

Chapter 5
Core Value #2: Immigration
The New Slavery

Personal Faith, Public Policy
Harry R. Jackson and Tony Perkins

During the acrimonious debate over the 2007 immigration bill, Harry got a call from *The O'Reilly Factor* staff asking him to come on the program to talk about immigration. The producer explained that a group of American pastors belonging to the so-called "Sanctuary Movement" had vowed to give sanctuary to illegal aliens in their churches. The participating churches allowed illegal families a way to avoid deportation, but in so doing, the churches and their ministers were committing an illegal act. Harry and his wife had watched one of the leaders of the Sanctuary Movement on *The O'Reilly Factor* the night before. She had argued that Jesus's love compelled her to take care of these immigrants because the welfare of children was involved. The interview had been compelling, but Harry still felt that this movement was nothing more than a sophisticated PR campaign.

As Harry prepared for the interview, he remembered how one of his volunteer workers, Ruth, had spent thousands of dollars and several years attempting to fulfill the Immigration and Naturalization Service (INS, now known as ICE—Immigration and Customs Enforcement) requirements. As a first-generation immigrant, she did not have firsthand knowledge of how to interact with our government. One afternoon, the INS actually called Harry to inquire about her case. But based on a technicality with her temporary visa, Ruth had been caught in an unproductive crossfire of rules and regulations. Her deportation prevented her from returning to our country. Ruth has remained in her homeland for nearly ten years.

Harry also thought about Roberto, who had spent nearly four thousand dollars in 1995 to correct his status—to no avail. A father of three children who were born in the United States and an owner of a legal company, Roberto appeared on the surface to be the "salt of the earth." After all, he was a twenty-year American resident and a tax-paying business owner and a faithful church attendee. In fact, he viewed Harry as a father figure, and the two of them had grown quite close over many years.

Roberto left Harry's church because the elders refused to promote him to lead a major outreach ministry until he cleaned up his immigration status issues. Their decision broke Roberto's heart and alienated many Hispanic members of Harry's church. The leaders felt that Roberto had only made halfhearted attempts to get legal paperwork. The leadership of Harry's church acknowledged that Roberto's "crime" was different from that of a fugitive, bank robber, or murderer—yet they were concerned about sending the wrong message to the rest of the church. They thought that promoting Roberto would have said to everyone that it's OK for the pastor's friends to break the law, but it is not OK for others to do the same.

Another of Harry's friends had a nineteen-year-old client who was an illegal alien. She had seen her family slaughtered in Sierra Leone. She came to the United States to seek asylum. She was placed in the county jail in Salisbury, Maryland, for about three months. When she was released, she went to nursing school. She was told she could not get a green card for six years. But though she was ill-treated and came under intense immigration scrutiny, she ended up becoming a strong contributor to our society.

All three experiences were in Harry's mind as O'Reilly opened the interview. Harry felt that he had no choice but to speak out against the Sanctuary Movement because it does not address the long-term problems that our nation faces with immigration. Those who are here illegally as well as those who benefit from illegal labor must be held accountable, and there has to be substantive reform in our immigration policies. Harry told O'Reilly's audience that the movement was more political than substantive, and it encouraged disobedience to the laws of the land without even having full knowledge of the individuals they were sheltering. Harry quoted Romans chapter 13, which says we need to obey the civil authorities, and he rejected the idea that the immigration debate of today is in any way similar to the struggle of the black civil rights movement of the past.

As we get God's heart for the immigrant, we can discuss public policy with greater wisdom and insight. There is a rational reason for changing immigration policy from time to time based upon the interest of the nation. Issues like national security should be considered in our immigration policy.

Part of the problem with immigration policy today is that we have not had a consistent, coherent philosophy of immigration in the past. To prove this point, let's look at a couple of key dates in history. The policies below do not reflect a national bias against any one race or culture.

