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explore

PUBLISHED BY THE IGNATIAN CENTER AT SANTA CLARA UNIVERSITY

AN EXAMINATION
OF CATHOLIC
IDENTITY AND
IGNATIAN
CHARACTER IN
JESUIT HIGHER
EDUCATION

SPRING 2008 VOL. 11 NO. 2

Immigration

and Catholic Higher Education

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Immigration in Catholic
Social Teaching

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and Community
Service at SCU

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Immigrant Neighbors
and Their Children

SPRING 2008

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JESUIT EDUCATION AT SANTA CLARA UNIVERSITY

FROM THE CENTER DIRECTOR

When the editorial staff of *explore* first selected this issue's theme on immigration and Catholic higher education, Congress was debating comprehensive immigration reform which included a path to legal status for 12 million undocumented immigrants. That was big news! But when Congress failed to enact a broad immigration bill, reform fever on the national level waned, and the three remaining presidential candidates soon lowered the volume on immigration. Notwithstanding Sheriff Joe Arpaio's ongoing campaign against undocumented workers in Maricopa County, AZ, and Lou Dobbs' unrelenting efforts on CNN to inflame anti-immigrant sentiment nationwide, deepening economic woes and the wars in Iraq and Afghanistan have demoted immigration to a minor political and policy issue.

That was until Pope Benedict XVI visited our country for six days in mid-April. Aside from his denunciations of the sexual abuse scandal in the church, arguably the visit's most eye-catching theme was Benedict's plea for compassion toward immigrants. The pope returned to the theme several times over the course of his trip, stressing the need to protect immigrants' human rights and family unity while carefully avoiding any specifics of the American immigration debate. Before national and international audiences, and with a genius stroke of rhetoric, Benedict made clear again what the church teaches: "While an *action* or immigration *status* can be illegal, a *person* can never be 'illegal.'"¹ For that reason, "You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens in the land of Egypt" (Lev. 19:34). The biblical mandate, and so the church's, couldn't be clearer.

Because Benedict was consistently on message—the alien *already here* should be treated no differently than the native—let's hope, in the wake of his visit, that robust public debate on immigration reform resumes. In that case, this issue of *explore* can only help.

Peace,

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The Ignatian Center for Jesuit Education seeks to preserve and extend the Catholic identity and Jesuit mission at Santa Clara University. As a Center of Distinction, the Ignatian Center is dedicated to advancing the University's strategic vision of "educating men and women to be leaders of competence, conscience, and compassion," by serving students, faculty, staff, and community partners.

Santa Clara University, a comprehensive Jesuit, Catholic university located 40 miles south of San Francisco in California's Silicon Valley, offers its more than 8,000 students rigorous undergraduate curricula in arts and sciences, business, and engineering, plus master's and law degrees and engineering Ph.D.s. Distinguished nationally by one of the highest graduation rates among all U.S. master's universities, California's oldest operating higher-education institution demonstrates faith-inspired values of ethics and social justice. For more information, see www.scu.edu.

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¹ Maryland Catholic Conference, "Immigration Resources for Priests," in *Where All Find a Home: A Catholic Response to Immigration*, Nov. 2007. Full text can be found at <http://www.mdccathcon.org/whereallfindahome>.

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Immigration and Catholic Higher Education



BY RICK RYSCAVAGE, S.J.

Director, Center for Faith and Public Life, Fairfield University, and former Director, Jesuit Refugee Services

IN THE FIRST YEARS OF THE AMERICAN REPUBLIC, CATHOLICS HAD MODEST EXPECTATIONS ABOUT THE FUTURE OF THEIR RELIGION IN THE NEW NATION. THE SMALL POST-COLONIAL CATHOLIC COMMUNITY CONSISTED PRIMARILY OF BRITISH IMMIGRANTS ANCHORED IN MARYLAND WHERE THE FIRST CATHOLIC BISHOP (JOHN CARROLL) AND THE FIRST CATHOLIC COLLEGES TOOK ROOT (GEORGETOWN IN 1789 AND MOUNT ST. MARY'S [EMMITSBURG, MD] IN 1805). Catholicism strongly influenced the surrounding regions of French Canada, Louisiana, and the Spanish colonies in Florida, California, and the Southwest, but on the English-speaking northeast seaboard anti-Catholicism, encouraged by some Founding Fathers, flourished. The assumption seems to have been that Catholics would find their niche as a minor religious group in an overwhelmingly Protestant nation.

At the founding of the Republic, there were only about 35,000 Catholics. Who could have

predicted that by the time of the Civil War there would be three million? Catholics swiftly became the largest single religious denomination in the United States. By the end of the 19th century there were 63 Catholic colleges and universities across the country.

Immigration propelled this astonishing growth. Most of the colleges were established after 1840, coinciding with the massive movement of immigrants into the United States that continued for decades. These schools were founded and funded by first- or second-generation immigrants. Poor immigrants would form the core of American Catholicism during the 19th and early 20th centuries, but some Catholics prospered in the United States. They were able to help finance Catholic educational institutions and they could afford their children's tuition. Some colleges tended to attract students from these wealthier families while other schools offered less expensive fees that benefited students from the larger immigrant pool.

The institutions sought to differentiate themselves from public, secular, and other de-



nominal colleges by emphasizing the Catholic faith and the Catholic intellectual tradition. Catholicism and academic studies went hand in hand. To strengthen the faith of the immigrant student was, at least implicitly, recognized by most of the colleges as an important part of their mission. These Catholic educational institutions became instruments for preserving the Catholic intellectual tradition in American higher education while preparing new generations of students for civic life in America. The colleges, like the Church itself, provided important avenues for the socialization of immigrants. In a retrospective sense, these colleges became victims of their own success. The descendants of these immigrants gradually entered the American mainstream, as did the institutions themselves. Eventually most of Catholic higher education lost its special connection with immigrants.

COLLEGES AND IMMIGRANTS TODAY

If we fast forward to the 21st century, Catholics continue to make up the largest single denomination and we find the United States facing

another immense immigration influx. The number of foreign-born in the United States today almost equals the proportion around the beginning of the last century. On average, since the 1990s, a million persons per year have been legally entering the country. As in the 19th century, most of these newcomers are Roman Catholics under the age of 35. Most immigrants come from countries with significant Catholic populations. Hispanics, mostly Catholics, have surpassed African-Americans as the largest minority in the United States. Filipinos, overwhelmingly Catholic, closely follow the Chinese as the largest Asian community in the country. But unlike the 19th century, the response of Catholic colleges and universities to these new immigrants has been tepid.

Many of the Catholics who attend, fund, and administer the institutions have a limited understanding of their own families' immigrant roots and experiences. Educating immigrants no longer figures into the mission or even consciousness of most Catholic universities. Irish-American Catholics today are the most affluent

religious group in the country, surpassing the Jews and the Episcopalians. One of the great achievements of Catholic higher education in the 20th century was the creation of a cadre of Catholic intellectual and social leaders whose parents and grandparents were immigrants. Sadly these Catholic descendents of immigrants often ignore or are sometimes even hostile to the present-day immigrants. Fully assimilated into American life, Catholics have let slip their social and religious memory.

When a professor at a Catholic university today speaks of the “American Catholic,” she usually means the white, post-Vatican II, English-speaking middle-class citizen Catholic. She rarely puts into that category the newly arriving young African or Asian Catholics, or the Mexican, Peruvian, and Colombian Catholics who are the demographic future of the U.S. Catholic population. Although recognized as part of the global Catholic family, these newcomers have religious, social, and cultural traditions that seem “alien” in the mainstream American parish and in the elite Catholic academic circles. The religious issues that preoccupy Catholic lay and religious leaders in the United States today rarely reflect the social priorities and religious concerns of these young Catholic immigrants.



Because of their high private tuition and alumni base, most Catholic universities and colleges today are educating middle- and upper-income Americans. Some Catholic immigrants can afford to send their children to Catholic colleges but the majority of new immigrants are cut off from Catholic higher education. Surprisingly, even when scholarships are available, the schools do little to try to recruit from the forty different non-Hispanic Catholic ethnic groups establish-

ing themselves in the United States. Successful and devout Korean Catholic immigrants, for example, are more likely to send their brightest children to Princeton, Harvard, and Stanford. Most immigrant students attend public high schools where Catholic colleges may not enter into the usual consideration by students and their families. Most Catholic immigrants never set foot on a Catholic campus. Unlike the earlier connections between specific immigrant communities and certain colleges, immigrants today often feel no particular attachment to any Catholic college. There are, of course, notable exceptions. St. John’s University in New York continues its long, distinguished tradition of educating lower-income immigrants. Some schools in California, New York, Texas, and Florida have large immigrant student populations, but usually not because of any strategic Catholic intentionality. The multicultural student body in these institutions simply reflects the shifting demographics of a globalizing region. All schools in those urban areas, public and private, will have similar diverse rosters of students.

