

Testimony on H.R. 982
by
Rev. Msgr. George G. Higgins
Secretary for Research
United States Catholic Conference
before the
Subcommittee on Immigration, Citizenship and International Law
U.S. House of Representatives
March 13, 1975

My name is George G. Higgins. I am the Secretary for Research of the United States Catholic Conference, the coordinating body of the Catholic Bishops of the United States. Present with me are two other members of the Conference staff-- John E. McCarthy, Director, Migration and Refugee Services, and Paul Sedillo, Jr., Director, Division for the Spanish-speaking. We appear here today to present the views of the U.S. Catholic Conference on the problem of the alien who is in this country without proper documentation, the so-called "illegal alien."

This House Subcommittee which has studied this matter in depth over the past few years and has twice reported out bills which have passed the House, need not be subjected to still another summation of the problems facing the aliens themselves and our nation as a whole because of the fact that the number of illegals has increased so dramatically in recent years. The Church, of course, is vitally interested in knowing who the illegal alien is, why he has come to this country and, now that he is here, what can be done for him and his family by enacting legislative reforms which will be equitable and humane and will also be effective in preventing a recurrence of the problem under consideration.

The alien may be of any nationality and may come from any country in either hemisphere. When he comes from the Western Hemisphere his motivation is predominantly economic in nature. On the other hand, he may have a family in this country whose laws, as they are now written, force him to be separated from that family for two and one-half years or more. He may also be a political refugee, but unless he comes from certain defined areas of the Eastern Hemisphere, he can be granted at most a haven in "limbo" but cannot be given permanent sanctuary in his country. In short,

he is the victim of an oppressive political and/or economic system in his home country and a victim of discriminatory U.S. immigration laws and practices which foster family separation (should he be from the Western Hemisphere) rather than promoting family reunification. He may also be the victim of a short-sighted, narrowly conceived definition of the term "refugee" as it is currently interpreted under our laws. All aliens, however, share one thing in common--they soon become victims of discrimination and exploitation in the very country where they have sought a normal life in an atmosphere of freedom.

In an effort to find a solution to this problem, the sponsors of the legislative proposal before us today have, as a first priority, moved to penalize the employer of the illegal alien so as to remove the economic motive for aliens to take up unauthorized employment. We feel that the sick society of the illegal alien must be treated in many ways, not merely one, for as outlined above, he suffers from a variety of ills, not merely an economic one.

We therefore recommend a comprehensive package of legislative steps, to be taken concurrently, which will:

- (1) institute an equitable preference system applicable to both the Eastern and Western Hemisphere based primarily on family reunification and the admission of refugees;
- (2) grant adjustment of status to all persons regardless of their country of birth;
- (3) increase foreign aid and economic assistance to the countries of Latin America in general and Mexico in particular;
- (4) create an across-the-board grant of amnesty with the necessary residency cut-off date for eligibility and adjustment of status, without chargeability against the numerical ceilings.

What is the rationale behind this recommendation in favor of amnesty?

First of all, it must be recognized that because of deficiencies over a span of many years in our foreign aid and economic ^{ASSISTANCE} policies with regard to Mexico and other Latin American countries, because of our failure to prevent the mass influx of illegal aliens and our failure to enforce existing laws (a practice which makes it

economically attractive for both the illegal alien and the employer to enter into working relationships), the Government of the United States bears a heavy share of responsibility for the chaotic situation which exists today.

Secondly, without a meaningful amnesty program, it is entirely possible that the members of this illegal alien society will be driven further underground and that a permanent sub-culture will be created in the United States. In such a situation it is doubtful that even massive expenditures of time, money and effort on the part of the Immigration Service would ever lead to adequate controls. Would it not be more effective for the Immigration Service to expend its energy and funds in the area of prevention rather than in the area of apprehension and deportation?

Finally, should an across-the-board type of amnesty be granted, the extremely serious and troublesome suggestion that every American citizen be issued a common identification card or "internal passport" need no longer be considered.

Mr. Chairman, as you and the other members of the Subcommittee are aware, Public Law 92-603, which was enacted on October 30, 1972, requires the Social Security Administration to screen all applicants for Social Security cards as to their eligibility to take up employment. If the card is sought for other lawful purposes and it is not used for such purposes, the name and address of the cardholder is reported to the Immigration Service for investigation. Thus if amnesty were granted, for example, to all who are in the United States today or as of January 1, 1973, the effective date of Public Law 92-603, then the Social Security card would become the proof of the right to take up employment, regardless of the date of issuance. It would become the control factor, and there would be no need to recall or reissue a single card.

Through a tightening-up of the regulations promulgated under Public Law 92-603 and through the expansion of Social Security benefits to those occupational categories not yet covered, unauthorized employment would be minimized. As in the case of any law--the Fair Labor Standards Act, for example, or the Internal Revenue Code--the degree of enforcement is the gauge of the law's effectiveness.

The grant of amnesty in conjunction with the other above-mentioned steps becomes

- 1 -

the key to solving the problem of those aliens who are here now and preventing the recurrence of this problem in the future.

As regards the specific proposals contained in H.R. 982, should it be agreed that sanctions against employers are a necessary adjunct to our proposals, we feel that such sanctions should be applied only prospectively. To accomplish this end, the suggested wording in Section 274 (b)(I) "...employ, continue to employ,..." should be changed to read "...to hire and employ after the effective date of this Act...."

The effect of the ^{present} wording of H.R. 982 would be a screening by the employer of all the employees within ninety days after the law was enacted. The dismissal of untold numbers of workers from their jobs in such a short period of time would cause unbelievable havoc among their families and in the communities where they live. It would be physically impossible for the Immigration Service to move such large numbers of people. Moreover it is unconscionable that our government should even consider separating families by forcing a mass exodus or deportation of literally millions of men, women and children.

In the process of screening the new employee, it should be mandatory, not optional, that the employer inquire of every applicant as to his legal right to take up employment. Such a requirement is essential to avoid any possible discrimination in the screening and hiring process.

We oppose in the strongest terms the requirement in Section 274A that any officer or employee of the Department of Health, Education and Welfare disclose the names and addresses of aliens "who such officer and employee knows" are unlawfully in the United States and are receiving certain welfare benefits. The very idea that the Department of Health, Education and Welfare might be turned into an investigative or enforcement type agency is, in our judgment, thoroughly repugnant.

Lastly, as regards the proposed amendments to Section 245, the adjustment of status provision, we do not feel that the restriction as to unauthorized employment should be included. A somewhat similar provision was contained in the 1952 Act but was deleted as undesirable in the Act of 1965. Since the grant of adjustment under

this section is at the discretion of the Attorney General, abuses can be controlled by the sound exercise of that discretion. We further suggest that adjustment be made available to bona fide refugees regardless of the manner of their entry into the United States.

As we approach the Bicentennial celebration of the founding of our country, let us adopt as our theme, in seeking a fair and humanitarian solution to this very serious problem, the familiar motto "Liberty and Justice For All."

AN INTERNATIONAL CONFERENCE ON THE QUALITY OF LIFE ALONG THE BORDER

November 1-2, 1977 - The University of Texas at El Paso

Sponsored by the Ecumenical Consultation of The Texas Conference of Churches and the New Mexico Inter-Church Agency and their Participating Denominations.

1.0 The Conference was opened by chairperson Rev. Robert Allen of the Presbytery of Santa Fe, The United Presbyterian Church in the U.S.A. A welcome was given and the leadership of the Consultation was introduced, followed by a brief song fest under the leadership of the Rev. George Brown and an opening devotional led by Archbishop Sanchez of the Archdiocese of Santa Fe of the Roman Catholic Church.

Archbishop Sanchez then introduced the morning speaker, Father Virgilio Elizondo, Director of the Mexican-American Cultural Center in San Antonio, Texas.

2.0 Presentation on "The Biblical and Theological Basis of Our Concern" by Father Elizondo.

The highlights of Father Elizondo's presentation includes the following:

The basic question is the worldwide right of people to migrate. It is a question which has particularity all the way from Brownsville, Texas to San Diego, California. It is a question which has long history which pre-dates the contemporary U.S.-Mexican border. It is a question in this case which deals with the cultural history of a people whose history in the region has known no border until recent years. In a very real sense this is a crisis corridor but the way we deal with that crisis will be an opportunity to respond in such a way that we can build a more human society. Our real task, therefore, is to turn the nightmares of history into the visions of tomorrow.

Borders are always difficult. Borders limit the frontiers of belonging. Traditionally, we have had military, economic, political, ethnic, religious, linguistic, racial and cultural borders. Yet, all of the above definitions of border when added together form the definition of a cultural border. There is nothing uglier than the hatred of the other for the love of God, and yet many of our borders are typified by just that.

The boundary between the United States and Mexico is a boundary of total otherness. It is a boundary between the two Americas. North of the border there are primarily Northern European cultural styles which have traditionally been white, Anglo-Saxon and Protestant. The value system is related to post-Reformation philosophical development. South of the border are the philosophical traditions of the Southern European and the mixing of

the native-American and the Southern European. The religious formulation is primarily related to the Roman Catholic faith and the value orientation is essentially pre-Reformation. The mixed blood or mestizo is a combination of the Iberian Southern European blood line being mixed with native-American blood lines. It has resulted in a third race which is neither native-American nor European. This factor brings racial and cultural prejudice in a very unique way not evident in many border situations around the world. Consequently, the United States-Mexican border is a far deeper emotional border than most borders of the world. It is a painful border, yet, it provides one of the greatest opportunities for ministry today of any place in the world.

The question is, How do we respond in Christian ministry to this deep cleavage? We as Christians have a heritage of being a migrating people. For example, in the Old Testament Abraham migrated from one country to another. Moses also migrated from one country to another. Yet, when they got to the Promised Land they forgot why they had been called to that land, and therefore, they once again were exiled. Much of the Old Testament is a record of the suffering of the immigrant who can't communicate why they were called to be migrants. On the other hand, much of the Old Testament record is a call to hospitality and respect--a call to the realization that whatever you currently have is only relative.

In the New Testament Jesus identifies himself as the closest relative of the foreigner--the poor, the rejected, the traveler. He becomes one of them by taking on the form of the slave. The whole life history of Jesus is the history of one who lived on the frontier of a region; on a crisis corridor, if you will. The Roman World was powerful and proud. The Jewish World was powerless, yet maintained great faith and human dignity from a human standpoint. Nothing had gone well for them. Galilee was the frontier between these two cultures. It could very well be that Joseph and Mary could not find room in the inn in Bethlehem because they were "dirty" Galileans. Galileans were in a very real sense the "Niggers" of their day--the Chicano of their time. They couldn't speak either Greek or Hebrew well. You will recall that Peter could deny Jesus but could not deny that he was a Galilean because he didn't speak well. There is a similarity to the present day Chicano who speaks neither classic English nor classic Spanish. But, Jesus came to offer a new alternative. Not a chosen people model but a universal model of the Kingdom of God--those who had not been chosen are now welcomed and invited. It is quite clear that some will choose not to come because they don't want to associate with rejected ones, that is the poor, the traveler, the dispossessed etc.

The New Testament record indicates that Jesus began to deal with the very roots of the structures of the society which kept people separated. He took on the religious leaders which were allowing

the real criminals of society (those who exploit) to continue and control as a manifestation of false religion. Jesus in the Temple is a case in point. The leaders there never denied his analysis but tried to avoid the issue by questioning his authority. Jesus came to the temple to destroy separation, segregation, oppression and rejection, and the result is that Jesus died because he confronted these root causes. Yet, the rejection became the instrument of the kingdom. It was in the Christianity born from that death and resurrection that it was possible for a Galilean like Peter and a Roman soldier like Cornelius to discover they had something new, something in common which they could share. They were able to transcend that which had blocked them in the past. Consequently, Christianity was noticed for its concern for women, children--the little people of the world.

God has chosen us. God begins where humankind never dreams of beginning. God begins with the poor. The poor have no false gods, and consequently Christianity was transmitted by the merchant's slaves--those who were sent throughout the world, those who loved one another as they crossed the historical cultural boundaries of their time. Yet, this vision was not without its distractors. The first major conflict in the young church was a cultural conflict as manifested in the Acts of the Apostles, 1st Corinthians and Ephesians. Some argued that Gentiles have to become Jews first in order to be saved. But the Church put down that heresy with a resounding NO. As a consequence, Christians became trans-national. They became the carriers of a love which did not stop at human-made boundaries.

Today we face a situation similar to that of the earlier Christians. We too must go beyond the boundaries that sought to enslave the early Church. We must not go so much to save those on the other side of the boundaries but to join them in the fight. We must see and experience the pain of the moment. We must understand what each group has to offer the other--that each person is made in the image of God--and that they have something which we can appreciate. We must cross the boundaries ourselves by going beyond the dichotomy of me and you. If we are all willing to die, we can all arise, by saying "Our Father" not just "My Father".

There are two new traditions developing. South of the Border the new theological tradition is essentially based on liberation theology, i.e., an alternative analysis and a new understanding of theological power of Gospel. North of the Border there is a great mood toward protecting the culture we already have. Somehow we must come to the place where we can realize and develop a new humanity. All of the Americas equal America, but only by being willing to give of the gifts that each bring and share. It is our task to go beyond the "I win"- "you lose" mentality or the "I conquer"- "you are conquered" mentality to develop a new kind of American humanity together.

3.0 Presentation by Mr. Frank J. Call II, Director of Organization U. S. Border Cities on "Border Problems in General--An Overview.

The border is a dynamic fluid situation. It is a human-made border. It has five general areas of problems. These include: economic problems, health problems, education problems, criminal justice problems and political problems. Yet, there are many aspects of the border which are positive. There is organizing going on from Brownsville, Texas to San Diego, California. People are beginning to deal with these problems in some creative ways. When you consider this border has a cultural blend, it is quite different from any other border any place else in the world. We will deal with the way we are approaching these problems along the border from the U. S. perspective.

Economic life is nasty, mean and short along the border because the economy is soft. The communities along the border have developed as trade centers. In recent months these communities have been adversely affected by the devaluation of the peso. This has significantly affected trade and the flow of money between the two countries. The industries that are along the border essentially employ unskilled workers, a high percentage of whom are women. Many of them prefer younger single women. The wages are at least 20% lower than in other parts of the United States. Most of the industries are owned by absentee owners. Consequently there is no automatic reinvestment back in the communities of the region. This results in at least 154,000 sub-standard houses along the border, from Brownsville to San Diego. Yet, the sub-standard housing is only the "tip-of-the-iceberg" in relationship to the economic problems along the border.