- In 1882 the United States established the Chinese Exclusion Act.¹
- In 1917, the same year the United States entered World War I, Congress made literacy a requirement for immigration.²
- In 1924 the Johnson-Reed Act established a quota for immigration that gave privileges to Europeans. This act, along with the Oriental Exclusion Act, severely curtailed Asian entry into the nation.³
- From 1882 to 1924 none of these measures applied to the United States—Mexican border.
- After World War II Congress created legislation that distinguished between immigrants and refugees.⁴
- Then, the Immigration and Nationality Act of 1952 was passed. This is the basis for immigration law today.⁵
- In 1965 the quotas established in 1924 were lifted.⁶
- In 1986 the Immigration Reform and Control Act (IRCA) was developed to control the influx of foreigners that occurred in response to the 1965 legislation.⁷
- Next, the Immigration Act of 1990 became a massive amnesty program for illegal immigrants in the country and temporarily raised the ceiling on the number of immigrants who could enter the country.⁸
- In the 1990s, the U.S. administration forced Mexico to devalue its currency. Massive Mexican immigration was the ultimate result.⁹
- In 1992 the North American Free Trade Agreement (NAFTA) doubled the number of immigrants entering the country. This was mostly due to the increase of available cheap labor from Mexico.¹⁰
- In 1996 Congress strengthened border enforcement to curb illegal immigration. Congress also approved a program to check the immigration status of those applying for jobs within the United States.¹¹
- Also in 1996 President Clinton signed the Personal Responsibility and Work Opportunity Act, which cut many of the social welfare programs for legal immigrants. It also curtailed all federal and state benefits for illegal immigrants with the exception of emergency medical care and immunization, as well as disaster relief.¹²

- In 2003, when the Department of Homeland Security was created, it absorbed the INS and divided it into three units: the Bureau of Customs and Border Protection, Immigration and Customs Enforcement (ICE), and Citizenship and Immigration Services (CIS). These units were established within the new Department of Homeland Security as its largest investigative arm.¹³

This unclear, back-and-forth government policy has created national disunity, a shadow economy, and broken families.

The nation remains divided over our immigration policy. Many Americans feel that our country is being overrun by illegal immigrants and that our government is standing idly by. When you go into a fast-food restaurant or convenience store and have trouble communicating with the employees because they don't speak English, it's easy to feel that the bonds of national unity are slipping. Tony was recently speaking at an event in Atlanta and as staying in one of the city's many hotels. Prior to taking a shower, he discovered there was no hair dryer in the bathroom. He called down to the front desk to request one. With great promptness there was soon a knock on the door. Tony opened the door, and there was a hotel worker of Hispanic origins holding a plunger. Through hand motions Tony was able to quickly communicate that a plunger wouldn't work. Experiences like this have left many Americans asking, "Who are we?"

Many others, like Harry, have experienced the pain of inconsistent immigration policies personally, as noted above. People on both sides of this issue are being hurt by the current situation. Despite the importance of this issue and how deeply it affects our national character, the evangelical community has been eerily quiet. There's an adage that says, "A pastor is 'down' on things he is not 'up' on." That's not just a cute turn of a phrase. When Christian leaders avoid issues like this, they rob society of dear biblical keys for action. Many evangelical leaders are paralyzed because of the competing claims of morality on either side of the illegal immigration debate. How, then, do we move ahead in a biblical way on this issue?

This is another issue where the religious Right can unite the country by taking a strong, morally based stand that favors law and order but at the same time also shows compassion and empathy toward those who are seeking a better life for themselves and their families. We believe that our public policy, guided by our private faith, can bring conservative Christians together on the issue of immigration and move the nation toward a long-term solution.

The Bible on Immigration

The Bible is straightforward concerning immigration. Consider the following passages:

He executes justice for the orphan and the widow, and shows His love for the alien by giving him food and clothing. So show your love for the alien, for you were aliens in the land of Egypt.

-Deuteronomy 10:18-19

Nor shall you glean your vineyard, nor shall you gather the fallen fruit of your vineyard; you shall leave them for the needy and for the stranger. I am the LORD your God.

