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You Were Told to Love the Immigrant, But What if the Story Never Happened? Hospitality and United States Immigration Law

REV. CRAIG B. MOUSIN
The stories we tell ourselves define our lives.\footnote{Parts of this article were initially presented at talks at Dominican University in 2011, and at the Parish of the Epiphany in Winchester, Massachusetts, in 2014. I am grateful for the invitation to present as well as for the questions and discussion that provided new perspectives on these issues. I give thanks to Maribeth Conley, Randy Rapp, and Susan Schreiber for their valuable comments and critiques. I also thank my research assistant Christine Chen for her assistance.} We read and speak God’s Word: “Love the immigrant, for you too were slaves in Egypt.”\footnote{Lev. 19:33-34. I dedicate this article to Ms. Elizabeth Metzger, who taught Sunday school at the Westtown, New York, Presbyterian Church. Her faith and witness taught us the power and beauty of the biblical story.} That command to love arises out of the biblical narrative of exile, return, and response to immigrants residing amidst a community that lived its history through stories of how its mothers and fathers in faith survived and coalesced from a wandering people into a nation. That biblical narrative constitutes both individual stories about persons and nations as well as an overarching story that provides a record of God’s relationship and covenant with many generations of people. And, this narrative was especially important to Saint Vincent de Paul as he articulated the mission to serve the poor.

To examine how the Vincentian tradition would address immigration law, this article first explores the biblical stories and narratives that were crucial to the formation of religious and national communities. Part I explores the importance of the narratives both to our nation and the community of faith, particularly with specific reference to those gathered within and around the Congregation of the Mission founded by Vincent de Paul. It focuses on how the narrative impacts responses to immigration, and, specifically Vincentian hospitality to the immigrant. Part II focuses on how that biblical narrative and immigration law intersect. Immigration law defends a nation and protects its sovereignty. Citizens expect the law to regulate admission and determine the types of individuals a nation wants to welcome to further its growth while maintaining its security. To test the efficacy of those goals, Part II conducts a thought experiment by asking what would happen to the biblical narrative if its heroes and heroines had to face the strictures of immigration law during their wanderings. I argue that American immigration law as it is currently legislated and implemented would have scuttled the biblical narrative, leaving a story to neither tell nor guide for a contemporary moral framework. Given the draconian consequences many face under the rule of law, I posit that the law currently deprives the nation of the gifts of the sojourner to its detriment. Part III contemplates the critical significance of the biblical narrative on Vincentian hospitality to immigrants, and addresses two current issues for the more than eleven million unauthorized persons residing within the United States as well as the recent surge of unaccompanied minors at the nation’s borders.\footnote{The specific number of unauthorized persons residing in the United States has “fluctuated” in recent years from a high of twelve million to approximately eleven million. Douglas S. Massey, Jorge Durand, and Karen A. Pren, “Border Enforcement and Return Migration by Documented and Undocumented Mexicans,” 41 Journal of Ethnic and Migration Studies (2015), 1016-17.} Part IV contends that Vincentian hospitality to immigrants would advocate fixing broken immigration law by expediting lawful residence for the undocumented and encouraging a humanitarian response to the
current crisis of women and children and unaccompanied minors fleeing their homelands. The biblical narrative, however, whether a source of faith to believers or a source of law and inspiration to a democratic society where all are held up to be equal, remains a substantial resource for addressing solutions to this nation’s broken immigration regime.

I. The Biblical Narrative

Secular and religious narratives shape the meaning of individuals and communities. Phyllis Trible writes, “Stories are the style and substance of life. They fashion and fill existence.” 4 The Tanakh, 5 the Christian Scriptures, and the Quran 6 have served as authoritative sources for understanding God and human responses for centuries. Martin Buber describes how the Jewish Bible has confronted each generation with the encounter between God and a people, forcing even those who do not believe to respond to its narrative. 7 For James Gustafson, “The Bible is the principle source of the Church’s language. The identity of the Church is maintained by its use of the words and significant concepts of the Bible.” 8 As Stanley Hauerwas summarizes, “The nature of Christian ethics is determined by the fact that Christian convictions take the form of a story, or perhaps better, a set of stories that constitutes a tradition, which in turn creates and forms a community.” 9

Whether it serves as history, theology, identity, culture or as a source of legal theory regarding freedom and sovereignty, the narrative has served a predominant role in religion, history, and culture. The Reformers declared, “the Bible is to be understood ‘as Scripture’ in the community that gathers in response to the claim that here God is decisively disclosed.” 10 For many, the Bible remains a historical source of the Divine communication with the human. G. Ernest Wright underscored the importance of “Israel’s preoccupation with history” as how “God made God known to the sojourners who fled Egypt.” 11

4 Phyllis Trible, Texts of Terror: Literary-Feminist Readings of Biblical Narratives (Philadelphia: 1984), 1. Jack Balkin provides a similar conclusion in how we tell our national story: “We understand ourselves in terms of stories about who we are and how we came to be. These stories help us understand the situation we are currently facing and the ways we should respond to it.” Jack Balkin, Constitutional Redemption: Political Faith in an Unjust World (Cambridge, 2011), 26.


6 Azam Nizamuddin, “Islam and Immigration,” Ibid., 165, 170-71. The scope of this article is restricted primarily to the Vincentian response to immigration law, but its lessons will be applicable to any tradition, including secular society, that relies upon the biblical narrative for its moral and legal foundation.


8 James M. Gustafson, Treasure in Earthen Vessels: The Church as a Human Community (Chicago: 1961), 46.


stresses the magnitude of how that history defined a people who were wandering in the wilderness only to be protected and saved by their God.\textsuperscript{12} For Saint Vincent de Paul, the history of the persons within the Scripture became models of Vincentian mission and hospitality.

More than history, however, the Bible encourages the interpretation for the faithful to participate in the ongoing story. Gerhard von Rad argued that “Israel’s faith is a narrative faith” which requires constant retelling.\textsuperscript{13} Part of its prodigious influence stems from its diverse roles, particularly as narrative-as-theology. According to André LaCocque, Genesis reveals that there is “no better vehicle for ‘theology’ than narrative.”\textsuperscript{14} Johann Baptist Metz writes that the Scriptures demonstrate that, “…reasoning is not the original form of theological expression, which is above all that of narrative.”\textsuperscript{15} The combination of theology and story has influenced generations to “shape and sustain the ethos of the community,”\textsuperscript{16} and provide a “crucial conceptual category for…displaying the content of Christian convictions.”\textsuperscript{17} Jean Luis Segundo, S.J., summarizes this critical interplay

\begin{footnotes}
\item[12] Ibid., 44, 50.
\end{footnotes}
between history and theology: “Christianity is a biblical religion. It is the religion of a book. Theology....must keep going back to its book.”\textsuperscript{18} It must keep going back because the story needs to be told in new settings that invoke new issues. While acknowledging the power of this narrative as a “life-sustaining source of commitment of God’s reign,” Mary Boys argues for redeeming the sacred story to “transform troubled tellings.”\textsuperscript{19}

Although many exegetes today find less certainty in the Bible as a historical document, the narrative still asserts power within our national understanding of morality; even those who critique how the interpretation has failed, or who seek to find additional sources of authority, must address this narrative. It may be true as some argue that this grand metanarrative has been lost.\textsuperscript{20} Nonetheless, while process philosopher Lewis Ford argues modernity eviscerates the Bible’s “...all-embracing horizon for our understanding of God, which must now be correlated with a greatly expanded world history, a scientific understanding of nature and man and a drastically altered social and ethical situation,” he nonetheless acknowledges the new hermeneutical task requires “justice to its historical concerns.”\textsuperscript{21}

Historically, although the Republic and its constitutional protections necessitated that religion does not establish laws in our country, the narrative significantly influenced how the people governed themselves. The Puritans’ conceptions of colonial governance arose out of “biblical constitutionalism.”\textsuperscript{22} The first European migrants to North America instituted new governance in their colonies, in part, to reform the corruption of the English church and nation. The colonists relied upon the same foundation of the biblical narrative that Vincent followed. John Winthrop erected a new “city on a hill” in 1630 based on his response to the biblical narrative.\textsuperscript{23} Core elements were added to Winthrop’s vision as the national story soon included belief that all humans were created equal—a vision the nation still struggles to achieve, while building upon this foundation. Those goals of justice,

\textsuperscript{18} Juan Luis Segundo, S.J., \textit{The Liberation of Theology} (Maryknoll: 1976), 7.
\textsuperscript{19} Mary C. Boys, \textit{Re redeeming Our Sacred Story: The Death of Jesus and Relations Between Jews and Christians} (N.Y.: 2013), 25.
\textsuperscript{20} See, e.g., Frederick Mark Gedicks, “Spirituality, Fundamentalism, Liberty: Religion at the End of Modernity,” \textit{54 DePaul Law Review} (2005), 1197: “We no longer possess an understanding of the place and purpose of humanity that would infuse every life with the same ultimate meaning.”
\textsuperscript{22} H. Richard Niebuhr, \textit{The Kingdom of God in America} (Middletown, Ct.: 1988), 62. See also: John Witte Jr., \textit{God’s Joust: God’s Justice Law and Religion in the Western Tradition} (Grand Rapids, Mi.: 2006), 8: “The precise shape and balance of the Western legal tradition has been determined, in part, by the Western religious tradition. And when the prevailing ideas, officials, symbols, and methods of the Western religious tradition have changed, the shape and balance of the Western legal tradition have changed as well.”
\textsuperscript{23} See, e.g., Perry Miller, \textit{Errand into the Wilderness} (Cambridge, Ma.: 1956), 10-15. It is interesting to note that Vincent was simultaneously developing and implementing the concept of the Congregation of the Mission to reform corruption in the French Church, while educating the elite on the humanity of the poor. Subsequent research is needed to compare and contrast the developments in achieving their respective missions.
equality, and liberty intertwine within the religious and secular narratives.24

Thomas Jefferson’s “unalienable rights” for all people stems from the same belief in humans created in God’s image that Vincent also understood.25 According to Robert Bellah the Bible was the only reading material for many in the earliest generations, and “biblical imagery provided the basic framework for imaginative thought in America up until quite recent times and, unconsciously, its control is still formidable.”26 Even as many contemporary judges, legislatures, scholars, and lawyers abandon reliance on a Divine source for law or develop legal themes based on legal positivism, they cannot ignore the foundation of the nation’s law arising out of the biblical narrative or the religious tradition that formed the basis of much of western law. Marxist Terry Eagleton asserts, at the very least, contemporary “critics of the most enduring form of popular culture in human history have a moral obligation to confront that case at its most persuasive.”27 Even many who possess no particular claim to faith in one of those religions still witness the cultural and


