their home communities, furthering what Saint John Paul II called “the right not to emigrate” and Pope Francis terms the freedom “to choose whether to migrate or to stay.”⁶² Many of the world’s poorest citizens lack these twin rights. Climate change, for example, “is equally likely to increase migration as it is to prevent it” and “poorer households are likely to be ‘trapped’ in circumstances where they are at once more vulnerable ... and less able to move.”⁶³

Faith-based organizations try to make the right to stay a reality. However, they also serve human beings—many of them forcibly displaced—in their time of need. In secular terms, they exercise their “freedom of thought, conscience, and religion” through their work in “charitable and humanitarian institutions.”⁶⁴ They believe that temporary residents in the United States, asylum seekers, and undocumented persons need more services, not fewer, and they oppose policies that impede their work with immigrants. They practice discipleship in the ways Christ taught (Matthew 25:31–46).

In a survey by the Center for Migration Studies of New York spanning the Trump presidency, high rates of Catholic immigrant-serving institutions—such as charities, hospitals, schools, universities, refugee resettlement programs, legal offices, food banks, and youth ministries—reported that the administration’s interior enforcement strategies very negatively or somewhat negatively affected their work with immigrants.⁶⁵ Respondents identified fear of deportation as a primary impediment to immigrants accessing their programs and ministries. One put it bluntly: “Fear deters clients from seeking any services.”⁶⁶ Another explained that enforcement “[c]reates fear, [an] environment of misinformation, trauma for families who endured/endure extensive separation.”⁶⁷ In 2018, Archbishop Wenski decried policies that sought to make America great by making it “mean.”⁶⁸

Criticism of Faith-Based Organizations’ Public Policy Engagement and Positions

Christian intellectuals and media figures reliably attack the policy work of mainstream Catholic institutions. They dissent from Catholic teaching with lockstep messaging, arguing that migration has nothing to do with the faith, dismissing it as a peripheral issue on which

⁶² John Paul II, “Migration with a View to Peace” [Message of the Holy Father John Paul II for the 90th World Day of Migrants and Refugees 2004] (December 15, 2003), §3, https://www.vatican.va/content/john-paul-ii/en/messages/migration/documents/hf_jp-ii_mes_20031223_world-migration-day-2004.html; Francis, “Free to Choose Whether to Migrate or to Stay” [Message of His Holiness Pope Francis for the 109th World Day of Migrants and Refugees 2023] (May 11, 2023), <https://www.vatican.va/content/francesco/en/messages/migration/documents/20230511-world-migrants-day-2023.html>.

⁶³ *Foresight: Migration and Global Environmental Change (2011): Final Project Report* (London: Government Office for Science, 2011), 67, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/287717/11-1116-migration-and-global-environmental-change.pdf.

⁶⁴ United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, November 25, 1981, art. 6., <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>;

Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights, *Guidelines for Review of Legislation Pertaining to Religion or Belief*, 2004, <https://www.osce.org/files/f/documents/d/b/13993.pdf>.

⁶⁵ Donald Kerwin and Daniela Alulema, “The CRISIS Survey: The Catholic Church’s Work with Immigrants in a Period of Crisis,” *Journal on Migration and Human Security* 9, no. 4 (2021): 271–96, at 288–90.

⁶⁶ Kerwin and Alulema, “The CRISIS Survey,” 288–90.

⁶⁷ Kerwin and Alulema, 289.

⁶⁸ “Religious Groups Criticize Trump Immigration Policies,” *NPR*, June 16, 2018, <https://www.npr.org/2018/06/16/620611526/religious-groups-criticize-trump-immigration-policies>.

they can disagree in good faith, and characterizing faith leaders as self-interested.⁶⁹ In 2017, Stephen Bannon, chief White House strategist in the Trump administration, criticized the US bishops' opposition to terminating the Deferred Action for Childhood Arrivals program, known as DACA, which offered temporary status and work authorization to undocumented persons brought to the United States as children. Bannon attributed the bishop's "terrible" positions on "illegal aliens" to their economic interests in "unlimited illegal immigration," dismissing them as "just another guy with an opinion."⁷⁰

Pope Francis has consistently rejected the claim that the "situation of migrants" is a lesser concern and has affirmed that for Christians: "the only proper attitude is to stand in the shoes of those brothers and sisters of ours who risk their lives to offer a future to their children. Can we not realize that this is exactly what Jesus demands of us, when he tells us that in welcoming the stranger we welcome him?"⁷¹ He has also decried the hypocrisy of Christians who "defend Christianity in the West on the one hand but on the other are averse to refugees and other religions."⁷² He said: "The sickness, one may also say the sin that Jesus condemns the most is hypocrisy. A Christian cannot be a Christian unless they live like a Christian. A Christian cannot be a Christian without practicing The Beatitudes. A Christian cannot be a Christian if they do not do as Jesus asks of them in Matthew chapter 25."⁷³

The political scientist Mark Amstutz offers a sweeping critique of select teaching documents and the policy work of Christian churches on immigration. While conceding that Christian denominations "are certainly entitled to advance" their policy concerns, he argues they have neglected "moral education" on immigration in favor of "policy advocacy," an area in which they possess "comparatively limited competence" and provide little "value."⁷⁴

These claims are difficult to sustain. Over the past 130 years, for example, the Catholic Church has produced a steady stream of teaching documents on migrants and refugees, and many would argue that its moral education on migration encompasses its entire history. However, it struggles to promote meaningful engagement with its teaching by the faithful, particularly those in public life. Moreover, faith-based organizations enjoy immense public policy expertise on migration, rooted in their institutional histories, work with affected communities, and religious touchstones. To take Catholic teaching to heart, Catholic institutions must be committed to integral development; that is, the good of "each" person and the "whole" person, in all their dimensions and at every stage of their life journeys.⁷⁵ This commitment requires a level of engagement and expertise that goes well beyond their policy work but informs it.

⁶⁹ Donald Kerwin, *US Catholic Institutions and Immigrant Integration: Will the Church Rise to the Challenge?* (Vatican City: Lateran University Press, 2014), 158–59.

⁷⁰ Adam Edelman, "Catholic Church Backed DACA Because It 'Needs Illegal Aliens,'" *NBC News*, September 7, 2017, <https://www.nbcnews.com/politics/immigration/bannon-catholic-church-backed-daca-because-it-needs-illegal-aliens-n799441>.

⁷¹ Francis, *Gaudete et Exsultate* [Apostolic exhortation on the call to holiness] (March 19, 2018), ¶ 102, https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20180319_gaudete-et-exsultate.html.

⁷² Iacopo Scaramuzi, "Pope: Those Who Defend Christ but Turn Away Refugees Are Hypocrites," *La Stampa*, October 13, 2016, <https://www.lastampa.it/vatican-insider/en/2016/10/13/news/pope-those-who-defend-christ-but-turn-away-refugees-are-hypocrites-1.34786963/>.

⁷³ Scaramuzi, "Pope."

⁷⁴ Mark R. Amstutz, *Just Immigration: American Policy in Christian Perspective* (Grand Rapids: Eerdmans, 2017), 217, 224, 228.

⁷⁵ Paul VI, *Populorum Progressio* [Encyclical on the development of peoples] (March 26, 1967), ¶ 14, https://www.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_26031967_populorum.html.

Catholic institutions serve persons in migrant sending communities throughout the world and run large networks of shelters and welcoming centers for migrants in transit. In the United States, they live, work, accompany, and offer spiritual and material support to immigrants and their children through 16,429 parishes, 522 hospitals, 4,750 elementary schools, 220 colleges and universities, the nation's largest US refugee resettlement and charitable legal immigration networks, and many other ministries and programs.⁷⁶

Amstutz criticizes the Catholic Church for viewing the world “through the lens of utopian idealism.”⁷⁷ Yet its work with forced migrants, the undocumented, and the imprisoned expose it to the dystopian conditions that uproot human beings and that migrants endure in their long, often unsuccessful struggles to reach safety and find a permanent home.

Amstutz also charges the Catholic Church with insufficient appreciation of the role of states in “advancing human rights and fostering economic prosperity.”⁷⁸ In fact, the Catholic Church takes states seriously by holding them to high standards: Catholic teaching vests in states responsibility for safeguarding rights, promoting the common good, and creating the conditions that allow persons to flourish in their home communities. This teaching undergirds its policy work with states. Moreover, many policy makers and public agencies value the Catholic Church's normative positions, technical expertise, and intimate knowledge of the lived experience of migrants and host communities. On an international level, the Holy See frequently convenes states to dialogue on issues, such as migration, that they cannot successfully address on their own.

Amstutz criticizes “denominational statements and studies” that offer “insufficient analysis of existing immigration conditions and policies.”⁷⁹ When it comes to “the subject of unauthorized aliens,” however, his own focus is insufficiently narrow, not “whether such persons are entitled to equal and fair treatment,” but how to respond to their “unlawful presence in a foreign state.”⁸⁰ Christian ethicists such as Kristin Heyer caution against restricting migration analysis to the individual acts of migrants, and making them “the primary site for enforcement and responsibility.”⁸¹ Heyer argues for “more receptive responses” that “prioritize hospitality over structural justice,” lift up the “social dimensions of justice,” recognize “sinful complicity,” and seek broader accountability.⁸² Her work suggests that an analysis of *just* (only) immigration cannot be *just* because it fails to contextualize migration and ignores its causes, the contributions of migrants, and the wellbeing of migrants, their families, and their circles of association.

Christian faith-based organizations advocated for language in the Global Compact on Migration on the need to mitigate the structural factors driving migration, to expand legal migration pathways, and to facilitate safe return and reintegration.⁸³ Their programs and advocacy engage the causes and triggers of forced migration and the “deeper roots of

⁷⁶ Center for Applied Research in the Apostolate, “Frequently Requested Church Statistics,” accessed March 21, 2024, <https://cara.georgetown.edu/faqs>.

⁷⁷ Amstutz, *Just Immigration*, 226.

⁷⁸ Amstutz, 227.

⁷⁹ Amstutz, 224–25.

⁸⁰ Amstutz, 149.

⁸¹ Kristin E. Heyer, “Internalized Borders: Immigration Ethics in the Age of Trump,” *Theological Studies* 79, no. 1 (2018): 146–64, at 155.

⁸² Heyer, “Internalized Borders,” 156–57.

⁸³ Donald Kerwin, “Christianity and the Law of Migration,” in *The Oxford Handbook of Christianity and Law*, ed. John Witte, Jr., and Rafael Domingo (Oxford: Oxford University Press, 2023), 665–79, at 671. The Global Compact for Safe, Orderly, and Regular Migration was the first comprehensive, negotiated agreement on international migration. UN General Assembly, *Global Compact for Safe, Orderly and Regular Migration*, A/RES/73/195, 19 December 2019, <https://www.refworld.org/legal/resolution/unga/2019/en/147186>.

displacement, such as food security, global inequality, and governance,” not just their “symptoms” (uprooted persons).⁸⁴

Faith-based organizations recognize, as Saskia Sassen writes, that while globalization (the cross-border flow of goods, services, capital, and information) “denationalizes national economies,” it has renationalized migration control in its many forms.⁸⁵ It pains them to see politicians misdirect furor over the effects of globalization, to those displaced by this phenomenon, or to characterize the victims of violence as criminals or possible terrorists.