-Leviticus 19:10, NAS

When a stranger resides with you in your land, you shall not do him wrong. The stranger who resides with you shall be to you as the native among you, and you shall love him as yourself; for you were aliens in the land of Egypt: I am the LORD your God.

-Leviticus 19:33-34, NAS

You shall not pervert the justice due an alien or an orphan, nor take a widow's garment in pledge.

-Deuteronomy 24:17, NAS

When you reap your harvest in your field and have forgotten a sheaf in the field, you shall not go back to get it; it shall be for the alien, for the orphan, and for the widow, in order that the LORD your God may bless you in all the work of your hands. When you beat your olive tree, you shall not go over the boughs again; it shall be for the alien, for the orphan, and for the widow. When you gather the grapes of your vine yard, you shall not go over it again; it shall be for the alien, for the orphan, and for the widow.

-Deuteronomy 24:19-21, NAS

“Cursed is he who distorts the justice due an alien, orphan, and widow.” And all the people shall say, “Amen.”

-Deuteronomy 27:19, NAS

The scriptures that speak of the plight of immigrants often address how the domestic poor should be treated as well, implying that both groups often lack the means to defend themselves from exploitation. The scriptures presuppose that aliens often migrate to a foreign land under financial duress. In addition, the Lord appeals to the people of Israel to remember what it was like to be immigrants in Egypt.

What is it like to be an illegal immigrant in America today? It often involves working in a shadow economy that provides fewer protections and benefits than legal American workers receive. It means dealing in cash, because most banks won't serve you. It means living in substandard housing and not having access to medical care. It means not being able to drive legally. It means family separation, often with the rest of your family in the country of origin and no way for you to visit them without fear of being detained and deported upon reentry.

Harry has spoken of “the new slavery” in America, where illegal aliens work for companies or factories but have no legal standing to avail themselves of workers' rights. In many cases, the workers are “slaves” of their employers.

Why would an illegal immigrant put himself in such a situation? Because, as the Bible recognized thousands of years ago, they are desperate or see no other options to better their lives. It is possible for us to understand and sympathize with the plight of the immigrant while still supporting strong border policies. For this reason, Tony went to Los Angeles in April 2006 during the height of the immigration debate and with the assistance of a pastor friend, Daniel DeLeon, to meet with a group of Hispanic pastors who represented several dozen churches. For about an hour he listened to them to hear what they had to say about the issue of immigration. To his surprise, most of them were not for amnesty programs, and all were opposed to illegal immigration. But they also bristled at all the talk of building a huge fence along the southern border because the rhetoric so often came across as thinly veiled anti-Hispanic sentiment. For example, few people have advocated putting a huge fence along the border

with Canada, even though terrorists have entered our country across that border, not through our southern border.

These pastors also felt that the average voter does not understand the features of immigration policy that do more harm than good. For example, they said there was a seven-year or greater waiting period to become legal, and that if you leave this country during the process of obtaining authorization to see your family, you get pushed to the back of the line. If a person is caught here illegally for a few years, they cannot come back in some cases for ten years. A waiver is available if the person has an immediate relative who is a U.S. citizen. Nonetheless, the process is arduous. This terrible policy divides families and encourages immigrants to choose to come here illegally rather than go the legal route and remain separated.

As Christians, we must separate our support for strong borders from our personal and corporate approach to the immigrants among us, be they legal or illegal. We should seek above all to be compassionate to the plight of illegal immigrants by aiding them in immediate, unavoidable emergencies, but once the initial need is met, we must assist them in keeping the law as well. FRC has opposed efforts to penalize charities that give help to illegal immigrants, because giving such aid is part of our biblical mandate. Churches should not be put in a position to ask for a green card before they minister to the immediate needs of immigrants, be they legal or illegal. However once it is known that someone is in this country illegally, the church should assist them in conducting themselves according to the law. Just because we oppose illegal immigration does not mean we value the spiritual or material needs of an illegal immigrant any less. We believe the church should do all it can to minister to the needs of immigrants, seeing it as an opportunity, as the pastors emphasized to Tony, to reach these people with the gospel.

