

THE LUTHERAN PASTOR AND ILLEGAL IMMIGRATION

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Abstract

The issue of illegal immigration is hotly contested throughout the United States. Over 11 million people live illegally in our country, and their presence has sparked constant and passionate debate. Sides have been drawn, and even Christians have formed very different opinions. There are few communities—and Christian congregations—that have not been affected. But what does God’s Word say? More specifically, what guidance does God’s Word provide a Lutheran pastor as he ministers to undocumented immigrants in his congregation and community? As pastors struggle to make sense of the immigration debate, it can too often seem like God’s voice is silent. He is not! A thorough study of the guidance found in God’s Word concerning this difficult topic will lead us to this conclusion: The Lutheran pastor’s duty and privilege to preach both law and gospel to all people leads him to both offer the gospel message of Christ’s redemption free of charge to everyone he meets, regardless of legal status, and to address the sins connected with illegal immigration at the proper time in each individual Christian’s life as they mature in their faith and grow in their level of sanctification.

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Introduction

Background

“They’re all legal, right? I sure hope none of them are illegals!” On more than one occasion, I have been saddened by those words from the mouths of well-meaning members and pastors of the Wisconsin Evangelical Lutheran Synod (WELS). Before my final year of pastoral training at Wisconsin Lutheran Seminary (WLS), I served a one-year emergency call to a church in a diverse neighborhood of Houston, TX. I was blessed with the opportunity to reach out to the large Hispanic community around our church, and God in his grace blessed our efforts. Over the course of my time in Houston, a number of Hispanic adults were confirmed as members of our congregation, and many more visitors attended Sunday worship services. God be praised!

When I returned from Houston for my final year at WLS, however, something surprised me. When I told other WELS members, and even other WELS pastors, about God’s blessings on our Hispanic outreach in Houston, the first comment a few of them made was: “They’re all legal, right? I sure hope none of them are illegals!” I’m sure those Christians meant well. I have no doubt that they are eager for souls to be saved and the gospel to be preached. I’m sure they at that moment were trying to uphold God’s command to submit to government. But their words saddened me. They led me to wonder what kinds of attitudes are present among us as we grapple with the difficult issue of illegal immigration. How concerned should a pastor be about the legal status of those to whom he preaches the gospel? Do people need to pass a litmus test—to show their immigration papers—before being allowed to hear how Christ died to take their sins away?

The reality is that many of those new Hispanic confirmands were illegal immigrants. I thank God for each of them and for the changes he worked in their lives through his Word. I saw firsthand how God used their illegal presence in America to bring them into contact with his gospel message of forgiveness found in Christ. But I still knew that they were *illegal* immigrants. I also saw how the illegal status of these brothers and sisters in Christ affected every part of their lives. They lived their lives in secrecy and were led into other illegal actions like obtaining false social security numbers, driving without proper licenses, and lying on job applications.

So as a pastor I was presented with a number of difficult questions that I didn’t know how to answer. Does illegal immigration always involve sin? When should a pastor bring up the topic of illegal immigration to the members and visitors at his church? If illegal immigration is a

sin, how might we expect a repentant, Christian heart to respond in the face of that sin? Can a Christian illegal immigrant continue to live illegally in the United States with a clear conscience?

Every pastor active in Hispanic outreach in the U.S. is faced with these questions, yet little formal study has been done on this topic in the WELS. This was disconcerting to me as I faced the issue of immigration in my congregation. My heart told me to downplay the laws and focus on sharing the gospel with the lost. My conscience reminded me that disobedience to law isn't good or God-pleasing. I needed guidance. What is God's way, not the easiest way or the most convenient way, to deal with illegal immigration? I needed to study illegal immigration not for my church or for my members or for my fellow pastors. I needed to study it for myself.

My research for this paper, however, has led me to believe that other WELS members and pastors are looking for that same guidance. On the one hand, pastors active in Hispanic outreach have expressed to me their own doubts and insecurities when dealing with the topic of illegal immigration in their congregations. On the other hand, I fear that some WELS members and even pastors are forming their opinions concerning illegal immigration based on media sound bites and political campaigns instead of on an in-depth study of the Word of God. Too often strong yet uninformed positions are taken by Christians in the face of illegal immigration.