One of the greatest constraining forces in terms of economic development is the insufficient resource base. This particularly takes the form of water needs. The sweet water table is being lowered which will create future problems all along the border. Water, therefore, becomes one of the critical constraining problems but all other resources are also scarce, except for human resources.

Another force affecting the economic development of the region is the substantial population growth on both sides of the border. There has been nearly 100,000 new people concentrating in the cities along the border in the past few months. There are twice as many persons in the cities on the Mexican side of the border as there are on the United States side of the border. Many of these new persons who have concentrated in the cities are economic refugees from other parts of Mexico and a high proportion of them are agricultural refugees, inasmuch as only 13 to 17% of the available land in Mexico can be cultivated. With a population growth projection of 100-million persons in the next two decades and the lack of available land on which to grow food, the situation in Mexico becomes very scary indeed. Thus, it is the most progressive people in Mexico who migrate towards the border in hopes that they one day might have the opportunity to come into the United States. This leaves behind the less capable persons to deal with the multiplicity of problems in Mexico itself.

There is a heavy dependence upon a few factors of the economy on the U. S. side of the border. In El Paso and San Diego, the economy is heavily dependent upon the military. Other areas along the border are heavily dependent upon agriculture, but this in turn is dependent upon available water. In recent years with the advent of the twin-plant concept, the border economy has become heavily dependent upon apparel manufacturing, and to a lesser degree upon the assembling of the electronic components for television, radios, etc. But these too fluctuate greatly. The result is a severely high rate of unemployment which currently stands at approximately 25% and even those who are employed frequently are "under-employed", i.e., they do not have enough work to keep them busy. The result is that some 33% of all persons living along the border in the United States are classified as below the poverty level. Even San Diego, in affluent California, has the lowest per capita income of any area in the state.

One last thought on the economic factors. Since the devaluation of the peso, the sales in McAllen, Laredo, etc., seem to be off between 30 and 50% which will put additional pressure on the region because they are heavily dependent on revenues from sales taxes.

Health - There is an inability to finance a good health system in this region. This includes the financing of hospitals and clinics, as well as the ability to keep good doctors in the region. There are also significant problems that relate to environmental health and the quality of health along the border. Many of these relate to water-borne illnesses. But it also relates to the inability to control the air quality because Mexican factories are not required to utilize the same standards as United States factories. Yet, the air is shared. There are also significant problems that relate to lead poisoning from paint etc., rabid dogs crossing the river in spite of the Pan-American Health Association's attempts to inoculate dogs and problems with mosquitos because of drainage ditches not being sprayed. The water and sewer treatment systems are inadequate which in turn affects the quality of water. The public health services are inadequate and are strained to capacity.

There are significant problems that relate to drug abuse. The availability of drugs along the border is astoundingly high, partially because the border has been one of the principal places that drugs cross into the United States from South America. The result is that in McAllen, Texas for example, more than \$600,000 has been pumped from the city budget into the hospital just to keep it open. In Southern California many of the hospital doors have been closed, if not in fact, at least to persons who are obviously undocumented aliens.

Education - The schools are greatly over-crowded on the United States side of the border because mothers come across to have their babies, which makes the child eligible for public education in the United States. There is an inadequate tax base and consequently little ability to finance the schools. This, when added to the high drop-out rates because of poor life quality and other cultural factors, means that

many along the border are getting less than an adequate education. Those who do get an education often times leave the area resulting in a "brain drain". With wages at least 20% lower along the border, it is not difficult to understand why they leave for other areas and better jobs.

Criminal Justice - There is a high crime rate which is directly related to economics. Persons tend to steal on the U. S. side and then go to the Mexican side to sell the stolen goods or vice versa. Yet at the same time there is a low violent crime rate, i.e., murders, rapes, etc. Part of the problem relates to the inability to coordinate the criminal justice system on both sides of the border. In Mexico, the legal system is based upon Roman law which assumes guilt until proven innocent. In the United States the law system is built upon English common law which assumes innocence until proven guilty. The jails and prisons on both sides of the border are inadequate and in the United States the jails are among the worst in the whole country. This, when added to the lack of federal concern about crime along the border, provides a very serious criminal justice problem. Changes in policy in Mexico City or in Washington, D. C. don't affect those two cities but rather affect the border where the two nations interface. Both Mexico City and Washington seem to be insensitive to the results their political negotiations that go on in the two capitols will finally have upon the border.

Political - The only institutional arrangements which the United States has with Mexico currently tend to relate to historic land and water rights. All the rest of the issues tend to rest with the Secretary of State in Washington and the Foreign Ministry in Mexico. Because of political realities there is a great deal of difficulty in making treaties between the nations.

Most of the problems which are suggested above are solveable. A primary concern is how we reach out and deal with the human miseries in a theological and pragmatic way.

4.0 WORKSHOPS

4.1 Worship Workshop I - Immigration - Everybody's Problem
by Mr. L.-A. Velarde, Jr., Director of the Southwest Regional Office of Migration and Refugee Services U. S. Catholic Conference.

Mr. Velarde indicated that up until 1917, the border between the United States and Mexico was essentially an open border. In fact, there was even an open invitation for persons from Mexico to come work in the U. S. during World War I. This changed in 1924 with the first Immigration Law. During the depression years of 1929-1931, a concerted effort was made to force all Mexican nationals to return to Mexico. Even children which were born in the United States between 1917 and 1929 were forced to leave with their parents.

In the '40's during World War II and in the early '50's during the Korean Conflict and up through 1960 with the Braceros Program workers were actually encouraged to come from Mexico to the United States. Since 1960 however, the pressure has been to keep Mexican nationals out of the United States because of the scarcity of jobs. The result is that we are now facing the highest number of illegal aliens in the history of the relationship between the two nations. These illegal aliens or un-documented persons come essentially from two sources. First the un-documented who enter without inspection and without permission and secondly, the documented persons who come to the United States to study or for other legal purposes then stay beyond the time allowed by their documents.

Part of the problem has to do with the history, i.e., the border is not important to people on each side of the border who share a common cultural history. But the force that currently acerbates the problem has to do with U. S. immigration policy. Our current law allows 120,000 persons to enter into the United States each year from the western hemisphere and 170,000 to enter from the eastern hemisphere with the restriction that no more than 20,000 persons may come in a given year from any one country. Priority is given to family reunification. This includes (1) spouse, children and parents of the U. S. citizen (2) brother or sister of a U. S. citizen and (3) spouses and children of resident aliens. Since only 20,000 persons can be allowed to enter the country legally from Mexico our nearest neighbor with unprotected borders, the result is that there is any place from 3 to 12-million illegals in the country right now, many of them of Mexican background. Both industry and farming employ these aliens.

The problem is further intensified by the push and pull factors in Mexico itself. The population in Mexico is currently 63,000,000 persons with an average income of \$20.00 per month per family. There is a 30% inflation rate and a 65% unemployment rate. The median age of the Mexican population is 16 which means that half of the population is less than 16 years of age. The birth rate is now 3.4% per year which is higher than India. Mexico will easily double its population by the year 2000. Even though Mexico is the most advanced of all Latin-American countries, its industrial growth rate is 1.5% per year. Thus the United States is becoming an escape valve. If the valve is shut off, there will be an explosion. We are providing jobs for the excess generated in Mexico. The result is that between 80 and 90% of all un-documented persons in the United States are Mexicans. They are coming as economic refugees and they come through the border cities which are the escape valves. The Mexican border cities are three to six times larger than their American counterpart cities. Additionally about 25-billion dollars flow from the U. S. to Mexico by people who are employed here and send money back. This becomes a sort of Marshall Plan, a program of underground foreign aid that is from family to family. If it were to go from government to government it would never get down to the people.

Our attempts to deal with the border problem to date include a twin-plant concept which provides for part of the work to be done in Mexico with the semi-finished products shipped to a twin-plant in the United States, where it is finished and marketed. By agreement, nothing can be marketed in Mexico. There are several problems with this: 90% of those persons employed in twin-plants in Mexico are women 18 to 24 years of age and single. Minimum wages are paid which means they may earn 6 or perhaps 10 dollars a day in Mexico while the twin-plant in the United States which can often be seen from the Mexican plant with a naked eye is paying 3 or 4 times as much. These plants and the promise of going into the United States to find work have drawn nearly 12 million of the Mexican population to the border area. But because of the emphasis of the twin-plants on single young women they have also mitigated against traditional cultural family ties.

The problem is further intensified by Washington and Mexico City. Members of Congress who live in New Jersey and in the northeastern states tend to set the policy without ever having understood the nature of the problem along the U. S.-Mexican border. People don't even know that El Paso/Juarez exists. Therefore, the policies that are drawn in Mexico City and in Washington do not affect those two cities but wind up affecting the border. For example, on August 4th President Carter introduced his plan to deal with un-documented persons. First, he suggested that we put sanctions on the employers and fine them \$1,000 for each un-documented employee. This was designed to eliminate the pull effect in the United States. Secondly, he suggested that we provide 2,000 more persons for the border patrol so that we can stop the Mexican nationals "at the pass". Thirdly, he suggested that if the illegal aliens were in the United States before January 1, 1970 we would give them amnesty. The problem is this affects only ½ million of 3 to 12 million who probably live here. Fourthly, those who came to the United States between January 1, 1970 and January 1, 1977 could be given permanent residence status, but they would be clearly second rate citizens because they would have to pay into social security but could never draw anything from it. Even in this model, the illegal alien becomes a scapegoat for everything, so that he or she is the reason for U. S. unemployment, etc. But by the same token, the Mexican government is fearful of restrictions. If the valve is closed there is liable to be a big bang in Mexico. (The Velarde estimate is that there are 5.3 million illegal aliens in the U. S.)

The Catholic Church after due study is opposed to much of Carter's plan, which in effect creates another Bracero Program that provides temporary work but has a 5-year limit on it. Essentially the Carter Program, although putting the issue on the table, places the burden on the employer to screen the people, forcing the employer to become a policeman for the Immigration Service. It also provides for a national ID Card which many minority groups do not want. It was also noted that the illegal alien's biggest enemy is the Mexican who came here 15 or more years ago. As they have become educated and moved out of the barrios, they have forgotten their origins and those who are still in the barrios.

It is proposed that the churches work together to establish immigration officers like Velarde and those currently on the U. S. Catholic Conference Staff for other parts of the country. For Protestants this might be done by Church World Service. It is further proposed that the churches work together to effect national immigration policy so that it becomes a more just system.

4.2 Workshop III - Physical and Mental Health and Related Problems. Boris Velimirovic MD, Chief Field Office US-Mexico Border Pan-American Health Organization, Regional Office of the World Health Organization.

Dr. Velimirovic is an Austrian employed by the World Health Organization. He is a Professor of Epidemiology at the University of Vienna. The purpose of the Pan-American Health Organization which is the regional Office of the World Health Organization is to foster cooperation between both countries in relationship to physical and mental health, i.e., to insure that the two medical systems mesh. Health is one very important element in the quality of life. Health is defined by the Pan-American Health Organization as a complete state of physical and psychic well-being. It is not only the absence of disease.

The sources of the health problems along the border are numerous. Some forty million persons have 20,000 cars and cross the border each year for a variety of reasons. Among other things, they bring disease. And, more particularly, many of them require emergency medical care. In that case, who pays? But one of the more severe problems has to do with the un-documented person who is illegally in the United States. If they become ill and know that they are deportable their fear is that if they go to a health-helping person or organization, it might help the authorities track them and thus lead to the deportation. (According to the U. S. Constitution there are no illegal aliens, only deportable people.) The result is that they do not get the kind of medical help they need when they need it which intensifies the problem. There is also the question along the border; can you refuse medical treatment to those who need it? Many of the health organizations in the United States are saying, Yes. The shortage of doctors and the shortage of facilities provide the excuse to refuse medical help to illegal aliens.

Further, the drug problem is extremely severe along the border. The border is the place where the "goods" are exchanged. Many who are facing severe problems turn to drugs. The extent of the problem is not known and the organizations to help with the problem are few.

There is also a significant problem with communicable diseases, in particular venereal diseases, tuberculosis and hepatitis. All of these are on the rise along the border. Further, there is a significant problem with malnutrition, poverty and unsanitary living conditions along with poor food. It means that many children do not

get the basic necessities of life. But perhaps even greater problems lie down the road. Currently 80% of the population in Latin America is rural and 20% is urban. It is projected however that by the year 2000, 28% of the population will be rural and 72% urban. This does not mean there will be fewer persons in the year 2000 in rural areas but the 28% will represent as many rural persons as currently, while the urban areas will literally explode with people. The migration from the rural to the urban is not because people live better in the cities than in the rural areas but because there is hope in the cities. There is at least a slim possibility of education for the children there and health facilities for the ill. Yet, the peasant who comes to the city is the pre-selected victim. They are young, male, eager to work but have no qualifications. Since the population growth is much higher than economic growth, it will mean that in the future, there will be nothing but trouble. For each 3% of population growth, you need 9% annual economic growth. The current economic growth rate is about 3% where a population growth exceeds 3% per year.

All of this contributes to mental health problems. Mental health problems are ten times as high in border towns as elsewhere because life is constantly under stress; and stress is always the precursor to mental problems. This results in high levels of alcoholism as well as drug abuse.

All of these factors when added together add up to a very dismal picture. The quality of life along the border in terms of physical health and mental health seems to be facing deterioration rather than improvement.

5.0 Presentation by Jorge Bustemonte, JD and Ph.D in Sociology.
Dr. Bustemonte is the foremost Mexican authority on border problems.

It is misleading to conceive of reality as starting from the border north and from the border south. The border does not divide two separate realities. Laws do not define reality. The U. S. can't define the reality by itself nor can Mexico. Rather it is shaped by processes of interaction from both sides. There is interdependence along the border but both sides do not come into this relationship with equal power. The border region is, therefore, a unique reality. It is like the symbiosis of biology.

Mexican immigration has been a constant factor all this century and is now being made the scapegoat for most of the United States ills, such as unemployment, crime, etc. Contrary to this scapegoating, Mexican undocumented immigrants do not take American jobs but work at jobs well below the minimum wage which Americans would not take.

The disparities between the rich and the poor are twice as great in Mexico as in the United States. This makes for conditions of explosion or expulsion in Mexico. The U. S. has a great need for cheap labor. These two factors make for the present day situation--that is a push-pull situation. I. W. Thomas says, "When people define things as real, they become real in their consequences." In as much as the United States has defined the problem as real the consequences will be real.