Catholic bishops and pastors in the U.S. have been much more welcoming and responsive to the new immigrants than the Catholic colleges. Many of the bishops and cardinals continue the strong tradition laid out in the 19th century by such leaders as Archbishop John Hughes, who forcefully tried to protect and care for the immigrants in New York City. Because the Church is both local and global it can play a key role as a transnational bridge for Catholic immigrants. The bishops are gradually coming to terms with the fact that the immigrants are redefining U.S. Catholicism. But the Church has to struggle with the changing dynamics of migration. Many of the newer immigrants bypass the traditional gateway cities of Los Angeles, New York, Boston, Chicago, and Miami. Because of jobs, lower living costs, less crime, and family-friendly communities, they are settling in the American South and rural Midwest where Catholic pastoral structures for dealing with new immigrants are weaker than in Northeast or West Coast urban centers. The anti-immigrant forces in these areas can be more intense than in the older immigration cities. Heavy proselytism by certain Protestant groups can undermine their Catholic

Most Catholic immigrants never set foot on a Catholic campus. Unlike the earlier connections between specific immigrant communities and certain colleges, immigrants today often feel no particular attachment to any Catholic college. There are, of course, notable exceptions.

faith. Most big Catholic institutions of higher education remain outside this new immigration zone. The chances of an immigrant finding a local and affordable Catholic college are not good.

On top of the phenomenon of massive legal immigration, there is the parallel problem of immigrants who enter or stay without legal authorization. Experts estimate 12 million persons now live without legal permission in the United States. Most of them are embedded in mixed-status families where, for example, the father may be undocumented but the mother has American citizenship. Undocumented students pose a special challenge for higher education when, legally cut off from public scholarships and in-state tuition, they must forgo tertiary education even when they are in the top of their high school graduating class.

The complete collapse of the Kennedy-McCain immigration reform legislation and President Bush's proposals last year, coupled with the escalating distortion of the problem by some media leaders and politicians, have made a reasonable national dialogue unlikely. Greater enforcement of existing laws seems to be the only change capable of being implemented in the current climate. Our broken federal immigration system will have to remain in place for the foreseeable future. Out of fear of detention and deportation, most of the undocumented immigrants, if they do not return to their countries of origin, will fade ever more deeply into the social shadows of our country. The hidden nature of their lives will present major

challenges to civic life: labor and sexual abuses, children kept out of school, poor reporting of public health problems, driving without licenses or insurance, and the expansion of a dual labor economy where one sector has been criminalized and moved further underground.

Given these extremely difficult public policy problems, what is the role of Catholic higher education in responding to the phenomenon of global migration and contemporary mass immigration to the United States? Can Catholic higher education reconnect with immigration? There are multiple pathways for such engagement and response.

SOCIAL JUSTICE ACTION

Clear and unbiased analysis is often a more important contribution to social justice than front-line advocacy. In the area of immigration, where Cardinal Mahony and the U.S. Conference of Catholic Bishops tread, the Catholic colleges would be wise not to follow. Universities ought to focus primarily on teaching, research, and the life of the mind. They should not normally engage in extensive social and political advocacy at the institutional level. The public role and responsibility of a bishops' conference has to be separated from the public role and responsibility of a university. The Catholic social values that the schools stand for—protecting human dignity, enhancing the common good, promoting human solidarity, taking the side of the poor—must be inculcated through teaching, research, and reflection, not through extensive

institutional lobbying. This institutional restraint in no way limits the civic engagement of individual teachers and students who can be encouraged to support the Catholic Church in its direct immigration advocacy. Social action can be an important element of a student's moral and political education. Particularly as future lay leaders, young Catholics need to learn how to live out the social teachings of the Church in the public square. The University can help them do that but it should not, in the process, lose sight of its institutional mission, which is not advocacy.

TEACHING

The global movement of people will characterize the rest of the 21st century. Teaching students about its many dimensions will require the routine involvement of many different parts of an academic institution. Professional schools of law, medicine, nursing, business, education, communication, journalism, and the liberal arts colleges can all offer distinct perspectives on migration. Because the teaching of migration is often buried inside different departments and disciplines, it is difficult to get a perspective on the current situation. But undergraduate minor and major concentrations in migration studies could become "signature" offerings at Catholic colleges. More Catholic universities could distinguish themselves by establishing chairs and interdisciplinary graduate programs in migration.

Migration lends itself particularly well to academic service-learning courses where an endless variety of multidisciplinary topics can bring a student into direct contact with an immigrant or an immigrant community. Examples might include engineering for refugee housing, legal rights of asylum seekers, immigrant oral history, sociological and anthropological studies, immigrant businesses, immigrant literature, and the public and/or psychological health of immigrants.

Migration can concentrate the mind of an entire college. Loyola Marymount University in Los Angeles, for example, used its Bellarmine Forum structure last year to focus an entire week of student and faculty cross-disciplinary discussions, lectures, and media presentations on immigration.

RESEARCH

Migration is by its nature an interdisciplinary phenomenon. There is no general theory that fully explains why people move. Economists, sociologists, historians, demographers, political scientists, and philosophers all have explored theories of migration. Within each field there are many uninvestigated gaps in our knowledge. Human mobility is so complex that it will take decades of collaborative studies before we can begin to understand it in a more comprehensive light. Catholic universities, if they worked together, could become the academic front line for the interdisciplinary study of migration. The vast global network of Catholic educational and pastoral institutions offers scholars an unmatched entry for field research. U.S. Catholic colleges and universities could actively support incipient research networks such as the Jesuit Migration Academic Network (JMAN), which is trying to link faculty from the 28 U.S. Jesuit colleges and universities and encourage collaborative research on migration. It links to a similar Jesuit network of scholars based in Central America, Mexico, and Canada.

Specific social action research is another area where Catholic university scholars could shine. The U.S. Catholic Conference of Bishops and the Catholic social service organizations have a constant need for specific data on immigrants. They have little time or resources to carry out such research themselves but they understand that when contentious immigration issues arise, factual data and rigorous research can have a powerful impact on policy makers.

PUBLIC EDUCATION

The national debate on immigration has been intensely polarizing and coarse. Catholic colleges and universities could fill the need for calmer, more informed, and balanced public presentations on the issues, including outreach through the media.

A school could also do more to educate the public about the Catholic Church's unusual perspective on immigration and the special place that migration occupies in Jewish and Christian faiths.

Schools could offer the public more opportunities to meet immigrants and their fami-

Human mobility is so complex that it will take decades of collaborative studies before we can begin to understand it in a more comprehensive light. Catholic universities, if they worked together, could become the academic front line for the interdisciplinary study of migration. The vast global network of Catholic educational and pastoral institutions offers scholars an unmatched entry for field research.

lies. Hearing an immigrant's story can play an invaluable role in humanizing the immigration debate and changing the public's perception of newcomers in their communities.

IMMIGRANT ADMISSIONS AND SCHOLARSHIPS

More Catholic colleges and universities should create specific scholarships for legal immigrant students. In tandem with these scholarship programs, much more direct recruiting needs to be done within the many ethnic communities. Schools can foster the development of long-term linkages with these communities by regularly offering special cultural and language programs on campus. These programs can be connected to the previously mentioned public education efforts.


Some of the brightest, most hard working high school students are undocumented and ineligible for public scholarships. Unlike public universities, private colleges can legally offer scholarships to these students. These scholarships, however, have to be handled discreetly. Students naturally fear exposing themselves or their families to deportation. Is it unrealistic to suggest the creation of a national Catholic endowment of scholarships for the undocumented?

THEOLOGY AND SPIRITUALITY OF MIGRATION

To study and teach migration at a Catholic school comes down to a kind of Christian anthropology that asks not only why human

beings move but also what God has to do with it. Probably only Catholic colleges and universities have the academic capacity for a sustained focus on the religious dimension of migration. For Catholics the challenge of immigration must be rooted in theology and spirituality. Catholic scholars and others have been developing a body of excellent analyses of the relationship between migration and God, but the theological depth of this topic has only begun to be explored. The question of how migration becomes a "theologizing" experience for the immigrant or refugee has not yet been answered. Nor have we adequately grasped how physical migration, as a human experience, mirrors our common migration through life to God. The centrality of migration for the Jewish Old Testament experience of God and the migratory impulse of Christianity are other dimensions offering a rich vein for scholarship, teaching, and reflection.

CONCLUSION

Migration, an ancient phenomenon, is all about decisions made by the human person. The ultimate test for U.S. Catholic colleges and universities will lie with the young immigrants themselves. The bonds they form with Catholic colleges will necessarily differ from those of their predecessors. But if the schools reach out to them and help the American people understand them, the new immigrants will bring the gift of renewed life to Catholic higher education for the new century. 

A Little Common Sense:

The Ethics of Immigration in Catholic Social Teaching



BY WILLIAM R. O'NEILL, S.J.

*Associate Professor of
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IN ROBERT BOLT'S PLAY, "A MAN FOR ALL SEASONS," THE AGING CARDINAL WOLSEY ADMONISHES SIR THOMAS MORE: "YOU'RE A CONSTANT REGRET TO ME, THOMAS. IF YOU COULD JUST SEE THE FACTS FLAT ON, WITHOUT THAT HORRIBLE MORAL SQUINT; WITH JUST A LITTLE COMMON SENSE, YOU COULD HAVE BEEN A STATESMAN."¹ Today, too, Wolsey's heirs are quick to upbraid our latter-day Mores for their sentimental "moral squint" at immigration policy. Yet even statesmen of Wolsey's stripe seldom see the facts of migration "flat on." Invariably, our perceptions betray our moral squints, our tacit prejudices.