Faith-based organizations recognize the “unintended bridges” to migration, created by the interventions, policies, and conspicuous consumption of developed states.⁸⁶ They insist on state accountability for conflict, “economic instability,” climate change,⁸⁷ and gun violence.⁸⁸ They criticize the hypocrisy, for example, of developed nations that have been poor stewards of the environment, and now build walls—physical, paper, and policy—to deny access to protection to the persons displaced by climate change and other conditions.⁸⁹

They believe that policies to address the undocumented cannot exist in a vacuum but need to acknowledge the dependence on undocumented workers of US industries,⁹⁰ the US economy, and the broader society. They recognize the heroic work of undocumented, frontline workers during the COVID-19 pandemic⁹¹ and their effective membership in US society. They support stronger and better-enforced labor laws so that unscrupulous employers cannot exploit the undocumented and drive down wages and working conditions for all workers. They support reform of the badly outdated legal immigration system, so that it meets the nation’s labor, family, and humanitarian needs. They understand that US visa backlogs exceed the life expectancy of many of the undocumented immigrants mired in them. They know that US law provides only 10,000 immigrant visas per year for so-called unskilled workers, but there are more than seven million undocumented workers in the US labor force. Faith-based organizations understand and deal with the disastrous aftereffects of deportation on “mixed-status” families, their mostly US citizen children, faith communities, and the broader society.⁹² Most faith-based organizations do not believe removal would be a proportionate punishment for persons brought to the United States as children, or those who have developed strong family and community ties to the country over many years. In addition, most view legal counsel in removal proceedings as a rule of law imperative.⁹³

⁸⁴ Heyer, “Internalized Borders,” 149, 159.

⁸⁵ Saskia Sassen, *Losing Control? Sovereignty in an Age of Globalization* (New York: Columbia University Press, 1996), 59; Wendy Brown, *Walled States, Waning Sovereignty* (New York: Zone Books, 2010), 24.

⁸⁶ Heyer, “Internalized Borders,” 155–58.

⁸⁷ Heyer, 149–59.

⁸⁸ Chantal Flores, “Are US Gun-Makers Responsible for Violence in Mexico?” *Foreign Policy*, October 24, 2023, <https://foreignpolicy.com/2023/10/24/mexico-united-states-guns-arms-trafficking-lawsuit/>.

⁸⁹ Craig Mousin, “A Migrant 4 Life Journeys to the New Tower of Babel: Christianity and Immigration,” in *Welcoming the Stranger: Abrahamic Hospitality and Its Contemporary Implications*, ed. Ori Z. Soltes and Rachel Stern (New York: Fordham University Press 2024), 43–71, at 66.

⁹⁰ Donald Kerwin and Robert Warren, “US Foreign-Born Workers in the Global Pandemic: Essential and Marginalized.” *Journal on Migration and Human Security* 8, no. 3 (2020): 282–300, at 289, 296–98.

⁹¹ Kerwin and Warren, “US Foreign-Born Workers in the Global Pandemic,” 284–89; Ryan Allen, Jose D. Pacas, and Zoe Martens, “Immigrant Legal Status among Essential Frontline Workers in the United States during the COVID-19 Pandemic Era,” *International Migration Review* 57, no. 2 (2023): 521–56, at 541–49.

⁹² Donald Kerwin, Daniela Alulema, and Mike Nicholson, “Communities in Crisis: Interior Removals and Their Human Consequences,” *Journal on Migration and Human Security* 6, no. 4 (2018): 226–42, at 232–39.

⁹³ Amstutz mistakenly claims that persons in removal proceedings do not receive government-funded counsel because they do not enjoy the same rights of US citizens. The reason is instead that removal proceedings are deemed civil in nature, not criminal. Amstutz, *Just Immigration*, 151.

Amstutz refers to several “deportation-by-attribution” state laws as reasonable and “moderate.”⁹⁴ However, these laws sought to make life so unlivable for undocumented immigrants and their families that they would self-deport. What would it have meant for US families and society, and the rule of law if federal courts had not permanently blocked seven provisions of Alabama’s HB 56?⁹⁵ What about its prohibition, for example, on enforcement of contracts with undocumented immigrants, or on business transactions between the undocumented and the state or its political subdivisions, such as for payment of water, gas, and electricity?

The US Department of Justice wrote that these provisions “were designed to affect virtually every aspect of an unauthorized immigrant’s daily life, from employment to housing to transportation to entering into and enforcing contracts” and that they “threatened to impose significant burdens on federal and state agencies, diverting their resources away from dangerous criminal aliens and other high-priority criminal activity.”⁹⁶ Faith-based organizations do not have all the answers on complex policy issues, but they try to offer fully informed policy ideas that reflect their knowledge of immigrants, the well-being of local communities, and their religious convictions.

Exclusionary, Anti-person Ideologies

Although sometimes cast in religious terms, the interrelated ideologies used to justify exclusion and deny protection and membership to migrants stand in stark opposition to core Christian teaching.

Ethno-cultural Nationalism

Nationalism, defined as “rule in the name of a nationally defined ‘people,’” can theoretically promote inclusion, equality and solidarity.⁹⁷ However, it can also be deployed to concentrate power, wealth, and state resources in the hands of a self-selected group who see themselves as its true members and who believe others cannot fully belong because they lack the “people’s” defining characteristics, whether race, religion, ethnicity, culture, or ancestry. Like Christian populism, it favors a dominant group at the expense of the “least” who are of particular concern to Christianity.⁹⁸

Ethno-cultural nationalism offers a rationale to oppose the admission of migrants, to justify their removal, and to relegate them to a permanent second-class status. It has inspired violence on behalf of the nation’s core members, some hoping to accelerate a

⁹⁴ Amstutz, 51.

⁹⁵ HB 56: Immigration Law (Act No. 2011-535), 2011 Ala. Laws 888. This so-called “moderate” law also sought to criminalize the failure to carry federal registration documents; work by unauthorized immigrants (not a federal crime); and entering a rental agreement with an undocumented immigrant. It would have required state and local police to screen and verify the status of persons they lawfully stopped, detained, or arrested. It would have prohibited employers from deducting wages or compensation paid to undocumented immigrants as a business expense. It would have barred courts from considering evidence of *lawful* immigration status by persons alleged by immigration officials to be out of status. It would have required public schools to determine if an enrolling student had been born outside the United States or had an unauthorized parent. It would have required schools to report on their unauthorized students.

⁹⁶ US Attorneys’ Office, Northern District of Alabama, Press Release, “Alabama’s Immigration Law Permanently Blocked in Justice Department Lawsuit,” November 25, 2013, <https://www.justice.gov/usao-ndal/pr/alabamas-immigration-law-permanently-blocked-justice-department-lawsuit>.

⁹⁷ Andreas Wimmer, “Why Nationalism Works: And Why It Isn’t Going Away,” *Foreign Affairs* 98, no. 2 (2019): 27–34, 28, 32.

⁹⁸ Hannah Strømmen and Ulrich Schmiedel, *The Claim to Christianity: Responding to the Far Right* (London: SCM Press, 2020), 54.

larger conflict, as revealed in the hateful manifestos and online rantings of mass murderers.⁹⁹ While ethno-cultural nationalists raise the specter of their own demographic and military conquest, they can also be quite explicit about their desire to conquer, segregate and control migrant and other disfavored groups.¹⁰⁰ In recent history, numerous religious leaders have supported “ultra-nationalist” rhetoric and been complicit in encouraging violence against minority and immigrant populations.¹⁰¹

Ethno-cultural nationalists view the “people” as a culturally and historically distinct group. At the extreme, this ideology can lead to partition, forcible expulsion, ethnic cleansing, and genocide. At a minimum, it contravenes the vision of the United States as a creedal nation, enunciated by many US presidents.¹⁰² In his first inaugural address, for example, George W. Bush described the United States as the “story of flawed and fallible people, united across the generations by grand and enduring ideals.”¹⁰³ Taking exception to exclusionary ideologies, he said: “America has never been united by blood or birth or soil. We are bound by ideals that move us beyond our backgrounds, lift us above our interests and teach us what it means to be citizens.”¹⁰⁴

Christian Nationalism

Christian nationalists also equate nations with a particular people and culture.¹⁰⁵ They bemoan the potential or perceived loss of the nation’s Christian identity. They view the United States as a God-favored beacon of hope, a “city upon a hill,” in the words of Puritan John Winthrop,¹⁰⁶ who also cautioned that failure to live and act with charity would lead to the withdraw of God’s blessing. Christian nationalists minimize abuses (past and present) against indigenous persons, minorities, and immigrants. In a powerful critique of American exceptionalism and the slogan “‘Take Back’ America for God,” the theologian Gregory Boyd argues that the United States never “remotely” resembled the Kingdom of God, but Europeans “discovered,” conquered, appropriated, and settled the nation in a typically violent and unjust way, all in the name of Christianity.¹⁰⁷ Boyd highlights the danger of Christian “allegiance” to the “kingdom of the world” and cautions that Christians risk losing

⁹⁹ Tim Arango, Nicholas Bogel-Burroughs, and Katie Benner, “Minutes Before El Paso Killing, Hate-Filled Manifesto Appears Online,” *New York Times*, August 3, 2019, <https://www.nytimes.com/2019/08/03/us/patrick-crusius-el-paso-shooter-manifesto.html>; David Nakamura, “Gunman Sentenced to Life in Prison for Buffalo Massacre of Black Victims,” *Washington Post*, February 15, 2023, <https://www.washingtonpost.com/national-security/2023/02/15/buffalo-shooting-gendron-sentencing/>.

¹⁰⁰ Ruth Margalit, “Minister of Chaos,” *New Yorker*, February 27, 2023, <https://www.newyorker.com/magazine/2023/02/27/itamar-ben-gvir-israels-minister-of-chaos>.

¹⁰¹ Sulewski, “Religious Actors and the Global Compact on Refugees,” 8–9.

¹⁰² “The bosom of America,” George Washington wrote to Irish immigrants in 1783, “is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions, whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit their enjoyment.” Letter from George Washington to Joshua Holmes, December 2, 1783, Founders Online, National Archives, <https://founders.archives.gov/documents/Washington/99-01-02-12127>.

¹⁰³ The White House, “President George W. Bush’s Inaugural Address, January 20, 2001,” accessed <https://georgewbush-whitehouse.archives.gov/news/inaugural-address.html>.

¹⁰⁴ The White House, “President George W. Bush’s Inaugural Address.”

¹⁰⁵ Paul D. Miller, “What Is Christian Nationalism?,” *Christianity Today*, February 3, 2001, <https://www.christianitytoday.com/ct/2021/february-web-only/what-is-christian-nationalism.html>.

¹⁰⁶ John Winthrop, “Christian Charity: A Modell Hereof,” 1630, Papers of the Winthrop Family, vol. 2, Massachusetts Historical Society, <https://www.masshist.org/publications/winthrop/index.php/view/PWF02d270>.

¹⁰⁷ Gregory Boyd, *The Myth of a Christian Nation: How the Quest for Political Power Is Destroying the Church* (Grand Rapids: Zondervan, 2005), 99.

their “birthright” and “central calling” when they equate political power with building Christ’s “new humanity,” which does not make “ethnic, nationalistic, gender, social, or economic distinctions.”¹⁰⁸

After decades of accusations that minorities gamed US society by portraying themselves as victims, many white Christians now view themselves as society’s true victims, a persecuted minority losing a “zero sum” game.¹⁰⁹ In the same vein, Trump has consistently portrayed himself as the victim of a vast (unsupported) election conspiracy and of his multiple criminal indictments.¹¹⁰ More recently, he has posed as a suffering, messianic figure.¹¹¹ Far-right political parties in Europe similarly try to co-opt Christianity’s identification with the vulnerable and persecuted, by misidentifying themselves as victims and an imperiled group.¹¹² Nor, of course, is nationalism confined to persons with a particular political orientation. In Nicaragua, the leftist totalitarian regime of Daniel Ortega and the Sandinista National Liberation Front attacks the Catholic Church, political challengers, civil society organizations, and the press, while characterizing itself as “Christian, socialist, and ... based on solidarity.”¹¹³

Christian nationalists view non-Christian immigrants (however defined) as a threat, and some decry what they characterize as open society and globalist policies. The political scientist Samuel Huntington described the United States as a Christian nation, but of a particular kind, one defined by its mainstream Anglo-Protestant culture and Americanized form of Catholicism. The nation’s other core features, in Huntington’s telling, are its commitment to the American creed, individualism, the work ethic, the rule of law, and the English language.¹¹⁴

Huntington viewed Mexican immigrants as a particular threat to US culture, despite their emblematic work ethic, strong (mostly Christian) faith, and commitment to family. He argued that US southwestern states could become a greater danger to US unity than, for example, Quebec posed to Canada. He warned that “[c]ontiguity, numbers, illegality, regional concentration, persistence, and historical presence” made the “assimilation of people of Mexican origin” an existential problem.¹¹⁵ In fact, many US residents of Mexican origin live in the same area that their ancestors did before the United States annexed more than one-half of Mexican territory in the mid-nineteenth century.