One of the problems is we don't really know the volume of undocumented persons in the United States. We are working in ignorance. It is the opinion, however, that because of Carter's proposed sanctions, we will have an increase of returnees from the United States to Mexico. It will result in an increase in the number of persons in the Mexican border towns. Secondly, the affect of the peso impact has not been seen in the countryside of Mexico and as a result will force many to the border which will lead to more concentration at the border. This combination can make a very dangerous sandwich. We are talking about persons who are non-conformists to societies' wishes by definition. Thirdly, we will end up with social disruption. Fourthly, social disruption will not be contained by the border. It will affect the United States. Fifth, inter-ethnic relations just between Anglos and Chicanos on the border and the problem is even further complicated. Sixth, the result will be international repercussions that will poison U. S.-Mexican relationships. The question is what will be the role of the church in this context?

There is a lack of integration between the border economy and the Mexican economy. Border manufacturing is tied to the U. S.

6.0 Practical Hints for Ministry by Virgilo Elizondo

The people along the border are very, very evangelical and pious. They are committed to the Christ's way although in a cultural context they are for the most part third world persons. Although some may be of the fifth world, i.e., those who are so bad off that they can't conceive of conceiving of being better off. To use Dom Heider Camera's definition just as "science without faith is blind, faith without science can easily degenerate into superstition." Therefore, superstition tends to prevail in the region but we are called to discipleship. The call to discipleship is the call to go to Jerusalem even if it means death. The masses are called also, but disciples are called to a special fidelity.

We are in a position where revolution could occur. Revolution occurs when the masses are pushed and pushed and they have no more hope. This is happening along the border. People here are called criminals when in fact they are the victims of a system. The illegals are protected by no one. They are preyed upon by the robber, patron, etc. Therefore, one factor in ministry is the need to de-emotionalize the issue from our pulpits.

Positive Ideas About Things That We Can Do. The basic question is, How do we denounce satan and announce the Kingdom in this context? The following are specific suggestions:

1. We can help people to accept themselves for who they are and to help them get over their low self-image. The brown presence on the mass media is negative. For example, we need to find ways to include the brown face in all of our normal educational and media materials. For example, there are 2½ million Mexicans in East Los Angeles making it the largest Mexican City outside of Mexico City, yet the media there rarely portray

the brown in positive ways. Therefore, we need to help people appreciate their own beauty. All have gifts to share. For example, the Native American understanding of harmony between them as persons and nature is a gift which we need.

2. History is a saving history only as we understand our own roots and we appreciate that which others are now going through. The Anglo forbears who came to the United States, for example, often came because of severe oppression and persecution in their native countries in Europe. People along the border are now facing similar kinds of oppression.
3. We need to deny the stereotypes. We do this by understanding what gave rise to these stereotypes. We can do this by seeing society as a symphony with the many instruments and tones playing tension with each other but they still are making a beautiful whole.
4. We need new patterns of trans-cultural living. We need to move from the melting pot image to the stewpot image.
5. We have to learn from each other and from the poor. Solidarity, respect for the ancients, family, etc., will help us do this. When you are willing to learn from someone, you are calling that person into existence. You are affirming their dignity.
6. We need to look to a greater border conference between the Mexican and American church people. There should be a major ecumenical conference. Maybe we could avoid the major disaster that Bustemonte predicts if we did something like this.
7. We must be willing to share with the poor person by partaking with them what they have to offer. We need to visit with them, we need to share in their cultural expressions. We have to appreciate what they have. Perhaps, the Cinco de Mayo celebrations are one way that the Anglo community can come to understand and appreciate the culture of the Mexican American.
8. We need to invite them to come to us and help them feel at home with us even if it means that we must dress down.
9. We all need to look at our churches and ask are we willing to make them sanctuaries for those whom the law and the government are rejecting.

Our task is to formulate two or three viable goals to work on as church persons in these areas of concern with some viable objectives which will implement these goals.

7.0 Recommended Goals and Tasks From the Conference

7.1 Mental and Physical Health

1. We recommend that attention be given to drug abuse and mental health. This might be done by upgrading pastoral counselling skills so that pastors can relate in a better fashion to the bi-cultural situation. It might also be done by upgrading skills to counsel with the un-documented worker. These two recommendations would require training existing pastors.
2. We recommend that we identify health services that ask no questions of the un-documented worker that would concentrate on immunization to prevent disease. To implement this, we would identify where these services are available and provide a means for the information to flow to concentrations of un-documented workers.
3. We need stronger ecumenical organizations through which our efforts can be coordinated and out of which resources can flow to those who have need.
4. We need to explore alternative health systems, such as health co-ops like have been developed in some parts of Appalachia. We might also develop the paramedic system through our existing educational institutions which can provide a first line of defense in relationship to mental and physical health needs.
5. We need to get information to the congregations regarding the U. S.-Mexican Border Health Association. The churches can very well broker the resources of the association to the congregation and ultimately to workers who need these services.
6. We need to develop an organization that can deal with the political ramification of the mental and physical health needs.

7.2 Recommendations in Relationship to Economic Factors

1. If recommended that we develop a continuing organization that would meet monthly, its purpose would be to identify issues for the real needs and identify where the real needs are. We should do this by being with the people. It should be across faith lines. It may very well be that we need a super-border organization comprised of a variety of community organizations up and down the border.

- 2. We need to develop means of sensitizing our congregations to the needs which exist in the region. We need to look at and develop models of how to do this even away from the border. That is, the church throughout the United States should be aware of the issue.
- 3. We recommend that this consultation make its policy statement of what our attitudes are and then share these with the government, with President Carter and with others.

7.3 Recommendations and Relationship to Immigration

- 1. We recommend that a means be developed to communicate across the border; particularly among the churches in a dialogical fashion. We need sound research. We need to identify those who are already in dialogue such as the Roman Catholics and the Presbyterians. We need to set up regional forums to discuss the issues. This may in turn lead to a super-border ecumenical conference on the issue.
- 2. We need to set up a task force to humanize the Carter Bill. We need to set up a dialogue with the Immigration Commission of the Federal Government in the U. S. We need to send a letter to Commissioner Castillo outlining our views.

7.4 Miscellaneous Suggestions and Ideas

- 1. We need to take a look at the capitalist economic system as one of the factors causing the problems.
- 2. We need to announce the kingdom of an open border.
- 3. Agreements--We agree to send all the outputs from this conference to the appropriate national persons in the churches who are related to Church World Service denominational officers, Immigration Officials, etc.
- 4. We need to explore the possibility of a super-ecumenical conference.
- 5. We need to build linkages between the frontier and the national leadership both in government and the churches, so that we get an ongoing participatory communication started.

8.0 Evaluation of the Conference

Three listeners from national, regional and local levels were asked to reflect upon the conference. The listeners tended to agree that a new sense of the meaning of the boundaries became real for the attendees, where at one time the boundaries had a mystique of their own.

The attendees now realize that the boundary is fraught with the implications for the church in both countries. It was also observed that because of the conference a new sense of urgency developed, particularly in respect to the role of the church as relates to the Carter proposal for undocumented persons. There was a great deal of sentiment that developed for the need to humanize the program. At the same time, the conference documented the importance of some sound scientific research analysis of the border phenomena particularly as it relates to the push and pull effect. The church must be conscious of the economic implications as well as the human impact questions, because both are related to the possibility of the danger and the possibility of violence of the area.

There also seems to be a strong sentiment developing in the conference for more border communication and collaboration among the churches in relationship to this complicated situation.

There is also a sense that the people in the conference are willing to explore in more depth the mestizo phenomenon and to sensitize church membership and what this means for ministry along the border.

Process of the conference itself led to some frustration among the participants. It seemed as though all deeply appreciated the informational and motivational materials but it was felt that it should have been an interpretation of the goal setting aspects of the conference.

The general feeling was that the conference as a whole was very valuable in that it raised the consciousness of many people and developed in them a sense of commitment to begin dealing with the issue. However, unless there is some practical programming which results, much of the impact and value of the conference will be lost.

Arleon Kelley
Recorder

12/30/77

1977

STATEMENT
OF
THE MOST REVEREND ROBERT F. SANCHEZ
ARCHBISHOP OF SANTA FE
IN BEHALF OF THE
UNITED STATES CATHOLIC CONFERENCE
BEFORE THE
SUBCOMMITTEE ON IMMIGRATION AND NATURALIZATION
OF THE
SENATE COMMITTEE ON THE JUDICIARY
CONCERNING
S. 3074

TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Mr. Chairman, members of the Subcommittee:

I welcome this opportunity to appear before you to express the views of the United States Catholic Conference on the matter of much-needed immigration reform. I wish to commend you, Mr. Chairman, for making possible this discussion before your subcommittee.

I have with me today Monsignor George C. Higgins, Secretary for Research, John E. McCarthy, Director of the Migration and Refugee Services and Paul Sedillo, Jr., Director, Secretariat for the Spanish Speaking, all members of the U.S.C.C. staff and who will be available to answer any questions which may be posed.

There are before this country in its bicentennial year many serious problems which have been created by the present United States immigration policies. Among the most serious is the presence of an untold number of so-called "illegal aliens" with all the attendant social, economic and moral problems faced by them and their families as well as the lack of uniformity between the Eastern and Western Hemispheric systems of selecting immigrants. The lack of a preference system for Western Hemisphere applicants has resulted in a waiting period of some 29 months for persons chargeable to the numerical ceiling and has contributed substantially to unlawful immigration. The Church is vitally concerned with both the re-unification of the family as well as the preservation of the family unit. With these thoughts in mind, we wish to address ourselves to some of the specific proposals, Mr. Chairman, of your bill S. 3074.

Section 12 provides for civil penalties for employers, their agents, or representatives of labor organizations who knowingly employ, or continue to employ, or refer for employment aliens not authorized to work. A \$500 fine per alien is provided for first offense; subsequent offenses will be fined from \$500 to \$1,000 per alien. If, despite civil penalties, the employer

persists in violating the statute, the Attorney General may seek an injunction which may eventually result in contempt proceedings possibly leading to criminal penalties. Employers are not deemed to have violated this provision if they have made bona fide inquiries in writing, in accordance with regulations to be prescribed by the Attorney General, as to whether the prospective employee is a citizen, or an alien authorized to work.

In our opinion, this provision is objectionable from several points of view. In the first place, neither Congress nor the Administration has demonstrated that there is adequate information as to the scope of the illegal alien problem or of the possible effects of this type of provision on lawful alien residents and citizens. The Government has no idea how many illegal aliens are really in the country. Estimates range from two (2) to twelve (12) million. They really do not know whether the illegals who are here are holding jobs which either citizens or lawful residents would be willing to accept. They can only guess at the additional costs being created by the alleged increased need for public services or the alleged amount of money being sent out of the country by illegals.

That the Federal Government's information about illegal aliens is inadequate is demonstrated by the fact that in both fiscal years 1975 and 1976, the Immigration and Naturalization Service has sought special appropriations of \$1 million from Congress to conduct a study of the problem. In a document submitted to the Congress justifying the need for this study it is stated:

"Without knowing the actual scope of the problem, it is not possible to attack it effectively. It is, therefore, mandatory that I. & N.S. assess the illegal alien situation to determine not only the magnitude,

but also the characteristics, mode, and locations of entry, area of residence, and extent of impact of the illegal alien population."

On October 8, 1975, the Congress concurred by passing legislation to appropriate these funds and the I.N.S. has just begun to initiate its study of the illegal alien problem and it is our understanding that they do not expect to complete it for another year.

In addition, President Ford has appointed a special Cabinet Committee to study the matter. This Committee has just begun a serious evaluation of the illegal alien problem and does not expect any substantive recommendations before this summer. Consequently, there seems to be little doubt that the government itself recognizes its lack of basic information. Therefore, neither the Congress nor the Administration should initiate major new policies in regard to illegal aliens prior to conducting comprehensive and objective studies of this matter.

Assuming that such studies will demonstrate the illegal alien problem is of such magnitude as to justify some sort of legislative remedy of this nature, the solution proposed by this bill is seriously defective. In attempting to solve an economic problem, this proposal could create a civil rights problem of considerable magnitude.

By providing sanctions against any employer who hires an illegal alien, this legislation would create a situation that assuredly will lead to discrimination against any person belonging to a minority group whose legal status might be called into question. Lawful resident aliens and minority group citizens could be denied employment simply because employers will not want to run the risk of inadvertently violating the law.

Moreover, the effect of this provision would be a screening by the employer of all the employees after this law is enacted. The dismissal of untold numbers of workers from their jobs would cause unbelievable havoc among their families and in the communities where they live. It would be physically impossible for the Immigration Service to move such large numbers of people. General Chapman, Commissioner of the Immigration and Naturalization Service, in his recent appearance before this Subcommittee has conceded the Service does not possess such capability. Moreover, it is unconscionable that our government should even consider separating families by forcing a mass exodus or deportation of possibly millions of men, women, and children.

In our view the Federal government should deal with the problem of the future influx of illegal aliens separately from the problem of those already residing in this country. Those who are already here are here because the government has been both unwilling and unable to enforce its own immigration laws. Most of these people have established families, part of whom are American citizens with all of the rights of citizenship.

There is only one just and humane solution to this important aspect of the problem which would be consistent with the tradition and ideals of a country which has been known as the "nation of immigrants", that is, to show once again our generosity by allowing these people to become lawful residents. Consequently, we have advocated that a meaningful amnesty provision be incorporated into this legislation. Such a provision would allow people who have already been in the country for a period of time, particularly those who have family ties here, to adjust their status. We do not, however, advocate amnesty for criminals, procurers, and other immoral persons, subversives, violators of the narcotic laws or smugglers of aliens.

Specifically, we endorse the proposal contained in S. 561, introduced by Senator Edward M. Kennedy, that any sanctions which might be imposed upon employers be applied prospectively. This could be accomplished by deleting the suggested wording in Section 274 (b)(1) "...to employ, continue to employ,..." and substituting "... to hire and employ after the effective date of this Act,..."

Secondly, should an across-the-board type of amnesty be granted - with a necessary residency cut-off date for eligibility, a number of problems would be solved.

Mr. Chairman, as you and the other members of the subcommittee are aware, Public Law 92-603, which was enacted on October 30, 1972, requires the Social Security Administration to screen all applicants for Social Security cards as to their eligibility to take up employment. If amnesty were granted, for example, to all who are in the United States today, or as of January 1, 1973, then the Social Security card would become the proof of the right by the holder to take up employment regardless of the date of issuance of the card. Thus, neither the employer nor the job applicant would be confronted with the problem of discrimination in hiring practices as regards alienage and this use of the card would prevent the recurrence of any mass influx of aliens seeking unlawful employment in the future.

As a complement to any grant of amnesty, the beneficiaries should be permitted to adjust status without leaving the country and such adjustments should not be charged against existing immigration ceilings.