Beginning with Leo XIII's teaching on the rights of workers, modern Roman Catholic social teaching forms the moral squint the Church brings to public policy. In its social teaching on dignity and human rights, the Church follows its Lord in proclaiming the

"Good News" to the poor (Lk 4:18). The Synod of Bishops in 1971, in a memorable declaration, thus affirmed that "action on behalf of justice and participation in the transformation of the world fully appear to us as a *constitutive* dimension of the preaching of the Gospel, or, in other words, of the *Church's* mission for the redemption of the human race and its liberation from every oppressive situation."²

In these pages, I will first consider the principal themes of modern Catholic social teaching, and then turn to their implications for immigration policy in a religiously pluralist polity such as our own. I will conclude with an assessment of the distinctively Christian obligations borne by citizens of faith in such a polity.

GOOD NEWS TO THE POOR

Inspired by the great biblical injunctions of justice and right judgment marking the reign of God, modern Roman Catholic social teaching

Roman Catholic social teaching offers a richer, more engaged understanding of the moral aims of social policy than envisioned in much contemporary democratic deliberation. Our “moral squint” bids us recognize the equal dignity and basic human rights of every neighbor. Indeed, it is precisely our moral entitlement to equal respect or consideration, in concert with the ethical ideal of the common good, that justifies preferential treatment for those whose basic rights are most imperiled—in Camus’ phrase, our taking “the victims’ side.”

utilizes the distinctively modern idiom of human dignity and human rights.³ Since the first modern social encyclical, Leo XIII’s *Rerum Novarum* (1891), the Church’s teaching has upheld the fundamental, intrinsic worth of all persons as created in the image of God.

The recognition and institutional protection of a person’s dignity as fulfilling the divine command to “love...your neighbor as yourself” (Lk 10:27) sets the framework of social policy. The equal recognition and respect due moral persons in virtue of their dignity is, in turn, analyzed in terms of an agent’s basic human rights. So it is the discourse of human rights and of correlative duties that serves as a common language in mediating the Church’s theological beliefs in a religiously pluralist context; even as the ideal of covenant fidelity enriches our conception of rights. For in specifying the “minimum conditions” for the realization of such dignity, our bishops seek to extend the modern notion of human rights to include not merely the protective civil-political rights enshrined in our American tradition (e.g., the freedoms from interference or coercion expressed in our rights to freedom of worship, assembly, speech, etc.) but the proactive socio-economic rights of subsistence, employment, minimal health care, education, etc., rights necessary for “a dignified life in community.”⁴

As the foregoing remarks reveal, Roman Catholic social teaching offers a richer, more

engaged understanding of the moral aims of social policy than envisioned in much contemporary democratic deliberation. Our “moral squint” bids us recognize the equal dignity and basic human rights of every neighbor. Indeed, it is precisely our moral entitlement to *equal* respect or consideration, in concert with the ethical ideal of the common good, that justifies *preferential* treatment for those whose basic rights are most imperiled—in Camus’ phrase, our taking “the victims’ side.”⁵ For if equal consideration does not imply identical treatment, so we may distinguish legitimately between indiscriminate regard for moral persons and discriminate response to their differing situations.⁶ Aquinas’s observation that a servant who is ill merits greater attention than a son who is not, pertains, with greater reason, to equals: the fulfillment of equal basic rights, in materially dissimilar conditions, justifies a discriminate response.⁷ Now in social ethics generally, such a discriminate response is expressed in the graduated moral urgency of differing human rights (e.g., an individual’s basic rights would trump another’s private property rights), and in the differing material conditions presumed for realizing the same human rights.

These brief remarks permit us to “translate” the fundamental motifs of Roman Catholic social teaching into a persuasive, modern idiom. The biblical ideals of covenant fidelity and love

of neighbor underwrite our modern teaching on the dignity of persons and their families, solidarity, human rights, and the option for the poor as an answer to the lawyer's question, in Jesus' parable of the Good Samaritan, "What must I do to live?" (Lk 10:25).

IMMIGRATION POLICY

Church teaching is far from a panacea. The broad themes sketched thus far frame, but do not dictate, policy on such vexed social issues as immigration. And yet, as we shall see, the Church's teaching offers us considerable wisdom in the midst of our electoral polemics.⁸

In modern Roman Catholic social teaching, the legitimate sovereignty of states in regulating immigration serves the global common good, so that states are morally bound to respect and promote the basic human rights of both citizen and resident alien, especially the most vulnerable, and of these, in particular, women and children.⁹ The Catholic Church thus recognizes not "open," but porous borders, respecting a person's right to change nationality for social and economic as well as political reasons. For in view of the "common purpose of created things" (and the mutual character of basic rights), "where a state which suffers from poverty combined with great population cannot supply such use of goods to its inhabitants... people possess a right to emigrate, to select a new home in foreign lands and to seek conditions of life worthy" of their common humanity.¹⁰ Just so, the "new home," even where temporary, must provide for the equitable provision and protection of such basic human rights.

The rhetoric of basic human rights leaves many questions unresolved. Yet recognizing the graduated urgency of human rights and correlative duties does serve to indicate the contours of an equitable immigration policy, i.e., one which recognizes the moral priority of relative need (gravity and imminence of harm); particular vulnerabilities, e.g., of women and children; familial relationships; complicity of the host country in generating migratory flows; historical or cultural affiliations, e.g., historic patterns of employment; and a fair distribution of burdens. The latter consideration applies domestically as well, for the burdens of local

integration or resettlement should not fall disproportionately upon the most vulnerable citizens.

In a similar vein, Paul VI and John Paul II urge acceptance of "a charter which will assure [persons'] right to emigrate, favor their integration, facilitate their professional advancement and give them access to decent housing where, if such is the case, their families can join them."¹¹ The virtue of solidarity enjoins hospitable treatment of those seeking to change nationality, due process in adjudicating claims, assistance in their integration to a new homeland, and respect for their cultural heritage.

Citizens of faith, conversely, can never accept detention of undocumented children nor acquiesce to threats of massive deportation separating families. In a world ever more interdependent, citizens must rather seek a "continual revision of programmes, systems and regimes" so as to guarantee the full and effective implementation of the basic human rights of the most vulnerable. Recognition of the "stranger" or "alien" *as* neighbor attests to what the Universal Declaration of Human Rights calls our common "faith in fundamental human rights, in the dignity and worth of the human person."¹² Under our "International Bill of Rights," *persons* are never divested of moral standing, never rhetorically effaced as "illegal."

Passing to "the victim's side," as did the Samaritan in Luke's parable (Lk 10:29ff.), appears, then, as the touchstone of legitimacy for prevailing institutional arrangements, local, national, and global. Consonant with the Church's understanding of the common good, the loss of citizenship, affirms Pope John XXIII, "does not detract in any way from [one's] membership in the human family as a whole, nor from [one's] citizenship in the world community."¹³ Finally, the virtue of solidarity with both near and distant neighbors in Catholic social teaching seeks not only to protect and extend the legal rights of migrants, but to redress the "oppression, intimidation, violence, and terrorism" that all too often impel them to migrate against their will.¹⁴ The duties falling upon states and non-governmental organizations (NGOs) to aid and protect migrants presume the antecedent duty of

In modern Roman Catholic social teaching, the legitimate sovereignty of states in regulating immigration serves the global common good, so that states are morally bound to respect and promote the basic human rights of both citizen and resident alien, especially the most vulnerable, and of these, in particular, women and children.

preserving an international social order (the global common good) in which the basic rights of the most vulnerable are recognized as “the indispensable basis for authentic justice and the condition for enduring peace.”¹⁵

“GO AND DO LIKEWISE!”

The rhetoric of human rights, I’ve argued in the previous section, permits the Church to translate the biblical motifs of justice, solidarity, and hospitality in the public reasoning of complex, religious pluralist polities like our own. And yet, there remains a surplus of religious meaning. “Love of neighbor” is never less than just. Yet if the Christian “justices”¹⁶ in her moral deliberations, so justice bears the mark of “loving tenderly, compassionately.” To the lawyer’s question in the parable, “Who is my neighbor?” seeking a precise delimitation of rights and duties, Jesus replies with a question of his own, “Who is it that proved himself neighbor?”¹⁷

The lawyer’s reply, “the Samaritan,” is richly ironic, for the Samaritan, a despised schismatic, the quintessentially “other,” not only proves himself neighbor, but in exemplifying neighborliness as the fulfillment of the law, is the one whom the lawyer must imitate: “Go and do likewise!” (Lk 10:37). For the question posed in Jesus’ reading of the law is not finally “Whom shall I love?” but rather “Who shall I become (prove myself to be) in loving?” In Kierkegaard’s words, “Christ does not speak about recognizing one’s neighbor but about being a neighbor oneself, about proving oneself to be a neighbor, something the Samaritan showed by his compassion.”¹⁸ And this makes all the difference.

The distinctively Christian virtue of solidarity with those “broken and oppressed in spirit” thus defines the disciple’s moral squint; for “to be a Christian,” says Gustavo Gutiérrez, “is to draw near, to make oneself a neighbor, not the one I encounter in my journey but the one in whose journey I place myself.” For an ethics of discipleship, then, “What I must do to *live*” is, then, to “turn” to the world of the poor, of the half-dead stranger, in the martyred Archbishop Romero’s words, “becoming incarnate in their world, of proclaiming the good news to them,” even to the point of “sharing their fate.”¹⁹ In solidarity with migrants, the disciple of Jesus, our “Good Samaritan,” must “see and have compassion,” even as compassion becomes our way of seeing, our “horrible moral squint.”