This article primarily addresses Vincentian hospitality, and is therefore, faith-based. Those who follow in the Vincentian tradition participate in this nation under its laws; as such, they must be able to articulate their faith understandings and make their arguments accessible and persuasive to others who may not believe in this faith-based story. The scope of this article does not fully permit arguing how the biblical narrative might persuade those who do not believe to love the immigrant. Nonetheless, the concepts of human dignity and covenantal relationships that find new meaning in democratic laws and procedures, that call for equality, liberty, and justice contain integral elements from the biblical constitutionalism of our nation’s founding. Thus, the substance of the biblical narrative should be of interest even to those who claim no faith in the Bible.

political impact the Bible has had on western civilization.\textsuperscript{28}

For those within faith traditions, the narrative is far more than rote retelling of a factual past. In reciting the biblical narrative, persons of faith place themselves within an engaged community that reinterprets the story within the context of contemporary times. Judith Plaskow reminds that for Jews it is not just remembering, but rather re-living the event for “It is in telling the story of our past as Jews that we learn who we truly are in the present.”\textsuperscript{29} Plaskow recalls the Passover Seder where “families gather together not to memorialize the Exodus from Egypt, but to relive it.”\textsuperscript{30} H. Richard Niebuhr explains the Christian experience of transformation: “When we become members of such a community of selves, we adopt its past as our own and thereby are changed in our present existence…. the prophets of the Hebrews become our prophets and the Lord of the early disciples is acknowledged as our Lord.”\textsuperscript{31} Elisabeth Schüssler-Fiorenza celebrates the continuous contemporary engagement: “The Bible is not just a document of past history but functions

\textsuperscript{28} André LaCocque, \textit{Onslaught against Innocence: Cain, Abel, and the Yahwist} (Eugene, Or.: 2008), 5. See: Mark A. Noll, \textit{A History of Christianity in the United States and Canada} (Grand Rapids, Mi.: 1992), 407: “The Bible has become part and parcel of North American culture because it has been constantly read, discussed, and studied.”; John C. Bennett, \textit{Christians and the State} (N.Y.: 1958), 154: noting “…the traditions which have nourished Anglo-Saxon democracy, a tradition that owes more to Calvinism than to the Enlightenment, which was expressed within the spiritual and political ferment in the Cromwellian period in England and in the realism of some of the American founding fathers.”; John Courtney Murray, \textit{We Hold These Truths: Catholic Reflections on the American Proposition} (Kansas City, Mo.: 1960), 39: “[t]he Bill of Rights…. is far more the product of Christian history.” Northrop Frye concludes, “a student of English literature who does not know the Bible does not understand a good deal of what is going on in what he reads: the most conscientious student will be continually misconstruing the implications, even the meaning.” Frye, \textit{The Great Code: The Bible and Literature} (N.Y.: 1982), 4. Accord, Noll, \textit{History of Christianity}, 420. Even Christians who disregard the Old Testament have lost “a model for true social justice and an ethos to support it.” Marilynne Robinson, \textit{When I Was a Child I Read Books} (N.Y.: 2012), 64. Moreover, even if the substance is not replicated, the language may be particularly relevant in the secular realm: Jack Balkin writes “…constitutional traditions have much in common with religious traditions, and especially religious traditions that feature a central organizing text that states the tradition’s core beliefs. We must have a way to talk about the commitments of a people in a creedal tradition spanning many years, involving the work of many generations, constantly subject to change and circumstances that are sometimes recognized and sometimes not, and organized around the maintenance and interpretation of an ancient creedal text…. That is why the language of religion is particularly useful in understanding the path of the American Constitution, even if the constitutional project is secular.” Balkin, \textit{Redemption}, 7. Indeed, Jaroslav Pelikan states that the Constitution “functions as the normative American Scripture.” Pelikan, \textit{Interpreting the Bible and the Constitution} (New Haven, 2004), 21.

\textsuperscript{29} Judith Plaskow, \textit{Standing Again at Sinai: Judaism from a Feminist Perspective} (San Francisco: 1990), 29.

\textsuperscript{30} Ibid.

\textsuperscript{31} Niebuhr, “Story of Our Life,” 37.
as Scripture in present day religious communities.”32 Likewise, in specifically relating the
Word to the Vincentian experience, José María Román, C.M., describes “when Vincent de
Paul read the gospel it was no mere speculative exercise but a dynamic act of commitment.”33

Today all who approach the Word must make an “interpretive decision about
epistemological assumptions and whether to locate one’s interpretive work in the narrative
of modernity or the narrative of faith claims that refuse the skepticism of modernity.”34
Regardless of that decision, it remains imperative to interpret the narrative and to seek its
wisdom for our lives together on this planet. For Gustafson, it may be as critical as mere
survival because the biblical words and events give the church its identity.35 But Marilynne
Robinson reminds us that the loss impinges far more than just the identity of the church.
She writes, “We live in an age of neo-Hobbism....If our myths and truths are only another
exotic blossoming, the free play of possibility, then they are fully as real and as worthy
of respect as anything else.”36 Community also suffers greatly when the narrative of the
past is forgotten or lost. Theodore Adorno warned: “Forgetting is inhuman because man’s
accumulated suffering is forgotten....This is why tradition is nowadays confronted with an
insoluble contradiction. It is not present and cannot be evoked, but as soon as all tradition
is extinguished, inhumanity begins.”37

If we believe God’s Word in Leviticus that we have all been slaves in Egypt,38 then,
too, we must recognize that we all came across the Alaskan peninsula with the Native
Americans, braved the seas on the Mayflower, poured through the Cumberland Gap,

32 Elisabeth Schüssler Fiorenza, In Memory of Her: A Feminist Theological Reconstruction of Christian Origins (N.Y.: 1983),
xxii. See also, Ched Myers and Matthew Colwell, Our God is Undocumented: Biblical Faith and Immigrant Justice (Maryknoll:
2012) 5.
34 Bruggemann, Theology, 19.
35 Gustafson, Treasure, 46.
37 T.W. Adorno, “Thesenüber Tradition,” OhneLeitbile (Frankfurt: 1967), 34ff., as quoted by Metz, in Hauerwas, Narrative,
260.
38 Lev. 19:34.
walked the Trail of Tears, crossed the plains with the Mormons, climbed the long walk at Ellis Island, joined the Great Migration from the South to the Midwest, fled the Hungarian Revolution of 1956, or found ourselves tossed on the seas with Vietnamese boat people or Haitian refugees. As we meet the children crossing the Rio Grande, whom do we see? If, in Adorno’s words, we forget our participation in the narrative, we invite that tragic inhumanity.

The biblical narrative speaks directly to the question of Vincentian hospitality and response to immigration today. Immigration law has played a significant role in giving meaning to this nation. Oscar Handlin confessed: “Once I thought to write a history of the immigrants in America. Then I discovered that the immigrants were American history.” Similarly, immigrants fill the stories within the biblical narrative. After tracing the vigorous centuries-old debate of Old Testament exegetical studies, Walter Bruggemann concludes that most scholars now agree that its final form is a product of and a response to the Babylonian exile leading him to assert that the “core of faith, for Christians as for Jews, is situated in the matrix of exile.”

The juxtaposition of living within the most powerful democratic republic in the world, while following a narrative whose core of faith finds its context within the matrix of exile, necessitates continuous interpretation of loving the immigrant. Such a central focus relies on more than mere proof-texting a line of scripture.

Rather, our faith response to immigration must explore that matrix of exile, and examine the human responses to a God who begins the human story through the exile of Adam and Eve with only the promise of God’s protective love. The story of the Israelites starts with a departure from home to a new land that eventually ends in captivity in Egypt. With the Exodus, the people become refugees again, wandering before coming home. The Exodus theme is rephrased in the narratives of exile to Babylon. Joseph, Mary, and Jesus become exiles shortly after the Bethlehem birth and the disciples scatter after the crucifixion. Saint Paul, perhaps the principal peregrine of the narrative, spread the promise of the gospel precisely because he rarely called a place home after his conversion.

It is out of this narrative that God told us to “love the immigrant.” Alice Hunt reminds us that in addition to loving God, loving the neighbor, God issues the imperative, “love

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41 Bruggemann, *Theology*, 76.
42 Robert Bellah reminds that the founders of the United States saw this nation as the promised land: “God has led his people to establish a new sort of social order that shall be a light unto all the nations.” “Civil Religion in America,” in *Religion in America*, William G. McLoughlin and Robert N. Bellah, eds. (Boston: 1968), 10. To cite the ongoing influence of this ideal in the nation’s history, Bellah quoted President Lyndon Johnson’s inaugural address:

They came here—the exile and the stranger brave but frightened—to find a place where a man could be his own man. They made a covenant with this land. Conceived in justice, written in liberty, bound in union, it was meant one day to inspire the hopes of all mankind; and it binds us still. If we keep its terms, we shall flourish.

*Ibid.* More recently, President Barack Obama stated: “Scripture tells that we shall not oppress a stranger, for we know the heart of a stranger. We were strangers once too.” see: https://www.whitehouse.gov/issues/immigration/immigration-action
43 Lev. 19:33-34.
the immigrant.” Not just be kind to or care for the immigrant, but love the immigrant. Moses Pava delves deeply into the juxtaposition of loving one’s neighbor with loving the immigrant. Agreeing that the concept is most difficult if not impossible to follow, he argues it remains critical to love the stranger to teach humanity how to discover its humanity. The Bible, moreover, teaches not simply a command to love, but instructs why this gift of the immigrant enters the very core of our being. Marco Tavanti discusses one important aspect of the biblical message of hospitality to the stranger in this volume. John Koenig concurs that the biblical story’s ancient sacred bond between guest and host stands as a “pillar of morality upon which the universe stands.” Koenig adds a second rationale that finds recognition within Vincentian hospitality and Catholic Social Thought (CST). For Koenig, in addition to morality, the numinous intrudes through hospitality to the stranger, a place where “the advent of the divine stranger...offers blessings that cannot at first, be comprehended.”

Given the matrix of the exile, it is not surprising that this biblical narrative involves so many stories responding to the unexpected visitor. The Bible has many words for that stranger: sojourner, exile, immigrant, alien, ger. Distinguished from foreigners who were foes or those who would not assimilate, the foreign-born living within the land—the gerim—were to be treated equally under the law. Because the Israelites had been strangers in Egypt and had lived in the foreign land of Babylon, they too should understand that the stranger should be treated with kindness. Recognizing that their outsider status would often lead them to be marginalized without the typical resources of land or connections within society, the ger, like the widow and orphan, taught Israel to meet vulnerability with love. Hunt emphasizes that most biblical references to the ger can be found in the context of treatment by law; a law that treats them favorably. Given human worry over security, the desire to lock the gate or deny rights to the visitor can make the goal aspirational and difficult to fulfill, but the narrative does not retreat from this moral question.