Churches need to reach out to legal immigrants. In addition to sharing the gospel with them, we must insure that their families are supported and receive the legal assistance that they need. This is already happening, particularly among so-called “immigrant churches” here in the United States that reach out to people of their own culture. Many of these churches offer English courses, free access to immigration attorneys, free health-care clinics, food, and the intangible resources of a congregation that can help new immigrants navigate the often-Byzantine nature of American society.

But these efforts need to be made by all churches. The African American church is particularly well placed to help immigrants, and yet few black churches have Hispanic outreaches or immigrant outreaches of any kind. Black and Hispanic communities are often side by side in urban areas. What better way to promote racial unity than by stepping out of your own culture to help others? It presents a terrific opportunity for churches of all colors and backgrounds.

When illegal immigrants become part of the body of a church, and as they grow in their faith, it will become appropriate to encourage them to obey the law they originally violated to be here. The church is then there to walk through the process with them. The goal is to help them become legal. We can't think of a better support structure than a loving church body to help families through the difficulties of righting their past wrong.

As believers, we may support the rule of law concerning immigration, but we must also pray and get God's heart for the immigrant. If we do that, it will help us find new ways to assist the “strangers” among us. Here is the comprehensive approach we recommend, involving seven major facets of immigration reform:¹⁴

1. Enforcing security at our borders
2. Facilitating assimilation
3. Recommending source country reform
4. Establishing a “families-first” approach and permanent anchor baby reform
5. Curtailing chain migration
6. Sponsoring guest workers
7. Negotiating third-country resettlement

Let’s take a look at these issues one by one.

Enforcing security at our borders

Our nation has provisions for those who are fleeing persecution and for immigration by people who follow legitimate processes. But there is no legal way to justify the brazen, dangerous act of violating our country’s borders. When illegal immigrants choose to break the law, they suffer from the self-inflicted wounds of legal uncertainty, family breakdown, and more. We are convinced that these risks are largely an expression of personal desperation. When faced with the question of whether a family should be deported and kids who have only known residency in the United States should be forced to leave, our hearts break. Many of these aliens whom we have met seem to embody the noblest principles of hard work, honesty, and faith. They support our national vision. We also see the fact that the nation has waited so long to address this problem, in and of itself, as an immoral act. But it does not justify breaking our laws and violating our national sovereignty.

We need effective border security. The arrest of six Muslims charged with plotting to attack Fort Dix only underscores the importance of shoring up the borders. These men were not only Islamic extremists inspired by al Qaeda, but they were also illegal aliens who had broken many domestic laws. The fact that these men could move so freely in America ought to be of great concern to all of us. In fact, people like those in the Sanctuary Movement could eventually harbor these kinds of ideological warriors in their churches. When misguided compassion of liberal churches defies the law of the land without understanding the cost to our nation, they feel good about their acts of kindness, but they may create more damage.

Much of the legislation concerning immigration needs to be given more teeth—stiffer penalties and swifter punishment. In addition, we need to take away one of the major reasons for illegal immigration—the ability to send large sums of money back home to family and loved ones. We believe that foreign currency transfers, including automatic teller withdrawals, should be limited to legal residents or people with valid guest-worker visas. There is currently an entire “subindustry” based upon facilitating currency transfers to foreign nations in every major metropolitan area. Interestingly, swings in the value of American currency have recently begun to impact the national economy of several nations.

Facilitating assimilation

There is another side to what the Bible says about immigrants. It addresses the immigrant's responsibility to his new nation.

And when a *stranger* shall sojourn with thee, and will keep the Passover to the LORD, let all his males be circumcised, and then let him come near and keep it; and he shall be as one that is born in the land: for no uncircumcised person shall eat thereof.

