

Archbishop Edwin F. O'Brien
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Your Excellency,

I have already written to you on the topic of illegal immigration (a response to the Bishops' statement on immigration from November 2007), and so, in a sense, this response to your July 16 Catholic Review article **The Church's Beacon Shines Brightly** is unnecessary. Allow me, nonetheless (being unable to resist!), to offer a few more of my thoughts, as I look forward eventually to speaking with you face-to-face on this sensitive issue. I appreciate you considering the opportunity.

I realize that some persons easily perceive the following reflections as harsh. I would like to consider myself kind towards immigrants. The love of Christ compels me. Moreover, my parents are immigrants ...from Belgium. I suppose that my greatest concern, as a Christian and as a minister in the Church, is with intellectual integrity, and safeguarding a deeper Catholic perspective. With all due respect, my guess is that the average reader of your article is probably left somewhat confused by your reflections. If I may be so bold: it seems to me that you would do well, amongst other things, to qualify your reflections as opinion. To preface your reflections with the suggestion that this is *the* Christian perspective and that those who disagree with it have hardened their hearts is inaccurate and unfair: "I know that some of our Catholic faithful who read this have hardened their opinion – I would say their hearts – to a Christian view of this woeful, deplorable situation."

You make the claim that the United States currently has "hard and unjust immigration laws". May I ask in what they are "hard and unjust"? The United States has the most generous immigration policy in the world. In 2007, 1,052,415 people were granted green cards. Where is the hardness and injustice? If, however, you are speaking of the *application* of immigration laws—which is a *very distinct issue*, you ought to articulate it. The distinction is *paramount*. There are perhaps issues to be addressed regarding the application of immigration laws, but the leap from humane treatment of illegal immigrants to open borders, as you—perhaps unknowingly—suggest, is enormous and erroneous. One cannot pass from incidents of injustice in the application of laws to generalizations about the laws themselves, thereby undoing their intelligibility. It is a slippery intellectual slope. You seem to negate a very important truth of the Christian

life: “grace does not destroy nature”. And you seem to negate a very important truth about the reality of the theological virtue of faith: “faith does not destroy reason”.

If a nation is a natural human reality, then any faith statements by the Church must respect the reality of the nation. A nation is a sovereign community of persons, who have the right and human *obligation* to protect their common good. They have the right and human obligation—all the while being generous in their welcome, to control the influx of persons into the community, so not excessively to disturb the community socially, culturally, economically and environmentally. Laws are essentially established to protect the common good. Any theological perspective, and thus any faith statements by the Church, must take into account and respect the common good.

You say “Neither I, nor the Church, endorse illegal immigration. To do so would undermine the integrity of the rule of law and could seriously damage migrants themselves because of the potential for family separation, exploitation and physical risks.”

- You make reference to law, but no reference to the common good, which is actually what sheds light on the law, and ought to be an integral part of the Church’s discourse on immigration. In fact, I would ask:
 - What is the Church’s responsibility towards the common good?
 - Should the Church be actively encouraging new immigrants to embrace the common good, i.e. American patrimony and culture?
 - To what extent is the Church’s promotion of parallel cultural realities disrespectful of the common good?
- You make reference to the welfare of immigrants as reason not to allow illegal immigration. Doing so shifts the focus from the more basic truths of the common good, and thus does a disservice to any clarification of the issue. There is an order in charity. As Thomas Aquinas states (Summa Theologica II-II, Q. 26, “Of the order of charity”, art. 8, respondeo), “In matters concerning relations between citizens, we should prefer our *fellow* citizens.” In other words, the welfare of the community is a more immediate concern than that of immigrants—which, of course, does not mean that we should not be *very* sensitive to the latter. Such is the realism, however, of being part of a community. Do we not say that well-ordered charity begins at home? Given the reality and legitimacy of the sovereign nation, it is, therefore, important to state that free migration is not a basic human right. To state as you do that “the Church stands with undocumented immigrants” suggests the contrary. And what exactly does it mean to “stand with undocumented immigrants”? You do not qualify your statement, and so give no tools for discernment.

Although you make reference to respect for immigration law, your statements, in the same breath, seem to invite *dis*-respect for law. How could anyone want to enforce immigration law when they are pushed back against the wall, “Dare we look at them with and through the eyes of Christ for whom no one is illegal?” The statement is ambiguous, and frankly guilt-inducing. Let us not forget that Jesus says, “Render unto Cesar that which belongs to Cesar.” Jesus had great respect for the reality of the state, and thus civil

authority. To claim that someone who has entered a country illegally is law-abiding makes no sense, and is to suggest that immigration laws are morally irrelevant. Our welcome of immigrants ought to be *generous*, not unconditional. The latter is disrespectful of the common good.

It would be very helpful to articulate for the faithful the need for great sensitivity and generosity in immediate, emergency care for illegal immigrants, but also the fact that they remain *illegal*, and that our ministry should not and cannot circumvent their illegality. The fact that the eyes of Christ first see all of us as children of God does not mean that they do not see the human reality of the community, and thus such illegality. It makes discernment perhaps more emotionally challenging. But, at least, there is some clarity, for the fundamental truths of the human community, which our faith respects, remain.

Two final, associated questions that I have:

- Why is the Church in the United States not addressing the imbalance in immigration, i.e. the disproportionately high numbers from Mexico? Why do we seem to be playing into it, for example, by equipping our seminarians to be able to exchange linguistically with them and no others from outside the Hispanophone world?
- Why do you not decry the immigration policies of countries such as Mexico which make our borders look like the pearly gates?

Your Excellency, I thank you sincerely for reading this, and I look forward to our exchange on this issue, and other, perhaps more important, issues.

Filially and Fraternally Yours,

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