So here is my humble attempt to study the difficulties illegal immigration poses for the Lutheran pastor and evaluate them based on God's Word. This essay was written first and foremost for me—to prepare me for what God might have planned for me in my future ministry. But my hope is that you too might benefit from this study. When you finish reading this thesis, questions will still remain. Practical applications of biblical principles in real-life situations will still be difficult and at times painful. My prayer, however, is that this thesis will better inform and equip you to address this challenging issue in a God-pleasing way in your own congregation.

Preface

Before we talk about illegal immigration, however, we need to be reminded of who we are. When God describes his people in the New Testament, he often uses a surprising word—“strangers” (1 Pe 1:1).¹ From God's perspective, we his people are strangers living in a foreign land. The United States is not our permanent home. When we begin to think that it is, we forget who we are, because “our citizenship is in heaven,” and we are awaiting our Savior from there

¹ All Scripture quotations in this thesis are taken from *The Holy Bible: New International Version*, Grand Rapids, MI: Zondervan, 1984.

(Php 3:20). This country which we love isn't our real home. Heaven is. We forget that to our own spiritual peril. It is truly good and right for us to call this life our "earthly pilgrimage."

Our forefathers did. I'm not talking about men like Washington, Jefferson, and Franklin. I'm talking about men like Abraham. He knew he was a stranger in the world:

By faith Abraham, when called to go to a place he would later receive as his inheritance, obeyed and went, even though he did not know where he was going. By faith he made his home in the promised land like a stranger in a foreign country; he lived in tents, as did Isaac and Jacob, who were heirs with him of the same promise. For he was looking forward to the city with foundations, whose architect and builder is God. (Heb 11:8-10)

Abraham was looking forward to a place, and it wasn't found in the hills of Judah. He awaited the city with foundations, whose architect and builder is God. Abraham's hope was in heaven. As he drove his tent pegs into the land that the Lord had promised to him and his descendants forever, he still knew that he was a stranger waiting to go home. He believed that the Promised Land on earth was nothing compared to the Promised Land in heaven, and that trust affected how he lived his life. His eyes were always looking forward to his real home in heaven with his God.

The other heroes of faith understood that same truth:

All these people were still living by faith when they died. They did not receive the things promised; they only saw them and welcomed them from a distance. And they admitted that they were aliens and strangers on earth. People who say such things show that they are looking for a country of their own. If they had been thinking of the country they had left, they would have had opportunity to return. Instead, they were longing for a better country—a heavenly one. Therefore God is not ashamed to be called their God, for he has prepared a city for them. (Heb 11:13-16)

Do you and I share that same longing for our home country in heaven? Or are we tempted sometimes to think and act as if the United States were the "city with foundations" and the "heavenly" country? God forgive us for when such thoughts creep into our minds!

As we begin this study, before the terms "immigrant" or "illegal" or "alien" get thrown around, let's remember one way in which we and all people are equal. We are "aliens and strangers in the world" (1 Pe 2:11) who are trying to get to our home in heaven. Remembering our heavenly citizenship does not mean that we downplay the laws of this country, but it does set our minds in the right perspective as we study our relationship with strangers here. Our top priority in life is not to defend or improve the United States of America, as important as that is. Our top priority is to get to the country of our own in heaven and to bring as many people as possible to heaven with us. Like Abraham, we are strangers looking forward to the city with foundations, and we want to invite all the other strangers around us to join us on that journey.

Introduction

One Sunday morning in one WELS church, a member asks her pastor for a prayer on behalf of a dear relative who is “coming tonight.” She doesn’t explain, but the pastor knows what she means: Tonight is the night mom or dad or son or daughter is going to attempt to cross the border—illegally. She asks for a prayer that her relative make it safely, that God would protect her relative from both border patrol agents and the terrors of the desert, and that God would bless that relative’s new life in America. What should the pastor do? What should he pray for?