Let me conclude with a thought from Dorothy Day, founder of the Catholic Worker Movement:

For a total Christian, the goad of duty is not needed—always prodding one to perform this or that good deed. It is not a duty to help Christ, it is a privilege. Is it likely that Martha and Mary sat back and considered that they had done all that was expected of them?... If that is the way they gave hospitality to Christ, it is certain that that is the way it should still be given. Not for the sake of humanity. Not because it might be Christ who stays with us, comes to see us, takes up our time. Not because these people remind us of Christ...but because they *are* Christ, asking us to find room for Him, exactly as He did at the first Christmas.²⁰ ©



NOTES

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3. For an interpretation of biblical conceptions of justice, see John Donahue, "The Bible and Catholic Social Teaching: Will This Engagement Lead to Marriage?" in *Modern Catholic Social Teaching: Commentaries and Interpretations*, ed. Kenneth R. Himes (Washington, D.C.: Georgetown University Press, 2004), 9–40.
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5. Albert Camus, *The Plague* (New York: Alfred A. Knopf, 1960), 230.
6. Gene Outka, *Agape: An Ethical Analysis* (New Haven: Yale University, 1972), 20. Cf. Ronald Dworkin, *Taking Rights Seriously* (Cambridge: Harvard University, 1977), 227.
7. Thomas Aquinas, *Summa Theologiae* II-II (Secunda Secundae), q. 31, a. 2.
8. For episcopal teaching and timely pastoral resources, see especially the U.S. Bishops' Web site: <http://www.justiceformigrants.org>.
9. For Roman Catholic teaching on the moral status of migrants and refugees, see especially *Rerum Novarum*, 32, 35; *Quadragesimo Anno*; *Exsul Familia*; *Mater et Magistra*, 45; *Pacem in Terris*, 11, 25, 94–108; *Gaudium et Spes*, 27, 66; *Populorum Progressio*, 66–69; *Instruction on the Pastoral Care of People Who Migrate* (Sacred Congregation of Bishops); *Octogesima Adveniens*, 17; *Justice in the World*, 20–24 (Synod of Bishops); *Laborem Exercens*, 23; *Sollicitudo Rei Socialis*, 24, 38; *Redemptoris Missio*, 37, 82; and *Centesimus Annus*, 18, 57–58; "The Love of Christ Towards Migrants" (Pontifical Council for Pastoral Care of Migrants and Itinerant People). For an analysis of the implications of Catholic social thought in the American context, see Office for the Pastoral Care of Migrants and Refugees, National Conference of Catholic Bishops and the Department of Education, United States Catholic Conference, "Today's Immigrants and Refugees: A Christian Understanding" (Washington, D.C.: U.S. Catholic Conference, 1988); "Who Are My Sisters and Brothers? Reflections on Understanding and Welcoming Immigrants and Refugees" (Washington, D.C.: U.S. Catholic Conference, 1996); "Love One Another as I Love You" (1996); "Welcoming the Stranger Among Us: Unity in Diversity" (November, 2000); "Asian and Pacific Presence: Harmony in Faith" (November 2001); and the pastoral letter issued jointly by the bishops of Mexico and the U.S., "Strangers No Longer: Together on the Journey of Hope" (January 2003); Pontifical Council for the Pastoral Care of Migrants and Itinerant People, "Erga Migrantes Caritas Christi" (The Love of Christ Towards Migrants, Vatican City, 2005).
10. Sacred Congregation of Bishops, "Instruction on the Pastoral Care of People Who Migrate," 7, n.14 (Vatican City, August 22, 1969).
11. Pope Paul VI, *Octogesima Adveniens*, 17 (1971) in *Catholic Social Thought*, 271.
12. Preamble to Resolution 217 S (111), "Universal Declaration of Human Rights," adopted and proclaimed in the General Assembly of the United Nations, December 10, 1948.
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15. *Octogesima Adveniens*, 17 in *Catholic Social Thought*, 271.
16. Gerard Manley Hopkins, "As kingfishers catch fire, dragonflies draw flame;" in *The Poems of Gerard Manley Hopkins*, ed. W. H. Gardner and N. H. MacKenzie (New York: Oxford University Press, 1970), 90.
17. See John R. Donahue, "Who is My Enemy? The Parable of the Good Samaritan and the Love of Enemies," in *The Love of Enemy and Nonretaliation in the New Testament*, ed. Willard M. Swartley (Louisville, Kentucky: Westminster/John Knox Press, 1992), 137–56 at 144.
18. Søren Kierkegaard, *Works of Love*, trans. Howard and Edna Hong (New York: Harper and Row, 1962), 38.
19. Archbishop Oscar Romero. "The Political Dimension of the Faith from the Perspective of the Option for the Poor," (University of Louvain, February 2, 1980) in *Liberation Theology: A Documentary History*, ed. Alfred T. Hennelly (Maryknoll, New York: Orbis Books, 1990), 298.
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Immigration Law and Community Service

at Santa Clara University School of Law



BY LYNETTE M. PARKER

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COMMUNITY, COMMITMENT, AND COURAGE

THREE VALUES STRESSED BY THE KATHARINE AND GEORGE ALEXANDER COMMUNITY LAW CENTER, THE CIVIL CLINICAL PROGRAM OF SANTA CLARA'S LAW SCHOOL, AND BY JESUIT PHILOSOPHY GENERALLY, ARE THOSE OF COMMUNITY SERVICE, COMMITMENT, AND COURAGE. These values are integrated into the education of law students who work and study at the Community Law Center. Students working in the Immigration Law program at the Community Law Center live and practice these values in the context of their legal education and practical training.

COMMUNITY SERVICE

Originally located in one of the poorest areas of San Jose, the Community Law Center has had the dual mission of education and community

service. Law students assist immigrants, who work hard and sacrifice much to build new lives for themselves and their families. Community Law Center client families, many of whom mirror immigrant families throughout the country, are frequently mixed families with U.S. citizen, permanent resident, and undocumented members. These families have faced extended separation of spouses, parents, children, and siblings. Some have had to leave home, family, friends, and possessions when they fled torture and persecution.

For Santa Clara law students working at the center, service to the community means providing the highest quality of legal work. It also means treating each client with respect and dignity. Law students learn to work with interpreters and with cultural competence. They also learn to work with traumatized clients in a way that minimizes re-traumatization. The law students take these lessons to heart, and invest time and effort to perfect their interviewing and

Santa Clara Law students tackle the complexities of immigration with heart and intelligence. They invest many hours in their cases, often above and beyond the number of hours required to complete the course units for which they have registered. They may work late and come into the office on weekends to complete applications or briefs.

client skills. Clients respond by trusting their legal matters to the law students, and confiding experiences that are often difficult to repeat.

COMMITMENT

Commitment manifests as compassion, dedication, competence, and professionalism. Immigration law is technically complex. Sometimes called the second most complex statutory law after tax law, the layers of overlapping and sometimes conflicting provisions confound even the experts. Immigration law also evokes strong emotions. Marches in the streets, harsh rhetoric, and contentious political debates illustrate the strength and depth of the emotions. The complexity and the emotional nature of immigration law challenge international and national leaders, global and local communities, and law students alike.

For Santa Clara Law students, technical competence requires mental agility and flexibility. Immigration law changes frequently and reflect changes in laws, policies, and public opinion. Details matter when working with immigration law. The date someone last entered the United States could mean the difference between eligibility for immigration status and a bar to obtaining lawful status. A date of birth can be crucial for someone born outside of the United States to a U.S. citizen parent, since the date of birth could determine under which version of immigration law someone falls and whether they were born a U.S. citizen or not.

Santa Clara law students tackle the complexities of immigration with heart and intelligence. They invest many hours in their cases, often

above and beyond the number of hours required to complete the course units for which they have registered. They may work late and come into the office on weekends to complete applications or briefs. Some return as volunteers during subsequent semesters to complete a case or represent the client in a court hearing or interview. Students report that they cannot stop thinking about their cases, and often remain in touch with the Community Law Center even after graduation to learn the final outcome of their cases.

Commitment on the part of Santa Clara Law students is a reflection of their professional pride in their work and their investment in and connection with their clients. Community Law Center clinical instructors remind each new group of students that the center was founded by law students who wanted to put their education to use for the community. Students are told that the cases assigned to them are their cases. The clinical instructors are present to teach, support, and provide the necessary license to practice law, but students are encouraged to take initiative and ownership of their cases.

COURAGE


Courage to work in the field of immigration law may mean the courage to look other human beings in the eyes and tell them that there is no legal avenue that will provide them a safe haven; that there is a possibility that once again they will lose their home, their job, and find themselves separated from family; that although they have a college or post-graduate degree, the only work they may be able to find without employ-

ment authorization is agricultural, construction, or janitorial employment. Law students learn that sometimes giving good legal advice means telling people they have no legal remedy. As hard as that is, in the field of immigration law, being honest and clear about what legal remedies exist means the person is less likely to be taken advantage of by the various scams that are perpetrated on immigrants. There are individuals posing as immigration consultants and there are attorneys who are willing to take thousands of dollars from immigrants in exchange for the promise of legal status or work authorization. Some of them are uninformed about changes in the law, while others are consciously defrauding the immigrant population. Santa Clara law students working on immigration cases learn to empower clients by giving them information, regardless of how discouraging the information may seem.