The Bible records diverse human responses to God, and, therefore, its call of hospitality to the stranger is not univocal. Ruiz notes that as David’s and Solomon’s monarchies grew in power, other biblical voices sought to exclude the gerim from Israel’s life. Moreover,
the narrative can fuel false efforts. Mere possession does not indicate whether the mantel of owning a narrative benefits the nation. The biblical narrative faces the same historical critique of a chosen people wandering for the Promised Land, limited to their exclusive benefit in contrast to a people chosen by the Divine One to be a “holy people” modeling justice and liberty for all humanity. Similarly, the idea of a chosen people can be exploited by the worst aspects of American exceptionalism that dominate other nations and undermine the promises of liberty and justice for all; or it can serve as the model for building constitutional protections when nations throw off the yoke of dictatorship. Some have used the narrative to kill and displace indigenous peoples in the name of progress, or to enslave blacks in the name of economic efficiency, but the narrative has also been a resource for many who have sought to end these wrongs and combat genocide and tragedy. Certainly, the biblical narrative contains many contested and sometimes contradictory voices, but the core story remains, a Divine call for human love when faced with the vulnerability of the exile.

Within this narrative, people of faith engage the question of whether love for the immigrant can be reconciled with the monarchical elements that exercise the power to exclude. Robinson articulates this ongoing interpretive debate: “Since the time of the Hebrew prophets it has been the role of the outsider to loosen these chains, or lengthen, if only by bringing the rumor of a life lived otherwise.” It is noteworthy, however, that loving the immigrant also influenced the laws of the local polity in biblical times. First century CE historian, Flavius Josephus wrote with pride, “It is good to see how equitable our lawgivers wished us to be in our treatment of foreigners.”

When lawmakers and citizens become too in love with our homes and our nation, we may be less inclined to understand the life God has intended for humankind. LaCocque emphasizes this gift, “What matters is that we should not ourselves in turn miss the opportunity which the presence of the [stranger]’Ger’ in our midst represents.” The narrative calls people of faith to respond to God to counter the idols and temptations of the world that conspire to keep humans from choosing life. The stranger who arrives opens eyes to understand the choice of seeking security through human hands or God’s love. Certainly, a tension exists and humans must work to build communities in a world

58 Deut. 30:19. Ethicist Robin Lovin states that this passage from Deuteronomy reminds us the world is a “morally serious place. And to that fundamental message, the Gospel adds only that the choice of life must be made in the midst of life, and that the blessing, likewise, is not a reward for a life well-lived, but the living of it.” Lovin, “Sermon for Epiphany Season,” Rockefeller Memorial Chapel, 2 February 1993, 5, on file with the author.
constantly threatened by human sin and environmental destruction. As Buber asserts, within the Bible “the desire to own land is not condemned and renunciation is not demanded” but God is God and “Lord of the land” while the human is simply the “sojourner” before God.⁵⁹ We are all aliens and strangers in this land.⁶⁰ Balancing the tension is never easy or simple. Human finitude and greed demand more than most are willing to admit. To paraphrase Jack Balkin’s secular use of a religious term, we are a people engaged in redeeming the biblical narrative in our times.⁶¹ Vincent de Paul, self-deprecating for all his failures, nonetheless reminded his friends to redeem their culture by imitating the ultimate stranger, the one who reveals God to us, Jesus.

This tension continues to the present day. CST emphasizes welcoming the stranger with an acceptance that the state has a duty to protect its sovereignty.⁶² CST balances the state’s responsibility to sovereignty by employing systems that recognize the dignity of all humans and that take particular care to address the vulnerability of the immigrant.⁶³ Immigration law is one manifestation of the tension to welcome newcomers through a just process while protecting national security. One way to test its efficacy in meeting these goals is to apply immigration law to the biblical narrative and consider the results.

II. American Immigration Law Applied to the Narrative

Immigration law distinguishes between those seeking to immigrate to the United States or flee to these shores in response to persecution through a complex and not

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⁶⁰ 1 Pet. 2:11.
⁶² Elizabeth Collier, “And They Fled Into Egypt: Migration in the Light of Scriptures and Catholic Social Teaching,” in Collier, *Religious and Ethical Perspectives*, 147.
always consistent policy of determining who may enter, who may stay and who, upon transgressing the nation’s hospitality, may be deported or removed. Currently, there are two compilations of enforcement laws—grounds of inadmissibility and grounds of deportability—that include categories of conduct or circumstances that may bar admission or eligibility for benefits once admitted, as well as make people subject to removal that leads to deportation and loss of permission to remain in the country. In essence, Congress, through immigration law, molds the character of our nation by determining who can be members, allowing entry for family reunification, specific job skills, and designated refugees, while also defining who may be removable because of conduct deemed inappropriate.

As a test to examine the efficacy of the law’s ability to mold our national identity, consider what would happen if U.S. immigration law regulated migration in the lives of the biblical protagonists. Undergirding the biblical motif of exile, after the Bible commences “in the beginning,” creation follows with Adam and Eve’s exile, an exile story that repeats again and again throughout the narrative.

The biblical metaphor that the vulnerable stranger is protected by God continues with Cain’s murder of Abel. Cain becomes our “common ancestor, the murdered ‘fugitive and wanderer’ in all of us.” But Cain is a murderer and as such under U.S. immigration law, he has committed a crime of violence which is designated as a crime of moral turpitude or

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64 All references to immigration law will be to United States immigration law. For a summary of American immigration law and history, see Hiroshi Motomura, Outside the Law (N.Y.: 2014), 31-49; Craig B. Mousin, “Immigration Reform: What Can Religious Voices Require From the State?” in Collier, Religious and Ethical Perspectives, 327; and Marie Friedman Marquardt, Timothy J. Steigena, Philip J. Williams, and Manuel A Vasquez, Living “Illegal”: The Human Face of Unauthorized Immigrants (N.Y.: 2011), 46-56.

65 See text ascribed to footnotes 40 and 41.

66 Gen. 4:15.

67 André LaCocque, The Trial of Innocence: Adam, Eve, and the Yahwist (Eugene, OR.: 2006), 204. Ched Myers points out that this story also shows God’s protection for Cain, the wanderer, a “counterintuitive divine response” but also a challenge to those who follow the narrative to protect the sojourners in our midst despite their lack of legal status. Myers and Colwell, Our God is Undocumented, 56. The guilt of Cain juxtaposed with God’s protection raises significant theological issues. See also: LaCocque, Onslaught Against Innocence. Victor Romero discusses similar issues of love and forgiveness for immigration violations through the lens of the parable of the Prodigal Son and immigration law. Victor C. Romero, “The Prodigal Illegal: Christian Love and Immigration Reform,” 92 Denver University Law Review (2016), 927.
an aggravated felony. He would not be admissible and would certainly be deportable.68

Even when God protects, bad things happen under immigration law. When Noah built the ark to save his family, he took his wife, his three sons, and their wives.69 But Noah, when disembarking from the ark in a foreign nation, violated the law barring smuggling. Although immigration law permits a waiver on the ground of inadmissibility for one to bring his or her spouse, parent, or children, nothing in the law provides a similar exemption for daughters-in-law. Noah was a smuggler.70 His story stops when he is excluded at the border. Moreover, our refugee laws as currently adjudicated do not permit permanent refugee status for those fleeing environmental disaster. Noah is denied entry.

God calls Abraham and Sarah to: “Go forth from your country and your kindred…to the land that I show you.”71 They present an interesting dilemma posed by immigration law. Most nations recognize that humans are free to leave a nation, but name no concomitant right to enter another nation. Immigration law possesses authority because a nation has a

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68 I.N.A. §212(a)(2); 8 U.S.C. §1182(a)(2); I.N.A. §237(a)(2)(A)(i) or (iii); 8 U.S.C. §1227(a)(2)(A)(i) or (iii). Every immigration case involves many variables. For our purposes, in applying current immigration law to the biblical narrative, an individual may violate either a ground of admissibility barring entry, or a ground of deportation leading to removal. A person’s actual immigration history and context would determine which charges the government would bring. The government often charges multiple grounds, but need only prove one to effectuate exclusion or removal. In this article, one or more grounds will be listed to suggest the difficulty the person would have remaining in lawful status or, in this experiment, removing them as a protagonist from the biblical narrative. I do not address all the potential remedies or waivers, although Congress has increasingly tightened the grounds over the last twenty years making relief more difficult to obtain. In any given example, an attorney might reach a successful outcome and permit admission or defeat removal. This experiment reflects another difficulty, however: the law does not provide attorneys at government cost. Immigrants in removal proceedings must hire their own attorney, seek limited pro bono or legal assistance attorneys, or face the power of the federal government without benefit of counsel. Having an immigration attorney to assist one’s case can make a considerable difference in seeking remedies, waivers, exemptions, or discretionary rulings. Jaya Ramji-Nogales, Andres I. Schoenholtz, and Philip G. Schrag, “Refugee Roulette: Disparities in Asylum Adjudication,” 60 Stanford Law Review (2007), 348: “whether an asylum seeker is represented in court is the single most important factor affecting the outcome of her case.”; “Representation is Key in Immigration Proceedings Involving Children,” Syracuse University Transactional Records Access Clearinghouse (TRAC), Immigration Reports, 18 February 2015. See: http://trac.syr.edu/immigration/reports/377/

69 Gen. 7:13.


71 Gen. 12:1.
right to decide who may cross that nation’s borders. God told Abraham and Sarah to go, but provided no visas for entry elsewhere. Once they showed up at the point of entry, they had no ties to the land, no family connections, and no job skills that were needed. Under the law, they were ineligible for family visas, and therefore, they would be denied entry. Once inadmissible, the biblical narrative concludes before the story begins and they must return or wander elsewhere—indeed the Bible calls them *gerim*—for they will always be the wanderers.

Abraham and Sarah would present an additional challenge to an inspection officer. When the couple entered Egypt, they lied to the officials, claiming they were siblings rather than spouses. Immigration fraud leads to expedited removal, a prompt return to one’s native land as the law precludes any opportunity to plead one’s case in court. Genesis records this state-ordered deportation: “And Pharaoh gave his men orders concerning him [Abraham]; and they set him on the way with his wife and all that he had.” Moreover, by committing fraud once and being deported, their names would enter the national database. Even if they subsequently earned the status to return, the prior fraud and deportation would make it much harder to do so; they would need discretionary permission to overcome their prior conduct. We have no story: no father and mother of the nations, no great multitude in this biblical narrative.

Subsequent generations again generate immigration issues. Rebecca and Jacob schemed to take away the inheritance Esau was rightfully entitled to when they fooled Isaac into giving his blessing to Jacob. A conviction for fraud of over $10,000 constitutes the deportable offense of an aggravated felony, which their confession confirms.