Huntington’s views have not aged well. He associates Christianity—a religion that seeks communion and universal reconciliation—with an exclusive ideology. He mischaracterizes the intentions of Mexican Americans and poorly describes US border communities. His anticipated “demographic *reconquista* of areas Americans took from Mexico by force” has not

¹⁰⁸ Boyd, *The Myth of a Christian Nation*, 81–82, 95, 102.

¹⁰⁹ Michael I. Norton and Samuel R. Sommers, “Whites See Racism as a Zero-Sum Game That They Are Now Losing,” *Perspectives on Psychological Science* 6, no. 3 (2011): 215–18.

¹¹⁰ David Klepper and Ali Swenson, “Trump Supporters View the Latest Indictment as Evidence of a Crime—Against Trump,” *Associated Press*, August 3, 2023, <https://apnews.com/article/trump-jan-6-indictment-misinformation-e9d5077300dafa4c774429b7f82d8930>.

¹¹¹ Laura Brodie, “Civil War History Shows the Danger of Comparing Trump to Jesus,” *Time*, March 29, 2024, <https://time.com/6958203/civil-war-history-trump-jesus/>.

¹¹² Strømme and Schmiedel, *Claim to Christianity*, 89.

¹¹³ Martha P. Molina Montenegro, “Nicaragua: Una Iglesia Perseguida: IV Entrega, Abril 2018–Agosto 2023,” <https://iglesiaperseguidani.com/wp-content/uploads/2023/10/Nicaragua-Iglesia-Perseguida-IV-Entrega.pdf>; Rafael Aragón, “Is Ortega’s Project Christian? And What Is the Church’s Project?” *Revista Envío*, no. 357, April 2011, <https://www.revistaenvio.org/articulo/4328>.

¹¹⁴ Samuel Huntington, *Who Are We? The Challenges to America’s National Identity* (New York: Simon & Schuster, 2004), 59–80.

¹¹⁵ Huntington, *Who Are We?*, 230.

occurred.¹¹⁶ Even without a legalization program, the number of Mexican immigrants without US status decreased from 2010 to 2021, before rising slightly in 2022.¹¹⁷

In 2006, Patrick Buchanan offered a variation of Huntington's thesis in the provocatively titled *State of Emergency: The Third World Invasion and the Conquest of America*, in which he argued that nations, by definition, consist of a "people" with the same ancestry, culture, land, and history.¹¹⁸ Nativists have made similar arguments to exclude and marginalize supposedly unassimilable immigrants of different religions, nationalities, races and ethnicities throughout US history,¹¹⁹ including Irish Catholics like Buchanan. The accusers and targets differ over time, but the arguments remain the same.

Buchanan maintained that human beings would not risk their lives in war to defend abstract ideals.¹²⁰ Yet immigrant families produce large numbers of soldiers. In predominantly immigrant neighborhoods in the US southwest, it can be difficult to find a home without a photograph of a young soldier on display. Moreover, in a triumph of humanity, migrants continuously do risk their lives in search of freedom, opportunity, and security. Many believe passionately in these ideals, often because they have lived in repressive nations and those without economic opportunity. One can also easily find immigrants who love their new land and their country of birth, their heritage and the lives they have built in their new communities. This phenomenon evidences well-integrated, grateful human beings, not "divided loyalties."

Former president Trump connected Christian nationalism to nativism's preoccupation with danger coming from outside the country, by emphasizing "the need to return America to her Christian" roots so that it would not become "corrupted by other nations."¹²¹ Yet he parroted Nazi rhetoric in asserting that undocumented immigrants were "poisoning the blood of our country."¹²² Trump, DeSantis, and others also blamed immigrants, outsiders, and racial minorities for the introduction and spread of COVID-19.¹²³

Christian nationalism challenges the idea of a diverse, multi-ethnic nation that melds "many peoples into one."¹²⁴ As Huntington and Buchanan suggest, Christian nationalists would in fact exclude the many Christians who do not pass their ethnic and racial screens.¹²⁵ There is a dissonance in invoking the name of Christ—who embraced the disenfranchised and despised, and inaugurated a kingdom to grow from a tiny mustard seed to the largest of plants (Matthew 13: 31–32)—to exclude or relegate to second-class status persons based on their race, nationality, ethnicity, or religion, including fellow Christians.

¹¹⁶ Huntington, 221.

¹¹⁷ Robert Warren, "After a Decade of Decline, the US Undocumented Population Increased by 650,000 in 2022," *Journal on Migration and Human Security*, published ahead of print, January 28, 2024, <https://doi.org/10.1177/23315024241226624>.

¹¹⁸ Patrick J. Buchanan, *State of Emergency: The Third World Invasion and Conquest of America* (New York: Thomas Dunne Books/St. Martin's Press, 2006), 146–48.

¹¹⁹ Julia G. Young, "Making America 1920 Again? Nativism and US Immigration, Past and Present," *Journal on Migration and Human Security* 5, no. 1 (2017): 217–35, at 219–25.

¹²⁰ Buchanan, *State of Emergency*, 146, 149.

¹²¹ Andrew L. Whitehead and Samuel L. Perry, *Taking American Back for God: Christian Nationalism in the United States* (New York: Oxford University Press, 2020), 64.

¹²² Jill Colvin, "Trump Says He Didn't Know his Immigration Rhetoric Echoes Hitler. That's Part of a Broader Pattern," *Associated Press*, December 27, 2023, <https://apnews.com/article/trump-hitler-poison-blood-history-f8c3ff512edd120252596a4743324352>.

¹²³ Philip S. Gorski and Samuel L. Perry, *The Flag + The Cross: White Christian Nationalism and the Threat to American Democracy* (Oxford: Oxford University Press, 2022), 29–31.

¹²⁴ John Higham, *Strangers in the Land: Patterns of American Nativism, 1860–1925* (New York: Atheneum, 1970), 234–35.

¹²⁵ Whitehead and Perry, *Taking American Back for God*, 98.

Faith-based organizations instead serve as a bridge between the culturally distinct communities where they live, the diverse immigrants they serve, and residents whose families arrived in different eras. They view diversity as a gift and a source of strength, not a threat to the nation's identity, but an integral aspect of it.

Politicians and media figures regularly stress difference, often doing so to disparage one community or another. Yet a credible vision of US national identity would need to encompass the different cultures within and between its states, sub-state areas, and neighborhoods. Tennessee and Texas, for example, *do* differ from each other and even more from New York and California. Miami, Florida, differs from Jackson, Mississippi; Laramie, Wyoming, differs from El Paso, Texas. The hyper-diverse borough of Queens in New York City contains nearly as many foreign-born residents as natives. For faith-based organizations, this diversity presents an opportunity for communities—rooted in a commitment to shared ideals and institutions—to model the gifts of multiculturalism.

Christian nationalism manifests itself on a national stage or within families, and occasionally in both. David Glosser, the uncle of Stephen Miller, an architect of the Trump Administration's "zero tolerance" family separation and other signature policies, publicly chastised his nephew for overlooking his own family's refugee and immigrant heritage. Glosser called the Muslim ban policy—which "specifically disadvantages people based on their ethnicity, country of origin and religion"—as "a threat to all of us."¹²⁶

Christian nationalism explains, in part, why Trump has become in some circles a figure of religious reverence, notwithstanding his attacks on Pope Francis and past evangelical supporters¹²⁷ and the distinctly unchristian aspects of his personal behavior, business practices, and public life. It also helps to explain why the administration's nativist policies and rhetoric have received steady support from elements of the Christian press.

Faith communities need to grapple far more seriously with exclusionary mainstreamed ideologies. Robert P. Jones argues that the changing US racial and demographic composition resulting from immigration, low birth rates, and religious disaffiliation has left white Protestant Christians with a stark choice: retreat from the broader society and become an angry minority or contribute to the more pluralistic and diverse country rapidly coming into being.¹²⁸ They can work to build a better community based on shared values and ideals, or they can exaggerate—and thus exacerbate—differences and pine for the return of a mostly mythical past.

Sovereignty

The Catholic Church believes that sovereignty should be constrained by divine law, natural law, and subjective human rights.¹²⁹ Its view of sovereignty as responsibility does not immunize nations from what autocrats view as the inconveniences of international

¹²⁶ David S. Glosser, "Stephen Miller Is an Immigration Hypocrite. I Know Because I'm His Uncle," *Politico*, August 13, 2018, <https://www.politico.com/magazine/story/2018/08/13/stephen-miller-is-an-immigration-hypocrite-i-know-because-im-his-uncle-219351/>.

¹²⁷ Ben Jacobs, "Donald Trump Calls Pope Francis 'Disgraceful' for Questioning His Faith," *Guardian*, February 18, 2016, <https://www.theguardian.com/us-news/2016/feb/18/donald-trump-pope-francis-christian-wall-mexico-border>; Phillip Bump, "Evangelical Leaders Are 'Disloyal', Trump Says. His Real Worry Is Broader," *Washington Post*, January 17, 2023, <https://www.washingtonpost.com/politics/2023/01/17/trump-republicans-evangelicals/>.

¹²⁸ Robert P. Jones, *The End of White Christian America* (New York: Simon & Schuster, 2016), 40–44, 49–56.

¹²⁹ Donald Kerwin, "International Migration, Human Dignity, and the Challenge of Sovereignty" Center for Migration Studies, October 15, 2015, <https://cmsny.org/publications/kerwin-migrationdignitysovereignty/>.

humanitarian law, human rights law, or the rule of law. By its view, sovereignty does not sanction slavery, as US slaveholding states argued in the antebellum era.¹³⁰

To the Catholic Church, “civil authority exists, not to confine its people within the boundaries” of a nation, “but rather to protect, above all else the common good of a particular civil society, which certainly cannot be divorced from the common good of the entire human family.”¹³¹ Yet states regularly neglect to meet their sovereign obligations, as evidenced by forced displacement, the life-threatening journeys of irregular migrants, and denying refugees access to secure, permanent homes.

The Hebrew Bible highlights God’s sovereignty over the land and the human family (Exodus 23:10–12; Leviticus 25: 2–11). Exclusionary nationalists invoke sovereignty—appropriating its previously religious and “God-like characteristics”¹³²—to support the state’s unqualified authority over persons seeking to enter, non-citizen residents, and even disfavored citizens. Because claims based on sovereignty have proliferated in an era of diminished state power due to globalization, they seem less a sign of strength, than of “its erosion.”¹³³

Still the misuse of this concept traps migrants in a kind of pincer movement, between unlivable conditions in their home states and non-acceptance in others. Traditionally, refugees could access only three durable solutions: local integration, safe and voluntary return, and third-country resettlement. The availability of these options has not nearly kept pace with the need. As a result, over three-fourths of the world’s refugees and internally displaced persons, at any one time, are in situations of protracted, often intergenerational displacement.¹³⁴ Sovereignty, in this sense, has also contributed to the absurdity of a system of international law that affords migrants the right to leave their own nations and to seek asylum, but not to enter other nations.