Courage takes another form for law students working with traumatized clients. It takes courage to ask people to recount the torture they suffered. It takes courage to walk with clients through their testimony of how their loved one physically and emotionally betrayed their trust. It takes courage to meticulously record how someone was tricked or forced into coming to the United States; used for forced labor or sex work; beaten, tortured, and threatened; scared and alone in a strange place among persons who

buy and sell them like slaves. Working on these cases, the law students come face-to-face with the dark side of humanity. Yet, with much courage, patience, and support, the students can discover the light at the end of the tunnel and experience the beauty of humanity, the resilience, the hope, and the dreams of those who again find safety and a place to rebuild their lives.

CONCLUSION

Immigration law is a technically challenging area of law to practice. In addition, it provokes strong emotions—fear, hope, anger, joy, frustration, and satisfaction. Law students find that their time at the Law Center has not only taught them practical skills in an area of substantive law; it has taught them about working with people, about their own strengths and weaknesses, about service to community, and about the need to remain engaged in the formation of laws, not just the practice of law. It reinforces their own commitment to their chosen profession and to their future work in immigration law or some other area of social justice practice. It is this commitment that drew many law students to a Jesuit University, to Santa Clara University, and to the Katharine & George Alexander Community Law Center, and it is this commitment that offers a glimmer of hope in the darkness of the struggles that surround human migration. 



Great Generations:

Caring For Our Immigrant Neighbors and Their Children



BY MARK MCGREGOR, S.J.
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“THERE IS A SURREAL QUALITY TO THE FRESHETS, STREAMS, RIVERS, AND OCEANS OF WORDS EXPENDED ON THE IMMIGRATION ISSUE, WITHOUT A WORD ON THE BIG POINT,”¹ WROTE BEN WATTENBERG IN 2006. THE BIG POINT, HE WRITES, IS THAT “AMERICAN GREATNESS AND INFLUENCE DEPEND ON IMMIGRATION AND ASSIMILATION.” Immigrants do serve and sacrifice themselves for America. For instance, Mexican-Americans GI’s “have been awarded proportionately more Congressional Medals of Honor than any other sub-group in the American military.” Immigrants give America good publicity abroad. Their billions of dollars in remittances are the “best kind of foreign aid.” Kicking out immigrants would mean that America’s tax base and revenue for Social Security would likewise diminish.

The cornerstone of Wattenberg’s argument is that “Americans are the principal purveyors of liberty and democracy to the world.... We have not done it perfectly, but we have done more than any nation in history has.”²

To be purveyors of freedom and democracy, America does need an economy that encourages an increasingly diverse population that participates and competes at home and abroad. Draining immigrants would bleed the U.S. of economic and cultural vibrancy, while other industrialized countries would benefit by incorporating them. (For instance, a recent study reveals that, since 1990, immigrants “have started 1 in 4 U.S. venture-backed public companies.”³)

At the end of his piece, Wattenberg asks: “Are we going to be a great country in the world, or not? I vote yea.”⁴ In the oceans of words of this watershed election year, I wonder:

America's public discourse turns on one point: the outsiders are considered "illegals." The question "Who is the illegal?" stigmatizes and criminalizes a whole class of people. Ignoring the context of globalization, we have neglected our responsibility for policies that have pulled migrants here and hurt economies abroad. Americans have forgotten that at the start of the last century our own congregations, particularly Catholics, helped the "tired, poor...huddled masses yearning to breathe free."

Is he right about the big point? Before I cast my vote, let me address one measurement of greatness that he misses.

MORAL GREATNESS

Wattenberg inadequately addresses the moral case for immigration. *The Economist* made this point clear: "the moral case for immigration is incontrovertible: it lessens human misery."⁵ Across America many moral arguments have been made for immigration reform. Not surprisingly, the Catholic Church has been a leading voice. An unprecedented number of Catholic bishops and church leaders have cited volumes of well researched economic studies on immigration. In citing scripture, social teaching, and humanitarian reasons, they've backed up good economic news with the Good News. Greatness, however, means getting the facts right and having right character.

Why haven't their astute assessments and sound moral arguments been a life-line for Christians, treading water in surreal oceans of words on immigration? One word weighs down the moral imagination of many Catholics and stunts advocacy for immigrants—illegal.

"ILLEGAL" AS NEIGHBOR

America's public discourse turns on one point: the outsiders who are called "illegals." The question "*Who is the illegal?*" stigmatizes and

criminalizes a whole class of people. Ignoring the context of globalization, America has neglected to see its responsibility for policies that have pulled migrants here and hurt economies abroad. Americans have forgotten that at the start of the last century, its own congregations, particularly Catholics, had helped "tired, poor... huddled masses yearning to breathe free."⁶ The children of that generation looked beyond themselves with civic duty to increase the dignity of all. That generation was later named America's "greatest generation."

In the parable of the Good Samaritan, Jesus makes a point to a young lawyer: the outsider is your neighbor. A relevant moral question that reorients America's public discourse is, "*Who is my neighbor?*" At a recent conference on migration, Rev. Bill O'Neill, S.J. (who also has an essay in this issue), eloquently invited Catholics to reconstruct their moral imaginations so as to construct stronger moral connections with what he called our "near and distant neighbors."⁷ Greatness begins with the moral vision of being able to see *everyone* as neighbor.

Furthermore, Catholic teaching holds that a basic moral test is how a society treats its most vulnerable neighbors. The Last Judgment (Mt. 25:31-46) "instructs us to put the needs of the poor and vulnerable first."⁸ We need to search for greatness in how we treat newcomers, especially one group: immigrant children.

YOUNG MIGRANTS

When Pope Benedict XVI gave his message on young migrants, he identified those neighbors to whom America needs to pay special attention. On the 94th World Day of Migrants and Refugees, Benedict mentioned trafficked children, unaccompanied immigrant children, and refugee children (whether accompanied or unaccompanied by family members) who spend years rootless, or segregated in detention centers. The Pope asked churches in host countries to “welcome the young and very young people with their parents...and to try to understand the vicissitudes of their lives and favor their insertion.”⁹

The most vulnerable group of migrant youth in America is the nearly two million immigrant children who are trafficked, who come here alone, or whose families immigrate without documents. Estimates of persons trafficked indicate that up to 10,000 of these modern-day slaves are children, “mostly from the former Soviet Union and Southeast Asia.”¹⁰ Each year between 1997 and 2005, the number of unaccompanied immigrant children who attempted to reach America ranged from 80,000 to 100,000.

In 2007 nearly 8,000 of these children were detained. They are denied state-sponsored guardians or free legal representation. Some are moved from facility to facility until they “age out,” or turn 18, then are deported. Even though the Senate has overwhelmingly passed the Unaccompanied Alien Child Protection Act this decade, the House of Representatives has played politics with similar bi-partisan legislation by letting these bills sit without a debate.

A significant moral issue for America concerns 1.8 million children of undocumented

immigrants. Brought to America by their parents, they are products of American society, but are denied a way of becoming productive members of it. Yearly, more than 60,000 of these young people earn high school diplomas, yet they have no path to the American dream. The Dream Act, a targeted measure that offers a path to earned citizenship for those who attend college or serve in the military, was recently proposed by Sen. Dick Durbin. This proposal lacked four votes in the Senate. The


scene reached a surreal low when Rep. Tom Tancredo alerted authorities that three undocumented youth were accompanying Durbin to the Capitol. No arrests were made, but it made me wonder: Does Capitol Hill need to be protected from youths asking to go to college, serve in the military, and become tax-paying citizens?

Despite its imperfections, America has vigorously demonstrated what U.C. Davis Professor Bill Ong Hing told audiences in Congress and at Santa Clara University: “When immigrants do well, society does well.”¹¹ After racist and xenophobic laws, such as 1892’s Chinese Exclusion Act or 1924’s Immigration Act, citizens

ultimately changed their country’s course. Though America needs to do more, it has shown moral character with respect to trafficked persons and to refugee children (such as those from Sudan). Informing one’s moral imagination requires looking at reality in new ways. To aid this, I recommend three award-winning documentaries: *Lives for Sale*, produced by the Maryknoll Missionaries; *God Grew Tired of Us*, a transformative film about Sudanese “lost boys”; and *Posada* (see sidebar).

American citizens and Jesus’ disciples have argued over the meaning of greatness. In



response to his bickering disciples, Jesus “took a child into his arms”¹² and told them that greatness is found in service and in the way one welcomes a child. When American Catholics commit to stronger moral relationships to immigrants, especially children, as neighbors, we create a stronger nation and a more credible church. This commitment hasn’t always been popular, but it has been the Catholic Church’s legacy. Perhaps in this generation, Americans can awaken to a desire not only to repay others for doors that were opened for our ancestors, but to a desire for America to find its moral voice. That’s a vote for greatness. 

NOTES

¹ Ben Wattenberg, “Open to Greatness: We Need Immigrants” *National Review Online*, 2006-2007 (April 18, 2006), <http://www.nationalreview.com/>.

² Ibid.

³ Stuart Anderson and Michaela Platzer, “American Made: The Impact of Immigrant Entrepreneurs and Professionals on U.S. Competitiveness,” (Arlington Virginia: A study commissioned by the National Venture Capital Association, December 7, 2006), 11. Full text can be accessed at http://www.nvca.org/pdf/AmericanMade_study.pdf.

⁴ Wattenberg.

⁵ “The Long Term,” *The Economist* 386, no. 8561 (January 5, 2008), 15.

⁶ Excerpt from “The New Colossus,” a poem by Emma Lazarus, which appears on a bronze plaque installed in 1903 inside the Statue of Liberty.