Joseph and his multicolored coat has become part of our culture as a simple, happy children’s story and a Broadway musical, yet it includes actions by the parties involved that makes all subject to inadmissibility or removal. The brothers, who with Joseph had been destined to become heads of the twelve tribes of Israel, certainly were guilty of a crime of violence in kidnapping Joseph and selling him to slave traders. As such they would face immigration law consequences as traffickers, committing crimes of moral turpitude or

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72 *Fong Yue Ting v. U.S.*, 149 U.S. 698, 710, 13 S. Ct. 1016, 1021 (1893) (Gray, J.) The Court acknowledges: “the right to exclude or to expel all aliens...absolutely or upon certain conditions, in war or in peace, being an inherent and inalienable right of every sovereign and independent nation, essential to its safety, its independence, and its welfare.”


74 I.N.A. §235(b); 8 U.S.C. §1225(b); I.N.A. §212(a)(6)(C)(i); 8 U.S.C. §1182(a)(6)(C)(i); See also, *Habib v. Lynch*, 787 F.3d 826, 831 (7th Cir. 2015). Inadmissible because obtained admission by misrepresenting marital status, but remanded on other grounds.

75 Gen. 12:20; Like father, like son: in a similar incident, the biblical narrative reveals some of the difficulties persons living as undocumented in another’s land face. Genesis reports that Isaac was living as a *ger*, in effect an undocumented immigrant, but God told him to remain. He informed the authorities, in this case King Abimelech, that Rebecca was his sister instead of his wife. When later confronted with the truth, the King at first told Isaac to go away, but the narrative subsequently demonstrates how the King and Isaac worked out their relationship, with Isaac remaining in Gerar. See, Gen. 26:6-11. As with Cain, the narrative thus provides another example of power providing hospitality to the stranger.

76 Gen. 27:1-38.

Joseph himself would be inadmissible to Egypt for want of a visa, but he would probably enter with a T-visa, a generous act of Congress to permit persons who have been trafficked to remain rather than return to face the wrath of traffickers. This, of course, assumes that Joseph would have had access to an immigration attorney who could help him navigate the complexity of the law to request a T-visa. But Joseph has even more problems subsequent to entry. Potiphar’s wife accused him of rape. Although the narrative makes it clear he was innocent, he served at least two years in prison. A conviction for an attempted rape with punishment exceeding one year in prison qualifies as an aggravated felony; Joseph would be deportable despite the T-visa. Even though all who read the story know that Joseph was innocent, immigration law precludes the Immigration Judge from peering behind the record of the conviction to examine if a wrongful conviction occurred; the conviction proves the grounds of deportability, therefore, Joseph has no defense. He is deported. The well-loved children’s story, like the story of so many families whose members have been caught up in the complexity of criminal and immigration law, founders under the burden and dooms the happy ending. No Joseph narrative, and consequently, like many in Egypt, the world would not know him.

The Exodus story begins because a new Pharaoh did not know Joseph or the gifts he had brought to the Egyptians after he was pardoned. Pharaoh exploits the Hebrews. Moses’ mother and sister save him, but he subsequently kills an Egyptian. Pharaoh seeks the death penalty for Moses who then flees to Midian. Immigration law bars Moses from entry with a crime of moral turpitude, and the Exodus never occurs because our law eliminates Moses from the narrative.

The story of Ruth, the Moabite, the foreigner, has inspired many generations as a story of love and faith while simultaneously delineating the matriarchal lineage of King David and eventually Joseph, father of Jesus. Fortunately, immigration law permits a foreign-born spouse to immigrate with the citizen spouse. If the application for a spousal visa is not filed when the marriage is intact, however, no visa would be available for the widow unless she self-petitioned within two years of her husband’s death. Ruth did not intend to immigrate to Bethlehem until after her husband died, but even if she filed her petition when she decided to join Naomi, it would probably take at least a year under

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80 Gen. 39:7-20; 41:1; Potiphar’s wife claimed Joseph insulted her, but the biblical world clearly was aware that he was guilty of attempted rape. See, James L. Kugel, In Potiphar’s House: The Interpretive Life of Biblical Texts (San Francisco: 1990), 21-26.
82 Palmer v. INS, 4 F.3d 482, 490 (7th Cir. 1993).
83 Ex. 1:8.
84 Ex. 2:15.
current processing times for her to enter.\textsuperscript{87} She would also have to prove that she had a job or sufficient resources, or risk becoming a public charge which would bar entry. Gleaning a field’s last fruits would probably not be sufficient; indeed, it confirms that she was poor and dependent upon the charity of the field’s owner.\textsuperscript{88} Ruth may not get to Bethlehem, or if so, she might arrive too late to meet Boaz. The law threatens her story as the great-grandmother of King David; therefore we have no David or any of his descendants.\textsuperscript{89}

David, too, would have immigration problems. He conspires to have Bathsheba’s husband killed in battle. Although within his prerogative as King to make battle plans, the prophet Nathan confronts David and declares that this was not military strategy but instead an extrajudicial killing inspired by his lust. Although David continues to rule, his confession to extrajudicial murder, and the attempted cover up under the fog of war, would make him deportable as an aggravated felon. His confession seals the deal.\textsuperscript{90}

One might think that Jesus would be the ideal immigrant whom we would welcome into our nation with outstretched arms. Unfortunately, Jesus, too, would run afoul of immigration law. Matthew’s birth story describes the flight of the family to Egypt.\textsuperscript{91} They possess no ties with Egypt; therefore, they would have entered Egypt illegally. Despite Egypt’s hospitality, God called the family home, but Jesus’ immigration problems escalate. With all the events surrounding his birth, one wonders whether Joseph had time to register the family under the decree of Caesar Augustus. If the family registration might not have occurred, were their papers in proper order, and if not, would they have been permitted re-entry? Joseph may have sufficient paperwork, but Mary had just delivered a baby and she may not have registered. At the very least, Jesus had no passport or birth certificate.\textsuperscript{92} As parents, Joseph and Mary had no papers proving he was their son and they might be subject to trafficking restrictions. Imagine the difficulty of convincing an immigration officer that Joseph was Jesus’ biological father. Imagine the difficulty some families have today proving parentage after fleeing persecution in their homelands. Alternatively, they might have been detained for smuggling a baby back into Israel. If Jesus was denied re-entry, the gospel story as we know it ends at the Israel-Egypt border. Mary and Joseph would face the difficult decision faced by thousands: do they enter and leave the child outside or do they remain in Egypt, living a life as an undocumented family never able to return home?

\textsuperscript{89} The story of Ruth presents the paradigmatic biblical example of the foreigner who defies the law, yet also reveals God’s love and righteousness in times when those in power seek only to emphasize the power of the law as the sole security for humanity. See, André LaCocque, \textit{Ruth: A Continental Commentary} (Minneapolis: 2004), 27.
\textsuperscript{91} Mat. 2:13-23.
\textsuperscript{92} Applying immigration law to the biblical narrative is not just a fanciful exercise with no contemporary examples. Although the Constitution recognizes birth citizenship, Texas has started to refuse to issue birth certificates to children born of undocumented parents, thus placing them at risk of statelessness because they will be unable to prove the location of their birth. See: Manny Fernandez, “Immigrants Fight Texas’ Birth Certificate Rules,” New York Times, 17 September 2015, at: http://www.nytimes.com/2015/09/18/us ILLEGAL IMMIGRANT BIRTH CERTIFICATES.html?emc=eta1&_r=0
Even if Jesus re-entered Israel, he would remain dogged without papers for the rest of his life. Immigration law presupposes one is an immigrant if one has no proof of citizenship or non-immigrant status. The Bible tells us that Jesus had no papers. When religious authorities questioned the blind man who received sight from Jesus, the authorities stated, “We know that God has spoken to Moses, but as for this man, we do not know where he comes from.” If the authorities have no proof, and Jesus cannot prove his right to be in the nation, he is subject to removal as one who entered without inspection—some might call him an illegal alien.

Congress has also shown great concern in preventing anyone from entering the country who may have provided material aid to terrorists or terrorist organizations. The law offers little leeway for innocent provision, or *de minimis* provision, of aid to suspected terrorists. In his kindness and hospitality, Jesus often provided aid to those who would meet the law’s definition of terrorists. Significantly, his abundant generosity to all who came his way placed him at risk for providing aid to individuals who might be deemed terrorists by either side in that first century political struggle. Jesus healed the centurion’s servant. The centurion served in the Roman military that had slaughtered the innocents under Herod, and crucified thousands of Israelites when Pilate maintained law and order through terror. Jesus’ gift of hospitality would certainly place him at risk of removal for material support of terrorists. When Jesus fed the five thousand, many of whom Rome would have characterized as terrorists, his actions would subsequently be evidence of providing material support to terrorists opposed to Roman rule. The courts have held that mere provision of food can constitute material support. One court denied asylum to an individual based on material support of terrorists when he provided one meal to seven members of the Kurdistan Worker’s Party. Although that case has been remanded for review, other courts continue to stress that a very low level of aid constitutes material support. For example, another court upheld the deportation of an individual when guerrillas had commandeered his kitchen to prepare meals. The court ordered him removed because he

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93 INA § 214(b); 8 U.S.C. 1184(b).
96 Mat. 8:5-13.
97 Mat. 2:16-18; Reza Aslan, *Zealot: The Life and Times of Jesus of Nazareth* (N.Y.: 2013), 47; See also, Boys, *Sacred Story*, 168.
98 Mat. 14:13-21; Reza Aslan documents that strife and resistance were so great in Galilee at the time of Roman occupation, that Rome considered all Galileans rebels—perhaps similar to the U.S. State Department designating certain nations or groups of people as terrorists. Given the appellation of “rebels,” some of the 5,000 persons Jesus fed would certainly have been considered terrorists of their day. Aslan, *Zealot*, 91. See also: Justo L. Gonzalez, *Faith & Wealth: A History of Early Christian Ideas on the Origin, Significance, and Use of Money* (San Francisco: 1990), 74-5.
provided material support to terrorists. Jesus offered hospitality to all who are children of God. He would be deported for material aid to terrorists.

The government routinely charges those it seeks to remove with all possible grounds for removal. Jesus would have faced additional charges. He was convicted and sentenced to death by Pilate as guilty of sedition and a threat to Rome, brandishing him an aggravated felon. Even if he escaped the crucifixion, he would either be inadmissible or removable. As we saw with the Joseph conviction, his actual innocence would not matter; the state convicted him. Immigration law does not permit an inspector or immigration judge to look beneath the conviction to consider actual innocence. Jesus: convicted. Jesus: deported. Jesus: barred entry. No gospel story for us to read or tell.