On that same Sunday morning in a different WELS church, a member asks her pastor to pray on her behalf because she feels unsafe near her home. Her neighbors don’t speak English. She has heard rumors of a rise in crime. She doesn’t feel comfortable walking down her own street. She feels like a stranger in the town she has lived in for the last 70 years. So she asks her pastor for a prayer that no more illegal immigrants be allowed into her country, and that those who are here would be sent back soon. What should the pastor do? What should he pray for?

Illegal immigration doesn’t have to do with numbers or statistics. It isn’t about border patrols or government policies. It’s not about green cards or social security cards or citizenship requirements. It’s not about sides. It’s not “us” versus “them”—at least it shouldn’t be. Illegal immigration is about people. We are talking about grandmas and grandpas and fathers and mothers and brothers and sisters and children. We are talking about the unique members of the “world” whom God loves so much that he sent his Son to die for them (Jn 3:16). It doesn’t matter how you feel about a certain president or policy or language. How you are going to treat each sinful yet blood-bought soul that you meet? Illegal immigration is intensely personal.

The scenarios presented above are not far-fetched. This is the unavoidable reality of life in America in the 21st century. From the border lands of Texas and California to cities like Milwaukee and New York to the countryside of Minnesota and Wisconsin, WELS churches are facing the challenges of illegal immigration. Thirteen WELS pastors active in Hispanic outreach in nine different states were interviewed for this thesis, and ten of them estimate that at least 50% of the Hispanic members and contacts at their churches are illegal immigrants. Illegal immigration touches the lives of people from all different walks of life in all different places.

Those interviews with WELS pastors active in Hispanic outreach show the complexity of the immigration issue. I am not the only one longing for more biblical guidance. One pastor said,

I believe our WELS pastors leading Spanish ministries don't know how to deal with the issue....On one hand they want to build a relationship with their small group of people so that they can talk about illegal immigration. On the other hand, it is difficult to build up that trust in a short amount of time. And after investing so much time in a person it is hard to bring up a subject that could scare away a soul that has become an active member of the congregation.

Another WELS pastor said, "I feel like I've been too silent on the topic. The main reason for that is that I don't know what to say. Like everyone else I realize that there is no simple solution on either side of the argument." A third pastor commented,

It [illegal immigration] is a HUGE challenge....Our members are cut off from basic services. They cannot drive. They are constantly afraid. They cannot get medical insurance. They constantly are ripped off by lawyers. Family members get deported. Children are separated from parents for years on end. It is also a HUGE spiritual challenge. Many people try to get citizenship through marriage. It ends up making a joke out of marriage. Even worse, people don't recognize their sin or think of it lightly. I could go on, but you get the point.

Thesis Statement

Because the issue of illegal immigration presents such a challenge to the Lutheran pastor who reaches out to the Hispanic community, it is the intent of this thesis to provide a brief study of the immigration laws of the United States and their enforcement, to analyze the positions both other Christian pastors and other Christian denominations have taken on illegal immigration, to study the topic thoroughly on the basis of God's Word, to apply biblical principles to the practical questions raised by illegal immigration, and to assist further study.

The aforementioned research will support and defend this thesis: The Lutheran pastor's duty and privilege to preach both law and gospel to all people leads him to both offer the gospel message of Christ's redemption free of charge to everyone he meets, regardless of legal status, and to address the sins connected to illegal immigration at the proper time in each individual Christian's life as they mature in their faith and grow in their level of sanctification.

Overview

Definition of Terms

Definitions for the terms used for various types of immigrants in the U.S. are needed as we begin our study. In its *Yearbook of Immigration Statistics: 2011*,² the U.S. Department of

² United States Department of Homeland Security. *Yearbook of Immigration Statistics: 2011*. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics, 2012.

Homeland Security labels all immigrants who are legally present in the U.S. on a permanent basis as “legal permanent residents.” Those who are legally present on a temporary basis, such as tourists, students, or those with work visas, are classified as “nonimmigrant admissions.” Those who are illegally present in the United States are labeled “aliens.” The U.S. Immigration and Customs Enforcement (ICE)³ routinely uses the term “illegal aliens” for illegal immigrants.