As regards Section II which moves up to July 1, 1968 the eligibility date for registry of entry under Section 249 of the Act, we endorse this proposal as a normal updating measure. We do not in any way, however, view this proposal

as one of granting amnesty. Based on the Immigration Service's own estimate, less than 5% of illegal aliens allegedly in the United States would be benefited.

With reference to the proposal for a preference system for the Western Hemisphere, little need be said as to its necessity. There should be a uniform preference system applicable to both hemispheres. We note, however, Mr. Chairman, an absence in your proposal of any change in the categories of persons eligible for refugee status under Section 203(a)(7). We would favor the definition of refugee contained in United Nations Protocol on Refugees which could be applied to refugees from any part of the world.

Recognition of the special status - economic, military and cultural - which exists between the United States and its contiguous neighbors to the North and South should be reflected in our immigration policies. To achieve this objective we propose that Canada and Mexico be allocated up to 35,000 visas each on an annual basis but within the overall numerical ceiling of 120,000 for the Western Hemisphere.

Thought might also be given at this time to the establishment of a world-wide ceiling on immigration to be instituted after a transition period of from three to five years. Such a transition period would permit Western Hemisphere applicants to adjust to the preference system and enable the Congress to review the operation of the new system with a view to making such adjustments as may become desirable based on experience with the new system.

We also strongly urge that special immigrant status be accorded not only to ministers of religion as in the present law but also to other types of religious functionaries such as nuns and brothers. Such persons contribute invaluable

service to charitable, nonprofit institutions including hospitals, nursing homes, Day Care centers, schools, etc., whose staffing needs cannot be filled from within the United States due to the decline in religious vocations domestically.

The proposal to amend Section 245 to extend the adjustment of status privilege to natives of the Western Hemisphere is welcomed. The bar to adjustment of persons who have taken up unauthorized employment, however, is not favored. Experience has shown that unusual hardships may result, for example, in the case of refugees who incidentally should not be barred from adjustment for that reason or by the manner of entry into the United States.

Section 9 tightens the criteria for deportability of certain persons who become public charges within five years of entry regardless of whether they are required to repay expenses or have been asked to repay. Such a penalty may deter aliens from seeking medical help to their detriment and to that of the general public (as in the case of mental illness or serious contagious diseases). We feel, however, as a general principle that no alien should face deportation unless he has refused to pay after the demand has been made.

The labor certification requirement in its present form is cumbersome, costly and unwieldy to apply. A return to the system in effect prior to 1965 or to the system proposed by the Department of Labor in its recent testimony is preferable and to our minds would afford adequate protection to American labor.

In conclusion, we would like to address ourselves to the proposed change for the admission of temporary workers.

Section 2 of S. 3074 amends Sec. 101 (15) (H) (ii) to permit the admission

temporarily of aliens (a) for work no longer required to be temporary in nature, (b) who meet labor certification requirements as spelled out in Sec. 212 (a) (14) and (c) with admission up to one year with possible extension of one additional year. The Secretary of Labor must produce qualified domestic workers within 60 days of the request (20 days in the case of agricultural workers) or issue a certification for the importation of foreign workers. Any employer who questions the qualifications of the workers referred can obtain a prompt review by the Secretary of Labor.

The United States Catholic Conference strongly opposes this section of S. 3074. We are in complete agreement with the position taken on this matter by the national AFL-CIO and by the United States Department of Labor in separate statements presented earlier in these hearings. It is our understanding, incidentally, that the Department of Labor's opposition to Section 2 represents the official position of the Executive Branch, as such, inasmuch as the Department of Justice and the Department of State have already testified that on this matter they defer to the Department of Labor.

We are compelled to state respectfully that the arguments against the Bracero program -- arguments which persuaded the Congress to put an end to the program in 1964 -- apply with even greater force to the recruitment proposal outlined in Section 2 of S. 3074.

Under the Bracero program, foreign workers were not to be recruited for employment in the United States unless the Department of Labor could certify that:

---*Sufficient domestic workers who were able, willing, and qualified were not available at the time and place needed to perform the work for which such workers were being recruited.

---*The employment of such workers would not adversely affect the wages and working conditions of domestic agricultural workers.

---*Reasonable efforts had been made to attract domestic workers at wages and standard hours of work and working conditions comparable to those offered to foreign workers.

Under the provisions of Section 2 of S. 3074, the last of these requirements is omitted. The employer would not be required to make any kind of effort, reasonable or otherwise, to recruit domestic workers. The full burden of recruitment of domestic workers would fall upon the Department of Labor and would be carried out at the expense of the American taxpayer.

It is true that under Section 2 the Department of Labor would be required to determine that the employment of foreign workers will not adversely affect the wages and working conditions of (domestic) workers similarly employed."

Experience under the Bracero program clearly demonstrates, however, that this is a meaningless condition. The record shows that, under that program, the importation of foreign workers had a seriously adverse effect on domestic labor standards. In making this judgment, we are relying on a mass of evidence accumulated by a three-man committee appointed in 1959 by the then Secretary of Labor, the late James P. Mitchell, to investigate the Bracero program. Monsignor George Higgins, Secretary for Research of the U.S. Catholic Conference, who is with me this morning, was a member of that committee.

The Mitchell committee found that the Bracero program -- which guaranteed growers, at no administrative expense to themselves, an unlimited supply of

cheap and docile labor -- was having a disastrous effect on the American labor force. Accordingly, it recommended that the program be phased out as rapidly as possible.

The report of the Mitchell committee, which is on file at the Department of Labor, made it abundantly clear that the Bracero program had seriously hurt American citizens. The injury done to domestic farm workers was evident no matter from what angle the committee viewed the situation. Despite the efforts of the Department of Labor to require employers to recruit qualified U.S. workers, the Mitchell consultants found many indications that domestic farm workers were losing out to foreign labor. So strong were the preferences of some growers for a captive labor force that in some areas almost all of the seasonal work in certain occupations was performed by foreign workers. Even those domestic workers who were employed found the duration of their jobs shortened because the availability of foreign workers, particularly at peak harvest times, had compressed the work season.

Where foreign workers were used in large numbers, wage rates were prevented from rising to levels they would have attained if no foreign workers had been admitted. The very knowledge on the part of growers and workers of the availability of foreign workers weakened the domestic workers' bargaining position. Statistics compiled by the Mitchell consultants showed that wage rates in occupations and areas employing foreign workers had lagged behind the rising wage level for domestic farm workers generally. They also showed that users of foreign labor often paid their domestic workers less than employers who did not use foreign workers.

Faced with these considerations, the Mitchell consultants found it impossible

to recommend the continuation of the Bracero program. They concluded that the renewal of the program under Public Law 78 would postpone the adoption of necessary reforms and tend to increase rather than diminish domestic labor shortages.

There is no reason to think that the situation would be any better under the proposal outlined in Section 2 of S. 3074. To the contrary, there is every reason to anticipate that, with unemployment running in the neighborhood of 8 percent, recruitment of alien workers for specific jobs in specific localities would have an even more adverse effect on domestic standards than it had in the 50s and 60s under the Bracero program when the unemployment rate was much lower.

We are compelled to add respectfully that there is a glaring inconsistency in S. 3074's whole approach to the illegal alien problem. On the one hand, it calls for sanctions against the employment of illegals, presumably, among other reasons, because they take jobs away from American workers, thus adding to our already critical unemployment problem. On the other hand, Section 2 would facilitate the importation of foreign workers for those occupations and localities in which there is an alleged shortage of domestic labor.

We use the word "alleged" in this context advisedly. The fact is that, at the present rate of unemployment, there would be no shortage of workers willing and able to perform the jobs in question if they were offered adequate wages and working conditions. Unless employers are prepared to make the kind of recruitment efforts and job offers that can reasonably be expected to recruit and retain domestic workers, how can a true test of the availability of domestic labor be made?

A CHRISTIAN PERSPECTIVE ON THE
REALITY OF ILLEGAL IMMIGRATION

A TALK BY
REV. ALLAN FIGUEROA DECK, S.J.

GIVEN TO:
THE PRIESTS' SENATE
ROMAN CATHOLIC DIOCESE OF SAN DIEGO

FEBRUARY 15, 1978

"My ancestor was a wandering Aramean, who took his family to Egypt to live. They were few in number when they went there, but they became a large and powerful nation. The Egyptians treated us harshly and forced us to work as slaves..." (Dt. 26:5)

* * *

"Continue to love each other like brothers, and remember always to welcome strangers, for by doing this, some people have entertained angels without knowing it." (Hebrews 13:2)

* * *

"My friend, you have done faithful work in looking after these brothers, even though they were complete strangers to you." (3 John: 5-6)

* * *

INTRODUCTION

I very much appreciate Father John Blethen's invitation to speak today before the Priests' Senate of the Diocese of San Diego. In this talk I hope to combine three perspectives to the discussion of the undocumented alien, especially the Mexican national, in the United States. First, a biblical and theological perspective; second the Church's historical position on immigrants as outlined in the teachings of the Roman Pontiffs; and, finally and most importantly, the state of knowledge or facts regarding the undocumented aliens in this Nation.

In the course of preparing this talk I began to feel more and more proud about being a Roman Catholic, not in some polemical or sectarian sense, but merely in the sense of being a son of this particular community of faith and worship which in every age and in the changing circumstances of time has struggled so marvelously to grasp and respond to the social needs of humanity. The Roman Catholic Church possesses a tradition of moral ethical and social reflection that is immense and of considerable depth. But these teachings, hammered out over 2,000 years or more (if one includes the biblical epoch) are among the best kept secrets of our time, even for Catholics.

I. THEOLOGICAL AND BIBLICAL CONCEPTS REGARDING ALIENS

Twenty-six years ago Pope Pius XII wrote what has been called the Magna Charta of Church documents on the spiritual care of immigrants. It is entitled Exul Familia.¹ Nine years ago Pope Paul VI re-affirmed and added to Pope Pius' teachings in his own instruction entitled Nemo Est.² Pius XII's document is more than fifty pages long and begins placing the discussion squarely within the context of theology, that is, the issues, concerns, problems and possibilities of the immigrant are viewed as moments in God's ongoing self manifestation to the world. He begins by saying:

The exile of Jesus, Mary and Joseph when they had to flee to Egypt in order to escape the rage of an impious king stands out as a type, an exemplar and a support for immigrants, exiles and pilgrims of all times and places who have to leave their homes and loved ones out of fear of persecution or because of poverty moving on to foreign places.

For the almighty and merciful God decreed that his only-begotten Son should "be born in the likeness of men and be known to be of human estate" (Phil. 2:7), together with His Immaculate Ever-Virgin Mother and Guardian, so that by means of these hardships and sufferings "the Son might be the first born of many brothers." (Rom. 8:29) and go before them.

With ease and startling naturalness the Pope relates the situation of immigrants to the central doctrine of Christianity, the Incarnation, and thus sets the framework for the dialogue and discourse on the issues of immigration. It is not out of rhetoric, much less caprice, that the Pope begins here seeing at the very outset the face and features of Christ in the immigrant. It is, rather, an exigency, a necessity, born of the Church's faith as expressed in the Gospel and rooted in all of Sacred Scripture; the God of Isaac, Abraham and Jacob and the God of our Lord and Savior Jesus Christ is a God of the poor and powerless par excellence and therefore a God whose love and concern and presence is discovered most characteristically and most surely in the human needs, the cries and sorrows, of the poor.

In San Diego and Southern California, in the entire American Southwest and throughout this Nation there are solid reasons to think that the poorest and most powerless, the most silent, abused, maligned and misunderstood of people are the undocumented immigrants, mainly Mexicans, to whom their brothers, like so many Cains, have applied the degrading misnomer of "illegal aliens".⁴

Let there be no mistake about it. As Christians and in the particular context in which we live, the acid test of authenticity of our faith is this: Are we capable of seeing Christ in our brothers the undocumented? If not, if we allow ourselves to be swayed by the misinformation and groundless assertions made about these people, if we begin to fear their presence as some kind of threat, we are beginning to act like Pharaoh and the Egyptians of old. Remember these words of Pharaoh in the Book of Exodus. They are spoken in reference to an alien ethnic group occupied as laborers in Egypt:

"Look how numerous and powerful the Israelite people are growing, more so than we ourselves; Come, let us deal shrewdly with them to stop their increase;"...Ex: 1,9

A bit later we are told:

"Accordingly, taskmasters were set over the Israelites to oppress them with forced labor. Thus they had to

build for Pharoah the supply cities of Pithom and Raameses. Yet the more they were oppressed, the more they multiplied and spread. The Egyptians, then, dreaded the Isrealites and reduced them to cruel slavery, making life bitten for them with hard work in mortar and bricks and all kinds of field work - the whole cruel fate of slaves.

In their desperation as we know, the Egyptians introduced a policy of forced population control called infanticide to keep Israelites from over-running the great superpower of its time that was Egypt.⁷

The experience of being aliens, immigrants and wayfarers permanently affected God's People Israel. Indeed, Israel's identity and the historic origin of Judaism are found more than anywhere else here in the experience of being aliens, that is, in the experience of being especially poor and powerless. Israel therefore, established a norm which was reiterated throughout the Old Testament especially in the thought of the prophets:

You shall not oppress an alien; you well know how it feels to be an alien since you were once aliens yourselves in the land of Egypt.

To the extent that we succumb to the propaganda against the undocumented and see them principally as a threat to our "racial purity", we are acting out of the same chauvinistic, jingoistic and racist attitudes that lurked under the surface of Pharoah's thought. The biblical perspective on immigrants and the Church's subsequent teaching on this issue are of a very different spirit from the petty and groundless attitudes and assertions made about undocumented aliens in the press and sometimes in conversation.

We have spoken about the biblical perspective, especially the image of the immigrant in Exodus and throughout the Old Testament and in the central doctrine of the Incarnation. Now I would like to turn to the history of the Church's thought on this issue which constitutes a tradition of almost two thousand years.

II. THE CHURCH'S TEACHING ON IMMIGRANTS

A. History

Pope Pius XII recapitulates the history of the Church's teaching in Exul Familia. He does so with great care and in considerable detail. The footnotes are loaded with references to Papal letters, statements, and diplomacy regarding immigrants and their rights. For our purposes here I can only briefly summarize

the main points in this long and magnificent history of concern for aliens:

In Part One of the Apostolic Constitution the Pope wishes to make the point that the care of aliens is an intimate dimension of the priestly charism as affirmed in the thought of Saint Ambrose in De officiis ministrorum when he speaks of the need to receive in one's own country the victims of wars and invasions (p. 651).⁹ Similarly we see the intimate tie between priesthood and the service of aliens and immigrants in the founding of religious orders of clerics for the purpose of redeeming captives. Underlying the vast missionary activity of the Church throughout the ages is a concern for the poor, for persons of cultures different from one's own, for aliens and for those who cannot speak for themselves. The Pope points to the Church's condemnation of slavery as another instance of her mission to speak out for the voiceless when there is need to do so. He points out, as well, the founding in Europe of several pious associations of laypersons dedicated to serving pilgrims and aliens (p.652).