Notwithstanding all these obstructions to the gospel story, even those who could tell whatever tale was left would be denied entrance under the law. The remaining disciples, unemployed and scattered by the Roman death sentence, would most likely be considered individuals who would become public charges. Therefore, even if they could have found a way to immigrate, they would be denied visas as the law denies entry to those without sufficient resources.

Peter, the rock upon whom the Christian church was founded, would not be permitted to meet the resurrected Christ on the shores of that Galilean lake because, he too, faced severe immigration problems. Conspiracy to commit an aggravated felony is sufficient to warrant removal based upon the underlying aggravated felony bar. Jesus’ conviction would also make Peter and the other disciples removable for the same crime for seditiously conspiring with him. Peter also faced a serious non-political crime of violence and an aggravated felony charge for attempted murder when he assaulted the servant at Gethsemane. Peter’s assault would bar his entry.

Consider also Paul. Paul’s immigration problems would have prevented him from spreading the gospel message. Paul was a confessed persecutor because he “was ravaging the church by entering house after house; dragging off both men and women, he committed them to prison.” Immigration law does not permit entry of persecutors and bars asylum or any relief. In Singh v. Gonzales, the government ordered a person deported who “took innocent Sikhs into custody…and transported them to the police station, where he knew they would be subjected to unjustified physical abuse,” and also guarded homes so residents could not escape while other officers went inside to arrest and beat them up. Paul was

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100 Barahona v. Holder, 691 F.3d 349, 352 (4th Cir. 2012). Guerrillas always brought their own food, but “generally utilized the water and cooking facilities of his home under duress,” which still constitutes material support. See also: Singh-Kaur v. Ashcroft, 385 F.3d 293 (3rd Cir. 2004). Provision of food and setting up of tents for persons who would commit terrorist activities was material support and made one inadmissible under the law.

101 John 19:14-16; Boys, Sacred Story, 173; Aslan, Zealot, 155-56.


103 John 18:10-11.

104 Acts 8:3.

105 417 F. 3d 736, 740 (7th Cir. 2005). See also, Abdallahi v. Holder, 690 F.3d 467, 476-7 (6th Cir. 2012). A guard who brought students to prison for torture, and stood outside while it occurred, is inadmissible for assisting with torture.
guilty of far worse, yet even his conversion on the road to Damascus, celebrated as it is in the Christian story, would not waive the penalty of the persecutor bar. He would be barred, leaving history with no messenger of the gospel. Neither gospel story nor any disciple remains to tell whatever story could still be constructed without actors or story tellers after the implementation of United States immigration law. Indeed, one is hard pressed to find any narrative left when both the narrator and all the protagonists are shoved off the stage, leaving none available to share the tale.

One final irony occurs in this experiment. Vincent de Paul founded the Congregation of the Mission based, in large part, on the gospel narrative. Here, too, immigration law interrupts and stops the story. Early in his ministry, Vincent rented a horse to seek repayment from an individual who owed the Congregation a substantial sum. Vincent subsequently confessed, “I sold the horse I had hired in Tulouse. I intended to pay for it on my return, which misfortune delayed so long that I am in great disgrace….” Sorrowful he may be, but he remained guilty of theft. Bernard Pujo claims this theft made Vincent “guilty of a crime, which, in those days, was severely punished with imprisonment or even forced labor in the galleys.” Such severity would certainly be an aggravated felony today. Those who claim to work in Vincent’s legacy, lose twice: no gospel message and no Vincent de Paul to interpret the message for posterity. Without the scriptural narrative, Vincent possesses no blueprint to forge the mission. Immigration law would have deprived all of the gifts presented by these biblical sojourners.

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III. Vincentian Hospitality and Immigration Law

The good news is that the gift of the narrative has been received and acted upon. It provides meaning and ethos for those who participate in the Vincentian legacy. Unburdened by modern debate over whether the story was historically accurate or if post-modern critiques undermined its veracity and efficacy, Vincent, relying on Scripture, designed a distinctive ministry in founding the Congregation of the Mission. Based upon the biblical stories of a people struggling to live in covenant with God and to respond to the gospel of Jesus, Vincent sent Missioners out to meet the most vulnerable, whether on the streets of the city, the prisons of the galley slaves, or with refugees in war-torn border towns. Saint Vincent lived his belief that all humans created in God’s image retain equal dignity.109 That foundation undergirds the Vincentian mission: treating all people equally and serving in solidarity while encouraging full participation in society. This story has been well told in the histories of the Congregation of the Mission.110 In terms of Vincentian hospitality and immigration law, however, we should build upon that foundation and address two additional elements: the significance of being sent out; and the critical anchors of faith and reason when confronting a broken immigration legal regime that denigrates human dignity.

A. Sent on a Mission

Vincent stressed the necessity of being sent on mission to announce the gospel message of human dignity and God’s love for the marginalized. In response, those sent agreed to assume the vulnerability of the immigrant absent from the perceived security of home, and through that vulnerability and presence, the sojourner reveals God.

1. Sent out from security

Vincent established the Congregation of the Mission as something particularly innovative in living the gospel story through an active engagement with the most vulnerable. Its name designates going out and leaving the comfort and security of safe havens to meet the poor. As Vincent stated, “…there should be a Company…the Mission…that it should be entirely dedicated to that purpose, going here and there through hamlets and villages, leaving the towns behind—something that’s never been done.”111 Vincent prioritized the biblical narrative as the Congregation’s blueprint with the opening line of the Common Rules: “We read in sacred scripture….”112 In seeking to imitate the life of Jesus,


actions become central to the mission of the Congregation, reminding all that “it seeks to imitate his virtues as well as what he did...” The narrative matters, for it would be impossible to imitate a non-existent narrative. The primacy of going forth and being an immigrant permeates Vincent’s words: “travel about,” “send workers,” and having “risked the dangers of a long journey.” He clearly sets forth that none could have a disproportionate liking for “any ministry, person, or place, especially our native land.” Relying on Providence, Vincentians are called to “pitch our tents” with the vulnerable and “be willing to discard some of our security.” Engaged in mission one should imitate Jesus, the ultimate stranger who had no place to lay his head.

Retelling the story of being sent from the comfort of a secure home undergirds Jesus’ purpose: “The Spirit of the Lord is upon me; therefore, he has anointed me. He has sent me to bring glad tidings to the poor, to proclaim liberty to captives, recovery of sight to the blind and release to prisoners, to announce a year of favor from the Lord.” These words codify the heart of the Vincentian mission. Vincentian hospitality lifted up 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 in the eyes of the poorest of the poor, the ones without rights or recognition by the state.

In addition, Vincent recognized sending out countered a natural human propensity to employ the power of the law to wall itself off from the poor. One had to leave the comforts and security to go to those places where the law, whether it be the King, the army, or the elite, divided some apart and abandoned them. Immigration law by design segregates humans, blessing some with the state’s imprimatur of acceptance while banishing others through exclusion or detention. While society differentiates between human beings, classifying some as less worthy, Vincent’s particular insight was that by being created

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114 Letter 2936, “To Jean Parre in Saint-Quentin,” 9 August 1659, CCD, 8:83.
119 Mat. 8:20.
in God’s image, all humans were equal. In contrast, many societies define character by legal and social status, concluding that the poor deserved to be poor, criminalized, and outcast.¹²²

When criminals were condemned to be galley convicts, respected members of society thought they deserved what was, in effect, a death penalty, and therefore, sought little contact with them. Contesting that societal perception, Vincent invited the Daughters of Charity to minister to the galley convicts. Today, strict enforcement of immigration laws often arises out of a disproportionate love of nation that distinguishes not only the lawful requirements of membership, but denigrates the other, the outsider, as illegal.¹²³ The nation’s incarceration rates and deportation rates climb as if removing the person from the community, either through detention or deportation, solves the human problem. The law becomes a legal talisman that justifies acceptance of diminishing another human being’s dignity and selfhood by naming them ‘illegal,’ and therefore, subject to less protection. Legal systems establish rights, but humans are divinely created in God’s own image. For Vincent, the mission to the vulnerable meant to assist the sick and poor everywhere.¹²⁴ Two centuries later, Frédéric Ozanam stressed a similar sentiment when he said he must go to those “without rights.”¹²⁵ In our nation, the law forces some underground to live without the protection of the law. Vincent would go to the vulnerable ones residing in an unauthorized status.

2. Experience the vulnerability of the sojourner and finding the Divine

Precisely because the Missioners left that security promised by the powerful, those sent experienced the vulnerability of the immigrant and necessitated a faith and reliance upon God’s protection in conjunction with the support of the community. The good news of the biblical narrative as understood by Vincent was that the one marginalized and excluded by society becomes the one who offers the gift of the Divine. When asked how to enter the realm of God, Jesus illuminated the gift of the other, the one society deems expendable or removable, as the way to experience the Divine.¹²⁶ Vincent experienced that


¹²³ The appellation “illegal alien” is often placed on all unauthorized persons residing in this nation prior to any formal finding of a legal proceeding to determine whether a law has been broken. In recent litigation, District Court Judge Boasberg granted a preliminary injunction to prevent detention of women and children who had been found to have a credible fear of returning to Central America, noting “…neither those being detained nor those being deterred are certain wrongdoers, but rather individuals who may have legitimate claims to asylum in this country.” R.I.L.-R v. Johnson, 80 F.Supp. 3d 164 (D.D.C. 2015), 189. Immigration law’s complexity complicates determination of whether an individual is residing under color of law or has potential legal remedies that permit one to reside here while determining status. See Motomura, Outside, 22-31.


¹²⁵ Frédéric Ozanam, letter to M. Foisset, 22 February 1848, in Lettres de Frédéric Ozanam (Paris: 1873), 2:217; See also, Parker Thomas Moon, The Labor Problem and the Social Catholic Movement in France (N.Y.: 1921), 35.

¹²⁶ Mat. 25:44-46; McKenna, “Saint,” 10.
grace, exclaiming refugees knew “true religion” that could be learned by serving them. Indeed, Jesus, too, may have learned about hospitality from his own experience as a refugee. Pastor and poet Theodore Conklin points out the relationship of welcoming the stranger when he ponders the influence of the Egyptian border patrol:

I wonder what Egyptian had a care
When Joseph came to seek, and by whose grace
The first were fed and sheltered; in what place
Those aliens found, at length, a dwelling there?

And afterward—I wonder if He told
His friends to feed and clothe ‘the least of these
His brothers,’ minding that Egyptian’s part
In serving strangers? But how clear ones sees
He’s still a ‘displaced person’ till He hold
His proper dwelling—our surrendered hearts!

Vincentian hospitality reveals that the ones who thought they were the helpers become the helped.

