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# A Catholic's Dissent from the Bishops' Immigration Policy

By Jerry Kammer

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**L**ike many Catholics, I have been bitterly disappointed in the church's negligence in its response to the pedophile priests. And as someone who thinks legal immigration should be reduced and illegal immigration should not be encouraged, I have been disappointed that the policy preferences of the U.S. Conference of Catholic Bishops seem to be reducible to a slogan: "More green cards, less enforcement!"

But after viewing a video of a presentation at an immigration conference last month at the University of Notre Dame, I now have a better understanding of the bishops' immigration advocacy. But I also have a new criticism.

The speaker was Kevin Appleby, director of migration policy and public affairs at the U.S. Conference of Catholic Bishops. Like me, Kevin is an alumnus of Notre Dame. I know him to be a man of great integrity and deep humanity.

Appleby, is also skilled politically. I first became aware of his lobbying prowess on Capitol Hill in 2006, when the Senate Judiciary Committee passed a sweeping comprehensive immigration reform bill.

Appleby, was at the center of a celebration that spontaneously broke out in the hearing room. Also there was Randall Johnson of the U.S. Chamber of Commerce, who hugged Jeanne Butterfield of the American Immigration Lawyers Association. Frank Sharry, then of the National Immigration Forum, slapped Appleby, on the back and acknowledged the lobbying effort he had led by exclaiming, "The Catholic boys did it!"

"The Catholic boys" are an important part of the strange-bedfellows coalition that keeps pushing for the cumbersome package of measures known as "comprehensive immigration reform".

In his talk last month at Notre Dame, Appleby, acknowledged that the church, like employers who want visas for immigrant workers and unions who want new members, has a vested interest in expansive immigration policies. But he said there was a key difference in the church's work.

"It's driven from our mission, our pastoral mission to welcome the stranger and cater to our flock," he said.

He pointed out that the Church has a long history of helping immigrants to integrate into American society. And he noted that Catholic institutions — parishes, schools, hospitals — every day "see human beings that are broken" because of enforcement efforts by federal authorities who in recent years have ramped up detention and enforcement at the insistence of Congress.

"I always say to the bishops that good policy on immigration reform is also good pastoral policy because immigrants know that the Church is welcoming them and that the Church is advocating on their behalf," Appleby, said.

These are admirable concerns. As a Catholic I share them. But I think they must be coupled with trade-offs that the church does not accept.

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My reservations about the church's advocacy stem primarily from the fact that it has been unconstrained by concerns about the negative effects of mass immigration of unskilled workers into our economy, especially at a time of large-scale unemployment among American citizens. I think the church's position has the effect not just of assisting migrants who are already here — legally and illegally — but also of encouraging more to come.

Appleby's presentation was eloquent and deeply felt. It would have been better if it had acknowledged the concerns of a former Notre Dame President, the Rev. Theodore Hesburgh, who was chairman of a federal commission on immigration reform that finished its work at the beginning of the Reagan presidency.

In 1986, as Congress used the commission's recommendations as the framework for Immigration Reform and Control Act, Hesburgh wrote:

*I undertook my role as commission chairman by asking: Why should immigration be a problem? Why not let down the barriers and let people move freely? After our two years of study, the question answered itself. It is not enough to sympathize with the aspirations and plight of illegal aliens. We also must consider the consequences of not controlling our borders. What about the aspirations of Americans who must compete for jobs and whose wages and work standards are depressed by the presence of illegal aliens?*

Concerns like these receive little or no attention at conferences like the one at Notre Dame. That is my criticism, both of the conference and of the bishops. I believe this lack of interest in — or even awareness of — the concerns of those on the other side of the debate is part of the reason for the current legislative stalemate.

The package of immigration measures known as “comprehensive immigration reform” would provide a sweeping legalization for illegal immigrants and increase legal immigration to more than two million newcomers a year. But Catholic bishops think it should provide more.

Appleby made that position clear last month at an immigration conference at Notre Dame.

He said the bishops disapprove of the provision in the Senate bill that would allocate fewer visas for a citizen's extended family. The provision is part of a trade-off that would provide more visas to persons whose skills are thought to be needed in the U.S. economy.

“Now, the bishops aren't against more employment visas,” Appleby said. “But why is it a zero sum game? Why do we have to take from the family system to increase the employment system?”

The bishops want more.

A few numbers may be instructive as to why the trade-off was considered necessary. They also show how profligate the bishops have become in their insistence that better immigration policy always means more green cards.