-Exodus 12:48, emphasis added

Here, the Bible calls upon immigrants to keep the laws of the land they now inhabit. They are to live by the customs and the norms of their adopted home. That is called assimilation, and it is the bedrock of successful immigration policy. We should never be anti-immigration or anti- any race or color. We should welcome those who want to come, live by the laws of our land, and become part of the fabric of the American family. But those who come here to take part in the American dream must participate in the whole dream. They must become part of the American family, and to do that they must actively assimilate. Theodore Roosevelt said:

In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person's becoming in every facet an American, and nothing but an American. . . . There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag. . . . We have room for but one language here, and that is the English language . . . and we have room for but one sole loyalty and that is a loyalty to the American people.¹⁵

We believe that speaking English is a fundamental indicator of our national identity and history. We do not feel that requiring all American immigrants to speak English is cultural superiority. It is simply about unity. Most people do not realize that basic competency in English is a requirement for citizenship, requiring green-card holders (permanent residents) to become functional parts of American society in business, education, and democratic processes. Mastering basic English simply makes sense. Therefore, we should support legislation that reinforces the primary use of English in the public square. We should also support initiatives that restore a core of curriculum in both lower and higher education, emphasizing early American history and how our nation has developed. These initiatives also offer great opportunities for churches to teach English as a second language and even give courses about our country's history. This will both educate and assimilate immigrants into our culture. Faith-based organizations should also see their involvement as part of an outreach process that can help families train their children so that they might become contributors to our society.

Tony recently had a guest named Eduardo Verastegui on his radio program. Eduardo is a famous actor from Mexico and can be seen on shows on Univision, a Spanish-language television network here in the United States. He came to the States and met a movie producer on an airplane. The producer asked him to try out for a part, even though Eduardo didn't speak any English. Eduardo memorized his lines in English and got the part. Suddenly, he had to learn a new language! He hired a tutor who happened to be a Christian. The tutor talked to him about the Lord in the course of teaching him English. Eduardo felt true repentance for the roles he had played in racy soap operas in Mexico, and he felt he had wasted his life so far and was leading people down the wrong path. Now he has committed to live

for the Lord, founded a company with two partners, and recently starred in the movie *Bella*. That's just one example of how something as simple as teaching English can change lives and change the world. Imagine if most evangelical churches were to offer tutoring services in English. Just think of the number of people we could lead to the Lord!

Recommending source country reform

In an ideal world, permanent and temporary visas should be issued on the basis of a preferred country or "favored nation" status, based on specific reforms within the source countries. These reforms would include fiscal policy and entrepreneurial incentives that seek to remedy poverty, the root cause of illegal immigration to the United States. To do this effectively, new legislation would be necessary that includes specific bilateral agreements that go beyond existing trade pacts. This may be hard to negotiate, but we should move in this direction.

The United States should not enter into treaties and trade agreements that do not require the above reforms. We should look to how our trade benefits the country's overall population and not just the ruling class.

Establishing a "families-first" approach that includes permanent anchor baby reform

It is no secret that the current immigration laws can separate families. The story of the little Cuban boy whose mother died in their attempt to come to the United States became national news a few years ago. Elian Gonzalez had to return to Cuba to live with his birth father despite the vision and efforts of his deceased mother. This was a hotly contested case. Some people argued that the boy should have stayed in the United States because of his future possibilities. Others believed that his broken family was where he belonged. Regardless of where you came out on that case, it is incumbent upon us as a nation to plan for the future and create policies that do not destroy families. Our anchor baby policies and chain migration laws both have a tremendous impact on families. Let us explain our approach, which is biblical and compassionate.

Congress should act to correct or reform an unchallenged application of the fourteenth amendment to the U.S. Constitution that has created the "anchor baby" policy. Anchor babies are babies born to illegal immigrants; these babies automatically become American citizens. A growing number of mothers will cross the border as their due date approaches in order to give birth to an American citizen who can then become a foothold for their own future citizenship. Decades ago, as soon as an immigrant family had a baby in the United States, the parents immediately received the benefit of that child's citizenship. Some people remember when expectant mothers would cross the border and chain themselves in a bus station until their babies were born. However, the current law does not allow a person under twenty-one years old to be the basis for parents to obtain residency. Babies born to people here illegally should not automatically be citizens. There is no evidence to suggest that the framers of the Constitution envisioned automatic citizenship for children born to individuals who are in this country illegally. Congress should pass a law and force courts to reinterpret this policy. As it is, the policy creates a moral dilemma. Do we deport the parents? That's no answer. Do we make the child a ward of the state? That's dearly not the compassionate thing to do. Rather, let's not put ourselves in this position in the first place.