B. Faith and Reason

Human nature’s innate concern for security for self and loved ones confronts and challenges the narrative’s call to love the immigrant. Families lock doors to protect their homes. The reasonableness of that action suggests that nations lock their borders for security. Vincent contributed to the Catholic doctrine that reason complements faith. He engaged his critics with prudence and faith when he countered those who disparaged his plans to send men and women out on mission. Immigration law raises issues of the law and the state, especially in a constitutional democracy charged to “provide for the common defense,[and] promote the general welfare.” Nations need a reasonable regulatory law to administer immigration. Trafficking of humans across borders must be condemned and eliminated. Refugee crises need to be addressed. Yet, as in Vincent’s time, the brokenness of the regulatory law that leads to harsh consequences necessitates calling that law into

question and adapting hospitable responses.\textsuperscript{132}

Almost all of Vincent’s life occurred during the religious wars of the seventeenth century. Indeed, the birth of the nation state grew out of the Treaty of Westphalia in 1648, just twelve years before his death. Vincent knew the destruction of war. He knew power that ravages kingdoms, villages, and human beings, and banishes refugees into exile.\textsuperscript{133} Vincent certainly understood the prerogatives of power as he was intimately aware of the political machinations of the powerful. Secular forces often claim reason and pragmatism to necessitate stronger militaries and greater border control to combat an invasion of peoples into their sovereign nations.

Vincent’s responses to both the biblical narrative and the political struggles he navigated provide lessons on Vincentian hospitality and immigration. He lived and spoke of faith, but still acknowledged the need for prudence when dealing with the wisdom of the world. He urged all to use prudence with faith. Vincent celebrated Jesus’ prudential response of “rendering unto Caesar” that which Caesar owned, and he reveled in Jesus’ ability to remain faithful while simultaneously avoiding the critics’ trap.\textsuperscript{134} But he was not averse from speaking to power when necessary, or using its authority to further serve the vulnerable. When his missionaries sought to ease the misery of refugees from war, he interceded with the King to gain safe passage for their work providing food and medicine.\textsuperscript{135} Once present, however, Vincent and his followers tended to all persons regardless of the state’s designation as enemy or heretic.\textsuperscript{136} Since then, many have followed that model. Sister

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\textsuperscript{133} Conference 125, “Repetition of Prayer,” 24 July 1655, CCD, 11:189-190.
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\textsuperscript{134} “Simplicity and Prudence,” CCD, 12:149.
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\textsuperscript{136} Román, \textit{A Biography}, 522-524.
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Rosalie Rendu, for example, ministered to the wounded of both sides in the revolution of 1848, refusing to accept the conventional wisdom of the day to only heal those from one’s own side.\textsuperscript{137}

Faith also compelled Vincent to challenge the King. When Cardinal de Retz fled France and the wrath of Cardinal Mazarin, the Vincentians at the Mission House in Rome gave him sanctuary—thus angering Mazarin and placing them under threat. Even the Mother House at Saint-Lazare faced some risk. Yet, Vincent responded by accepting it: “If you grant asylum to so many refugees, your house may be sacked sooner by the soldiers; I see that clearly. The question is, however, whether, because of this danger, you should refuse to practice such a beautiful virtue as charity.”\textsuperscript{138} Vincent also warned that reason could easily be subverted by rationalizing excuses. The outcast and the vulnerable, precisely because they knock at the door and present themselves as children of God and not as a status written by law, present a challenge for all who adopt Vincent’s legacy. For Vincent, faith united with reason inspired his innovative responses.

IV. Vincentian Hospitality: Responding to Today’s Gerim in the United States

\textit{A. Residing as Undocumented: “You shall not oppress the stranger.” (Ex. 22:21)}

Over eleven million undocumented persons reside in the United States. Many pay taxes, support families, and contribute to the common good. Experts say our nation possesses neither the legal nor financial resources to deport all of them.\textsuperscript{139} Within our communities, they are today’s biblical gerim, assimilating into our midst, but living in an unauthorized status. Although they occupy many different social strata, they share the common characteristic of lacking documents demonstrating lawful presence, with fewer legal rights than permanent residents or citizens. Under the intense effort to deport, many lead lives of constant fear. Although the Obama Administration claims to prioritize removals targeting the most serious criminals, the evidence suggests that many who may have committed misdemeanors, or simply been unlucky enough to be detained, constitute the greatest number of forced removals.\textsuperscript{140} Not only have countless families been disrupted by deportation, but whole communities and churches composed of mostly United States citizens and lawful permanent residents have suffered unreasonable harm from the


\textsuperscript{139} Most experts suggest this nation has the infrastructure and resources to deport about 400,000 persons per year. However, with over eleven million persons now facing potential deportation, other solutions are necessary. Motomura, \textit{Outside}, 53. See also, Martin, “Resolute,” 425-26.

\textsuperscript{140} “Since President Obama took office, two-thirds of the nearly two million deportation cases involve people who had committed minor infractions, including traffic violations, or had no criminal record at all.” Ginger Thompson and Sarah Cohen, “More Deportations Follow Minor Crimes, Records Show,” \textit{The New York Times}, 6 April 2014, at: http://www.nytimes.com/2014/04/07/us/more-deportations-follow-minor-crimes-data-shows.html?_r=0
intensive enforcement of the immigration law.  

Vincent understood and accepted the authority of the law; he did not call for the release of all the galley slaves. But he did minister to them and sought to improve their conditions. In so doing, he not only imitated the biblical narrative, but modeled it. In recruiting women to join his ministry, he recounted the transformative impact of charity. One sister, who worked with the galley slaves, told him that simply by her presence she “would not allow the jailers to beat the prisoners.” This young woman empowered by the Spirit stood up to the jailers and stopped the human rights violations. Vincent subsequently built a hospital to care for the galley slaves. Thus, a ministry of healing led to a reformation of the treatment of prisoners. In recognizing the humanity of the galley slave, the hearts and conduct of the prison guards were changed.

Similar acts of grace continue today. In 2007, an immigration attorney and two nuns gathered at the Broadview Immigration Staging Center to pray as the buses took deportees to O’Hare Airport. Out of that witness, some soon received permission to pray with the deportees on the buses. Further action inspired state legislation that required pastoral care for immigrants in Illinois detention facilities. The group established the Interfaith Committee for Detained Immigrants (ICDI) to coordinate pastoral visits including weekly visits in Woodstock, Illinois, and Kenosha, Wisconsin. Today, the ICDI continues those weekly pastoral vigils and visits as well as Court Watch Ministry and, most recently, they have opened two new housing facilities for released detainees to stay in prior to reunion.

141 See Friedman Marquardt, Living “Illegal.” See also, U.S. v. Aguilar, 2015 WL 4774507 (D.C., E.D.N.Y.), 6: “children from separated families are particularly susceptible to psychological harm.” See also, Bill Ong Hing, “Ethics, Morality, and Disruption of U.S. Immigration Laws,” 63 University of Kansas Law Review (2015), 983. Federal enforcement efforts use “over-zealous tools that wreak unnecessary havoc on communities” and further lack “a common sense of humanity and decency.”

142 Letter from Vincent de Paul to subsequent generations of sisters working with the galley slaves, as quoted in Joseph I. Dirvin, C.M., Louise de Marillac (Toronto: 1970), 201.
ICDI’s ministries mitigate the harshness of the law. Immigration law distinguishes between humans, segregates some as welcome and others as banned; it grants blessings to some while exiling others. The law, moreover, is one which almost all call broken. It is a civil law, yet it adopts the harshest punishment that divides families, often permanently, and eviscerates parishes, undermines communities, and weakens the nation. The rhetoric of calling individuals “illegal aliens,” cutting them off from society and calling for their immediate deportation, ignores what truly happens when these modern day gerim are taken away from the only society many of them have known. As Justice Douglas wrote about deportation:

Banishment is punishment in the practical sense. It may deprive a man and his family of all that makes life worthwhile. Those who have their roots here have an important stake in this country. Their plans for themselves and their hopes for their children all depend on their right to stay. If they are uprooted and sent to lands no longer known to them, no longer hospitable, they become displaced, homeless people condemned to bitterness and despair.

Hospitality to the immigrant, by accompanying the gerim of our community, exposes the brutality of the present deportation structure and how it hurts not just the

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143 www.icdichicago.org; Although not witnessing any contemporary beatings as in Vincent’s day, two of the founders of the ICDI report that their visits to immigrant detention centers in Illinois have had a beneficial impact on prison guards and administrators, improving conditions within the facilities. See interview with Sisters JoAnn Persch, S.M., and Pat Murphy, S.M., in Prayer, Presence and Perseverance (forthcoming 2016, Office of Mission and Values, DePaul University). The Georgia Detention Watch has engaged in similar work near the Stewart Detention Center in Lumpkin, Georgia. See Friedman Marquardt, Living “Illegal,” 233-234.


individual, but the community and the nation. As the nation waits for Congress to address comprehensive immigration reform, this thought experiment suggests that the law’s grounds for exclusions and deportation—those grounds that would have precluded all the major biblical protagonists’ stories from being part of the creedal story—need to be re-examined. The harsh amendments from the last twenty years minimize mercy and discretion while failing to take account of the complexity of families residing in this nation for years.

The strictures of the law, moreover, have exacerbated the problem by limiting the individuals who otherwise would have voluntarily left. Some argue that the law has, in effect, caged them within the nation’s borders.\footnote{Massey, “Border Enforcement,” 1016-17.} In addition, the expansion of enforcement efforts has not been met with comparative funding for the judicial procedures, thus overwhelming the adjudicative process, causing severe backlogs in processing cases.\footnote{“Ballooning Wait Times for Hearing Dates in Overworked Immigration Courts,” Syracuse University Transactional Records Access Clearinghouse (TRAC), Immigration Reports, 22 September 2015. See: http://trac.syr.edu/immigration/reports/405/}

In recognizing the importance of an improved and effective regulatory immigration law, David Martin argues that remedies providing discretion and permanent relief should be expanded.\footnote{Martin, “Resolute,” 458-62. For a discussion of the role of mercy in immigration law, see Allison Brownwell Tirres, “Mercy in Immigration Law,” 2013 Brigham Young University Law Review 1563. Victor Romero posits that Christian love “should err on the side of the powerless immigrant, not the powerful government.” Romero, “Prodigal Illegal,” 928.} Moreover, he acknowledges that any effective reform will necessitate establishing a process wherein most of the eleven million unauthorized individuals can eventually obtain lawful status, thus removing an almost impossible burden on the current system.\footnote{Ibid., 425-26.} Faith communities who accept this biblical narrative can support such goals while continuing to address the pastoral needs as members of the communities where they now reside. Loving the immigrant does not mean doing away with immigration law, but it does call for a more predictable and just process aided by the pastoral efforts of groups such as ICDI.