Among the needs of the aliens according to the Pope are priests and ministers capable of speaking to them in their own languages; and he points to the decrees of the Fourth Lateran Council in 1215 quoting this statement that could be made today in the circumstances of California, the Southwest and, indeed, the entire Nation:

Since in many places within the same city and diocese people of various languages are mingled, possessing under one faith a variety of rites and customs, we firmly order that bishops of such cities and dioceses provide suitable men who according to the diversities of rituals and languages will perform for them the divine ministries and celebrate the sacraments, instructing them both by word and example.(p. 653)

The Pope goes on to say that the modification of Canon Law allowing the establishment of national parishes especially in America is an example of the Church's ongoing struggle to effectively serve immigrants. He ends the first section saying that the Church has always taken the needs of aliens to heart and always will (p.654).

Section Two continues the same line of historical thought. Pius XII points with pride to the 50 volume work entitled On the Charity of the Apostolic See Toward the French, a collection of documents on the Church's position regarding

the French immigrants during the time of the French Revolution. The next section deals with the Church's care for Italian immigrants in other nations of Europe and especially in the United States. The Pope points with pride to religious congregations such as the Scalabrini Fathers and to missionaries like St. Francis Xavier Cabrini who dedicated themselves exclusively to the service of immigrants. The Pope lists letters and documents issued by practically every Pope during the nineteenth and twentieth centuries directed to bishops throughout the world, especially to the American bishops, encouraging them to do what they could do to respond to the needs of immigrants and aliens. He cites the care and generosity of Archbishop John G. Shaw of San Antonio, Texas, for his treatment of Mexican immigrants during the upheavals of the Mexican Revolution of 1910. (p.669). He reminds his readers of the encyclical letter of Pope Pius XI to the Mexican bishops in which his predecessor states:

We cannot at this point afford to forget a duty whose importance continues to grow in recent times; the care of Mexican immigrants who uprooted from their land and traditions are easily swayed by the insidious forces of non-belief.

Some agreement with your zealous brothers in the United States of America will provide you the results of a more constant and organized help on the part of the local clergy and will assure the Mexican immigrants those social and economic resources which American Catholics have developed to such a high degree.

Pope Pius ends this detailed review of the Church's work on behalf of immigrants and aliens referring to his own concern for the Jews during World War II and the constant use he made of Vatican Radio to plead for justice for these people and all the refugees of the War. He quotes from a statement made to the United States Sub-Committee on Immigration dealing with the situation of European refugees:

"But we dare to say the further question has risen more than once in your minds, if not to your lips: is the present immigration policy as liberal as the natural resources permit in a country so lavishly blessed by the Creator and as the challenging needs of other countries would seem to demand? (p. 686)"¹¹

B. THE BASIC PRINCIPLES REGARDING IMMIGRATION
IN CATHOLIC THOUGHT

Exul Familia stands out for its detailed history of the Church's involvement with the problems of immigrants. Pope Paul VI's Instruction on the

Pastoral Care of Migrants¹² stands out for the clarity, forcefulness and modernity with which it presents the underlying principles of Catholic thought on the issue. The Pope bases his views on two superb sources, the social encyclicals of his predecessor Pope John XXIII as well as his own encyclicals and the statements of the universal Church as expressed in the documents of the Second Vatican Council. The basic approach and principles are these:

1. The phenomenon of immigration in the world today is due to the enormous changes taking place in the socio-political order, especially to the relentless process of industrialization and urbanization which in reality have promoted the transferal of whole populations from the countryside to the cities. The human race, even the poor who have lived on the margins of society, are becoming aware of opportunities they had never thought of. Technology and modern communications are hastening this process and there seems to be no way to stop it even if we desired to do so. Another by-product of these processes is the growing awareness about the fundamental unity of the human race and the gradual disappearance and dissolution of territorial borders as the human race sees how inter-related and inter-dependent nations and the entire world economy are. Under these circumstances the Pope affirms the inherent right of persons to immigrate out of need or to escape persecution, a right, he states, which is based on the very nature of the human person and a right which precedes the rights of nations access to and from their nation. (p.614-615)
2. The pope sees in the phenomenon of immigration within nations themselves and across national boundaries the work of the Holy Spirit struggling to achieve a real unity among humans:

From this movement of peoples there arises a new and more inclusive reason for the reshaping of all peoples and of the world itself in which can easily be seen the Spirit of God directing the course of time with a marvelous providence and renewing the very face of the earth. (p. 615)
3. The problems that come with the phenomenon of immigration are of great concern of the Pope. He focuses particularly on the indignities and discrimination that are directed toward immigrant aliens. The very presence of immigrants in the new, host country, moreover, points dramatically to the fundamental inequality in the world's distribution of wealth and the urgent need to work against inequalities of all sorts whether

they be political, economic, social or based on religion, sex, race or national origin. (p. 615-616)

4. The Church, Pope Paul states, has this special concern: the human person in his or her entirety, whole and inseparable, body and soul. Consequently, the Church must insist among civil authorities that the rights of aliens be respected. (p.616)

III. THE REALITY OF ILLEGAL IMMIGRATION IN THE UNITED STATES: OUR BEST FACTS

My remarks so far have dealt with the Church's universal vision regarding immigration. The Church's way of looking at the phenomenon is very different from the common, ordinary way in which the problem is treated in our country. The Church's view de-emphasizes the legalities and makes very little of national boundaries. It gives little time to legalities of residency and citizenship because it insists upon the prior natural right of human persons to immigrate when there is a need. Moreover the phenomenon of immigration, as we have seen, is not a negative happening. It is the by-product of our age's internationalization and the gradual disappearance of divisions among people who previously had little to do with each other.

In this section of my talk I would like to apply what we have discussed so far to the situation of the Mexican immigrants who are in the United States illegally. In addition to the Church's understanding of their rights to be here which are certainly based on sufficient reason, namely, economic need, there are important realities of an historical and cultural nature that make the on-going presence of Mexicans in the Southwest an inevitability that sooner or later the residents of this area must come to grasp and eventually accept. My point is this: The United States has inherited a border with Mexico that cannot be policed even if we desired to do so. We as a Nation have never desired to do so and do not really desire to do so today. The reasons for this are geographic, political, social and economic. The United States, especially the Southwest, and Mexico are tied together by the most profound bounds of cultural interdependence going back 400 years. The economic interdependence keeps growing every year.

Dr. Donald E. Worchester, President of the Wester Historical Association brings this idea out beautifully in his talk "The Significance of the Spanish

Borderlands to the United States". He ends his talk saying:

The old frontier has gone, but the Spanish Borderlands remain, still expanding and more important than ever. It is unnecessary to look at long-past events such as the laying of the foundations of great western cities or the origin of our monetary system to become aware of their significance. The Spanish language and cultural frontier is a present and manifest reality. A historian who views the statistics on the number of Spanish-speaking people already in the United States and the great waves arriving each year may be left with the justified feeling that a new and different form of Spanish conquest has begun.¹³

The point I wish to make is that a serious and profound analysis of the meaning of the immigration from Mexico must include an appreciation of this historical, cultural, economic and social fact: The Mexican American border is one of the most unreal inventions man has ever come up with. And if we think that we can erase the human reality of the basic solidarity of the Southwest with Mexico, we are in for trouble and are doomed to frustration. For the deeper cultural and historic realities will outdistance our superficial preoccupation about "keeping those Mexicans out".

Having said all that, let us turn to what we know about the immigrants from Mexico whom we unfortunately call "illegal aliens". One of the first things the investigator learns is that for all its sophisticated data-seeking procedures and despite its position as a superpower, the United States has failed miserably to obtain sound and reliable data about illegal immigrants. At every turn there is contradictory data, half-truths, impressionistic analyses and general confusion starting with the procedures and statements of the Immigration and Naturalization Service which is considered by some to be the federal government's most disasterous bureaucracy. It is not unreasonable to say that United States immigration policy toward Mexicans and others from the Western Hemisphere has never been based on sound scientific data, but always on political pressures from one or other special interest group or from occasional periods of national hysteria and scapegoating when the politician found it convenient to place the blame for unemployment, for the alarming growth of public assistance, for the destruction of the public schools and even for the spread of syphilis on the shoulders of the Mexican aliens.

Fortunately, in recent times we have begun to obtain more reliable facts about our brothers who risk so much to come to the United States. There are two excellent sources for intelligently discussing the issue of illegal

immigration. Both have come within the past two years.

The first is the position paper of Dr. Wayne A. Cornelius of MIT based on the author's three-year study of immigrants in their communities of origins in Mexico.¹⁴ Dr. Cornelius' material was considered sound enough to be the basis for a briefing paper given President Carter and the National Security Council in February of 1977. For the sake of brevity we cannot go into all of Dr. Cornelius' well-documented conclusions. But these are the ones that ought to be of special interest to us since they reveal how ill-founded most of the claims made about "illegals" really are. Here are some of his more important conclusions:

1. It is impossible to estimate the size of the total "illegal" population with any degree of precision, using any extant source of data.
2. While hundreds of thousands of Mexicans do enter illegally each year, the vast majority return to Mexico within the year. Hence it is wrong to consider each year's crop of undocumented as an increase to the permanent-resident population of undocumented.
3. The main cause of their coming is the tremendous disparity between wages in Mexico and the United States. For instance, it is common for a worker to earn in one hour in the United States what he would earn working all day in Mexico.
4. There is no direct evidence of displacement of native Americans by undocumented Mexican workers, at least in those sectors of the job market where Mexicans typically seek employment. Workers cannot be displaced if they are not there, and there is no evidence that disadvantaged native Americans have ever held, at least in recent decades, a significant proportion of the kinds of jobs for which illegals are usually hired, especially in the agricultural sector. The notion that the elimination of illegals would influence the unemployment rate of resident Americans is based more on wishful thinking than evidence. It remains one of the most persistent smokescreens for the problems that the illegals have nothing to do with, namely, the real causes of unemployment in the American economy.

5. Mexican nationals remit about 30% of their earnings to Mexico; the rest stays in this country where it is an important factor in upholding the economy of certain areas and neighborhoods, where it helps maintain the value of rental properties and generally enters into the consumer economy.
6. There is uniform agreement among researchers that Mexican illegals make amazingly little use of social welfare services while present in the U.S.; and that costs of services they do use is far outweighed by their contributions to Social Security and tax revenues.

The second source for a reliable understanding of the reality of the undocumented is the study published by the County of San Diego Human Resources Agency and sometimes called the Villalpando study. It was published in January 1977.¹⁵ The most interesting conclusions of this report are similar to those of Cornelius: It gives more substance to Cornelius' contention that the undocumented contribute much more to the system than they take from it. Villalpando shows this to be the case in all areas of social service including the medical where the costs of indigent undocumented persons on the County is negligible compared to the contributions of the undocumented as a group to the County in the form of taxes and other revenues deriving from their presence in San Diego.

As a member of the Orange County Board of Supervisors' Task Force on Illegal Aliens, I had the pleasure of hearing Dr. Van den Noort, Dean of the School of Medicine at the University of California, Irvine, speak on the issue of the undocumented and their impact on public medical facilities. His conclusions were these: The undocumented drastically underuse public medical facilities. The costs of the indigent among these undocumented persons seeking medical attention are infinitesimal compared to the contributions the undocumented make as a class to the Orange County economy. It would appear, according to Dr. Van den Noort, that we encourage the presence of the undocumented here, benefit powerfully from their labor and when it suits us, dismiss them by deportation and sometimes deprive them of the medical attention that is the inherent right of persons whether they are here legally or not.¹⁶

One of the things I have learned after listening to County officials and studying the reality of the impact of indigent undocumented on the medical services of the County is that the problem has little or nothing to do with the undocumented. Rather, their presence in the County provides unscrupulous and uninformed politicians the opportunity to placate taxpayer groups creating a

smokescreen for the main problem which is how to provide adequate medical care for the indigent and the problem of how to fund this care. Another thing I have learned is that it is ultimately an advantage both fiscally and in terms of community health in general that all the residents have adequate medical care, whether they are here legally or not. Because if medical problems are left unattended they eventually create broader problems requiring further public expense. In complaining about the costs incurred in the care of the indigent aliens, public officials are showing their ignorance regarding the solid contributions of the aliens to economic society and also being penny wise and pound foolish.

From all that has been said, then, regarding the more reliable information we have about undocumented aliens, it would appear that most of the commonly heard "facts" about the undocumented are simply wrong. How is it that such inaccuracies have been able to take root in the mind of so many well-intentioned Americans who apparently are writing their elected representatives and pressuring here and there to keep the undocumented out, to cut off funds that the indigent among them may use for medical attention, to deprive them of their jobs in many situations, and so forth and so on?

In my mind the answer to that question has to do with the inability or unwillingness of Americans and their leaders to face the reality of an economic system which desperately requires the collaboration of an underclass of poorly paid, exceptionally hard-working people to keep the economic, industrial and agricultural apparatus functioning. More than one hundred years ago we began to face the fact when the Black slaves were given their freedom. Blacks and other minorities are still struggling to get out from under a system that seems to require a permanently underprivileged and disadvantaged class. It is hard for Americans to accept this fact since it contradicts our beautiful belief about America as a land of equal opportunity and limitless vistas.

Let there be no mistake about it: Undocumented workers are a boon to America. Undocumented workers are among the most efficient and productive members of American society. They are the mainstay of agrobusiness in the United States of America. Undocumented workers are the mainstay of the services which hotels and restaurants provide our society in the Southwest and elsewhere. Undocumented workers are the mainstay of the garment industry in the West and it is their work and only their work which makes that industry competitive with that of Taiwan or Korea and many other places.

33

And it is the undocumented workders who make possible the continued existence of countless small businesses throughout the Southwest. The undocumented are a blessing to this land, for they are among the declining numbers of people who know what it is to work hard and honestly with their hands. Moreover, it ought to be clear that the United States government has not the slightest intention of altering the present state of affairs regardless of what President Carter may say or what legislation he may introduce. For the government knows very well how important these people are to the maintenance of the American economy and that the human force seeking betterment and dignity is stronger than all the Border patrolmen, helicopters, wire fences, and electronic devices that technological America can muster against it.