Faith-based organizations themselves need to remain vigilant in their language and cognizant of their deeply rooted assumptions. In 2023, the Center for Migration Studies of New York published a special issue of its *Journal on Migration and Human Security* devoted to protracted displacement. An author of one of the articles in the special issue corrected me (a co-editor) for referring to voluntary repatriation as a “durable solution.” She said refugees have a *right* to return to their homes, and I should not speak about this right as a potential solution that states can ignore. From a Christian perspective, she was correct. States exist to safeguard rights, not to withhold or apportion rights as it suits their interests.

Migration challenges traditional notions of sovereignty, which speak to the authority of nations to constitute themselves and to conduct their own affairs without intervention or untoward interference from other states. Migration challenges states to safeguard the rights of their citizens (at home and abroad) and of non-citizens within their territories. It highlights the need to reconceptualize sovereignty and citizenship in an increasingly interconnected world¹³⁵ whose most pressing challenges, such as refugee flows and climate

¹³⁰ Martha S. Jones, *Birthright Citizens: A History of Race and Rights in Antebellum America* (Cambridge: Cambridge University Press, 2018), 130.

¹³¹ John XXIII, *Pacem in Terris* [On establishing universal peace in truth, justice, charity and liberty] (April 11, 1963), ¶ 98, <https://www.papalencyclicals.net/john23/j23pacem.htm>. See also Kerwin, “International Migration, Human Dignity, and the Challenge of Sovereignty,” n2.

¹³² Brown, *Walled States*, 58.

¹³³ Brown, 24.

¹³⁴ Elizabeth Ferris and Donald Kerwin, “Durable Displacement and the Protracted Search for Solutions: Promising Programs and Strategies,” *Journal on Migration and Human Security* 11, no. 1 (2023): 3–22, at 6–7; UNHCR, *Global Trends: Forced Displacement in 2021, 2022, 20*, <https://www.unhcr.org/62a9d1494/global-trends-report-2021>.

¹³⁵ Ulrich Schmiedel, “The Theopolitics of the Migrant: Toward a Coalitional and Comparative Political Theology,” in Allard, Heyer, and Nadella, *Christianity and the Law of Migration*, 212–29, at 223–24.

change, require cross-border cooperation. In Dr. King's words, it points to human beings' "inescapable network of mutuality, tied into a single garment of destiny."¹³⁶

Nativism

Nativism can emerge in any community, but it poses a greater risk to communities that are experiencing increased rates of immigration,¹³⁷ coupled with decline of the native population.¹³⁸ Roughly one-half of the world's population live in countries with birth rates below the replacement rate of 2.1 children per woman.¹³⁹ Ageing nations and localities in the Global North need more working-age immigrants and their young families, but this need does not translate into higher immigration rates, in part because their members may also feel displaced by immigrants and disinclined to accept them.¹⁴⁰

Nativist groups, in turn, stoke the fear, resentment, and even sorrow of longstanding residents at the passing of their remembered communities. Nativism is an ideological cousin of exclusionary nationalism because it asserts a state interest (a *raison d'état*)¹⁴¹ for the exclusion and marginalization of migrants: They threaten the state's culture, safety, health, wealth, identity, or survival. In a classic self-fulfilling prophecy, nativists argue that certain immigrants should not be allowed to integrate because they lack the intelligence, loyalty, or requisite cultural attributes. Racists used the same argument to uphold segregation in the United States.¹⁴² Yet research shows the opposite. Large swaths of the US immigrant population, including recipients of DACA, integrate by many metrics, even those without status.¹⁴³ And, if allowed to advance in status, they contribute far more to their communities.

Nativist rhetoric and tactics do not change much by era or geography. Nativists refer to migrants as vermin, filth, excrement, and sub-human.¹⁴⁴ In an act of political misdirection, they attribute the crimes of individuals to all undocumented persons, or other disfavored group. Following the death of University of Iowa student Mollie Tibbetts, her family denounced what they viewed as the "racist, false narrative" that attributed her murder

¹³⁶ Martin Luther King, Jr., *The Trumpet of Conscience* (Boston: Beacon Press, 1967), 71.

¹³⁷ Chris Wilson, Sanjal Shastri, and Henry Frear, "Does the Scale or Speed of Immigration Generate Nativism? Evidence from a Comparison of New Zealand Regions," *Journal on Migration and Human Security* 10, no. 1 (2022): 1–22, at 14–19.

¹³⁸ Donald Kerwin, "International Migration and Work: Charting an Ethical Approach to the Future," *Journal on Migration and Human Security* 8, no. 2 (2020): 111–33, at 113–15.

¹³⁹ UN Department of Economic and Social Affairs, Population Division, *World Population Policies 2021: Policies Related to Fertility*, 2021, 5, https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/undesd_pd_2021_wpp-fertility_policies.pdf.

¹⁴⁰ Giovanni Peri, "Immigrant Swan Song: Immigration Can Solve the Demographic Dilemma—But not Without the Right Policies," *Finance and Development*, March 2020; Shastri and Frear, "Does the Scale or Speed of Immigration Generate Nativism?," 5–6.

¹⁴¹ Hannah Arendt, "Truth and Politics," *New Yorker*, February 26, 1967, <https://idanlandau.files.wordpress.com/2014/12/arendt-truth-and-politics.pdf>.

¹⁴² King, *The Trumpet of Conscience*, 77.

¹⁴³ Donald Kerwin, José Pacas, and Robert Warren, "Ready to Stay: A Comprehensive Analysis of the US Foreign-Born Populations Eligible for Special Legal Status Programs and for Legalization under Pending Bills," *Journal on Migration and Human Security* 10, no. 1 (2022): 37–76, 42–45.

¹⁴⁴ Eli Watkins and Abby Phillip, "Trump Decries Immigrants from 'Shithole Countries' Coming to US," *CNN Politics*, January 12, 2018, <https://www.cnn.com/2018/01/11/politics/immigrants-shithole-countries-trump/index.html>; Danielle Kurtzleben, "Why Trump's Authoritarian Language about 'Vermin' Matters," *NPR*, November 17, 2023, <https://www.npr.org/2023/11/17/1213746885/trump-vermin-hitler-immigration-authoritarian-republican-primary>.

to an “illegal alien,” averring that “evil” is not limited to a particular group.¹⁴⁵ Rabbi Felicia Sol, B’Nai Jeshurun, has pointed out that identity is always multilayered, and broadly encompasses membership in a nation, humanity, and God’s world.¹⁴⁶ Nativists instead essentialize one characteristic of “outsiders” (lack of status, race, or religion), and try to reduce group members to this trait,¹⁴⁷ which they freight with negative associations.

The Great Replacement conspiracy theory, championed by public figures such as Steven Miller, Steve Bannon, and Tucker Carlson,¹⁴⁸ treats immigrants as both actors and tools in a larger plot—concocted by so-called elites (a flexible code word)—to replace white natives with non-whites through immigration, integration, and interracial marriage.¹⁴⁹ Victor Orbán, prime minister of Hungary, opposes international migration and the “mixing” of European and non-European races, claiming that states in which “mixing” occurs are “no longer nations.”¹⁵⁰ Yet unlike ethnicity or genetic ancestry,¹⁵¹ race is a social construct. It can be useful as “a political and social” variable in research, such as studies about racism itself,¹⁵² but not as a biological marker. Despite their irrationality, racist conspiracy theories enjoy wide support and regularly lead to violence against members of targeted groups,¹⁵³ often in defense of so-called Christian culture. Precursors and versions of this theory, dating to the nineteenth century, have bolstered white supremacist, racist, anti-Semitic, and xenophobic ideologies.¹⁵⁴

Racists, nativists, and nationalists also invoke biblical passages to justify war, racism, ethnic cleansing, slavery, apartheid, walls, and unquestioning obedience to authorities. Faith communities understand the dynamics and biblical roots of scapegoating (Leviticus 16: 20–34) and the age-old strategy of seeking to preserve political might, standing, and wealth by defining an out-group of potential enemies and threats to the status quo (Exodus 1: 7–14).

Negative associations of “outsiders with difference and danger are as old as human community itself.”¹⁵⁵ Yet such rhetoric can endanger, deeply wound, and shrink the prospects of migrants. The Center for Migration Studies of New York organized a listening

¹⁴⁵ “Mollie Tibbetts Murder: Family Members Push Back on ‘Racist, False Narrative,’” *Rolling Stone*, August 27, 2018, <https://www.rollingstone.com/culture/culture-news/mollie-tibbetts-murder-family-racist-false-narrative-716255/>.

¹⁴⁶ Felicia L. Sol (Rabbi, B’Nai Jeshuru), Statement at “Nationalism, Refugee Protection, and Migration Policy,” Center for Migrations Studies of New York, July 6, 2018, <https://cmsny.org/multimedia/interfaith-side-event-sol/>.

¹⁴⁷ Strømmen and Schmiedel, *Claim to Christianity*, 72.

¹⁴⁸ Shannon Bond, “How Tucker Carlson Took Fringe Conspiracy Theories to a Mass Audience,” *NPR*, April 25, 2023, <https://www.npr.org/2023/04/25/1171800317/how-tucker-carlsons-extremist-narratives-shaped-fox-news-and-conservative-politi>; Gorski and Perry, *The Flag + The Cross*, 106.

¹⁴⁹ Jacob Davey and Julia Ebner, *The Great Replacement: The Violent Consequences of Mainstreamed Extremism* (London: Institute for Strategic Dialogue, 2019), <https://www.isdglobal.org/wp-content/uploads/2019/07/The-Great-Replacement-The-Violent-Consequences-of-Mainstreamed-Extremism-by-ISD.pdf>.

¹⁵⁰ Shaun Walker and Flora Garamvolgyi, “Viktor Orbán Sparks Outrage with Attack on ‘Race Mixing’ in Europe,” *Guardian*, July 24, 2022, <https://www.theguardian.com/world/2022/jul/24/viktor-orban-against-race-mixing-europe-hungary>

¹⁵¹ American Medical Association, “Elimination of Race as a Proxy for Ancestry, Genetics, and Biology in Medical Education, Research and Clinical Practice H-65.953,” AMA Policy Finder, 2020, <https://policysearch.ama-assn.org/policyfinder/detail/racism?uri=%2FAMADoc%2FHOD.xml-H-65.953.xml>.

¹⁵² Megan Gannon, “Race Is a Social Construct, Scientists Argue,” *Scientific American*, February 5, 2016, <https://www.scientificamerican.com/article/race-is-a-social-construct-scientists-argue/>.

¹⁵³ Kristen Gelineau, “5 Months on, Christchurch Attacker Influences Others,” *Associated Press*, April 5, 2019, <https://apnews.com/article/australia-race-and-ethnicity-el-paso-new-zealand-mosque-attacks-tx-state-wire-e256dbf73bf043ec9ae49af18c4a33c3>.

¹⁵⁴ Rodney Coates, “What Is the Great Replacement Theory? A Scholar of Race Relations Explains,” *The Conversation*, March 15, 2024, <https://theconversation.com/what-is-the-great-replacement-theory-a-scholar-of-race-relations-explains-224835>.

¹⁵⁵ Brown, *Walled States*, 115.

session for UN officials and refugees to inform the process leading to the New York Declaration for Refugees and Migrants,¹⁵⁶ which in turn led to the Global Compact on Refugees¹⁵⁷ and the Global Compact for Safe, Orderly and Regular Migration.¹⁵⁸ During this event, the refugees implored UN officials to help educate states, policy makers, and the media on their intentions. They wanted it known that they were not criminals or terrorists, but their victims. They simply wanted to live in safety and make better lives for themselves and their families. They wanted to contribute to their new communities.

Nativists also treat persons fleeing for their lives as the source—rather than survivors—of crises, and view asylum and refugee protection as enforcement loopholes. They conflate persons in flight from terror with terrorists and criminals, and characterize migrants as infiltrators and invading hordes. They use terms like *refugee crisis* or *border crisis* to misdirect the blame for forcible displacement to its victims while leaving unaddressed the real crises that uproot so many human beings, drive them to hostile borders, and deny them a secure and permanent home.