B. Divided Families, Widows and Unaccompanied Minors: “You shall not abuse any widow or orphans.” (Exodus 22:22)

The crisis that began in the summer of 2014, with over 68,000 unaccompanied minors as well as mothers and children fleeing gang violence and chaos arriving at our borders, raises a second pressing issue with its own subset of issues within those issues of the gerim in our midst.\footnote{ABA Commission on Immigration, “Family Immigration Detention: Why the Past Cannot Be Prologue” (31 July 2015), 17. See: http://www.americanbar.org/content/dam/aba/publications/commission_on_immigration/FINAL%20ABA%20Family%20Detention%20Report%208-19-15.authcheckdam.pdf. See also, Susan J. Terio, Whose Child Am I: Unaccompanied, Undocumented Children in U.S. Immigration Custody (Oakland, CA: 2015), 11-12.} World events, wars, environmental disasters, and civil anarchy have led these children to leave families to seek refuge in our land. The U.S. Department of Homeland Security’s (DHS) first response encouraged immediate return, sending children back to

On 24 July 2015, one federal court described “the egregious conditions of the holding cells” for minors held with their mothers.\footnote{Flores \textit{v.} Johnson, C.D.Ca. (2015), 18. See: http://immigrantjustice.org/sites/immigrantjustice.org/files/FloresRuling%20Family%20Detention%202015%2007%2024.pdf} Commenting on the building of these detention centers to address the many women and children arriving at our borders, the Court said, “It is astonishing that Defendants (DHS) have enacted a policy that requires such expensive infrastructure…”; this, when the parties had agreed to a solution to the detention of children in preceding court cases over two decades previously.\footnote{Ibid.} Solutions exist under the law that might admit them as refugees.\footnote{See, for example, Dan Kowalski, “The Refugee Option Obama Will Ignore,” \textit{Huffington Post}, 10 July 2014, at: http://www.huffingtonpost.com/dan-kowalski/the-refugee-option-obama-immigration_b_5559991.html; American Immigration Council, \textit{Children in Danger: A Guide to the Humanitarian Challenge at the Border}, 10 July 2014, at: http://www.immigrationpolicy.org/special-reports/children-danger-guide-humanitarian-challenge-border. See also, “Law Professors Letter to President Obama Regarding Fair Treatment for Unaccompanied Central American Children,” 14 July 2014, at: http://lawprofessors.typepad.com/files/professorsletterfairnessforcentralamericanchildren.pdf} Although DHS Secretary Jeh Johnson has subsequently announced an end to the general deterrence through detention policy along with other

We have an enforcement law that, in the name of border control, requires the U.S. government to actually fill over 30,000 beds each night, regardless of the need to detain so many people.\footnote{Authorities are “required to incarcerate people, no matter the circumstances or the affront to human rights.” See “The Madness of U.S. Immigration Policy, Continued,” Bloomberg View, 27 September 2013, at: http://www.bloombergview.com/articles/2013-09-26/the-madness-of-u-s-immigration-policy-continued. See also: “Immigrant Detention Bed Quota Timeline,” National Immigrant Justice Center, at: http://www.immigrantjustice.org/search/node/Immigrant%20Detention%20Bed%20Quota%20Timeline}} Corporate profits in transporting deportees, building higher walls, and privatizing prisons expand while communities fracture.\footnote{Betsy Woodruff, “Prison Gets Rich Locking Up Preschoolers,” 15 September 2015, at: http://readersupportednews.org/opinion2/277-75/32281-prison-gets-rich-locking-up-preschoolers}} Vincent and Catholic teaching suggest reason must dialogue with faith. But for the last several decades, Congress and the Executive have largely acted in the name of reason purportedly to increase border security before immigration reform debate commences.\footnote{Massey, “Border Enforcement,” 1016-17.}} Over the last twenty years, however, when Congress actually enacted greater restrictions and increased border controls, it failed its goals, as the number of undocumented increased almost four-fold to eleven million.\footnote{Vincent was quick to cut behind the veil of the world’s rationalizations to unmask the disguise of fear. The unaccompanied minor crisis exacerbates the ongoing impasse. While the detained minors provide witness to the tragedy of the orphan, pouring money into detention and deportation before comprehensively addressing all aspects of the law calls to mind the biblical parable of filling old wineskins with weak patches that fail to hold the wine.}}

Vincentian prudential thinking will help ground responses, but it will also challenge the unilateral requirement of increased enforcement or detention first, prior to comprehensively fixing the law or responding to the plight of women and children. Vincent was quick to cut behind the veil of the world’s rationalizations to unmask the disguise of fear. The unaccompanied minor crisis exacerbates the ongoing impasse. While the detained minors provide witness to the tragedy of the orphan, pouring money into detention and deportation before comprehensively addressing all aspects of the law calls to mind the biblical parable of filling old wineskins with weak patches that fail to hold the wine.\footnote{Increased militarization of the border is called for as a reasonable solution, yet military efforts in the last half century have increased refugee flows, destabilized governments, and increased migration throughout the world. Some of the largest refugee movements have happened due to military engagements that were subsequently seen as improper and wrongfully executed. Whether it was refugees fleeing Viet Nam in the 1970s, or the masses of people now fleeing a war-torn and destabilized Middle East in 2015, these were}
wars commenced under false pretenses that led to a crisis in the nation state’s response to refugees. Central American refugees seeking safe haven by crossing our borders over the last three decades, including the recent arrival of women and children, were spawned in part by United States intervention in Central America. Such examples can be found in the 1954 coup in Guatemala, or the United States’ training of many of the murderers of civilian leaders throughout the region, for instance the assassination of Archbishop Oscar Romero in 1980. The murders of church leaders and the many non-governmental leaders who would otherwise have strengthened civil society in Central America has led, in part, to the chaos and gang violence now forcing thousands of youth to flee.

162 Penny Lernoux, Cry of the People: The Struggle for Human Rights in Latin America—The Catholic Church in Conflict With U.S. Policy (N.Y.: 1982); Stephen Schlesinger and Stephen Kinzer, Bitter Fruit: The Untold Story of the American Coup in Guatemala (Garden City: 1983); Raymond Bonner, Weakness and Deceit: U.S. Policy and El Salvador (N.Y.: 1984); Lesley Gill, The School of the Americas: Military Training and Political Violence in the Americas (Durham: 2004); and From Madness to Hope: the 12 Year War in El Salvador: Report of the Commission for Truth for El Salvador, United States Institute of Peace, 26 January 2001, 8: “By its response to the murder of the Jesuits, 10 years after the assassination of Monsignor Romero by the nightmarish creation of the ‘death squads,’ the military had showed how far its position had hardened in daring to eliminate those it viewed as opponents, either because they were opponents or they voiced concerns, including church workers and journalists.” Available at: http://www.usip.org/sites/default/files/file/ElSalvador-Report.pdf. See also, Matter of Carlos Eugenio Vides Casanova, 26 I & N. Dec. 494, 502-04 (BIA 2015). Respondent who had been the Director of the Salvadoran National Guard and the Minister of Defense knew that the National Guard had been involved in thousands of extrajudicial killings and human rights abuses, including the four North American churchwomen murdered in 1980, a labor activist in charge of agrarian reform in 1981, and did not bring any of the individuals to justice. Doe v. Gonzalez, 484 F. 3d 445, 446 (7th Cir. 2007). Salvadoran Army Colonel ordered by superiors to assassinate Ignacio Ellacuría, S.J., the President of the University of Central America, in 1989. Ellacuría was murdered, along with five other Jesuit scholars, their housekeeper, and her daughter, on 16 November 1989. Arce v. Garcia, 434 F.3d 1254, 1264 (11th Cir. 2006). “The evidence includes reports on abductions, torture, and murder by the [Salvadoran] military.” See also, Myers and Colwell, Our God is Undocumented, 11-12. The SOA Watch has attempted to identify some of the military personnel accused of violating human rights who received military training from the United States, see: http://www.soaw.org/about-the-soawhinsec/13-soawhinsec-graduates/4281-soa-grads-database-online-ur

163 Certainly the complexity of this issue means there were other reasons for flight. See, e.g., “Childhood and Migration in Central and North America: Causes, Policies, Practices and Challenges,” Center for Gender and Refugee Studies (February 2015), at: http://cgrs.uchastings.edu/sites/default/files/Childhood_Migration_HumanRights_FullBook_ English.pdf. Deborah Anker and Paul Lawrence, “Third Generation Gangs, Warfare in Central America, and Refugee Law’s Political Opinion Ground,” Immigration Briefings (October 2014), 1. The impunity of the many that planned and implemented the human rights violations in Central America further exacerbates the failure to address these additional issues.
very least, the resultant dismantling of the non-governmental infrastructure essential for
democratic societies under the rule of law left a gaping void of protection. This evisceration
of civil society now gets labeled as an immigration problem, rather than looking deeper
into the cause of human rights violations, or acknowledging the United States’ role in the
assassination of church workers, leaders, and civilians. James Luther Adams describes “the
voluntary association as a distinctive and indispensable institution of democratic society”
and that they serve “as mediation structures in making the consent of the governed into
an effective, and often dissenting power.” The loss of those indispensable elements
eviscerated the very core of the societies that could have prevented, or at least, mitigated
the subsequent violence that forced people to flee their native lands.

If the failure of our civilian leaders to command the military properly produced so
many refugees, why, in the name of reason, do some look to militarization first to solve our
immigration problem? Reason should expect militarization will cause more refugees. As
Bruggemann notes, “With the worldwide economic and environmental crisis that indicates
no soon-to-come abatement and with the frantic response of intensified militarism, the
world political economy is actively engaged in the production of exiles, as was the old
Babylonian empire.” We need the biblical narrative now more than ever to engage in the
debate and expose the fallacy of expanding militarization as the only response.