If is a problem of illegal immigration, by the way, that is, a problem directly impacting on unemployment for resident Americans, it may more reasonably be explained by the illegal immigration of Canadians and Europeans which is vast and practically never mentioned. One wonders why.

IV. CONCLUSIONS

In our discussion of immigration we have based our judgement about the right of persons to immigrate on their human rights to seek to improve themselves and provide adequately for their families. The curious thing about illegal Mexican immigration is that it is not working any substantial hardship on the United States. Rather, as I think we have shown, their presence here is mutually advantageous. As Church people, then our concern for the undocumented is based primarily on charity since our society is not really "doing the Mexicans a favor" by more or less tolerating their existence in our midst. Our concern for the undocumented is based upon serious claims of justice toward them as human persons. the injustices that the undocumented must undergo are numerous.

1. The immigration policies and discretionary powers of regional directors in INS are frequently used to divide families
2. Due process in dealing with those apprehended is frequently not observed.
3. The undocumented are made the victims of a foolish and degrading revolving door policy of deportation and risky reentry through the services (often) of a "coyote" or agent who finds them a way to return to the U.S.
4. There is an excruciatingly slow process for regularizing the status of those who have a reason to obtain residency under the prevailing laws.
5. The undocumented are made the brunt of degrading propaganda and inaccuracies

regarding their impact on employment by an agency of the government, namely, the INS.

6. Instead of being a service to the immigrant the INS has become a kind of gestapo at the service of an immigration policy that is fundamentally irrational and unworkable and INS application of the laws are capricious.
7. As a consequence of their fear and need to hide, the undocumented are victimized by disreputable elements of American society and the police are unable to perform their duties toward the immigrants who remain marginal and unprotected within society.
8. The undocumented and their children are exposed to prejudices, inaccuracies and lies about themselves on the part of the media and politicians without having the means to defend themselves. This is potentially destructive of personality and an indignity that ought not be tolerated by human beings.
9. The effort to round-up and deport undocumented persons is directed almost exclusively toward Mexicans. Why is that, since huge numbers of Canadian and European undocumented persons are also here.

Finally, I would like to say that in the issue of the undocumented the Church finds a marvelous opportunity to re-affirm its historic and traditional teaching on immigrants. If anything, the situation of the undocumented here, especially the Mexican national, provides the acid test for our faithfulness to the scriptural and moral principles I mentioned at the beginning of this long talk. Identification with the struggles of the poor and voiceless has always been hard, bothersome and immensely challenging. There are some who say perhaps the Church of America has become too comfortable and too involved with the wealthy and powerful and can no longer be an effective voice for God's little ones in this Nation as she was in the past. I surely hope that is not the case.

What position should the Church take, then, on the issue? In my own view it is a mistake to promote legislation that purportedly will "solve the problem of the illegals" for the simple reason that the real problem is not the illegals. They are a blessing. The real problem is the policies of inter-national elites and multinational corporations that determine the outcome of many economic realities and patterns of immigration in Mexico and the United States. The real problem is fundamentally the unequal distribution of wealth

and of food. These are the vast and challenging questions that we shall never resolve as long as we allow ourselves to be dragged into a debate about the undocumented, a debate so often based on ignorance of the mechanisms of national and international economics and on the latent and sometimes quite explicit racism of some Americans. The Church, in the spirit of Pope Pius XII and Pope Paul VI must raise its voice above the clamor and point once again to the face of Christ, to the self-manifestation of God, to be discovered in the features of our so-called "illegal aliens".

1. Exul Familia, Acta Apostolica Sedis, Vol XXXIV
30 Sept., 1952, p 649-704
2. Nemo Est, Acta Apostolica Sedis, Vo. LXI, 1969
pp 614-643
3. Exul Familia, op. cit., p. 649
4. The term "illegal alien" is not found anywhere in the statutes that pertain to immigration in federal law. Indeed, its use is illogical since human persons cannot be "illegal". They may perform acts that are such but they remain persons with in-alienable rights. Nor are Mexican nationals really "aliens" in the American Southwest which 130 years ago was part of their Nation, the Republic of Mexico, and for 300 years belonged to Spain. Mexicans are at home in the American Southwest whose place names their ancestors literally invented.

In almost every sense but the strictly juridical, English-speaking settlers from the East Coast or Midwest are more "alien" than the Mexicans.
5. Exodus 1:9
6. Exodus 1:13-14
7. Exodus 1:16-17
8. Exodus 23:9
9. Numbers in parenthesis refer to page in Exul Familia.
10. Carta Apostolica "Nos es muy conocida," Acta Apostolica Sedis, Vol. XXIX, 1937, p 205
11. Emphasis is my own
12. Nemo Est, op. cit. Numbers in parenthesis refer to this document.
13. Donald E. Worcester, "The Significance of the Spanish Borderlands to the United States, Western Historical Quarterly, Vol. VII, (Jan., 1976), p. 18
14. Wayne A. Cornelius, "Illegal Mexican Migration to the United States: A Summary of Recent Research Finds and Policy Implication, "MIT, Dept. of Political Science, February, 1977.
15. "A study of the Socioeconomic Impact of Illegal Aliens on the County of San Diego," County of San Diego: Human Resources Agency, 1977.
16. Dr. Stanley Van den Noort, in talk to Orange County Task Force on Illegal Aliens, Nov. 28, 1977.

PACIFIC NEWS SERVICE

POPE

COPYRIGHT PNS 1978

POPE PAUL'S LEGACY TO THE GLOBAL MIGRANT

By Gregory Bergman
Pacific News Service

(Gregory Bergman is a freelance writer who is a regular contributor to Christian Century and Way of St. Francis. He also has been published in Retirement Living, Negro Digest, Mother's Manual, The Nation and California Librarian.)

Little noted among the eulogies to the "Pilgrim Pope," Paul VI, was the special concern he showed on behalf of a vast class of modern "pilgrims" -- the tens of millions of people who wander the globe, often homeless and jobless, in search of security and a livelihood.

Pope Paul's early attention to what he termed the "indignities and discrimination that are directed toward immigrant aliens" resulted in a seminal and controversial 1969 document entitled "Instruction on the Care of Migrants." The paper is credited by activist priests today with setting off what has become an ambitious campaign on behalf of the rights of immigrants, even while the philosophy it embodies flies in the face of both government policy and public opinion in much of the industrialized world.

Pope Paul's perspective on the immigration issue, which has set the tone for church policy, came from the lofty heights of the "One World" ideal. "Territorial borders are dissolving, ..." he observed in 1969, and "from the movement of peoples there arises new and more inclusive reasons for the reshaping of all peoples, and of the world itself, in which can be seen the spirit of God's direction, the course of time . . ."

Such a view has few adherents in the industrialized world, where nationalism and protectionism has been asserted with a vengeance. The official United States view, for instance, as expressed by Commissioner of Immigration Leonel Castillo, is that sovereignty gives the nation the right to control its borders against unwanted aliens.

-more-

American public opinion strongly supports that position. A Roper Poll in 1971 showed that 91 percent of respondents agreed that an all-out effort should be made to halt illegal immigration. A Gallup Poll the previous year showed 57 percent asserting that illegal aliens, then estimated by President Carter at several million, ought to be deported.

Pope Paul, of course, was formulating a policy as the head of a church, not a nation. And the church he represented has a history stretching back long before the creation of the modern nation state and a future that in all likelihood will long out-live the nation states of today.

Besides the 1969 directive, the pontiff returned to the subject of migrants in a Call to Action of May 14, 1971. In it he said: "It is urgently necessary for people to go beyond a narrowly nationalist attitude in their regard and to give them a charter that will assure them a 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."

Pope Paul's directives, while only restating long-standing Catholic policy on immigration dating back to St. Ambrose of the fourth century, nonetheless had a "great impact" on the implementation of that policy, said Paul Sedillo, secretary for Hispanic affairs of the U.S. Catholic Conference in Washington, D.C.

Besides generating renewed interest in the plight of the migrant, the directive resulted in an American Bishops' Committee on Tourism and Migration dealing with policy questions on the entire range of the problems of people away from home.

At the immediate, practical level, the U.S. Catholic Conference vastly expanded its Migration and Refugee Service, from just four offices nationwide in 1970 to 26 today, most of which are run by local dioceses.

The U.S. Catholic Conference, said Sedillo, supports a policy of amnesty for undocumented aliens, one that is realistic with a foremost concern for the reunification of families. The conference supports aspects of President Carter's limited amnesty proposal, but opposes many features of it, especially the provisions for setting up a

category of "temporary resident aliens."

Sedillo argued that such provisions would "create a sub-class of Americans" living in a limbo of human rights, able to work and pay taxes but deprived of access to social services and many legal rights, including the right to be joined by their families.

At the international level, Pope Paul's directive also gave renewed impetus to the International Catholic Migration Conference in Geneva. This conference has been actively involved in recent years with the problems of Italian and other "guest workers" in Germany, the plight of Indochinese boat refugees and resettlement problems in Cyprus.

Despite the broad policy difference between the church and the U.S. government, Catholic migration activists have managed to work closely and effectively with the U.S. Immigration and Naturalization Service (INS), which last year deported some 28,000 persons. Two Catholic Conference staff persons serve on the Federal Immigration Advisory Committee. And James H. Hoffman, regional director of the Migration and Refugee Service of the U.S. Catholic Conference in San Francisco, said that agencies such as his are having an impact on government thinking. "The government has modified its attitude" since the President's immigration policy was outlined in 1977, he said.

Hoffman's activities on behalf of migrants is typical of the 26 offices affiliated with the Catholic Migrant and Refugee Service. He spends the majority of his time intervening with the INS on behalf of aliens, acting as counselor and advocate. He also directs needy migrants through the growing bureaucracy of Catholic relief agencies that provide help with housing, employment, schools and language difficulties.

Hoffman has aided migrants from 60 countries in the past year, the majority of whom are South American and Mexican. He has even assisted in the resettlement of Russian Jews.

"Pope Paul's attitude toward the migrant problem was really no different from that which the church has always held," said Hoffman, "but the attention he gave the issue has had a big impact in terms of restrengthening it."

The Rev. Juan Romero of Los Angeles agrees that the Pope's instruction was very significant in that it spoke eloquently and firmly on the rights of migrants, and, more important, put the phenomenon in a global perspective. He believes that the directive led many priests to respond creatively to the particular problem of migrant people by setting up "personal parishes" to deal with their special problems and by putting chaplains out in the field wherever necessary.

One of those activist priests is the Rev. Allen Deck of Santa Ana, Calif., a member of the Orange County Task Force on Illegal Aliens. Deck recently summarized the pontiff's lengthy 1969 instruction, which was written in Latin, emphasizing the pope's belief that immigration today is the result of enormous, irreversible changes taking place in the socio-political order. He made specific reference to how industrialization and urbanization have transferred entire populations from the countryside to the cities and to how the poor, who have always lived on the margins of society, have become aware of opportunities they had never before envisioned.

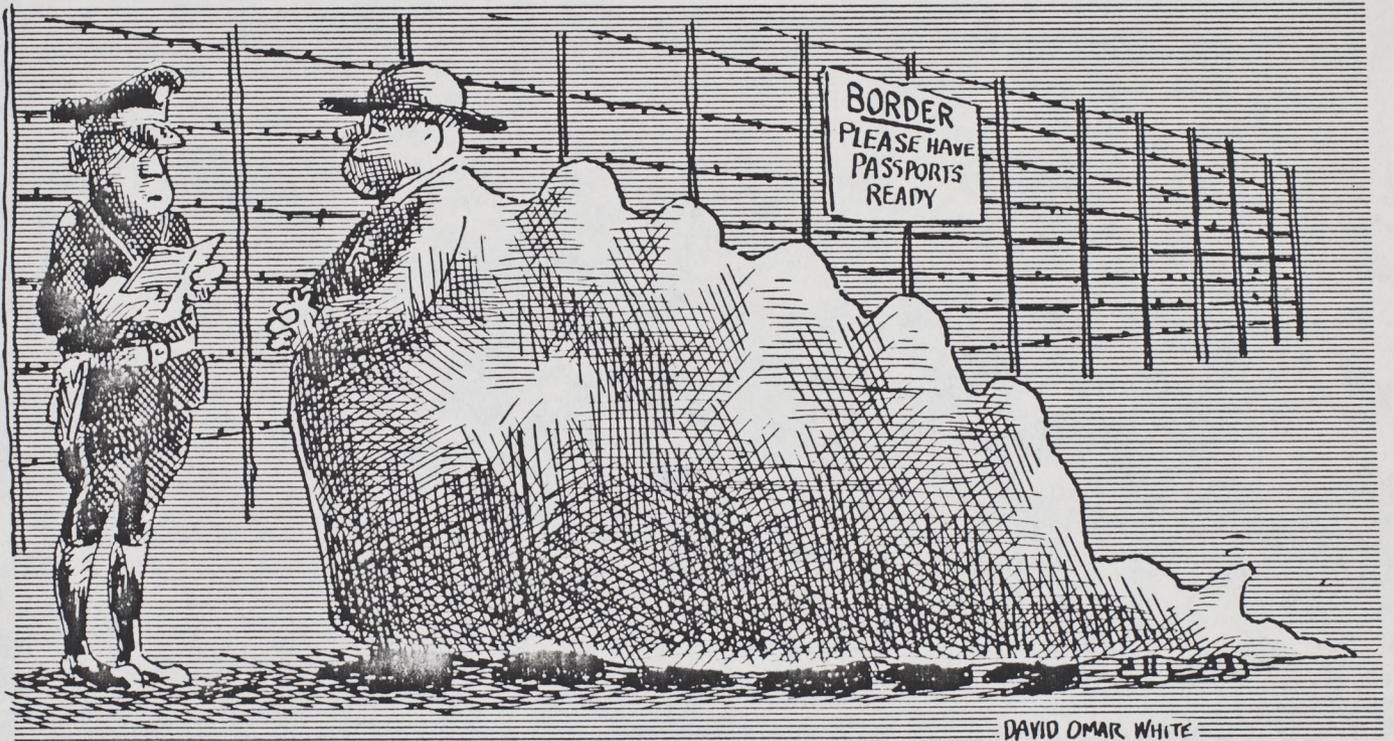
"Under these circumstances," wrote Deck, "the pope affirms the right of persons to immigrate out of need or to escape persecution, a right, he states, which precedes the rights of nations to establish borders and control exit and entrance to and from their nation."

That position, Deck said, may still be at wide variance with the "narrower view" prevalent in the industrialized world today. But Pope Paul, who crossed more national borders than any pope in history, left the world an important legacy, said Deck, by "affirming that the human rights of the person take precedence over the rights of nations."