In the 1960s, the United States admitted an annual average of 322,000 immigrants. In the 1970s that number grew to 449,000. In the 1980s to 734,000. In the 1990s to 901,000. And in the new millennium we have issued about one million green cards every year.

Under the bill passed last year by the Senate, that figure would increase to about two million per year. That's far from a zero-sum game. But it is not enough for the bishops of my church.

The Senate bill would put the U.S. population — which reached 100 million in 1915, 200 million in 1967, and now stands at 317 million — on course for surpass 600 million by the end of this century. That is not enough for the bishops of my church.

One of the principal organizers of the Notre Dame conference was the Rev. Daniel G. Groody, an associate professor of theology and director of Notre Dame's Center for Latino Spirituality and Culture.

In a chapter he wrote for the book *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, Father Groody sacralizes immigrants, likening the transformation they undergo in their journey to the Eucharist.

*As one looks more closely at the dynamics of immigration and the structure of the Eucharist, one can observe many connections between the pouring out of Christ's blood for his people and the pouring out of migrants' lives for their families, between Christ's death and resurrection and migrants' own.*

Father Groody believes immigration policy must transcend national interests in order to serve the higher good of welcoming the stranger into the national community:

*In our globalized world, politics cannot be concerned with the interest of the few or even the interests only of a nation, but must work for the benefit of all, particularly the most vulnerable in a society. The true moral worth of a society, as noted in Catholic social teaching, is how it treats its most vulnerable members.*

I agree that American society owes a moral duty to our most vulnerable members. I believe that once we admit new members through our immigration laws, we should acknowledge that their success would be our success, their failure would be our failure, and we should invest in their advancement and especially the advancement of their children.

That is why we can't admit all those who want to come.

But Father Groody's passionate theology of open hearts and open borders, which reflects the position of the bishops, is a formula for overwhelming our capacity.

Yale law professor and immigration scholar Peter Schuck offered this concise explanation in his essay in the 1985 book *Clamor at the Gates*:

*Having ordained an activist welfare state that increasingly defines liberty in terms of positive, government-created legal entitlements to at least a minimum level of individual security and well-being, the nation cannot possibly extend these ever-expanding claims against itself to mankind in general. Instead, it must restrict its primary concerns to those for whom it has undertaken a special political responsibility of protection and nourishment, most particularly those who reside within its territorial jurisdiction. Even this more limited task becomes impossible if masses of destitute people, many ill-equipped to live and work in a postindustrial society, may acquire legally enforceable claims against it merely by reaching its borders.*

I think Father Groody and the Catholic bishops should understand that U.S. immigration policy, like the U.S. Constitution, is not a suicide pact. If they believe, as I do, that we have great responsibilities to assist our society's most vulnerable members, they should not insist on policies that would overwhelm our capacity to fulfill those duties. If they persist in that delusion, they should not be surprised that they will continue to lose credibility among those who dissent from their version of Catholic social teaching.

I want to relate that teaching to the insights of moral psychologist Jonathan Haidt in his remarkable book *The Righteous Mind: Why Good People are Divided by Politics and Religion*.

Haidt, whose book is a field guide to the moral systems of liberals and conservatives, writes about the hard-wired human tendency to form "tribal moral communities". He observes that "religious practices have been binding our ancestors into groups for tens of thousands of years. That binding usually involves some blinding — once any person, book, or principle is declared sacred, then devotees can no longer question it or think clearly about it."

In his teaching about immigration, Father Groody invokes a familiar biblical admonition — "So you too must befriend the alien, for you were once aliens yourselves in the land of Egypt" — to present an admonition of his own:

*When we forget our personal and collective immigration stories, we easily repeat the mistakes of the past. George Santayana said, "those who do not remember the past are condemned to repeat it." This remembrance is a way of acknowledging God's saving activity. When we forget, immigrants easily become the target of social problems and are quickly typecast as a threat to the common good. Instead of hospitality and openness, many immigrants find scapegoating and rejection, hostility and fear.*

This, I believe, is where Father Groody and the Catholic bishops go wrong. They undermine their own moral authority when they seek to shut down discussion of the social, cultural, economic, and political effects of the era of mass immigration that has been building momentum for the past five decades.

They treat such concerns as agents of moral infection, as the sort of perilous temptation that my catechism class described as "the near occasion of sin".

Haidt is a lifelong liberal who has come to appreciate conservatives as having a broader range of moral concerns than conservatives. Father Groody doesn't want us to question immigration or think clearly about it.

Well, sorry, father. One of the things I learned at my Jesuit high school and at Notre Dame was that Catholic institutions, at their best, encourage open inquiry in the tradition of classic liberalism.