⁷ Bill O’Neill, S.J., “The Ethics of Immigration in Catholic Social Teaching” (a public lecture presented at the *Reflection on Migration: Bridging the Divide Conference*, Fairfield University, Fairfield, CT, July 19-21, 2007).

⁸ U.S. Catholic Bishops, “Sharing Catholic Social Teaching: Challenges and Directions” (Washington D.C.: United States Conference of Catholic Bishops, Office of Justice, Peace and Human Development, 1998).

⁹ Pope Benedict XVI, “Message of his Holiness Benedict XVI for the 94th World Day of Migrants and Refugees,” (Vatican, January 13, 2008), http://www.vatican.va/holy_father/benedict_xvi/messages/migration/documents.

¹⁰ Nathalie Lummert, “Children on the Move: The Plight of Immigrant and Refugee Children” (United States Conference of Catholic Bishops, Office of Migration and Refugee Policy, June 2000), 10. Full text can be found at <http://www.brycs.org/documents/COTM.PDF>.


¹¹ Bill Ong Hing, “Values, Morality and Immigration” (a public lecture presented at the Markkula Center for Applied Ethics, Santa Clara University, May 7, 2007).

¹² Mark 9:33-37.



ABOUT POSADA

Each year, more than 80,000 immigrant children ages four to 18, come on their own to the U.S. The documentary *Posada* explores the experiences of this under-reported group known as unaccompanied immigrant children. From 2000-2003, I volunteered as a chaplain in juvenile halls in Los Angeles, and I met hundreds of these children, languishing in detention facilities for months. I was inspired by their faith and resiliency in the face of their powerful experiences.

In 2003, U.S. Catholic leaders committed to advocate for a more just and compassionate immigration system. I conceived of *Posada* to educate and to motivate Catholics and others to change the laws to help these children. I asked young immigrants who had won legal status to stay in the U.S. to tell their stories. It seemed appropriate to frame the film in light of the Mexican Advent story called Las Posadas (“posada” means “shelter” or “lodging”), a retelling of Joseph and Mary’s search for shelter. For more information, see www.posadas-project.com/film/. 

¡BOCÓN!

Santa Clara University Children's Theatre
Program Explores Immigration



BY PAUL D. WOOLLEY
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“THEATRE...SPEAKS MORE THAN TO THE CONSCIOUS LEVEL,” SAYS GIULIANA CHION, AN ACTOR IN THE SANTA CLARA UNIVERSITY CHILDREN’S THEATRE PRODUCTION OF “¡BOCÓN!,” A PLAY DESIGNED TO SHARE WITH ELEMENTARY SCHOOL CHILDREN THE PLIGHT OF A YOUNG IMMIGRANT BOY FLEEING CENTRAL AMERICA.

Filled with humor, mysticism, and song, “¡BOCÓN!” (loosely translated as “loud mouth”), written by playwright Lisa Loomer, tells the story of twelve-year-old Miguel, a particularly loud and outspoken young boy, who loses his voice while fleeing a repressive regime somewhere in Central America. Traveling north to Los Angeles, he meets the mythological La Llorona. Through their friendship Miguel finds his voice and the courage to cross the border to a new life.

Started in the early 1980s, the Children’s Theatre Program was at first a summer program of the Department of Theatre and Dance at

SCU. “We always choose shows that have something worth telling children,” says Barbara Murray, who serves as the program director as well as director of SCU’s musical theatre program, and an associate professor in costume design. “The choice of subject matter,” she says, “is couched in imaginary settings, and always based on real life issues children have to face: divorce, death of loved ones, conflict resolution, friendship, truth and honesty; and, in the case of ‘¡BOCÓN!’ a small boy losing his voice out of fear at the horror that is happening around him.”

The cast gathers at 11:50 a.m. on Tuesdays and Thursdays for rehearsal. Class begins this day with exercises to loosen up: stretching, shaking feet and shoulders, sometimes accompanied by vocalizations that sound like monks chanting. They move on to exercises for the tongue: “red leather, yellow leather.” They get props from the closet, and work on reading the play, blocking where they will stand. The process seems to be a collaborative one.

After rehearsal, I have a moment to talk with some of the actors about why they became in-

Charles Barry



volved. “I attended this same play when it came to my grade school about ten years ago,” shares one. “It had such a profound effect on me then that I just wanted to be part of sharing this story with other young grade school kids.”

“I feel strongly about using drama as a way of speaking to children,” says another. “It does not speak to the head but to the heart. You can get through to children who may not be able to hear the message in any other way.”

And another adds, “This play speaks personally to me. I had similar experiences as a child where things were happening to me that I could not talk about. Eventually I found my voice, and it changed my life. I am passionate about sharing this experience with children.”

“I am an immigrant myself,” says Chion, “so I can relate to what young immigrant children experience.” Immigrating to the United States, she earned an engineering degree, and then switched to study counseling.


In addition to the lessons offered by the play itself, Chion feels that the experience of live theatre is very important for the children who attend. “I am a counselor in two elementary schools,” she explains, and “it is scary to notice

Miguel (left, played by Natasha Rivadeneyra) is helped by the Voice Picker (right, played by Dani Lencioni) to find his voice among the many that the Voice Picker has stolen over the years. In the background are cast members (l to r) Kandace Arens and Ashton Zylstra.

that kids spend most of their time in front of Internet or video games.... Children are missing a lot of human contact and human reality.

“I strongly believe that all the children need to be exposed to arts,” she adds. “Through this, they acquire skills to express themselves, to exercise the imagination, to play with limited materials, to produce something by themselves, to feel proud about their own creation.

“Santa Clara University has its focus in forming the whole person, and I strongly believe that art is a necessary element in the formation of a person,” she says.

The play’s message of courage and hope is relevant especially to immigrant children and to any child who is learning the many meanings of finding one’s own “voice.” It was performed on campus in the Fess Parker Theatre on Saturday April 5, 2008. It then went on the road to local elementary schools in April and May 2008. 

The Kino Border Initiative:

A New Ministry of “Solidarity With the Least and With All”
at the U.S./Mexico Border in Ambos Nogales¹



BY MARK POTTER

Provincial Assistant for Social Ministries, California Province of the Society of Jesus

THE ENTIRE CALIFORNIA PROVINCE OF THE SOCIETY OF JESUS IS UNIQUELY IMPACTED BY THE CRISIS IN THE U.S. IMMIGRATION SYSTEM. THE PEW HISPANIC CENTER ESTIMATES THAT OVER THREE MILLION UNDOCUMENTED IMMIGRANTS—ROUGHLY 25 PERCENT OF THE COUNTRY’S TOTAL—LIVE IN THE STATES OF CALIFORNIA AND ARIZONA. It is not an exaggeration to say that every Jesuit ministry within these states—parishes, secondary and pre-secondary schools, universities, spirituality and retreat centers, and direct social services—has direct contact with people who are undocumented. Such immigrants can be counted among our students, family members, parishioners, employees, clients, donors, neighbors, and friends. Throughout the province, “solidarity with immigrants” has been the top priority for social ministries and outreach since August 2006. Appropriately, the Jesuit works of the California Province have a special concern for the undocumented, the “strangers in our midst”

who are particularly vulnerable to intimidation, exploitation, and discrimination.

A few years ago, the California Province began to investigate possibilities for a new Jesuit ministry to respond to the reality of communities that are impacted by the consequences of illegal immigration along the U.S./Mexico border. Heeding the Brazilian proverb that “The head thinks from where the feet are planted,” the California Jesuits were particularly interested in the geographic region along the border in southern, central Arizona—the area where most illegal border crossings take place due to the “squeezing effect” caused by increased border fortification and enforcement efforts along the borders of southern California and western Texas. Incidentally, this same area—the Sonoran Desert on both sides of the international border—was once traversed by the Jesuit explorer and missionary Eusebio Francisco Kino, who established the region’s earliest Catholic churches.

In this era of partnership, the California Province over the past two years has been actively cultivating relationships with local and

There is a significant need for the KBI to create opportunities to bring together priests and pastoral leaders from both sides of the border in a more systematic way; to create relationships, foster communication, and build solidarity between people who are dedicated to the common good of communities on both sides of the border.

international partners who might collaborate in a new apostolic ministry. Early in the investigation, the province partnered with the Jesuit Refugee Service/USA, a nonprofit humanitarian organization based in Washington, D.C., that has a specific mission to accompany, serve, and defend the rights of refugees and internally displaced peoples. In 2007, representatives of JRS/USA and the California Province made several investigative immersion visits to cities along the border between Arizona and the state of Sonora, Mexico. The purpose of these visits was to discern the most pressing social and pastoral needs of communities on both sides of the border, and to better understand the concrete situation of migrants as they seek to cross the border or are deported from the United States into Mexico. During these visits, members of the Jesuit organizations met with many Catholic and other faith leaders, directors of nonprofit service and assistance organizations, priests and religious women engaged in active migrant ministry, religious leaders, government leaders, and migrants themselves.

From these investigations the Jesuit organizations discerned several key components for a new ministry initiative:

- An effective border ministry must be *binational* in scope and outreach, both because the social causes and consequences of migration exist on either side of the border, and because the culture and economy on each side of the border directly impacts the other.
- The most pressing humanitarian need on the Mexico side of the border is to meet the

needs of returning or deported migrants amongst whom *unaccompanied women* are especially vulnerable.