Curtailing chain migration

Chain migration is the means by which aliens are permitted to immigrate because previous adult immigrants who now have gained citizenship send for their adult relatives. This means is most often used by immigrants who seek economic opportunity within the United States. Chain immigration became policy based on the principle of family reunification. The law was changed in 1965 to create the family reunification system. This resulted in a steady increase of sponsorship for family members every year. The rate nearly doubled in the first five years—from 1965 to 1970. It tripled in 1975, and in 2001 was thirteen times higher than before the law was changed.¹⁶

Congress granted illegal aliens amnesty in 1986. This fueled naturalization applications as these aliens then sponsored their family members to come to the United States. The U.S. Commission of Immigration Reform (USCIR) made a study of chain migration and proposed returning to the pre-1965 policies of sponsorship, which included spouses, children, and parents. Congress has ignored the USCIR's recommendations and has not eliminated the immigrant backlog or changed the system that is creating it.¹⁷

We must create legislation that minimizes chain migration. Chain migration is obviously aimed at helping the family of legal immigrants coming into the nation. The alternative to this would be to simply offer renewable, temporary visas to parents of U.S. citizens. These would need to be given with the condition that the U.S. citizen post some sort of guaranty or bond for the immigrant parent's health insurance costs.

Sponsoring guest workers

We believe that the nation should continue to offer temporary guest-worker programs based on employer sponsorship. This makes the temporary work visa predictable and based on the expectation of repatriation to their source country. However, such guest-worker programs should be nonrenewable and nonadjustable, confined to a period of two years. A third-year extension could be considered upon the employer's request.

Guest workers should be citizens of countries in the Western Hemisphere that have a regional trade pact with the United States and have earned the "favored nation" status under the specific bilateral agreement mentioned above.

Negotiating third-country resettlement

An innovative concept that several policy analysts have proposed is third country settlement. Here is the idea. For those illegal residents who are currently in the United States, legislation and diplomatic initiatives should be created to negotiate third-country settlement. This would only benefit these illegal immigrants if they register with the designated authority and return to the source country while awaiting a third-country visa.

As we enforce the laws that are already on the books, we must speed up the applications process. There is too long of a wait for people to become citizens. There needs to be more people processing the applications, which would mean investing in departmental infrastructure. Critics of this approach feel that it is impractical and will be difficult to implement. They ask the question, "What country is willing to take illegal aliens from the United States?" Despite these issues, this concept may work in special cases.

Parting Thoughts

The religious Right and the church must take an active role in the immigration solution. We also must never forget that we are often dealing with needy people whose foremost need is to receive Jesus Christ as their Savior. Any Christian approach to immigration that does not acknowledge our need to preach the gospel to these diverse communities will fall short. What we have proposed in this chapter are solid ideas and policy initiatives that, if implemented, can enable our society to address the issue of immigration in a way that upholds justice and the rule of law, and displays Christian compassion to those seeking to be a part of the American family.

Prayer Points

- Thank the Lord that He has preserved America as a place where so many people want to come to experience freedom and a dream of a better tomorrow. Praise Him for every soul who is here legally, who has stepped out of another culture and joined us in our quest (Exod. 12:49).
- Repent on behalf of every immigrant who has been exploited for material gain by corporations or organizations. Ask for forgiveness that the United States has not been clear on what to do and how to handle immigrants who desire to live and work within our borders (Prov. 22:22).
- Pray that churches will become involved with immigrants, not to harbor illegal aliens, but to serve legal immigrants in assimilating into our society. Ask the Lord to prick the hearts of church leaders to embrace the immigrants within their communities in practical ways.