This terminology, however, is not universally accepted or used. Some have raised legitimate concerns about the dehumanizing nature of the word “alien.” Others who question the validity of the U.S. immigration laws or seek to downplay the illegality of illegal immigration prefer “undocumented” over “illegal.” This results in many different terms such as “illegal immigrant,” “undocumented immigrant,” or even “undocumented aliens.” Often the terms used indicate an author or organization’s personal beliefs with regard to illegal immigration.

A conference of WELS pastors in November 2004 settled on the term “undocumented people.”⁴ With all due respect to the decision of that conference, the term “undocumented people” is not widely used. Both governmental and non-governmental sources are comfortable using a broader definition of “immigrant” than someone who holds legal status. This paper will refer to those who do not hold legal status in the United States as “undocumented immigrants.”

The U.S. Immigration Process: Legal Modes of Entry

Before God’s Word can be applied to the lives of undocumented immigrants, a basic understanding of the U.S. immigration system is needed. There are legal modes of entry into the U.S. for noncitizens. Legal permanent residents of the U.S. possess a “green card,” which allows them to live and work freely in the United States. Green cards never expire, although they do need to be renewed every ten years. Legal permanent residents can apply to be naturalized as full

³ U.S. Immigration and Customs Enforcement (ICE) is the principal investigative arm of the U.S. Department of Homeland Security and is responsible for the enforcement of the immigration laws of the United States. Its website is <http://www.ice.gov/index.htm>.

⁴ That 2004 WELS conference gave the following reasons for choosing that term: “a) All people are referred to as people. The adjectives are used to describe status. Hence the term ‘illegal aliens’ is inappropriate. b) By definition, an immigrant is someone who has entered the country legally and holds legal status. Hence there is no such person as an ‘illegal immigrant.’ c) Illegal presence refers to those who have entered the country without any legal papers. d) Unlawful presence refers to those who entered legally, but have allowed their visa to expire. e) Undocumented people are those who are in illegal presence and those who are in unlawful presence.”

See Bourman, Timothy. “The Pastor Shepherds the Undocumented Member”. A paper written for PT 2041 at Wisconsin Lutheran Seminary, Professor John D. Schuetze, April 28, 2006, p.3. Bourman quotes a document entitled *Hispanic/Latino Immigration to the United States and the Church* that contains the results of the November 2004 conference.

U.S. citizens after living lawfully in the U.S. for five years and completing naturalization requirements such as passing a test in English of U.S. history and government and paying a fee.⁵

There are four general processes through which a person can obtain a green card: employment, family, the diversity lottery, or asylum.⁶ Each year, a specified number of immigrants is allowed to enter the U.S. for purposes of employment. Each immigrant is required to have an employment sponsor, which is generally a wealthy investor or company. Employment visas are almost exclusively reserved for those “who have ‘extraordinary’ or ‘exceptional ability,’ for ‘outstanding professors and researchers,’ and for others ‘holding advanced degrees.’”⁷ Employment-based immigration is virtually impossible for low-skilled individuals.

Each year, a specified number of immigrants is also granted legal permanent resident status based on their relationship to a U.S. citizen or legal permanent resident. Legal permanent residents can seek legal status for a spouse or any unmarried child. U.S. citizens can petition for spouses, children, siblings, and parents. That petitioned person, however, must wait until a visa is available. The number of visas granted each year to each country is limited. Potential immigrants from countries with a high number of applicants, such as Mexico, must wait for years to be allowed into the U.S. For example, a legal permanent resident from Mexico will wait an average of six years to be reunited with his spouse and children under age twenty-one, and a U.S. citizen from Mexico will wait an average of sixteen years to gain a visa for an unmarried adult child.⁸

The third way to receive a “green card” and legal permanent resident status is through the diversity lottery. Each year, 50,000 visas are granted through a lottery open to anyone who has completed high school or has two or more years of work experience in a skilled profession. In the 2009 diversity lottery, the odds of being selected were one in 182.⁹ Although the diversity lottery is the one and only way many poor and unskilled individuals have a chance at legal entry into the U.S., the diversity lottery is not available to those who live in the countries that already have the most immigrants in the U.S., including Mexico, China, Canada, and El Salvador.