- The most pressing need on the U.S. side of the border is for *education and pastoral formation* regarding the Church's positions on migration and Catholic social teaching; it seems that the closer one gets to the border, the less parish communities discuss the realities of migration, its consequences, and Church teaching.
- The cities of Ambos Nogales would make a logical choice for a new Jesuit ministry because Nogales is the main point of deportation in Arizona, and there are crucial gaps in education, formation, and social outreach on both sides of the border.
- To be most effective, any new Jesuit ministry initiative must work closely with the priests and parish communities of the *local church*—the Diocese of Tucson in Arizona, and the Diocese of Hermosillo in Sonora—as parishes will likely be the primary location of our outreach and ministries. Moreover, both dioceses have expressed a desire to meet and work more intentionally with one another, something that a Jesuit ministry may provide.
- The goal is to create a ministry that will be *community-based* and ultimately *self-sustainable*.

In the pursuit of creating a credible *binational* ministry—one that works with communities on both sides of the border and that actively seeks to bring members of those two communities together—the U.S. Jesuits reached out to the



Mexico Province of the Jesuits and the Missionary Sisters of the Eucharist. Over the past several years, the Mexican Jesuits have developed an effective pastoral formation program for communities in southern Mexico that are affected by the reality of northward migration of people from South and Central America on their way to the United States. The Mexican Jesuits have agreed to participate in the proposed border ministry through the auspices of the Jesuit Migration Service/Mexico. In the city of Nogales, Sonora, the Missionary Sisters of the Eucharist have a particular apostolic priority to reach out to Mexican returnees and deportees, particularly women. They have already conducted an exploratory diagnostic survey that has provided important data on the numbers and needs of unaccompanied women who are deported in the Nogales, Sonora area.

In close consultation and cooperation with leaders of the Diocese of Tucson, the Archdiocese of Hermosillo, the sisters of the Missionaries of the Eucharist, Jesuit Refugee Service, and the Mexican Jesuits, the California Province has approved a collaborative proposal to create and participate in “The Kino Border Initiative” (KBI), which will formally launch in January 2009. The California Province will open a new Jesuit residential community in Nogales, Ariz.—including Jesuits from the California Province, JRS/USA, and potentially Jesuits from the Mexico Province—whose residents will work with lay partners and volunteers to serve in three distinct dimensions of ministry: education and formation; socio-pastoral outreach; and research and advocacy on both sides of the border in Ambos Nogales.

EDUCATION AND PASTORAL FORMATION

Over the course of 2008, the founding partners of the KBI will engage in a one-year process of assessment and diagnostics regarding possibilities for pastoral formation on migration issues and the Catholic social tradition in Ambos Nogales. Based upon the fruits of the assessment, we will make parish-based formation opportunities available for educational outreach and pastoral formation on both sides of the border according to the interests and needs of each parish, which will likely include the following:

- facilitating discussions on migration and border issues
- offering formation for migration ministry teams at parishes, including in-depth formation on migration, Catholic social teaching, the border reality, and community action
- facilitating cross-border opportunities for encounter and exchange with counterparts at parishes on the other side of the border
- offering opportunities for stand-alone workshops and retreats related to theology, spirituality, social analysis, and the border reality.

Moreover, and of particular interest to communities such as Santa Clara University, the Kino Border Initiative will host short-term delegations of students and parishioners who want to learn more about the complex realities of migration and the border in light of Catholic social teaching, and Ignatian spirituality. The twin cities of Ambos Nogales will become an important point of contact, accompaniment, and reflection for the entire Ignatian family.

SOCIO-PASTORAL OUTREACH

On the U.S. side of the border, socio-pastoral outreach will consist primarily of providing formation and education to members of local parishes seeking to engage in appropriate migrant outreach ministry. The KBI will assist in gathering and focusing the efforts of the many nonprofit agencies who are engaged in community service and migrant outreach in the cities and communities south of Tucson. For the most part, these agencies do not have a significant presence in Nogales, AZ, and the KBI would like to work with them to coordinate their efforts in this city. Similarly, there is a significant need for the KBI to create opportunities to bring together priests and pastoral leaders from both sides of the border in a more systematic way; to create relationships, foster communication, and build solidarity between people who are dedicated to the common good of communities on both sides of the border.

In terms of direct accompaniment and outreach on the Mexico side of the border, the KBI will assist the priests of Nogales, Sonora, in their existing and evolving migrant apostolic ministries to provide immediate humanitarian care to deported Mexican migrants, emergency shelter for vulnerable migrant women, and the development of longer-term shelter alternatives for deported migrants. In addition, the KBI will collaborate with existing nonprofit organizations that are working on behalf of migrants and human rights. Combining the apostolic resources of JRS/USA and the Missionary Sisters of the Eucharist, the KBI aims to support a ministry of accompaniment to recently deported migrants from the U.S.

During the preparatory phase of the project (2008), the KBI will employ the Missionary Sisters of the Eucharist to assist the church in Nogales by staffing a welcoming migrant care center and also by setting up a small-scale shelter to serve as a pilot program to assess and meet the needs of vulnerable women who have been deported. Because of their unique social and psychological needs, these women are particularly vulnerable to exploitation. When possible, the KBI will provide opportunities for visiting delegations to engage in accompaniment and

direct service to migrants and the communities affected by their needs.

RESEARCH AND ADVOCACY

During the course of their ministerial outreach on both sides of the border, the staff of the KBI will gather ongoing sociological analysis on human rights, demographics, and the consequences of economic and legislative policy at the border. The KBI will then feed that data to local and national groups engaged in advocacy and education such as JRS/USA, the Jesuit Conference, the Center of Concern, Catholic Relief Services, and the U.S. Conference of Catholic Bishops.

With the cooperation of Jesuit colleges and universities, the KBI also plans to host a scholar-in-residence program for academic professionals who are interested in a semester-long research fellowship focused on issues related to the border. This would be an opportunity open to faculty from the 28 Jesuit colleges and universities who wish to spend some time at the border, engaging in this complex reality directly, with the goal of producing research that will enhance the national dialogue regarding migration and border issues.

Ultimately, the Jesuits strive to be “in solidarity with the least and with all.” By making a concrete and visible commitment to the Kino Border Initiative, the Society of Jesus is making a public and prophetic commitment to stand—with one foot on each side of the border—in a context of suffering, misunderstanding, humility, and hope. While the Jesuits and their lay partners have much to offer in terms of resources, spirituality, education, and social tradition, they also have much to learn and receive from the reality of communities living on both sides of the Mexican border. Through the KBI, the province seeks to form a lasting partnership that serves the Church by providing opportunities for pastoral formation, providing faith-based social analysis, and advocating for the protection of human rights and the common good. ^e

NOTE

¹**Ambos Nogales** (“both Nogales”) is a common name for two border towns of Nogales, Arizona and Nogales, Sonora.

Interfaith Cooperation on Environmental Issues:

Muslim Southeast Asian Contributions
to a Global Ethic



BY DAVID PINAULT

*Associate Professor of Religious Studies,
Santa Clara University,
pictured here with veterinarian
Dr. Wulan and sedated Sumatran
gibbon at Profauna Indonesia's
wildlife rescue center.*

IN RECENT YEARS SOME MUSLIM WRITERS (NOTABLY THE IRANIAN SCHOLAR KAVEH AFRASIABI AND THE MALAYSIAN HUMAN RIGHTS ACTIVIST FARISH AHMAD NOOR) HAVE CALLED ON MEMBERS OF THEIR FAITH TO EMBRACE ENVIRONMENTALISM AS A TOPIC THAT CONCERNS MUSLIMS AS BOTH A GLOBAL AND AN ISLAMIC ISSUE. Noor acknowledges that for too long many Muslim thinkers have been preoccupied with collective-identity agendas and a defensive-siege mentality that have precluded interfaith cooperation on global crises. Too often, Muslim scholars—like some of their Abrahamic kin in the Christian community—have regarded the environment in terms of a simplistic formula: Submission to God entitles the faithful to exploitative mastery over the earth. Taken to its extreme, this triumphalism results in an adversarial and manipulative attitude towards nature.

But resources—often overlooked—for countering such trends exist within the Is-

lamic tradition, especially in Sufism (the Islamic mystical tradition). The contemporary Iranian-American scholar Seyyed Hossein Nasr argues that “Nature in Islamic spirituality is...not the adversary but the friend of the traveler upon the spiritual path.” He sees in nature an invitation to meditate and behold the “signs of Allah” in the created world. Nasr uses this as the basis for proposing an Islamic theology of environmental stewardship.

Yet little has been written to date on how Islamic notions of stewardship might best interact with non-Muslim thought worlds in multicultural societies. Here, I think, Indonesia and Malaysia, with their religiously diverse populations, present opportunities.

With such opportunities in mind, in October–November 2007 I served as a volunteer at an East Java wildlife rescue center that is run by a nongovernmental organization (NGO) known as ProFauna Indonesia. The camp, located in the forest hill country near the village of Petungsewu (at some distance from the city of Malang),

I had the opportunity to interact with dozens of Indonesian ProFauna staff members—Muslims, Hindus, and Christians—and learn from each of them what it means to be a person of faith who is also committed to the concept of environmental custodianship. And as the only foreigner and American in the camp, I drew plenty of attention and had my share of questions to try to answer.

served as home during much of my time in Indonesia.

Rosek Nursahid, an Indonesian Muslim biologist and the founder of ProFauna, established this NGO to counter the illegal trafficking in wildlife that has increased in recent years as the logging industry reduces the available woodland habitat in Java, Sumatra, Kalimantan (Indonesian Borneo), and West Papua (the Indonesian part of New Guinea). The rate of deforestation has accelerated because of expanding foreign markets. In particular, the 2008 Beijing Olympics have fueled China's demand for construction materials, much of which is shipped from Indonesian forests.