The Rule of Law

Nativists often confuse the rule of law—an ancient check on tyranny that speaks to the need to subject rulers to the law—with rule by law, a rubber stamp for government action, however deplorable. Vladimir Putin invokes Russia's sovereignty and makes specious legal arguments in support of his war against Ukraine.¹⁵⁹ The Romans crucified Jesus under the color of law. Countless other rulers—genocidaires, flagrant rights abusers, and kleptocrats—have cited the law to justify their transgressions, while grossly dishonoring the rule of law.

Migrants mostly understand—from family, community members, social media, press reports, and smugglers—the risks of irregular migration. They would far prefer and will often wait for the possibility (however slim) of a safe and legal way to migrate, but they cannot wait forever. Forced displacement and irregular migration more often than not result from, rather than contribute to a breakdown in the rule of law. Nor do politically driven claims that migrants threaten law and order square with the lives of persons who have suffered the trauma, disorder, and lawlessness of uprooting, flight, and protracted displacement.

The International Organization for Migration's Missing Migrants Project has documented the cases of 61,405 migrants who have died or gone missing since 2014.¹⁶⁰ These figures do not include persons forced to flee within their own countries, deaths or disappearances following deportation, or deaths in detention facilities, such as the thirty-eight men who perished in a fire in a Ciudad Juarez detention center the evening of March 27, 2023.¹⁶¹

¹⁵⁶ G.A. Res. 71/1, New York Declaration for Refugees and Migrants (Oct. 3, 2016), <https://www.refworld.org/docid/57ceb74a4.html>.

¹⁵⁷ UNHCR, *Global Compact on Refugees*, 2018, <https://www.refworld.org/docid/63b43eaa4.html>.

¹⁵⁸ UNHCR, *Global Compact for Safe, Orderly and Regular Migration*, 2018, <https://www.ohchr.org/en/migration/global-compact-safe-orderly-and-regular-migration-gcm>.

¹⁵⁹ John B. Bellinger III, "How Russia's Invasion of Ukraine Violates International Law," Council on Foreign Relations, International Institutions and Global Governance Program, February 28, 2022, <https://www.cfr.org/article/how-russias-invasion-ukraine-violates-international-law>.

¹⁶⁰ International Organization for Migration, "Missing Migrants Project," accessed January 12, 2024, <https://missingmigrants.iom.int/>.

¹⁶¹ Maria Verza and Morgan Lee, "Video Shows Guards Walking Away during Fire that Killed 38," *AP News*, March 28, 2023, <https://apnews.com/article/mexico-fire-migrant-facility-dead-eea0b6efafd77f9868ef27ed1cf572b3>.

Political Symbolism: The Problem of Walls

Pope Francis has consistently spoken of the need to build bridges between peoples, not walls.¹⁶² Faith communities devote significant time and energy to fighting harmful, mostly symbolic proposals, such as the supposedly impregnable 2,000-mile border wall championed by Trump and other 2024 presidential candidates. Walls can divert migrants to perilous crossing routes, force them into territory controlled by cartels and paramilitary groups, and cause severe injuries for migrants who fall while attempting to scale them. However, they cannot stop the flight of desperate persons.

Governor Abbott initiated Operation Lone Star in March 2021 and deployed the Texas National Guard and Texas Department of Public Safety to the border. In June of 2023, Abbott announced that the state's multi-billion immigration enforcement budget would fund the deployment of a chain of buoys, with underwater webbing, to deter migrants from crossing the Rio Grande River.¹⁶³ The state also laid miles of concertina wire along the river. State officials implausibly claimed that this system would save lives by preventing crossing attempts. Instead, it entangled and cut exhausted migrants, including children and a pregnant woman who suffered a miscarriage.¹⁶⁴ In January 2024, the Texas National Guard blocked Border Patrol agents from assisting Mexican officials in rescuing migrants from a stretch of the Rio Grande where a woman and two children had drowned an hour before.¹⁶⁵ To legal scholars, Texas' standoff with federal authorities and its denial of access to land where the federal government had jurisdiction to operate harkened back to segregationist tactics of an earlier era.¹⁶⁶

For many years, nearly twice as many newly undocumented persons entered the United States legally and overstayed temporary visas as crossed its land borders.¹⁶⁷ Whether or not this trend continues, walls, concertina wire, and buoys do nothing to stop these *legal* entries. Nor have walls succeeded in stopping illegal entries. Migrants consistently breach fencing on the Mexico-US border.¹⁶⁸ Nonetheless, walls have become a political rallying cry and have spread like wildfire throughout the world. Seventy-four walls, most of recent provenance, exist worldwide, with another fifteen at different stages of planning.¹⁶⁹

Catholic and other faith-based organizations support enforcement of immigration laws and screening of those seeking to enter the country. However, they believe that

¹⁶² Francis, "Free to Choose Whether to Migrate or to Stay."

¹⁶³ Zach Despart and Patrick Svitek, "Texas to Deploy Buoys to Deter Rio Grande Crossings, Abbott Announces," *Texas Tribune*, June 8, 2023, <https://www.texastribune.org/2023/06/08/rio-grande-buoys-greg-abbott/>.

¹⁶⁴ Rick Jervis, "Along Texas' Floating Border Barrier, Migrant Children Left Bloody by Razor Wire," *USA Today*, July 23, 2023, <https://www.usatoday.com/story/news/investigations/2023/07/21/texas-floating-border-wall-children-slashed-by-razor-wire/70447906007/>.

¹⁶⁵ Britain Eakin, "Feds Tell Justices Texas Made Migrant Rescue 'Impossible,'" *Law360*, January 16, 2024, <https://www.law360.com/articles/1786039>.

¹⁶⁶ Arelis R. Hernández and Nick Miroff, "Texas Blocks Feds from Rio Grande Park in New Escalation at Border," *Washington Post*, January 12, 2024, <https://www.washingtonpost.com/nation/2024/01/12/texas-immigration-abbott-shelby-park/>.

¹⁶⁷ Robert Warren and Donald Kerwin, "The 2,000 Mile Wall in Search of a Purpose: Since 2007 Visa Overstays Have Outnumbered Undocumented Border Crossers by a Half Million," *Journal on Migration and Human Security* 5, no. 1 (2018): 124–36, at 126–28.

¹⁶⁸ David J. Bier, "Border Wall Was Breached 11 Times per Day in 2022," *Cato at Liberty*, December 30, 2022, <https://www.cato.org/blog/border-wall-was-breached-11-times-day-2022-2>.

¹⁶⁹ The claim that walls are a successful enforcement tool "could not be further from the truth." Instead, "[r]esearch from around the world indicates that both the direct and indirect costs of building border walls exceed the benefits." Élisabeth Vallet, "The World Is Witnessing a Rapid Proliferation of Border Walls," *Migration Information Source*, March 2, 2022, <https://www.migrationpolicy.org/article/rapid-proliferation-number-border-walls#:~:text=There%20are%20now%2077%20major,Crime%20at%20our%20Southern%20Border>.

enforcement can only be effective if coupled with meaningful strategies to address the conditions that have uprooted so many human beings and sufficient legal pathways to migrate. Developed states rely overwhelmingly on migrant control and enforcement policies.

The Trump administration also sought to reduce and impede *legal* migration, to eviscerate humanitarian programs, and to strip certain groups of temporary residents of legal status.¹⁷⁰ Beyond its rhetoric on the need for a 2,000-mile wall, it embraced the symbolic standard for “operational control” of US land and maritime borders set forth in the Secure Fence Act of 2006;¹⁷¹ that is, “the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.”¹⁷² This zero-tolerance standard is far stricter than the arrest and prosecution rate in cases of murder and rape.

Impossible to meet in practice, “operational control” served two political ends. First, it associated displaced persons with terrorists and violent criminals. Second, it impeded the passage of meaningful immigration reform legislation—legislation with the potential to reduce illegal migration and increase human security—by conditioning congressional support for reform on meeting this standard. The Border Patrol has adopted more practical metrics.¹⁷³

Bad Laws and Bad Faith Compliance with Good Laws

Faith communities try to help migrants realize their fundamental human needs, such as family unity, work, education, health, security, and belonging. Yet their work and pre-occupations are invariably local. Laws, policies, and systems that prevent them from assisting migrants, whether explicitly or in practice, represent one of their greatest sources of frustration.

The core legal documents in the field of refugee protection are the 1951 Refugee Convention and its 1967 Protocol. The essential protection rooted in Article 33(a) of the 1951 Refugee Convention, is *non-refoulement*, which prohibits contracting states from expelling or returning a “refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”¹⁷⁴ This language does not cover a large percentage of those who would be at grave risk if returned. However, the 1951 Refugee Convention commits states to protect and integrate those who *do* qualify.

The European Union, Australia, the United States, and other developed states have flaunted the spirit and letter of *non-refoulement* by denying access to their territories through interdiction by sea, interception by land, and border control strategies. To do so, they have enlisted other states, supranational entities, and private actors.¹⁷⁵ The legal scholar David

¹⁷⁰ Donald Kerwin and Robert Warren, “Putting Americans First: A Statistical Case for Encouraging Rather than Impeding and Devaluing US Citizenship,” *Journal on Migration and Human Security* 7, no. 4 (2019): 108–22, at 111–12.

¹⁷¹ Secure Fence Act of 2006, Pub. L. No. 109-367, 120 Stat. 2638 (2006).

¹⁷² Border Security and Immigration Enforcement Improvements, Exec. Order No. 13767, 82 Fed. Reg. 8793 (January 25, 2017).

¹⁷³ Marc R. Rosenblum, “Border Security: Immigration Enforcement between Ports of Entry,” Congressional Research Service, CRS Report for Congress, R42138, May 13, 2013, 29–31, https://www.everycrsreport.com/files/20130503_R42138_c727b9137035e3a404795c314a2990b9b40e26ee.pdf.

¹⁷⁴ Convention Relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137, <https://www.refworld.org/docid/3be01b964.html>.

¹⁷⁵ Bill Frelick, Ian M. Kysel, and Jennifer Podkul, “The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants,” *Journal on Migration and Human Security* 4, no. 4 (2016): 190–220, at 193–94.

Martin has argued that in the post-World War II era, states adopted large numbers of human rights “resolutions, recommendations, declarations, conclusions, or accords” precisely because they had no intention of honoring them.¹⁷⁶ While often rationalized as humanitarian, life-saving, and anti-trafficking measures, developed states implemented policies to deny desperate persons access to protection, including Jewish refugees in 1930s and 1940s, and exposed them to all manner of human rights violations.¹⁷⁷

The history of the US Refugee Act of 1980 represents a case in point. It sought to bring the United States into conformity with the 1951 Refugee Convention and established the current US refugee resettlement program. It also provided for a system to permit foreign-born persons “physically present in the United States or at a land border or port of entry, *irrespective of such alien’s status*, to apply for asylum” (emphasis added).¹⁷⁸ Yet shortly after its passage, Western European nations and the United States began to ramp up policies “designed to discourage asylum seeking and to contain asylum seekers in territories proximate to their home countries.”¹⁷⁹

In 1993, the US Supreme Court issued its unanimous decision in *Sale v. Haitian Centers Council, Inc.*,¹⁸⁰ which held that *non-refoulement* did not apply unless a person had reached the frontiers of a signatory state. The United Nations High Commissioner for Refugees sharply criticized this decision based on its reading of the 1951 Refugee Convention’s prohibition of expulsion or return.

The *Sale* decision paved the way for interception and interdiction policies throughout the world that have denied countless persons the very *possibility* of protection, or even screening to assess whether they potentially face “persecution or torture.”¹⁸¹ These developments have also tragically relieved pressure on developed states to engage fully in stemming the conditions spurring flight. *Sale* has been a dark cloud for countless migrants and a generation of migrant rights and service agencies, including faith-based organizations.