⁵ U.S. Citizenship and Immigration Services (USCIS) handles the naturalization process. More information can be found at <http://www.uscis.gov/portal/site/uscis>.

⁶ The following summarizes the excellent explanation in: Soerens, Matthew and Hwang, Jenny. *Welcoming the Stranger: Justice, Compassion & Truth in the Immigration Debate*. Downer’s Grove, IL: IVP, 2009, p.70-81.

⁷ Soerens and Hwang, *Welcoming the Stranger*, 71.

⁸ Soerens and Hwang, *Welcoming the Stranger*, 73.

⁹ Soerens and Hwang, *Welcoming the Stranger*, 78.

Finally, the fourth way a person might obtain a green card is by being granted asylum. Refugees and asylees are defined as those who flee their home country based on “a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion.”¹⁰ Fleeing economic hardship or a natural disaster is not a valid reason to be classified as refugees under the current U.S. immigration laws, so the vast majority of immigrants from Latin American countries are ineligible to apply for asylum.

The reality is that the United States does welcome many new immigrants each year. In 2011 alone, 1,062,040 people obtained legal permanent resident status.¹¹ Those new legal permanent residents can be classified in the categories described above: family-sponsored preferences (234,931), employment-based preferences (139,339), immediate relatives of U.S. citizens (453,158), diversity lottery (50,103), refugees and asylees (168,460), and other (16,049).¹² These numbers are consistent with those from the past few decades. In the ten years from 2000-2009, 10,299,430 people obtained legal permanent resident status.¹³ In addition to those obtaining legal permanent resident status, 694,193 people were naturalized as U.S. citizens in 2011,¹⁴ and 53,082,286 people were admitted into the U.S. on a temporary basis, such as a work, student, or tourist visa.¹⁵ Clearly, many people legally enter the U.S. each year.

The U.S. Immigration Process: Illegal Modes of Entry

Despite the large numbers of people granted legal permanent residence each year, there is virtually no option for a person without family or employment connections to obtain a green card in the U.S. A poor farmer in Mexico or a poor factory worker in El Salvador has literally no chance at entering the U.S. legally, unless he is fortunate to have relatives who have already gained legal status here. For the vast majority of those suffering in miserable economic conditions in Latin America, there is no legal process for them to enter the U.S. That fact certainly doesn't justify breaking immigration laws to enter the country, but it does help us understand the large number of undocumented immigrants in the U.S. Soerens and Hwang write,

¹⁰ Soerens and Hwang, *Welcoming the Stranger*, 78.

¹¹ United States Department of Homeland Security. *Yearbook of Immigration Statistics: 2011*. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics, 2012, p.10.

¹² United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 27.

¹³ United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 10.

¹⁴ United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 52.

¹⁵ United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 81.

If the issue were really (as anti-illegal-immigration activists often suggest) that people who are undocumented refuse to go through the legal channels and wait their turn, or are lazy, it would be entirely reasonable to think them outrageous for demanding to be subsequently rewarded for having entered (or overstayed) illegally....The reality, though, is that immigration today is not so simple, and most undocumented immigrants are undocumented not because they choose to remain undocumented, but because there is no process for them to enter legally or obtain legal status.¹⁶

There are two types of undocumented immigrants in the U.S. First, many undocumented immigrants entered the U.S. legally with a visa. They were among the tens of millions of workers or students or tourists who legally entered the U.S. for a specified duration of time. When their visas expired, however, these undocumented immigrants failed to leave the U.S. As a result, they are now illegally present in the U.S. The second type of undocumented immigrant is those who were never granted a visa and illegally crossed the border into the U.S. For obvious geographical reasons, the majority of these undocumented immigrants are Hispanics who entered the U.S. across its southwest border. It is important to note, however, that not all undocumented immigrants are Hispanics. Immigrants from all over the globe are among those who illegally overstayed their visas, including citizens of Canada, Europe, and other developed countries.