#####

GRAPHIC: David Omar White

COPYRIGHT PACIFIC NEWS SERVICE 1978
(891978)



HEAR THE CRY OF JERUSALEM

(A National Urban Pastoral Statement)

Prepared for the National Federation of Priests' Councils
by
the N.F.P.C. Director of Ministry for Justice and Peace in conjunction with
the N.F.P.C. Justice and Peace Committee

This Pastoral Statement is the culmination of a listening process conducted among urban ministers throughout the United States. It is intended to initiate dialogue and to stimulate action by the entire U.S. Church.

41

THE CITY

The City IS history. It is located at the intersection of all cultural and historic forces as they collide in raw form. It is a human creation and experiment that spans 8,000 years. The City is also a Mentality and Image, for it casts its stamp upon contemporary life wherever it is found, and it holds dominance in everyone's life, even the most remote farmer. For his crop, his sustenance, his market and his very land will be more determined by urban decisions than by the impersonal elements of weather. Wherever people locate themselves it must be said that they are, by necessity, urban in their orientation. Finally, the City is an Illusion. It pretends to offer the "good-life" where economic, political, cultural and religious opportunities are available for mass sharing and participation, and where the distinctions of class are all but erased. But one soon discovers the cruelty of such a lie. For there are spiritual, political and historic ties between the Drudges who built the cities for the Pharaohs and lived in bondage, and their contemporary lineage in the Urban Core, surrounded by marketeers and developers ¹

It is here, at the core, that the strength or weakness of a society is most accurately measured. It is here, at the core, where evil must have its' antidote or unnumbered human souls are sacrificed. It is here, at the core, that one discovers that history is created, if not by the spiritually mature, than by the spiritually deformed and degenerate. It is here, at the core, where prayerful hands become clenched and the presence of God is most discernible in rage.

"It is here, at the core, where prayerful hands become clenched and the presence of God is most discernible in rage."

THE URBAN VOCATION

This is a pastoral statement from those who do urban ministry. It is written to those in the religious and political communities that can or do effect the quality of human existence at the Urban Core. It contains the perceptions, experience and judgements of church ministry as exercised by women and men, ordained or lay, institutional or not, at the source. ²

This statement is not intended to be a study tool, but a basis for evaluation and action. We are not attempting to reflect majority theological or political opinion within church bodies, nor are we attempting to "shore up" the accepted theological and political wisdom of the culture; history has adequately judged them both with its' indifference.

We Urban Ministers, by our vocational calling have chosen to remain in the City that both slaughters the prophets and awaits the Messiah. ³ As in a sacred old tradition we dine with cutthroats and harlots and do commerce with thieves. Therefore we do not stand apart from the Sin nor fail to include ourselves in the condemnation and judgement we express.

This is a statement of ANGER. It is a statement of CONDEMNATION and JUDGEMENT. It is also a statement of HOPE. We pray that we may all read, and be angered; enter into the experience of suffering, and condemn; reflect in faith upon the source of the misery, and judge, and then act to crush the structures that are crushing our brothers and sisters, our children, our souls.

POLITICAL POLICY

We in Urban Ministry have heard much regarding the absence of a National Urban Policy by the Federal Government and the need for its development. This assertion is but a half-truth, for we have had, and still have, a highly developed Urban Policy, the product of covert planning and manipulation rather than legislative enactment. This operational policy has placed the cities in an "Underdeveloped Client-State" relationship to the U.S. Government. The cities are perceived as foreign, hostile and in need, not of help and assistance, but of control and market stability. Much as it does with other nations, the U.S. Government barter with the cities while withholding strategically needed funding and legislation, in an attempt to forge an acceptable marketplace for domestic capital investment. ⁴

Prime examples of such operative policy is the city of New York, left mercilessly suspended between life and death, while federal agencies and leading administration officials bargain for a better business climate; and Washington, D.C., where 750,000 mainly poor, black citizens have no congressional vote or political voice within the nation. The District of Columbia enjoys the poor client-state relationship in its crassest form—it merely exists as a "Servant-State" to the Federal establishment, and does not differ greatly from the ghetto of Soweto at the mercy of the white majority in Johannesburg.

The cities form a litany of calloused planning and execution by both governmental and financial interests: redlining in Chicago, the closing of steelmills in Youngstown, neighborhoods dissected by highways in Los Angeles, racism incited and imposed upon the poorer areas of Boston, job and housing crises in St. Louis, bankruptcy of the school system in Cleveland, relocation of the meat packing plants in Omaha and Kansas City and the withdrawal of medical services in Wilmington. ⁵

Capital intensive rather than labor intensive programs are given priority in cities where employment is sparse; suburban construction receives greater preference, by both government and industry, to urban building.

REGIONALIZING PROBLEMS

The other development being considered under the government heading of a national urban policy is "regionalization." The urban core is viewed as an undesirable focus for an urban policy inasmuch as the development of generous social services will inevitably

attract the undesirable: the poor. The city is congressionally distasteful and must be linked to a suburban and regional revitalization if support is to be gained for the policy. The concept of region has been unsuccessfully marketed before, most notably in Appalachia. The present administration has further decided that there will be no effort to reduce fiscal and social disparities between the cities and suburbs. The net result of regionalizing problems is to level the statistical starkness of the overly depressed zones; to move control further from the hands of those most desperate and to subsidize middle income areas and corporate entrepreneurs. ⁶ In essence, it is to develop the commercial interests and ignore neighborhoods, services and people in need. Most importantly, it moves the urban core into para-military planning contingencies. That is, the loss of aid for human services and development will require para-military solutions to contain the frustrations of the poor. ⁷

THE NEW URBAN IMMIGRANTS

With the arrival of the newly returned suburbanites, the New Urban Immigrants, one is persuaded to believe in the Desert Temptation promising that stones will, indeed, yield bread, as the urban tax base improves and capital once again finds the urban milieu more rewarding. ⁸ However, all present urban concern and planning is focused upon changing the appearances of the stones, not the substance of human life. Planners are talking about revitalization of cities, not people; government agencies are developing urban policies that do not concern either the poor or their future; we are witnessing, not an eradication of the urban core, but its displacement to the urban margins, or some less visible corridor. The perceived problem is . . . people—more specifically, poor people. That is to say, people of little or no economic worth or power. We are witnessing the displacement and herding of an entire population that might well be referred to as the "No-World People", inasmuch as they are a national, racial, ethnic, political and generational mixture: the democratic scrap pile. This pastoral is unequivocal in advocating responsibility to help re-build human lives and neighborhoods, rather than enhancing land use speculation and commercial and banking interests through a system of urban renewal that is highlighted by upper income residences and skyscraper corporate headquarters.

THE INDUSTRIAL MIGRATION

The other displacement or migration we see is the movement of capital to the industrializing south, a reflection of the international pattern of runaway shops to the southern hemisphere in search of new land, fresh resources and cheap labor to exploit. Government officials have endorsed this policy with the euphemism: "economic decentralization." It is supported under the heading of assisting the rural poor—in classical fashion the rural and urban poor

are set against each other. The successful union organizing of northern cities has been rewarded by desertion, as the southern areas fall prey to mobil capital indifferent to worker's rights. We would also challenge the Trade Union Movement to keep true to its rich tradition of providing a forum that is truly democratic, insuring full participation of workers in decision making and the proper use of funds in union operations and life styles. U.S. workers are now included in the international development schema that has plundered the people and resources of the third world nations. Such development is deforming to Justice. ⁹

THE CITY IN BIBLICAL AND RELIGIOUS TERMS

The City in Biblical and Religious terms is the new DESERT. Human life is not sustained, but only preyed upon. This may be a different image for us to understand, inasmuch as we are more familiar with the City as a symbol of sin, and the perpetrator of evil, rather than its victim. For the City as presented in the scriptures is a place of pride where people feel secure to affirm they are all powerful against God in their indifference to their fellow human beings. Sodom, Gomorrah and Babylon are symbols of cities under God's judgement for the idolatry of riches that strangles the poor. Jerusalem is the city that moves Jesus to weep. It is also the place greatest infamy.

But the City has been abandoned. The wretched and weak are its occupants. ¹⁰ It is beyond the city walls where the conspiracy against God's poor is taking place. ¹¹ The city is less and less protective of its inhabitants. It participates less and less in national economic and social advances. The evil one imports his wares to tempt those weakened by neglect and diminished by indifference. ¹² There are no angels to weep with its people. The powerless are trapped in urban convulsions, where the dialectic of mass extermination of human persons and the crushing of souls is synthesized amid concrete, stench, noise and profit pathologists.

This critical state is not merely the end result of a complicated interplay of highly technical forces; it is the resultant cancer produced by tissue scarred and ripped in the crucible of religious and political indifference, corporate greed, and a culture that has become progressively more enchanted with the death process. That is to say, a culture enchanted with the demonic. ¹³

We in the religious community have often fallen prey to the contemporary Desert temptations, and find ourselves sharing the Idolatry of the society. This Idolatry is greatly magnified within the urban topography and its most basic creed is threefold:

"It is beyond the city walls where the conspiracy against God's poor is taking place."

- The human person is subordinated to property and is valued by external measurements

Property enjoys an absolute right and defense within our economic system, while no such right or defense is extended to the human person. A person's worth is totally dependant upon how much they produce that is marketable, little or no consideration is given to what has been produced, and how that may enrich or demean human existence. Pornography and Wonder Drugs are rewarded in similar fashion. Efforts that focus upon human enrichment and care are penalized. Such an idolatrous creed rewards theft, greed, belligerence and human indifference.

- The resources and wealth of this culture are dogmatically committed to the global annihilation of the human person

The Armaments race, draining its billions in dollars, academic intellect and corporate energies, has left a trail of human tragedies and unmet human needs in its wake. To this very day it rapidly escalates, focusing upon the threatened or real slaughter of people everywhere. The Holy See has most recently condemned the arms race without reservation and has named it a "Danger, an injustice, a violation of law, a form of theft, a mistake, a wrong, folly." We in Urban Ministry laud such public condemnation and religious clarity.

This industry has now given birth to another generation of nuclear infamy with its ever increasing development and global sales of Nuclear reactors. The possibility of genetic deformation and death from this nuclear energy, with its attendant ecological destruction and arms production, has geometrically progressed with this development and with massive public silence. We particularly in the cities are "nuclear hostages" of "global terrorists", who include in their small numbers even our own Political, Military and Industrial leaders, as they predicate national security and economic growth upon the continuous development of nuclear arms and energy. This nuclear extravaganza is reminiscent of the ancient pagan ritual of entombing the cultural wealth with the corpse—we bury billions of dollars yearly in the ground alongside the victims of neglect. Its rationale is to "protect and defend" our way of life, which to urban dwellers is an insult and a lie. ¹⁴ Federal aid to cities has been decreasing as the military budget is increasing. A 30% reduction in military spending in favor of domestic programs would increase employment by nearly 2 million jobs. Health delivery, education, housing construction and transportation endeavors engender more productive jobs than does military spending, and create vitally needed services. Arms procurement creates unemployment and reduces human services. ¹⁵ The Urban Core is the most prominent casualty of this policy.

This nuclear experiment and infatuation is religiously indefensible, culturally suicidal, and politically and economically insane.

- We have an idolatrous attachment to our present economic system

Our economic system has perverted our democratic form of government and has grossly failed our aspirations in providing for human need. It has taken the "maximization of profit", not human liberation, as its ruling faith and it is being judged by the wretched of this earth as an intolerable burden. The "common good" is seen in its most restricted sense, whereas the Catholic understanding of "the greatest good for all" is dismissed. ¹⁶

It must be stated, unfortunately, that church institutions many times profit and are made comfortable under this economic arrangement of the privileged. We in the church have been purchased with the silver of tax protection, property exemption and the endless list of amenities that have ensured our cooperation and silence. Our individual and institutional wealth is a grievous sin that seriously negates any attempt to witness to an evangelical poverty as a sign of oneness with the urban poor.

THE VICTIM

The Urban Core is one dramatic result of these idolatries. It provides an enclosure for the emotionally damaged, those who cannot or will not compete in this carnival of huckstering, those relegated to the core because they are black, native, hispanic, immigrants, the physically handicapped or nonaffluent elderly. One thread weaves them all into the same fabric of need—they are economically unproductive, and therefore, they have NO RIGHTS, they are isolated and punished. ¹⁷

The Urban Core's most critical problem is the people's lack of control over their own lives.

- There is unemployment or underemployment, accompanied by governmental and corporate unwillingness to train the unskilled or eradicate the produced poverty class.

- There are tenants trapped in the greed of property speculation.

- The necessary goods for human subsistence are priced outrageously high or are of inferior quality.

- Services which are the human and legal right of the poor are kept consciously isolated, secret or bureaucratically entangled.

- Housing, medical delivery, food, education and transportation range from the substandard to the indecent.

- Social services are either unavailable for of low quality, inasmuch as they follow the ability to pay, which is non-existent or critically restricted with the poor.

The story of the city is more than the tale of powerlessness—it is the tragedy of total dependance. The Urban Core is made up of people who neither control their own lives nor their land, who are unskilled and without recognition as a people, even by those responsible for their services and care. ¹⁸

Cities are being developed, more and more, as daytime business centers with cultural clusters for the privileged class. Only the upper income categories can reside there in comfort and isolation from the impoverished population.

THE CHURCH

The past history of the church in the city is a moving and heroic story. Church workers, through courageous effort and personal sacrifice, developed alternative institutions to protect and affirm our people in an alien and often hostile culture. Our parishes were the gathering place for those attempting to understand and function humanly in the ways of the society; our schools based their varying disciplines on Catholic Doctrine; our hospitals and orphanages gave preference to society's most helpless; our bishops and religious were leading advocates in the development of public policy; our liturgies and proclamations developed clearly who we were, and what we believed; our Holy Days forced adjustments in the secular work schedule. We were an "army" struggling together for our Faith.

But history has changed our marginality as a people, the alternative quality of our institutions, and our tolerance of criticism and risk. We have become respectable. Personal economics and politics are ever increasingly determining our Faith. What might be referred to as a plurality of Catholic Doctrine and teaching has become widespread. We no longer struggle together in Faith, but many times find ourselves in opposition and in confusion. Our attempts to create "community" from the outdated "army" motif have been minimally successful.

THE PRESENT MINISTRY

There are still those who struggle in an attempt to meet immediate needs; to advocate with those without power, to organize around the agenda of the neighborhood, to create community, to form other needed alternative structures and socio-political forms. Manifold ways of empowerment and self-reliance are pursued through ministries that cover the continuum from crisis centers to political consciousness raising.