After Hurricane Mitch in 1998,¹⁸² the United States pressured and assisted Mexico and Guatemala to turn back displaced persons seeking haven in the United States.¹⁸³ It resorted to these policies again—often referred to as “pushing the border out” or “border externalization”—after the terrorist attacks on the United States of September 11, 2001.¹⁸⁴

Tactics in the early years of the Trump administration, which faith-based organizations overwhelmingly opposed, included

¹⁷⁶ David Martin, “Effects of International Law on Migration Policy and Practice: The Uses of Hypocrisy,” *International Migration Review* 23, no. 3 (1989): 547–78, at 552–53.

¹⁷⁷ Maurizio Albahari, “Externalization of Borders,” in *The Cambridge History of Global Migrations*, vol. 2, ed. Marcelo Borges and Madeline Y. Hsu (Cambridge: Cambridge University Press, 2023), 600–20, at 602–04, 606–07, 612–16.

¹⁷⁸ Refugee Act of 1980, Pub. L. No. 96-212, 94 Stat. 102 (1980).

¹⁷⁹ Arthur C. Helton, “Forced Displacement, Humanitarian Intervention, and Sovereignty,” *SAIS Review* 20, no. 1 (2000): 61–86, at 68–69.

¹⁸⁰ *Sale v. Haitian Centers Council, Inc.*, 509 U.S. 155 (1993).

¹⁸¹ Mark von Sternberg, “Reconfiguring the Law of Non-refoulement: Procedural and Substantive Barriers for those Seeking to Access Surrogate International Human Rights Protection,” *Journal on Migration and Human Security* 2, no. 4 (2014): 329–360, at 332.

¹⁸² Hurricane Mitch was the “second-deadliest Atlantic storm in history.” It caused “at least 10,000 deaths,” left “thousands more missing,” and resulted in massive “property, infrastructure, and crop damage.” National Environmental Satellite, Data, and Information Service, “25 Years Later: Looking Back at the October Monster Named Mitch,” October 27, 2023, <https://www.nesdis.noaa.gov/news/25-years-later-looking-back-the-october-monster-named-mitch>.

¹⁸³ Michael Flynn, “Dónde E stá la Frontera?” *Bulletin of Atomic Scientists* 58, no. 4 (2002): 24–35, at 28–29.

¹⁸⁴ Donald Kerwin, “How Robust Refugee Protection Policies Can Strengthen Human and National Security,” *Journal on Migration and Human Security* 4, no. 3 (2016): 83–140, at 113n79, 86n8.

- preventing asylum-seekers from entering US territory at ports of entry and subsequently requiring them to enter at ports of entry, even in areas controlled by cartels;
- limiting the admission of asylum-seekers to only a small number every day, and not at every port of entry, under the metering program;
- terminating the Central American Minors program, which allowed at risk youth from El Salvador, Guatemala, and Honduras with legally present US parents to enter the United States as refugees or humanitarian parolees;
- adopting so-called zero-tolerance policies, which nationalized the practice of separating parents from their children as a deterrent to the migration of others and which permanently severed parent-child bonds in hundreds of cases;
- pursuing asylum cooperative agreements, allowing the United States to return select US asylum-seekers to El Salvador, Guatemala, and Honduras—three refugee-producing countries—for determination of their claims;
- enacting the egregiously misnamed Migrant Protection Protocols that forced US asylum-seekers to await their hearings in dangerous Mexican border cities where they lived in squalid conditions, and suffered hundreds of documented cases and many more undocumented cases of murder, rape, kidnapping, assault, and extortion;¹⁸⁵ and
- using the Title 42 public health law that had resulted in 2.8 million expulsions (without hearings) by May 11, 2023, when the program ended.¹⁸⁶

Between 1980 and 2023, the US refugee admissions program resettled more than 3.2 million refugees for an annual average of nearly 73,000.¹⁸⁷ Faith-based organizations resettled the overwhelming majority. However, from 2018 through 2021, the United States admitted fewer than 76,000 refugees in total. In addition, the Trump administration eviscerated the program's public-private infrastructure, including networks of faith-based resettlement agencies built over decades.¹⁸⁸

The Biden administration has extended humanitarian parole to hundreds of thousands of Afghans, Ukrainians, Venezuelans, Cubans, Haitians, Nicaraguans, Central American minors, and others¹⁸⁹ and Temporary Protected Status to more than 610,000 US residents from sixteen countries as of December 2023.¹⁹⁰ However, neither of these statutes provide a designated path to permanent residence, and temporary protected does not confer integration services. Faith communities have urged Congress to pass legislation that allows parolees to adjust to permanent residence. In addition, they advocate for the admission of

¹⁸⁵ Julia Neusner and Kennji Kizuka, "Fatally Flawed: 'Remain in Mexico' Policy Should Never Be Revived," *Human Rights First*, September 13, 2022, <https://humanrightsfirst.org/library/fatally-flawed-remain-in-mexico-policy-should-never-be-revived/>.

¹⁸⁶ US Customs and Border Protection, "Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions Fiscal Year 2023," accessed January 6, 2024, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics/title-8-and-title-42-statistics>.

¹⁸⁷ US Department of State, Bureau of Population, Refugees, and Migration, "Refugee Admissions by Region: Fiscal Year 1975 through September 30, 2023," accessed May 9, 2024, <https://www.wrapsnet.org/admissions-and-arrivals/>.

¹⁸⁸ Donald Kerwin and Mike Nicholson, "Charting a Course to Rebuild and Strengthen the US Refugee Admissions Program (USRAP): Findings and Recommendations from the Center for Migration Studies Refugee Resettlement Survey: 2020," *Journal on Migration and Human Security* 9, no. 1 (2021): 1–30, at 4–6.

¹⁸⁹ US Citizenship and Immigration Services, "Humanitarian or Significant Public Benefit Parole for Individuals outside the United States," October 23, 2023, https://www.uscis.gov/humanitarian/humanitarian_parole.

¹⁹⁰ Diana Roy and Claire Klobucista, "What Is Temporary Protected Status?," Council on Foreign Relations, September 21, 2023, <https://www.cfr.org/backgrounder/what-temporary-protected-status>. US Citizenship and Immigration Services, "Temporary Protected Status," December 13, 2023, <https://www.uscis.gov/humanitarian/temporary-protected-status>;

refugees referred to the US resettlement program who have had been waiting for years in dangerous, untenable conditions.

Faith communities harshly criticized many of the Biden administration's border enforcement, refugee, and legal immigration policies, particularly asylum restrictions and deterrence policies. Faith-based organizations have urged the Biden administration to create a program to stabilize and offer basic services and work authorization to the hundreds of thousands of asylum-seekers and parolees who entered the country in the early 2020s. They argue that states and localities—both on the border and in the interior of the country—cannot assume this responsibility without greater federal leadership and support.

In March 2024, the DeSantis administration announced that Florida would deploy “250 additional officers and soldiers and over a dozen air and sea craft” to its southern coast in order to “protect” the state and US “sovereign territory” from “illegal aliens coming to Florida.”¹⁹¹ In April 2024, Archbishop Wenski criticized Governor DeSantis for speaking of Haitians as if they were an “invasive species,” and the Biden administration for its “unconscionable” decision to resume deportations to Haiti, a nation in “freefall.”¹⁹²

Religious Identity and the Challenge of Partnerships and Funding

Too little funding and too much need represent a core struggle for immigrant-serving faith-based organizations. Faith-based organizations serve persons based on their needs, not their religion or legal status. Yet they struggle with the issue of how to sustain their religious identity in a field that has become increasingly “secularized.”¹⁹³

Some faith-based organizations receive *mostly* government funding for their work with refugees and immigrants, and others depend heavily on the support of private foundations. Moreover, (secular) international and supranational entities, such as UNHCR, International Organization for Migration, the European Union, and large international nongovernmental organizations play an oversized role in this field. In 2013, UNHCR and a coalition of faith-based organizations agreed on three core principles to guide UNHCR's partnerships with “faith actors”:

1. Hospitality in the form of humanitarian assistance and an acknowledgment of the importance of faith communities as first responders in humanitarian crises “by virtue of their presence, local knowledge, networks and assets in some of the most isolated and remote areas.”
2. Respect for “the diversity of identities, values and traditions ... of forcibly displaced individuals and communities,” and a recognition that faith can be a “‘basic’ need” and “spiritual sustenance” an imperative.
3. Equality based on shared objectives and mutual respect, and a commitment to “equal treatment and the right to equal protection according to humanitarian standards.”¹⁹⁴

¹⁹¹ “Governor DeSantis Deploys Additional Personnel, Assets to Southern Florida and the Keys to Stop Potential Influx of Illegal Immigration from Haiti,” News Release, March 14, 2024, <https://www.flgov.com/2024/03/13/governor-desantis-deploys-additional-personnel-assets-to-southern-florida-and-the-keys-to-stop-potential-influx-of-illegal-immigration-from-haiti/>.

¹⁹² Peter Pinedo, “Miami Archbishop Slams Biden for ‘Unconscionable’ Deportation of Haitian Refugees,” *National Catholic Register*, April 29, 2024.

¹⁹³ Sulewski, “Religious Actors and the Global Compact on Refugees,” 28.

¹⁹⁴ UNHCR, *Partnership Note*, 12.

These guidelines prioritize humanitarian assistance, lift up the extensive contributions of faith-based organizations, and recognize the spiritual needs of migrants. They seek to allow faith-based organizations to connect with migrants where and how they find them.

The work of faith-based organizations largely aligns with the objectives of their public and private funders. While faith-based organizations can influence funder priorities, funding dynamics present a quandary for them. Many spend extraordinary amounts of time cultivating funders, educating them on the needs of migrants, applying for support, and reporting on their activities. Some seek funding for projects that they would not otherwise undertake in order to keep their organizations afloat, support other work, or cement relations with funders. Faith-based organizations and other nonprofits have become adept at shoehorning their own work into the social analyses, evolving strategic assessments, and preferred language of funders. In addition, some secular funders are loathe to support faith-based organizations for fear they will proselytize or neglect to provide services that may be in tension with their religious convictions.

Conversely, faith-based organizations need to guard against compromising their values and becoming less than, in Pope Francis's words, "completely mission-oriented."¹⁹⁵ The challenge goes beyond mission drift, to the very identity of faith-based organizations and the needs of the communities they serve. Many refugees view their journeys and suffering in religious terms, and find inspiration, sustenance, and support in their faith.¹⁹⁶ Yet according to one report, many faith-based organizations "have become nearly indistinguishable from their secular counterparts ... and have muted religious insights from their programming choices and omitted religious language from reports."¹⁹⁷ One study of US resettlement agencies found paradoxically that faith-based organizations relied on their religion as "motivation and rationale" for their "almost completely secular" services, while secular mutual assistance agencies sought to build community by engaging in more religious activities and encouraging religious practice.¹⁹⁸

The international community, states, international nongovernmental organizations, private foundations, and countless migrants cannot achieve their aims without the active engagement of faith-based organizations. Faith-based organizations bring great expertise to this work and adhere to high humanitarian standards. However, they need the flexibility to be themselves.

Consolation

Saint Ignatius of Loyola used the word *consolation* to signify "when some interior movement in the soul is caused, through which the soul comes to be inflamed with love of its Creator and Lord."¹⁹⁹ Thus, a state of consolation is one of "moving toward God's active presence in the world."²⁰⁰ Consolation offers a pathway to conversion; that is, the transformation of

¹⁹⁵ Francis, *Evangelii Gaudium* [Apostolic exhortation on the proclamation of the Gospel in today's world] (November 24, 2013), ¶ 28, https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html.