Although it is difficult to monitor the undocumented immigrant population, a 2012 Pew Hispanic Center study estimated that 11.2 million undocumented immigrants live in the U.S.¹⁷ That number is unchanged since 2009 and actually marks a decline from the peak of 12 million undocumented immigrants in 2007. This recent decline is a significant reversal after a two-decade pattern of growth,¹⁸ and it can be attributed to the fact that the number of Mexican undocumented immigrants has also declined in the last five years. The Pew Hispanic Center comments, “The largest wave of immigration in history from a single country to the United States has come to a standstill. After four decades that brought 12 million current immigrants—most of whom came illegally—the net migration flow from Mexico to the United States has stopped and may have reversed.”¹⁹ Despite the recent decline, the number of undocumented

¹⁶ Soerens and Hwang, *Welcoming the Stranger*, 65.

¹⁷ Jeffrey S. Passel, D’Vera Cohn, and Ana Gonzalez Barrera. “Net Migration from Mexico Falls to Zero—and Perhaps Less.” Washington, DC: Pew Hispanic Center (April 23, 2012), p.6.

¹⁸ Jeffrey S. Passel and D’Vera Cohn. “Unauthorized Immigrant Population: National and State Trends, 2010.” Washington, DC: Pew Hispanic Center (February 1, 2011), p.1.

¹⁹ Passel, Cohn, and Barrera, “Net Migration from Mexico Falls to Zero—and Perhaps Less,” p.6. At present, just over half (51%) of all current Mexican immigrants are undocumented, and some 58% of the estimated 11.2 million undocumented immigrants in the U.S. are Mexican.

immigrants living in the United States has tripled since 1990, when it was 3.5 million, and it has grown by a third since 2000, when it was 8.4 million.²⁰ As of March 2010, undocumented immigrants make up 3.7% of the nation's population and 5.2% of its labor force.²¹

A rather common sentiment is that immigrants today should simply enter the U.S. legally like the majority culture's European ancestors did a century or more ago. It is certainly legitimate to expect immigrants to enter the U.S. legally. It is important to realize, however, that the U.S. immigration laws changed drastically during the 20th century, as the U.S. gradually enacted stricter laws governing immigration. For example, the U.S. Border Patrol wasn't established until 1924. The times—and laws—have changed. Because of these changes, comparisons with legal immigrants of past generations, while true, are unproductive. Such a comparison, according to Soerens and Hwang, is “like a basketball coach bragging that his team scored 100 points in a game while a baseball coach's team scored only six—...the rules are completely different.”²²

The aspirations and dreams of my Norwegian ancestors were no different than the aspirations and dreams of Mexican immigrants today. Their motives were the same. Today's undocumented immigrants are not undocumented because they are more sinister or dangerous than immigrants of past generations. They are undocumented because the laws have changed.

Further, U.S. immigration laws treat immigrants differently based on their countries of origin. If my great-grandfather from Norway were to show up on U.S. shores today, he would be granted a six-month tourist visa, because citizens of countries in the European Union are granted tourist visas at U.S. entry points without applying for them in advance. Citizens of Latin American countries, however, must apply for visas in advance and are often denied. It is therefore also unproductive to compare Latin American immigrants with European immigrants.

That does not mean that it is unreasonable to expect that immigrants will follow current laws to enter the U.S., even if those laws have changed. That will be examined later. Instead of saying, “My grandparents did it the legal way,” however, it is necessary to address each present case individually. Recognize the commonality that exists between immigrants of all generations, and don't let the fact that your family is established here in the U.S. make you forget the human

²⁰ Passel and Cohn, “Unauthorized Immigrant Population: National and State Trends, 2010,” p.9. There are roughly 40 million foreign-born individuals in the U.S. In addition to undocumented immigrants, the U.S. foreign-born population also includes 14.9 million naturalized U.S. citizens and 12.4 million legal permanent residents.

²¹ Passel and Cohn, “Unauthorized Immigrant Population: National and State Trends, 2010,” p.2.