Vincent grew fatigued by the constant warfare in his time and urged all to “pray
for peace,” but he also unceasingly worked to ease the suffering of refugees. If reason
and faith are to dialogue on how to improve our immigration laws, persons of faith can
engage the debate to break the impasse and suggest changes. Although the political debate
remains stymied, many proposals for effective change have been made. The Obama
Administration has taken executive action in the face of this obstruction but it too has been
shackled by litigation. The Flores litigation has provided a hopeful sign that the DHS will

164 James Luther Adams, Voluntary Associations: Socio-cultural Analyses and Theological Interpretation (Chicago: 1986), 154, 218.
165 Americans are mistaken to be “enthralled” with military solutions for all the world’s problems. See, for example, Andrew J. Bacevich, The New American Militarism, How Americans Are Seduced by War (Oxford: 2005), 1, 3.
166 Bruggemann, Theology, 78. Footnote omitted.
169 President Obama has taken steps to fix what he calls our broken immigration system. See: https://www.whitehouse.gov/issues/immigration/immigration-action. See also, Franczek Radelet, “White House Releases Report on Improving and Modernizing the Immigration System to Meet 21st Century Needs,” 30 July 2015, at: http://www.lexology.com/library/detail.aspx?g=560933cf-5836-48f3-bff3-60ed86755f84. President Obama has also implemented the Deferred Action for Childhood Arrivals (DACA) program that has provided temporary relief for young persons who were brought to the United States as children. See Motomura, Outside, 173, 175. Subsequent efforts to expand this program to others have been enjoined by a Texas court. Texas v. United States, 86 F. Supp. 3d 591, 604 (S.D. Tex.) aff’d, 809 F.3d 134 (5th Cir. 2015), as revised (25 Nov. 2015) cert. granted, No. 15-674, 2016 WL 207257 (U.S. 19 Jan. 2016).
be required to end the emphasis on detention, especially of women and minors.  

This article’s main focus, however, seeks to illustrate the faith-based response based upon the biblical narrative, including alternatives to detention, and efforts to mitigate the harshness of any detention that might be necessary. The example of the ICDI visiting those in prison, praying with deportees, and expanding housing opportunities for the least of these echo some of Vincent’s work. Such models should be replicated throughout the land. Religious organizations have had remarkable success in resettling refugees for decades. Instead of the costly, enormous detention infrastructure derided by the *Flores* court, some of those expenditures could be provided to not-for-profits to build upon the refugee resettlement model to house and care for those who do not have families or support.

Second, critics ask whether generosity would simply serve as a magnet for more to come. They add that the biblical story of hospitality does not work in the real world today, and therefore we cannot afford to live the aspirational goals of a narrative that no longer applies. Vincent knew these arguments of conventional wisdom would confront his mission. He warned his friends that the alleged wisdom of the world would continually urge them not to go out and associate with the poor and distressed because it would be too hard, too dangerous, and too expensive. He was counseled against visiting the mentally ill or the galley slaves, but he did. He was warned not to go to the border towns where wars transformed residents into starving refugees, but he did. Most apt, especially for the current crisis of women and children at our border, critics challenged him to not care for the abandoned children as they were already overwhelmed by other ministries. Vincent reminded all:

Let’s remember, brothers, what Our Lord said to His disciples: ‘Let the children come to me,’ and be very much on our guard against preventing them from coming to us; otherwise, we’ll be opposed to Him….If Our Lord were still living among us and saw children abandoned by their fathers and mothers, as these are, do you think…that He’d also be willing to abandon them? …we’d be unfaithful to His grace…if we were to refuse to accept the trouble we have with it.

Finally, the biblical narrative’s call still challenges people of faith to release the captives and bring good news to the poor. Vincent perceived that we misread that story if we fail to realize that it is we, those with the power to extend Vincentian hospitality, who

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170 See text at Note 153 for details on *Flores* litigation.

171 The Catholic Church, and organizations such as Church World Service, Hebrew Immigrant Aid Society, and Refugee One have had a remarkable history of resettling refugees in this nation. As such they provide a model, along with the relatively new work of ICDI, as to what might be accomplished if funds that now go to private detention corporations were reallocated to religious organizations and other not-for-profits to house and address the needs of refugees and the *gerim* in our midst. See: http://www.usccb.org/issues-and-action/human-life-and-dignity/migrants-refugees-and-travelers/refugee-resettlement/index.cfm; http://cwsglobal.org/our-work/refugees-and-immigrants/; http://www.hias.org/work/resettling-refugees; http://www.refugeeone.org/. See also, Mousin, “Immigration Reform,” 341-42.

are the captives in need of release. Vincent confessed, “I’m held captive.” We are the captives: captive to the world’s temptations that we seek to defend at all costs and to deny others created in God’s image. In welcoming the stranger, providing hospitality to the sojourner, and loving the immigrant, we release the captives; we liberate ourselves as God intended us to be free. People of faith can glean the benefits of loving the neighbor and the immigrant, receiving their gifts and knowing God’s freedom.

In what is probably Vincent’s most fitting metaphor on Vincentian hospitality and immigration law, he asked of his friends who would turn their purpose away from the good works that had already begun. He answered this question, describing as those:

…who seek only to enjoy themselves…people who have only a narrow outlook, confining their perspective and plans to a certain circumference within which they shut themselves away, so to speak, in one spot; they don’t want to leave it, and if they’re shown something outside it and go near to have a look, they immediately go back to their center, like snails into their shells.

Instead, he pled with those living in his legacy to “stand firm” and “stand fast” against arguments to cease their ministries of service. Given his faith and reason, how can we deport the abandoned children at our door when we have the means to assist? In the light of the failed militarization of our border, the misguided military interventions that have undermined civilian governments and generated the chaos forcing children to leave, reason fails to support our abandoning children to detention and deportation.

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175 “Purpose of the Congregation of the Mission,” CCD, 12:81.
176 Ibid., 81-82.
V. Conclusion

The stories we tell define our lives and our nation. The biblical narrative of an Exodus people has inspired the laws and hospitality of our nation for over three centuries. Yet counter-narratives also contest for defining who we are as a people. Some story tellers have told us we can only survive as a nation if we deny, detain, and deport those who have contributed to our nation or who seek the safety of our land. To simply deny, detain, and deport does not comport with a call to love the immigrant.

Two contemporary crises—a broken immigration legal system that permits a class of persons with uncertain legal status to increase to over eleven million persons; and the thousands of unaccompanied minors, as well as mothers with children, who seek safety at our borders, invite all participants to find a better rule of law. All of us participate in a Republic whose founding members drew much from the Exodus narrative and whose laws provided both the substance and the inspiration to think about covenants, laws, and how societies define themselves and treat all as equals—whether through the Genesis story of being created in the image of God, or through the rights that became associated with equality for all.

Given that current immigration law, if it had been applied in biblical times, would have erased the biblical story—our faith communities and nation as we know them would not have happened. What does that law deny us today? The biblical narrative’s call to love challenges all to recognize that the actual implementation of immigration law contradicts its very ethos. Our current system of denial, detention, and deportation has not served us well. Denying dignity of the sojourner in our midst, we have expanded the numbers of persons living in this nation without authorized status; detention has occurred at great cost while dividing families and violating human rights; and deportation of individuals who were contributing members of society has harmed our communities and overburdened the judicial system. If we forget the narrative we invite the inhumanity detention and banishment of our neighbors has caused. Our civil society weakens with each loss.

The biblical narrative suggests an alternative response. The narrative gives more credence to forgiveness. It suggests a community that welcomes the sojourner while still holding them accountable. It teaches, moreover, that it is not just Vincentian hospitality, but a story of welcome that arises in the many stories told by people inspired by this narrative. As such, it offers hope for the many in this country, beyond those participating in the legacy of Vincent, to change our nation’s laws. Vincent based his beliefs on the same biblical stories that have generated so many faith communities, and even the secular laws of our nation. Furthermore, while the nation debates or delays discussion on comprehensive immigration reform, we still belong to faith communities that have been sent out to be with the vulnerable. Organizations like the Interfaith Coalition for Detained Immigrants reveal

the value of presence, prayer, and perseverance. While engaged in the political debate, those inspired by the narrative must also join similar efforts to strengthen our communities by welcoming the gerim in our midst.

We are told the force of the biblical narrative has been lost because modernity or post-modernity eviscerates its historical accuracy, or the metanarrative’s demise leaves it as just one more competing story. Nonetheless, we still must make choices about what stories define us. We have a legacy of Vincentian hospitality and a legacy of biblical hospitality to love the immigrant. Our times invoke our story. The immigrants in our midst and at our door call us to continually reinterpret that narrative, and to give new meaning to loving the immigrant in our time.
Vincent de Paul preaching on charity.


*Courtesy St. Vincent de Paul Image Archive Online*

http://stvincentimages.cdm.depaul.edu/
Vincent de Paul in full surplice, hand upon a book.
Oil painting in the Vincentian provincial office, Paris.
Courtesy St. Vincent de Paul Image Archive Online
http://stvincentimages.cdm.depaul.edu/
The east facade of the United States Supreme Court Building includes Moses with the Ten Commandments.

CC BY-SA 3.0
Inspection of immigrants at Ellis Island in 1897.
Etching by Ewald Thiel published in Die Gartenlaube.
Public Domain
A Syrian refugee camp pictured in summer of 2015 during the ongoing crisis.

*Public Domain*
Edward Hicks painting, *Noah’s Ark*, reveals one element of the biblical narrative’s influence on United States culture. Oil on canvas, 1846. Currently held by the Philadelphia Museum of Art.

*Public Domain*
St. Vincent de Paul not only sent Missioners to serve prisoners and refugees but believed he, too, was sent by the Gospel of Luke to heal and advocate for the detained, refugees, and the maimed.

Courtesy St. Vincent de Paul Image Archive Online

http://stvincentimages.cdm.depaul.edu/
Vincent warned that hospitality to asylees was not without risk as it could even threaten the safety of the Mother House at Saint-Lazare. This photograph shows Saint-Lazare after it was seized by the French government and turned into a prison in 1794.

*Courtesy St. Vincent de Paul Image Archive Online*

http://stvincentimages.cdm.depaul.edu/
Holding vigil outside the Broadview Immigration Staging Center in 2013.

*Courtesy of the author*
Stewart Detention Center in Lumpkin, Georgia, one of the largest private detention centers built by the Corrections Corporation of America. It reported $459.3 million in revenue in the second quarter of 2015 alone, including $65.9 million from the women and children’s detention center in Dilley, Texas. See: http://www.cca.com/press-releases?section=Investors

Courtesy of the author
Archbishop Oscar Arnulfo Romero, most recently beatified by Pope Francis, was assassinated while saying Mass in San Salvador on 24 March 1980.

Public Domain
Many of the martyrs of Central America are memorialized in an annual prayer vigil at Fort Benning, Georgia, each November in remembrance of the assassination of six Jesuit priests, their housekeeper and her daughter on 16 November 1989. The fence which excludes those seeking to cross becomes transformed with a portrait of the daughter, Celina Ramos, and crosses for Archbishop Oscar Romero, Jean Donavan, and others whose lives were lost to the tragic violence.

*Courtesy of the author*
St. Vincent’s proclamation, “I am the captive” is captured in this Leon Bonnat painting of the galley slave’s ball and chain being transferred to him as part of his ministry to the galley prisoners. Oil on canvas. Original in St. Nicolas-des-Champs.

Courtesy St. Vincent de Paul Image Archive Online

http://stvincentimages.cdm.depaul.edu/