¹⁹⁶ Elzbieta M. Gozdziaik, "Spiritual Emergency Room: The Role of Spirituality and Religion in the Resettlement of Kosovar Albanians," *Journal of Refugee Studies* 15, no. 2 (2002): 136–52, at 138–42.

¹⁹⁷ Sulewski, "Religious Actors and the Global Compact on Refugees," 28.

¹⁹⁸ Stephanie J. Nawyn, "Faith, Ethnicity, and Culture in Refugee Resettlement," *American Behavioral Scientist* 49, no. 11 (2006): 1509–27, at 1516–19.

¹⁹⁹ Saint Ignatius of Loyola, *The Spiritual Exercises of St. Ignatius of Loyola*, trans. Elder Mullan (New York: P. J. Kennedy & Sons, 2014).

²⁰⁰ Vinita Hampton Wright, "Consolation and Desolation," *IgnationSpirituality*, March 17, 2017, <https://www.ignatianspirituality.com/consolation-and-desolation-2/>.

“core beliefs, values, and priorities” in response to God’s call.²⁰¹ It can be seen as an overarching goal for members of faith communities, who hope their lives serve as a witness to God’s presence and a sign of fidelity to God’s commission.²⁰² Below, I offer eight overlapping ways that migrants and Christian communities experience consolation.

First, many migrants and faith communities view their journeys as part of a broader plan, not of their own making. Ministers and theologians have long mined the spiritual insights of displaced and disinherited persons. Reverend Craig Mousin highlights “the paradox of the biblical narrative: it is not those in the walled-off kingdoms that know best the grace and security of God, but it is ... the poorest of the poor, the ones without rights or recognition by the state.”²⁰³ To recover their agency and pursue their calling, some migrants need to overcome instilled feelings of unworthiness through a process leading to what the theologian Father Daniel G. Groody calls a “rehabilitated heart.”²⁰⁴

Judging from monographs given to me and from many presentations at events, migrants seem to have produced a substantial, informal body of work articulating their hopes and understanding of their journeys. This work contains the wisdom of uprooted persons, stripped of physical and material security, and tapping a deeper kind of security. As Dr. King wrote of Black Americans in an essay published posthumously, so, too, do many international migrants find strength in their faith, and although they may not fully understand God’s plan for them, they do not believe that God intends their failure either.²⁰⁵

Faith-based organizations believe that human beings become themselves in solidarity with others and in service to the common good. They take consolation in work they believe God calls them to do, however wrenching and traumatic. They share stories such as that of a young humanitarian working with refugees, who wondered why God did nothing to stop the suffering she witnessed day after day. The answer came to her that night: “I created you.” Saint Teresa of Avila expressed this insight succinctly: “Christ has no body but yours.”²⁰⁶

Second, many migrants remain grateful, faithful, and hopeful in spite of their struggles. In a 2013 interview, Father Pat Murphy, who administers Casa del Migrante in Tijuana, said: “One of my favorite things to do at night is look and see how new immigrants come and kneel in front of (the statue of) Our Lady of Guadalupe. If after all they’ve suffered, they’re still able to give thanks to God, it inspires me to do the same in my daily life.”²⁰⁷

This sense of gratitude also wells up in the children of immigrants. In a 2023 high school assembly in Washington, DC, graduating seniors were asked to thank one person who had helped them on their journeys. A young woman haltingly thanked her father for his devotion to her and her sister. Her father had migrated from Eritrea, putting himself through college, graduate school, and finally a doctoral program in the United States. “Who does that?” she asked. “And how is it that the person who arrived in this country with only \$20 in his pocket turns out to be my father?”

²⁰¹ Daniel G. Groody, *Border of Death, Valley of Life* (Lanham: Rowman & Littlefield, 2002), 104.

²⁰² I also respect the convictions of employees and volunteers of faith-based organizations who undertake this work for more secular reasons, such as a commitment to human rights.

²⁰³ Craig B. Mousin, “You Were Told to Love the Immigrant, but What If the Story Never Happened? Hospitality and United States Immigration Law,” *Vincetian Heritage Journal* 33, no.1 (2016): article 8, at 23, <https://via.library.depaul.edu/cgi/viewcontent.cgi?article=1450&context=vhj>.

²⁰⁴ Groody, *Border of Death, Valley of Life*, 48–56, 79–81.

²⁰⁵ Martin Luther King, Jr. “A Testament of Hope,” in *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, ed. James M. Washington (San Francisco: HarperSanFrancisco, 1986), 314.

²⁰⁶ Teresa of Avila, “Christ Has No Body,” Journey with Jesus Foundation, accessed April 9, 2024, https://www.journeywithjesus.net/PoemsAndPrayers/Teresa_Of_Avila_Christ_Has_No_Body.shtml.

²⁰⁷ Sandra Dibble, “US Priest Directs Tijuana Migrant Shelter,” *San Diego Union-Tribune*, August 7, 2013, <https://www.sandiegouniontribune.com/news/border-baja-california/sdut-us-priest-tijuana-migrant-immigration-reform-2013aug07-story.html>.

The US Religion Census for 2020 reported that the number of adherents in religious congregations—members, children, and non-member attendees—had grown between 2010 and 2020, but the percentage of adherents as a proportion of the US population remained about the same (48.8 percent to 48.6 percent), with variations by state and religious affiliation.²⁰⁸ The data revealed immigration as the source of traditional religious clusters in the United States and, in recent decades, of increased religious pluralism and the “diversification” and “de-Europeanization” of Christianity, which still accounts for the “largest share” of US immigrants.²⁰⁹ The multicultural Catholic parishes located primarily in the southern and western United States have on average more parishioners and celebrate far more baptisms, first communions, confirmations, and marriages than do any other type of Catholic parish.²¹⁰ Yet Catholics remain sadly divided on migration or, put differently, about migrants.

Third, faith communities try to practice hospitality in the sense of building a community that allows newcomers to exercise their agency and restores right relations between host and guest. Christian hospitality views God as the host of both natives and newcomers, destabilizing “the unbalanced order of relations” that these roles often “spawn.”²¹¹ According to William O’Neill, SJ, hospitality is not a form of “benevolence” that sharply distinguishes between host and guest, but a duty at the “interstices of justice and rights.”²¹² O’Neill, who worked for years in the Kakuma refugee camp in Kenya, writes that camps may offer a modicum of security, shelter and sustenance, but at the cost of the freedom of their residents to work, to migrate, and to participate fully in a community. As a result, camps “conspire to deny the very rights they were intended to protect.”²¹³

Faith-based organizations work to integrate immigrants. By *integration*, they do not mean tolerance or assimilation of the kind that “instantiates a power dynamic or paternalistic relationship”²¹⁴ or in which guests become dependent on the host’s largesse.²¹⁵ They mean instead integration infused by hospitality and the promise of a more loving, just, and compassionate home for all its members.

Hospitality does not suppress or denigrate the cultures of immigrants or idealize the cultures of host communities. Christianity enjoys many cultural expressions and seeks to “foster communion ... that welcomes the abundant variety of gifts and charisms that the Spirit pours out.”²¹⁶ Faith communities recognize culture as the medium through which human beings express their deepest hopes and values. They believe that the encounter of persons of diverse cultures through migration has the potential to create more inclusive and life-giving communities, rooted in shared values and commitments.

²⁰⁸ Clifford Grammich et al., *2020 US Religion Census: Religious Congregations & Adherents Study*. Association of Statisticians of American Religious Bodies, 2023, 7, 29–35, https://www.usreligioncensus.org/sites/default/files/2023-10/2020_US_Religion_Census.pdf.

²⁰⁹ Grammich et al., *2020 US Religion Census*, 73–75. In an historic reversal, Western nations are increasingly a destination for missionary activity and religious engagement by African and other migrants from the Global South. Jehu J. Hanciles, *Beyond Christendom: Globalization, African Migration and the Transformation of the West* (Maryknoll: Orbis Books, 2018).

²¹⁰ Mark M. Gray, Mary L. Gautier, and Melissa A. Cidade, *The Changing Face of US Catholic Parishes* (Washington, DC: National Association of Lay Ministries, 2011), 12, 15, 19, 35.

²¹¹ Donald Kerwin and Safwat Marzouk, “A Vision of Integration Rooted in Hospitality,” Allard, Heyer, and Nadella, *Christianity and the Law of Migration*, 276–91, at 281.

²¹² William O’Neill, “Hospitality and the Hermeneutics of Displacement,” *Concilium* no. 5 (2022): 1–29, at 19.

²¹³ O’Neill, “Hospitality and the Hermeneutics of Displacement,” 22.

²¹⁴ Kerwin and Marzouk, “A Vision of Integration Rooted in Hospitality,” 282.

²¹⁵ O’Neill, “Hospitality and the Hermeneutics of Displacement,” 21.

²¹⁶ Francis, *Querida Amazonia* [Post-Synodal Apostolic exhortation of the Holy Father Francis to the people of God and to all persons of good will], ¶¶ 69, 91 (February 2, 2020), https://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20200202_querida-amazonia.html.

The theologian Martin Buber offered a view of integration akin to the Christian vision of “unity in diversity” and communion. In Buber’s dialogical approach, the “teachers of immigrants should be immigrants themselves” and unity based on “renewed affinity to eternal values.”²¹⁷ A shared, revitalized culture requires “religious regeneration” that goes “beyond prevailing ideologies and identities.”²¹⁸ To Buber, integration does not signal a loss of “cultural distinctiveness” or absorption into “the prevailing culture.”²¹⁹ It requires not just “teaching,” but “learning.”²²⁰

At Sacred Heart Church in McCallen, Texas, families entering the Humanitarian Respite Center in the midst of their long trials and struggles “are welcomed with joyful applause, smiles, and greetings from volunteers who shout out ‘Bienvenidos!’ Welcome! This welcome alone begins the transformation of restoring their dignity. Mothers and fathers are moved to tears from the overwhelming joy they feel from the volunteers who greet them with warmth and love.”²²¹ The greeting begins a journey in which hosts, in offering hospitality to migrants, ultimately become “guests” of the Kingdom of God.²²²

Fourth, faith communities find consolation in working with persons in need across differences in culture, language, legal status, national origin, religion, and ethnicity.²²³ Catholic organizations sometimes deflect criticism of their work with socially disfavored groups by insisting that they serve people based on their own beliefs (who *we* are), and not based on the characteristics of those they serve (who *they* are). Yet this formulation is only partially true, for it leaves out too much. Faith communities work with migrants from their belief in the importance of engaging and serving persons in need from diverse backgrounds and cultures—that is, because of who both *they* and *we* are. The encounter of culturally diverse persons is a precondition to communion, when *they* become *us*, and *we* become *them*. At its best, encounter can evoke a Pentecostal-like sense of unity, wonder, and affirmation (Acts 2:1–12, 43–44).

Pope Francis lifted up a vision of human equality and dignity in an ecumenical prayer that implores the Holy Spirit to “show us your beauty, reflected in all the peoples of the earth, so that we may discover anew that all are important and all are necessary, different faces of the one humanity that God so loves.”²²⁴

Faith-based organizations contribute to unity in diversity by engaging systemic injustices that exclude migrants from full membership in the human family, such as racial and environmental injustice, poverty, violence, labor abuses, and divided families. To faith-based organizations, most migrants model self-sacrifice, courage, and hope for a better future. Because of these qualities, faith-based organizations view migrants as a gift and their greatest resource, and they see migration as an opportunity, not a burden.

Fifth, faith communities take pride in their commitment to the flourishing of “each” person and the “whole” person.²²⁵ To promote the full development of migrants, faith-based

²¹⁷ Zohar Maor, “A Dialogic Theology of Migration: Martin Buber and Eugen Rosenstock Huessy,” *Religions* 15, no. 1 (2024): article 42, at 9, <https://doi.org/10.3390/rel15010042>.

²¹⁸ Maor, “A Dialogic Theology of Migration,” 7.

²¹⁹ Maor, 8.