Many people are aware of illegal logging in Indonesia. Less well-publicized is the tragedy suffered by Indonesia's wildlife as a consequence of such activities. Poachers—who find their access facilitated by roads carved through the jungle by the logging corporations' bulldozers—net thousands of members of endangered species, from pangolins to orangutans.

Some of these captive animals are sold as pets to Indonesian households. Others are trafficked all over the world. For example, in recent years smugglers have been caught at Jakarta's international airport as they tried to export arboreal primates known as lorises to Kuwait, Japan, and Korea. Many forest animals and sea turtles (from Indonesia's coastal waters) are illegally shipped via cargo boats to Vietnam and then smuggled via freight trucks across the border to southern

China. There the animals are butchered, their organs used as ingredients for aphrodisiacs and traditional medicines. Under Rosek Nursahid's leadership, ProFauna has fought to stop this trade.

While working at the camp, I had the opportunity to interview Nursahid, ask about the history of ProFauna, and learn about his approach as a Muslim and a scientist to ethical issues concerning the environment. During my stay at the camp, I obtained copies of some of his Indonesian-language writings, such as an essay entitled "The Protection of Animals from the Viewpoint of Islam," which I'm in the process of translating.

Nursahid's approach is twofold: activism—rescuing animals, spurring the government to enact and enforce Indonesian environmental laws, and, when necessary, confronting animal traffickers, and education—holding classes and workshops at the camp for students, teachers, government officials, and other members of the Indonesian public. ProFauna's founder considers especially important the ecology camps it runs for Indonesian children. "By educating them in environmental awareness and respect for animals," he told me in one of several conversations we had, "we are investing in the next generation."

As I had hoped, I was integrated into the daily responsibilities linked to the care and rehabilitation of the animals at the center: food preparation, cleaning of cages and habitats,

interacting directly with the animals inside their habitats, etc. The most challenging of these activities was serving as a veterinary assistant during surgery on behalf of various animals (especially Sumatran gibbons and Javanese leaf monkeys). I also was invited to visit ProFauna's sea turtle rehabilitation center in Kuta/Denpasar (where I was able to draw on my earlier experience as an Earthwatch volunteer with leatherback sea turtles in Costa Rica). The benefit of being part of this daily round of chores—aside from learning, in the most immediate and direct way, what ProFauna does to help rehabilitate animals and prepare them for reentry into the wild—was that I had the opportunity to interact with dozens of Indonesian ProFauna staff members—Muslims, Hindus, and Christians—and learn from each of them what it means to be a person of faith who is also committed to the concept of environmental custodianship. And as the only foreigner and American in the camp, I drew plenty of attention and had my share of questions to try to answer.

Capitalizing on the opportunity constituted by my presence, Nursahid and the other members of ProFauna arranged for me to give a workshop and discussion of perspectives offered by world religions on wildlife and environmental issues. ProFauna staff and officials from the Indonesian government's Department of Forestry attended. In addition, members of the local Muslim, Hindu, Buddhist, and Christian communities were invited to participate. According to Nursahid, this was the first time such an interfaith event had been attempted.


This was one of the best experiences during my research, insofar as representatives of each community in turn responded to the points I presented. This was followed by a general discussion on how each faith can contribute insights to environmental issues. Among the topics we discussed: the morally problematic sense of overlordship and entitlement that Christians and Muslims have often derived from their readings of scripture. A point of agreement among all those present was the need for religious educators to emphasize humanity's responsibility for environmental stewardship.

Also worth noting is that although some workshop attendees said little during the public

discussion, a number of them sought me out for private consultations in the days that followed. These conversations were far-ranging. A Muslim teacher wanted to follow up on my comments about the theology of Jürgen Moltmann, Sally McFague, and Mark Wallace (the Crucifixion as an ongoing event, as the Spirit of God suffers in solidarity with the created environment) by comparing Christian environmentalism with the Sufi notion of a deity that is emotionally bound up with events on earth. A ProFauna supervisor who happens to be Hindu wanted to apply Jain and Hindu vegetarianism to ethical issues concerning the treatment of animals. Muslim staff members from a town with a mixed Christian-Islamic population asked me for pointers on how to present Christianity to their fellow Muslims in the most "Islamically friendly" way possible. And, as soon as people learned I've done research on Shiism, I was asked repeatedly for information on this topic, and I wound up offering a supplementary impromptu presentation on the history of Sunni-Shia relations.

In addition to the work at the camp, I also traveled a good deal. In particular, I visited *pasar burung* ("bird markets" where in fact all kinds of animals are sold) in Denpasar and the port of Surabaya. In these cities as elsewhere throughout the archipelago, protected species are sold by traffickers to the highest bidder. In conjunction with ProFauna staff, who wished to flush out such dealers, I presented myself as a foreign buyer. We succeeded in locating dealers trafficking in *lutung-lutung* (Javanese leaf monkeys) and *elang ular bido* (serpent-eagles).

Shortly before I completed my project at the camp, Nursahid invited me to become a member of ProFauna's advisory board. I was glad to accept, as I intend to continue my involvement in this work and hope to return to Indonesia.

As an independent nongovernmental organization that responds to numerous environmental issues, ProFauna is in a constant struggle to raise money to continue its work on behalf of Indonesia's wildlife. Readers who wish to help can visit ProFauna's website at www.profauna.or.id. For further information, email info@profauna-uk.org or dpinault@scu.edu. 

NEXT ISSUE: FALL 2008

JESUIT GENERAL CONGREGATION 35

IN OUR NEXT ISSUE, WE WILL EXPLORE THREE KEY DECREES FROM THE RECENT SOCIETY OF JESUS GENERAL CONGREGATION 35. WE WILL EXAMINE THE MESSAGES AND THEIR RELEVANCE TO JESUIT HIGHER EDUCATION, AS WELL AS TO ALL THOSE WHO COLLABORATE WITH JESUITS IN THEIR MISSION AND MINISTRY.



Don Doll, S.J.



Don Doll, S.J.

Above: Much of the work at GC35 took place in small groups organized thematically before the plenary sessions begin. Below: Father Adolfo Nicolás was elected General of the Society of Jesus by GC 35 on January 19.

The decree on mission—“Challenges to Our Mission Today: Sent to the Frontiers”—“contains several key themes: reaffirmation of mission; its new context; right relationships and reconciliation; and [the Jesuits’] apostolic response to new challenges. It also confirmed the global apostolic preferences of Africa, China, the intellectual apostolate, inter-provincial institutions in Rome, and migrants and refugees.”¹

The decree on Jesuit identity—“A Fire That Kindles Other Fires: Rediscovering Our Charism”—“tells the Jesuit story particularly at its source, bringing back the experience that places a Jesuit, quite simply, with Christ at the heart of the world. Its central image is of Jesuits entering, with Christ who offers living water, into a world that is confused about why it is turning the wonders of life and the opportunities of technology into a dry and life-killing lifestyle that does not satisfy.”²

The decree on collaboration with others—“Collaboration at the Heart of Mission”—“presents [the] way of working with the many who have chosen both to work with [Jesuits] and to share [their] sense of mission. It calls for [Jesuits] to share leadership positions with these collaborators—whether lay, religious, or diocesan, Christians or those of other traditions—and to develop opportunities and structures for the formation of these [partners so they can better understand] the Jesuit spirit, history, and choice of mission.”³ e

1. Fred Kammer, S.J., comment on GC 35, posted March 6, 2008, http://www.gc35.info/pray/ppal/gc35_news.asp?id=73&lg=3

2. Francis de Melo, S.J., comment on GC 35, posted March 6, 2008, http://www.gc35.info/pray/ppal/gc35_blog.asp?lg=3

3. Ibid.

Breaking Through

I lived in constant fear for ten long years, from the time I was four until I was fourteen years old.... What I feared the most happened...when I was in my eighth-grade social studies class at El Camino Junior High School in Santa Maria. I was getting ready to recite the preamble to the Declaration of Independence, which our class had to memorize.... “We hold these truths to be self-evident: that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness....” I was ready. After the bell rang, Miss Ehler, my English and social studies teacher, began to take roll. She was interrupted by a knock on the door. When she opened it, I saw the school principal and a man behind him. As soon as I saw the green uniform, I panicked. I felt like running, but my legs would not move. I trembled and could feel my heart pounding against my chest as though it too wanted to escape.... At that point I wished I were someone else, someone with a different name.... I followed the immigration officer out of the classroom and into his car marked BORDER PATROL.

—Excerpt from *Breaking Through* by Francisco Jiménez

Francisco Jiménez immigrated with his family to California from Tlaquepaque, Mexico, and as a child he worked in the fields of California. He is currently the Fay Boyle Professor in the Department of Modern Languages and Literatures, and director of the Ethnic Studies Program at Santa Clara University. He earned his B.A. from SCU and an M.A. and Ph.D. in Latin American literature from Columbia University under a Woodrow Wilson Fellowship. An autobiographical story, *Breaking Through* has won numerous awards and honors, including the American Library Association's Pura Bupré Authors Honor Book Award, the Tomás Rivera Mexican American Book Award, and the Américas Award. It was also selected for the Silicon Valley Reads: One Book, One Community Reading Program for the winter, 2003.



Charles Barry



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