I came to work at the Center for Immigration Studies because I wanted to respond to those who try to shut down the discussion by claiming that those who want to limit immigration are motivated not by legitimate concerns but by bigotry, racism, nativism, and anti-immigrant hostility.

I want to be part of a well-informed discussion of the complexity and moral ambiguity of the issues involved in shaping immigration policy. I think people on both sides of the debate should take note of this admonition from Jonathan Haidt:

*[I]f you are trying to change an organization or a society and you do not consider the effects of your changes on moral capital, then you're asking for trouble. This, I believe, is the fundamental blind spot of the left. It explains why liberal reforms so often backfire and why communist revolutions usually end up in despotism. It is the reason I believe that liberalism – which has done so much to bring about freedom and equal opportunity – is not sufficient as a governing philosophy. It tends to overreach, change too many things too quickly, and reduce the stock of moral capital inadvertently. Conversely, while conservatives do a better job of preserving moral capital, they often fail to notice certain classes of victims, fail to limit the predations of certain powerful interests, and fail to see the need to change or update institutions as times change.*

In order to have this discussion, each side must be willing to open our ears and our eyes to the other. That is why I disagree with Father Groody's admonition, even as I recognize that it is a more benign presentation of Catholic social teaching than what I heard at an earlier immigration conference at Notre Dame in 2004. It came from Bishop Thomas Wenski, who was then chairman of the U.S. Conference of Catholic Bishops' Committee on Migration.

Said Wenski:

*I think we can make a summary of Catholic social teaching in one phrase: No human being can ever be considered as a problem. When we consider a human being as a problem, we depersonalize him, we offend his human dignity. When we allow any class of human beings to be categorized as a problem, then we give ourselves permission to look for solutions. And as the history of the 20th century has proven, sometimes we look for final solutions.*

I listened in stunned disbelief. A leader of the Catholic Church, my church, was warning that concerns about immigration were so fraught with peril that they must be rejected lest they produce horrors akin to the extermination campaign with which Hitler pursued his "final solution to the Jewish problem"?

I looked around the room for a sign that someone shared my stunned disbelief. All I saw was somber nods of agreement. I was in the presence of a group that moral psychologist Jonathan Haidt calls "a tribal moral community", united in its defense of a sacred principle. The sacred principle was immigration. For Bishop Wenski, any notion that it should be limited was perilous heresy.

Haidt describes such thinking this way: "[W]hen a group of people make something sacred, the members of the cult lose the ability to think clearly about it. Morality binds and blinds. The true believers produce pious fantasies that don't match reality."

Now, righteous blindness is not limited to those on Bishop Wenski's side of the immigration debate. Our national search for a solution to the challenges of reforming immigration policy is equally obstructed by those whose default position is "What part of illegal don't you understand?" They are also united in a tribal moral community and blind to opposing ideas.

Immigration policy involves an extraordinarily complex set of issues, fraught with legal and moral ambiguities. Pious fantasies and self-righteous stubbornness abound on both sides. As John Higham, the dean of American immigration scholars, wrote:

*In this situation, the restrictionists have claimed to be the hard-boiled realists, though their "realism" has seldom been free of prejudice or hysteria. Antirestrictionists, on the other hand, tend to gloss over the dilemmas that immigration poses. Reluctant to confess that a problem exists, they fling the ancient ideals in their opponents' faces. Neither side has had the will or vision to bring our traditional principles into a creative relation with the facts of the modern world.*

Institutions of higher learning have a duty to advance free inquiry, the open and energetic pursuit of knowledge. I found that spirit in abundance when I was a student at Notre Dame. But the 2004 conference where Bishop Wenski issued his chilling proclamation, like the March conference that this blog examined last week, made no room for alternative opinions that might have advanced the pursuit not only of knowledge, but also of the sort of compromise by which our democracy functions.

Immigration policy involves an array of fascinating, complex questions. I would like to suggest one that should be of interest at Notre Dame because it involves a statement in 1981 by the university's beloved president, the Rev. Theodore Hesburgh. At that time he was chairman of the Select Commission on Immigration and Refugee Policy, which was formed to study the issue and recommend reforms to Congress.

Notre Dame could advance the current debate if it discussed whether there is relevance today in Father Hesburgh's assertion that:

*[I]f U.S. immigration policy is to serve this nation's interests, it must be enforced effectively. This nation has a responsibility to its people — citizens and resident aliens — and failure to enforce immigration law means not living up to that responsibility.*

If Bishop Wenski doesn't want to think of this matter as a policy problem, perhaps he would agree that it presents a challenge worthy of discussion.