Some of the more prominent models in Urban Ministry involving not only individuals but, many times, the more effective team ministry approach, fall under the categories of **Direct Assistance, Advocacy and Community Organizing**. The first entails the meeting of immediate and urgent needs of food, housing, education, health care, etc. The Second helps locate services that are available and attempts to hold agencies accountable for their delivery in a human way. The Community Organizing model helps to bring people together to develop their own agenda and take control over their own lives. Internal leadership is encouraged to surface. Such efforts might include developing food cooperatives, credit unions, tenant rights groups, lobbying efforts, municipal politics, and

controlling neighborhoods. All these ministries enhance the presence of the local church, and give it credibility in carrying out its mission of evangelization.

THE EFFECT OF MINISTRY

In all of these models of Urban Ministry, church people are cast, often unwittingly, into the role of being the distributors of a scarcity that appears to be both planned and profitable for our economic system. That is, we often act as handmaidens to an economic system that holds human life and dignity in contempt and offers the minimum in response to insure dependency and order. Untold human damage has resulted from this arrangement and from our uncritical acceptance of this role.¹⁹

Further, the effectiveness of these innovative and good ministries is blunted by the fact that building alternative institutions is no longer a priority within the broader church. Urban ministries are often kept isolated from diocesan affairs and, many times, are opposed by diocesan power. Outdated church institutions and leadership remain as significant obstacles to fundamental change.

"... We often act as handmaidens to an economic system that holds human life and dignity in contempt..."

"I THIRST"

The only truly accurate motif one can call upon to reflect the agony and suffering of a people encountered within the Urban landscape is that of the crucifixion. A nation of people handed over and condemned, not for the crimes that they have committed, but to satisfy the mobs. It has become expedient for the economic order that these poor ones are sacrificed for the nation. We witness an entire people who are mocked for their lack of power and shrewdness, who are maligned and discredited, who are offered vinegar to drink in their thirst, who are homeless and hungry and ill-clad, and whose cries have been skillfully muffled by those in power. Yet they are recorded in heaven: "My God, My God, why have you forsaken me?"

We in the urban church, as well as the entire institutional church, have frequently been present to this infamy in silence and with cautious distance. Tragically, many times our people have joined in the jeering and mocking in order to win their own cultural acceptance and economic advantage.

**"DARK SHADOWS ARE THICKENING
ABOUT HUMAN DESTINY." 20**

A candid evaluation of Urban Ministry would be that our efforts have born little fruit on both an institutional and personal level; that they have been of little or no consequence in deterring the culture's pathological march toward holocaust; that most of our major works have ended in being mere cosmetics. Many of our churches, schools, hospitals, charities and other urban institutions, once offering alternative models within the culture, have become mainline operations within society. There remain a few exceptions to this evaluation, most notably our inner-city schools. In many cases our institutions are not distinguishable from profit oriented ventures. The moral authority of the church has been significantly replaced by individuals and groups, many times secular, who struggle for justice and life with greater fidelity and consistency.

Many times our religious education and sacramental practices are but appearances. Religious education abstracted from human suffering is atheistic. Sacramental life oblivious to history is sacrilegious.

HISTORICAL TRANSFORMATION

We in the religious community have learned with great pain that alternative institutions gain longevity and protection by converting into institutions of assimilation for the society. It is easier to "go along" than to place ourselves between the innocent and the machinery of violence.

Alternative institutions are founded upon the historic truth that mainline culture is atheistic and idolatrous. Not withstanding the present evangelizing and charismatic movements, the United States is a thoroughly atheistic society and openly mocks the Prince of Peace. The overriding moral questions of this century: nuclear holocaust, inhuman poverty, ecological destruction, respect for life and the creation of a new world economic and social order are all but dismissed by those in power. 21

WE EXPERIENCE the Urban Core as the victim, not the cause, of our social and religious deformity;

WE JUDGE the economic and social aspirations of this society as being on collision with our vocations;

WE CONCLUDE that when the eradication of human misery is possible, then its retention becomes intolerable;

WE RECOMMEND the posturing of ourselves, and our institutions, between governmental and economic policies that degrade the poor and the victims;

WE CONFESS our participatory sins of denial and betrayal, and of silence and distance from this agony which is daily ritualized in our cities;

WE ARE HEARTENED by the hopeful words of our Lord: "Simon, Simon I have allowed the evil one to sift you as wheat, but I have prayed for you. When you turn again toward me then go gather and nourish the sisters and brothers." 22

"Religious education abstracted from human suffering is atheistic. Sacramental life oblivious to history is sacrilegious."

NEW STRUCTURES AND MISSION

New structures must be created which take as a mandate the need for massive repentance and conversion, and the need for an orthodoxy measured, not solely in dogmatic terms, but also in terms of justice. The world—its people, systems, and structures must be recognized as moral categories. This is the complete mission—the true evangelization: to social structures as well as to people. 23

There is a mission of justice searching for a church. The demands of the mission are legion, yet the contours of such calling are emerging.

There is a call to fasting, to prayer and reflection for those who remain, or those desiring entry into the city. Like our Fathers of the Desert, we see a place filled with death and temptation; it is here that one can see and perceive the demonic most clearly. If we, like Thomas, deny the reality because we have not seen, then let us accept the invitation of Jesus: "See and touch the wounds, and cease your disbelief, and believe."

- **We Urban Ministers believe** it is imperative that the U.S. Catholic Church examine the economic system it is a part of, and examine alternatives which may better serve our Faith and the human family. 24

- **We believe** that the U.S. Catholic Church must be clear and aggressive in endorsing the Holy See's condemnation of armaments production and sales.

- **We believe** it is critical that the Church begin developing a Theology of Justice so as to better understand the economic and social structures we live within. 25 The creation of a class society; the absolutizing of property ownership and control; the legalization of wealth hoarding; the exploitation of labor; the non-existence of economic rights; the debasement of women, are not part of our faith. Such injustices have long been condemned by our church. We need to make such teachings culturally concrete. 26

- **We believe** the church and its ministry must aggressively support efforts to bring about full employment, a more humane national budget and equal rights for all persons.

- **We believe** the church and its ministry should educate and support people in a selective conscientious obedience to governmental and economic policies, while applying a rigorous criteria of church teachings and justice to such decisions.

- **We believe** that as a church we must go public with our experience and with our vision of life as transmitted through the Holy Scriptures and the life of Christ. We must leave the comfort and protection of our present lives; we must yield our privileged status and riskless lives in denouncing those who crucify our brothers and sisters.

"We conclude that when the eradication of human misery is possible, then its retention becomes intolerable."

We Urban Ministers have a deep passion for the city, this land and its people. The light and warmth of our churches still manages to burn. There are graced and generous hands that still caress the wounded and anoint the ill. Children are cradled and the elderly comforted. The confused are still counseled and the little people still praised. There is still sanctuary, celebration and the presence of God found in the darkest recesses of the Urban Core. It is here, in the city, where the Resurrection is announced; for while we were all created in a garden we are destined to journey toward and inhabit the city—the New Jerusalem. This is the promise and the dream we pursue.

“The confused are still counselled and the little people still praised.”

NEW URBAN CHURCH

If the city is to be made new then the burden for such undertaking rests in large part with the people in local dioceses, parishes and special ministries, which is to say: with ourselves as the activators of the agenda of God's poor. We who have participated in the formation process of this Pastoral Statement can merely suggest a framework.

DIOCESE

1. Comprehensive diocesan planning that gives top priority to those who are suffering. This planning needs to include a listening process that reaches out to the poor and oppressed—regardless of their religious affiliation. Diocesan offices, parish placement, and resource allocation should reflect the service of the church to the poor as the top priority.²⁷ Decision-making must also include the voices of the poor and oppressed along with officials of the diocese—we take as our model the Church of Acts.

2. The diocese should provide for leadership training especially among the poor and oppressed so that these leaders can give ministerial leadership to their local Christian communities. Third World Churches provide us with some direction.

3. A deep concern for social justice should be one of the prime considerations in the process of selecting seminarians, religious order candidates and all diocesan personnel.²⁸

4. The diocese should make a firm commitment to evangelize among the poor and minorities and should make every effort to accommodate the structures of the church to meet their needs and cultural expectations.

5. Women must be integrated on all levels of ministry and decision making.

“Women must be integrated on all levels of ministry and decision making.”

PARISH

1. Local parishes should make creative efforts to restructure themselves out of the realization that they are a Christian Community serving the entire community. Faith, not territory, should determine membership.

2. Preaching, sacramental preparation, and religious education on all levels must reflect the social teachings of the Church. All structures of the parish should seek to implement these teachings—not just the social action committee. Pastoral accountability and lay co-responsibility must be initiated.

3. Parishes in poorer areas have right to expect financial resources and moral support from the more affluent areas for those amounts needed to sustain their development.

4. Parishes should make every effort to accommodate to local cultures without sacrificing their role as social critics of unjust social institutions. Parish liturgy should reflect this accommodation.

SPECIAL URBAN MINISTRIES

1. Catholic Schools must commit themselves to serving the poorest of the poor and to teaching Christian values and life-styles without regard to fitting into the idolatry of U.S. Society. Efforts must be made to have integrated environments so as not to reinforce the racial segregation of U.S. Society. Dismantling schools that do not meet these requirements should be seriously considered.

2. Catholic Hospitals should seek to supplement or even replace traditional large building services with smaller, neighborhood family clinics designed to meet the needs of the poor.

3. Urban Faith Centers should be established to take responsibility for formation of ministerial personnel and volunteers desiring to serve the urban core area, for monitoring urban development programs and legislation in the best interests of the people of the urban area, especially the poor, for promoting a spirituality that is rooted in the urban experience, for connecting the urban areas with other regions of the diocese, state, nation, and world. These centers should consider partial staffing by those persons of faith who have expertise in the social sciences such as economists, social and political scientists, etc.

4. Urban Deanery, Vicariate, or regions should be structured to have maximum autonomy in meeting their unique problems and forming needed coalitions. They should include clergy, religious and lay persons.

IN CLOSING

We extend our thanks to those Urban Ministers who so generously participated in this statement process. We extend our love to those of God's poor who have been patiently teaching us about ministry. We extend our dream to those who still care deeply. Under God's awesome grace, even against our will and inclination, we may yet be drawn toward Jerusalem.

This is our vocation: "...to banish the exploiters and to oppose with civil and dignified resistance everything that is contrary to the innate dignity of the human being..." 29

This is our Dream: "the expectation of a new earth must not weaken but rather stimulate our concern for cultivating this one. For here grows the body of a new human family, a body which even now is able to give some kind of foreshadowing of the new age." 30

FOOTNOTES

1. "They will not build for others to live in..." *Isaiah 65:22*
2. "...perceived rather than analyzed, lived rather than reflected on." *To All Peoples of Africa, Message of Paul VI.*
3. "In her was found the blood of the Saints..." *Rev 18:24*
4. "...a degrading thirst for money and a shameless exploitation of the human person..." *Christmas Address, 1977. Paul VI*
5. "...a harsh vision has been shown me—the plunderer plunders, the destroyer destroys." *Isaiah 21:2*
6. "No more will the sounds of weeping or the sounds of cries be heard in her; in her, no more will be found the infant living a few days only, or the old man not living to the end of his days." *Isaiah 65:19-20*
7. "Underdevelopment... is an unjust situation which promotes tensions that conspire against peace." *Medellin Documents*
8. "To live in a hypothetical future is a facile alibi for rejecting immediate responsibilities." *Octogesima Adveniens*
9. "When speaking of injustice, we refer to those realities that constitute a sinful situation..." *Medellin Documents*
10. "In this disordered growth (urbanization) new proletariats are born. They install themselves in the heart of the cities sometimes abandoned by the rich; they dwell on the outskirts—which become a belt of misery besieging in a still silent protest the luxury which blatantly cries out from centres of consumption and waste." *Octogesima Adveniens*
11. "The traders who made a fortune out of her will be standing at a safe distance from fear of her agony, mourning and weeping." *Rev 18:15*
12. "Today moreover the weaknesses of the ideologies are better perceived through the concrete systems in which they are trying to affirm themselves." *Octogesima Adveniens*
13. "The city is filled with idols." *Acts 17:16*
14. "When so many communities are hungry, when so many homes suffer misery, when so many lived submerged in ignorance... any arms race becomes an intolerable scandal." *Populorum Progressio*
15. *U.S. Commerce Department. Roger Bezdek study on employment and defense spending. Bureau of Labor Statistics, Structures of the U.S. Economy in 1980 and 1985 The Chase Econometric Associates. The economic impact of defense spending*
16. "The economy should be under the control of all, including the poor, and not just a 'few men' or groups possessing excessive economic power or 'the political community'" *Gaudium et Spes*
"It is proper, on the contrary, that at every level the largest possible number of people have an active share in directing that development." *Gaudium et Spes*
"...to direct the economy for the good of all, to provide jobs, to assure just wages, and 'safeguard the rights of all, especially the weaker..." *Mater et Magistra*
17. "...whole populations destitute of necessities live in a state of dependence barring them from all initiative and responsibility, and all opportunity to advance culturally and share in social and political life..." *Populorum Progressio*
18. "How lonely is the city." *Lam 1:1*
19. "...a timid lack of consistency can lead to tragic consequences. Let us do something while there is still time." *Christmas Message, 1977. Paul VI*
20. *Christmas Message, 1977. Paul VI*
21. "Do you really want to be human beings and not wolves?" *Day of Peace Message, 1978 Paul VI*
22. *Luke 22:31*
23. "Come to our aid... do not delay." *Acts 16:9*
24. "...the presuppositions of an economic system based in large part upon unlimited and unrestrained profit." *The Economy: Human Dimensions*
25. "...the human sciences give promise of a positive function that the church willingly recognizes. They should thus assist Christian social morality, which no doubt will see its field restricted when it comes to suggesting certain models for society..." *Octogesima Adveniens*
26. "All people, prosperous or not, have a right to the necessities of life, which include: Life, bodily integrity and means of development: food, clothing, shelter, rest, medical care, the necessary social services." *Pacem in Terris*
"...and useful employment, just wages, adequate assistance in case of real need." *The Economy: Human Dimensions*
27. "There is an urgent need to remake at the level of the street, of the neighborhood or of the great agglomerative dwellings the social fabric..." *Octogesima Adveniens*
28. "...where this social peace does not exist there will we find social, political, economic, and cultural inequalities, there will we find the rejection... of the peace of the Lord, and a rejection of the Lord himself." *Medellin Documents*
29. *Christmas Message, 1977. Paul VI*
30. *Octogesima Adveniens*

National Federation of Priests' Councils
1307 S. Wabash
Chicago, Illinois 60605