²²⁰ Maor, 8–9.

²²¹ Testimony of Sister Norma Pimentel, Executive Director, Catholic Charities of the Rio Grande Valley, before the US Commission on Civil Rights, accessed May 9, 2024, https://www.usccr.gov/files/pubs/OIG/Sr._Norma_Pimentel's_130.15_TestimonyUSCommisionCivilRights.pdf.

²²² O’Neill, “Hospitality and the Hermeneutics of Displacement,” 27.

²²³ Mike Nicholson, “The Role of Faith-Based Organizations in Immigrants’ Health and Entrepreneurship,” Center for Migration Studies of New York, August 10, 2018, <https://cmsny.org/publications/2018msmc-nicholson/>.

²²⁴ Francis, *Fratelli Tutti* [Encyclical on fraternity and social friendship] (October 3, 2020), https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20201003_encyclica-fratelli-tutti.html.

²²⁵ Paul VI, *Populorum Progressio*, ¶ 14.

organizations must respond to their interrelated needs—legal, linguistic, cultural, socio-economic, and spiritual—and the intersecting elements of their identities. The Catholic Church in the United States provides immigrants with a spiritual home and a range of services through its extensive legal, refugee resettlement, charitable, educational, health care, and community organizing networks. Catholic parishes offer many of the same services, including new programs established in response to the COVID-19 pandemic and to racial injustice.²²⁶

Sixth, faith communities find consolation in performing the complementary work of charity (love of neighbor or what some call immediate love) and justice (establishing right relationships or longer-term love). To paraphrase Dorothy Day, this work serves as a constant reminder that individual people matter more than do abstract ideologies. The US refugee resettlement program has been an example of charity and justice. Refugees have played a crucial role in this work, and are at the forefront of efforts to strengthen and generate broader support for it.²²⁷ In addition, for thirty-eight years, faith-based organizations have partnered with other US immigrant-serving institutions to administer what has effectively been the nation's only major legalization program. They have helped legalize millions of immigrants, case by case.²²⁸ While they have strongly advocated for legislative reform, they have not waited for Congress to act.

Faith communities work both to prevent crises and to mitigate their effects, particularly for at risk populations. They understand, for example, women's and girls' "tenuous hold on safety, health, education, and opportunity in their communities" of origin, which is "amplified in the chaos of crisis," forced migration, and settlement in their new communities.²²⁹

Mostly, faith-based organizations serve migrants in their need. They work to change the underlying conditions in refugee-producing countries. However, they do not enjoy the luxury of waiting for conditions to improve to the point that potential migrants would be free to stay or forced migrants could return home. Instead, they assist desperate migrants as they encounter them, while they advocate for more permanent, viable solutions for them. In a 2006 interview, the theologian James H. Cone called the immigration movement "a re-living of the civil rights movement" and "deepening the meaning of the civil rights movement itself."²³⁰ Faith-based organizations count themselves fortunate to be part of a larger struggle for human and civil rights.

Seventh, faith communities view migration from the perspective of the needs, aspirations, rights, and gifts of the affected human beings.²³¹ This recognition shapes their programs and ministries. Pope Benedict XVI insisted, "[t]he human person must always be the focal point in the field of international migration."²³² Many scholars conduct research, rooted in the struggles and aspirations of migrants. Migrant-centered research draws on the expertise, direction, and participation of members of migrant communities. It assists

²²⁶ Kerwin and Alulema, "The CRISIS Survey," 280–83.

²²⁷ Taif Jany et al., "Integration Outcomes for Forcibly Displaced Persons (FDPs): A Holistic Co-design Approach," Refugee Congress and Refugee Council USA, November 2022, <https://rcusa.org/wp-content/uploads/2022/11/Integration-Outcomes-for-Forcibly-Displaced-Persons-FDPs-Final.pdf>.

²²⁸ Donald Kerwin et al., *The DACA Era and the Continuous Legalization Work of the US Immigrant-Serving Community* (New York: Center for Migration Studies, 2017), <https://cmsny.org/publications/legalization-report/>.

²²⁹ Carafone, "Meeting the Needs of Women and Girl Migrants and Refugees," 3

²³⁰ "Theologians and White Supremacy: An Interview with James H. Cone," *America*, November 20, 2006, <https://www.americamagazine.org/arts-culture/2006/11/20/theologians-and-white-supremacy-interview-james-h-cone>.

²³¹ In contrast, policy makers understandably approach migration from the perspective of states and seek to identify better ways to govern and manage this phenomenon.

²³² Benedict XVI, Angelus on World Day of Migrants and Refugees (January 14, 2007), https://www.vatican.va/content/benedict-xvi/en/angelus/2007/documents/hf_ben-xvi_ang_20070114.html.

migrants to identify, take action, and advocate for their own needs.²³³ Migrant-led community organizing operates in a similar way. The Pastoral Migratoria parish-based organizing model, for example, trains immigrant leaders to identify the needs of their communities and to develop (mostly) self-help strategies to address them.²³⁴

Eighth, Christian communities work to change minds and hearts. They seek to convert established members of communities who oppose their work while remaining open to their own need for conversion. For migrants, conversion can mean restoring a sense of their dignity and worth in the face of negative rhetoric, public policies, and experiences that have led some to internalize a sacrilegious view of themselves. For members of host communities, conversion can take place through encounter with immigrants and deeper engagement with their own faith traditions. At an event of the Catholic Immigrant Integration Initiative in 2022,²³⁵ the director of the Kino Border Initiative lamented the lack of attention paid by faith-based organizations to the formation of persons with different political views. Denouncing opponents as a lost cause or seeking to disabuse them of their policy misconceptions is not a faith-based strategy, but a recipe for losing them from the start.

The Jewish “people” sought the salvation of a people, a nation, and a “community of nations,” and early Christians viewed life in communal terms, as a matter of building the body of Christ.²³⁶ In Christ’s judgment day parable, God will assemble “all the nations” and judge them by what they did for the “least” (Matthew 25:31–46, at 32, 40, NABRE). There will be no *schadenfreude* when time runs out on the goats in this parable and they are banished from God’s presence. It will be an individual and collective tragedy.

Today changing hearts and minds also requires faith communities to revert to first principles and explain why states *should* protect refugees, preserve families, and expand permanent solutions for displaced persons. Faith-based organizations need to belabor what may seem obvious to them without frustration or condescension. When it comes to public education, the repetition of facts, strong analysis, and good ideas are often more important than scholarship that breaks new theoretical ground. As it stands, facts and evidence are often lost in the noise of political messaging, and truth is too often a contested idea, and not viewed as a liberating force.

A Sending: Encounter, Persistence, and Our Common Humanity

Pope Francis coined the phrase “the globalization of indifference” to characterize the world’s response to forced migrants.²³⁷ The Holy Father’s antidote to indifference is to go to the peripheries and encounter immigrants, refugees, and the very poor, whether in one’s own communities or elsewhere.²³⁸

Encounter humanizes what are too often treated as issues. There is great power in listening to a refugee, an unaccompanied minor, or a young person without legal status share their experiences, aspirations, and hopes. In a 2021 interview, Sister Norma Pimentel of Catholic Charities of the Rio Grande Valley said: “I always encourage everyone to come

²³³ Mohammad A. Hoque et al., “Community-Based Research in Fragile Contexts: Reflections From Rohingya Refugee Camps in Cox’s Bazar, Bangladesh,” *Journal on Migration and Human Security* 11, no. 1 (2023): 89–98, at 91–92.

²³⁴ Archdiocese of Chicago, “Pastoral Migratoria,” accessed February 1, 2024, <https://pvm.archchicago.org/human-dignity-solidarity/immigration-ministry/immigrant-social-ministries>.

²³⁵ Otto Hentz, *The Hope of the Christian* (Collegeville: Liturgical Press 1996), 89.

²³⁶ Hentz, *Hope of the Christian*, 89.

²³⁷ Francis, “Visit to Lampedusa” [Homily of Holy Father Francis] (July 8, 2013), https://www.vatican.va/content/francesco/en/homilies/2013/documents/papa-francesco_20130708_omelia-lampedusa.html.

²³⁸ Francis, “Towards an Ever Wider ‘We’” [Message of His Holiness Pope Francis for the 2021 World Day of Migrants and Refugees] (May 3, 2021), <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2021/05/06/210506a.html>.

down and see for themselves ... [this] should not be about politics. It needs to be about people, because that's what we're seeing here at the border."²³⁹

Encounter also illuminates a paradox of great salience to Christian communities. Forced migrants must often subject themselves to the perils of irregular migration, which include criminal predation and apprehension by legal authorities. Each year, thousands die in transit and many more become stranded or even enslaved before reaching their intended destinations.²⁴⁰ However, while most residents in developed states do not need to travel to subsist or survive, they can do so legally and safely. This state of affairs points to systemic injustice and a disordered world.

Christians can draw on a rich tradition of teaching and spiritual insights, as they negotiate the trials and consolations of their work with migrants. Faith communities serve millions of migrants, refugees, and immigrants each day. They have achieved notable operational and policy successes. Yet they take on this work—just as might an emergency room doctor or nurse—recognizing that the needs will not go away, some lives will have tragic endings, and even major victories will not be decisive. They do the best they can, knowing that ultimately the world is not in their hands.

Dorothy Day spoke to both the privilege of being able to work with the poor and the limits of our own individual efforts. “Why should we try to see results?” she wrote to a despairing friend. “It is enough to keep on in the face of what looks to be defeat ... After all, we can only do what lies in our power and leave the rest to God, and God will attend to it.”²⁴¹

Christian communities witness inhumanity, but can also take consolation in work that provides witness to a common humanity. The Rwandan genocide survivor Felicien Ntagengwa gave poignant testimony to this reality. “If you knew me, and if you really knew yourself, you would not have killed me.”²⁴² Thomas Merton, who described himself as a “marginal,” “status-less person,” spoke of the need for communion, which he called an “older unity” and a kind of communication “beyond words.”²⁴³ “My brothers and sisters,” he famously said, “we are already one. But we imagine that we are not. And what we have to recover is our original unity. What we have to be is what we are.”²⁴⁴

Acknowledgments and Citation Guide. *I thank Silas W. Allard, Bishop Nicholas DiMarzio, and Edward Kissam for their thoughtful comments and careful review of an early version of this article. I also thank the Rev. Craig Mousin, former DePaul University ombudsperson and a leading advocate, scholar, and institution builder in the immigrant justice field, for inviting me to participate in the inaugural event for the DePaul Migration Collaborative, which prompted an earlier version of this article. The author has no competing interests to declare. This article is cited according to the Chicago Manual of Style, 17th edition.*

²³⁹ “Transcript: Sister Normal Pimentel on ‘Face the Nation,’ April 4, 2021,” *CBS News*, <https://www.cbsnews.com/news/transcript-sister-norma-pimentel-on-face-the-nation-april-4-2021/>.

²⁴⁰ International Organization on Migration, Missing Migrants Project.

²⁴¹ Dorothy Day, *All the Way to Heaven: The Selected Letters of Dorothy Day*, ed. Robert Ellsberg (New York: Image Books, 2010).

²⁴² Together We Thrive, “Rwandan Genocide Dialogue: If You Knew Me ...,” January 14, 2020, <https://togetherwethrive.world/rwandan-genocide-dialogue-if-you-knew-me/>.

²⁴³ Thomas Merton, “Informal Talk Delivered at Calcutta, India, October 1968,” in *The Asian Journals of Thomas Merton* (New York: New Directions, 1973), 305–08, at 305–06, 308.

²⁴⁴ Merton, “Informal Talk,” 308.

Cite this article: Kerwin, Donald 2024. “The Trials and Consolations of Migrant-Serving Faith-Based Organizations.” *Journal of Law and Religion* 39, no. 2: 212–246. <https://doi.org/10.1017/jlr.2024.9>