²² Soerens and Hwang, *Welcoming the Stranger*, 58.

side of undocumented immigrants. A document produced by the Evangelical Lutheran Church in America (ELCA) encourages us to see in them our own immigrant forefathers:

When a young immigrant woman is exploited by her employer, are we outraged? We would have been if that woman were our own mother or grandmother shortly after her arrival. When a beautiful array of people from around the world become citizens, do we rejoice? We would have when our own family became citizens. When leaders in our society promote negative stereotypes of newcomers or make them a “scapegoat” for social or economic ills in times of anxiety, are we appalled? We would have been to hear our own ethnic groups degraded when they first arrived.²³

There certainly are as many reasons for immigration as there are undocumented immigrants in the U.S., but understanding their rationale is important to being able to minister to them. First, many undocumented immigrants entered the U.S. illegally to be reunited with family members. As described above, the process for legally petitioning a visa or legal permanent resident status for a family member involves years of waiting. In a document entitled “Strangers No Longer Together On The Journey Of Hope,”²⁴ the United States Conference of Catholic Bishops explained the difficult decision these delays place on immigrant families:

The U.S. legal immigration system places per-country limits on visas for family members of U.S. legal permanent residents from Mexico. This cap, along with processing delays, has resulted in unacceptable waiting times for the legal reunification of a husband and wife, or of a parent and child. For example, the spouse or child of a Mexican-born legal permanent resident can wait approximately eight years to obtain a visa to join loved ones in the United States. Spouses and parents thus face a difficult decision: either honor their moral commitment to family and migrate to the United States without proper documentation, or wait in the system and face indefinite separation from loved ones.²⁵

While this quotation implies that the fault for this separation of families lies solely with the United States government,²⁶ it is still hard to imagine the difficulty of making such a decision.

Second, many undocumented immigrants enter the U.S. illegally to escape the economic conditions in their home countries. In Mexico, for example, 51% of the population lived below

²³ Evangelical Lutheran Church in America. *A Message on Immigration*. Copyright © November 1998, Evangelical Lutheran Church in America. Produced by the Department for Studies, Division for Church in Society, 8765 West Higgins Road, Chicago, IL, 60631-4190, p.2.

²⁴ The unorthodox capitalization of every word in the title reflects the title in the original document itself.

²⁵ “Strangers No Longer Together On The Journey Of Hope”. Issued by USCCB, January 22, 2003. Copyright © 2003, United States Conference of Catholic Bishops, Inc. and Conferencia del Episcopado Mexicano. All rights reserved. <http://www.usccb.org/issues-and-action/human-life-and-dignity/immigration/strangers-no-longer-together-on-the-journey-of-hope.cfm>. The form of the document used for this thesis was not paginated.

²⁶ For example, the initial decision of an individual to separate himself from his family and migrate to the U.S. in the first place was the decision of the individual and not the U.S. government.

the poverty line in 2010.²⁷ Despite that sobering statistic, the economic situation in Mexico is markedly better than that in Central America. Soerens describes the situation in Nicaragua: “Nearly half of its population lives in extreme poverty, on less than \$1 per day. Many there see the United States—whose streets are rumored to be paved in gold...—as the great hope for a better life for their families.”²⁸ Such economic hardships are unimaginable for many in the U.S.

Third, many undocumented immigrants enter the U.S. to escape the violence of their home countries. The drug wars in Mexico are well-known, and Mexicans are greeted on the news each morning with gory reports of decapitations and assassinations. As this thesis was being written, the mayor of a small Mexican town was murdered in the third attempt on her life,²⁹ and a popular Mexican beauty queen was killed along with two members of the Sinaloa drug cartel in a gun battle with police.³⁰ More than 47,500 people have died in drug related violence in Mexico since December 2006, and an additional 5,300 people have disappeared.³¹

What is not so well-known is the violence found throughout the rest of Latin America. Each year, the Citizens’ Council for Public Safety and Criminal Justice releases a study ranking the world’s most violent cities based on murder rates.³² The 2012 report lists San Pedro Sula of Honduras as the most violent city in the world, and the top 20 most violent cities in the world are all located in Latin America, including cities in Honduras, Mexico, Guatemala, Venezuela, Colombia, El Salvador, and Basil. Honduran immigrants in Houston told me that the terrified citizens of their country refuse to go outside after 6pm, and violent gangs are known to kill simply to steal the shoes off their victims’ feet. It was rare for me to meet an El Salvadorian who had not had someone in his immediate family murdered. An El Salvadorian women told me that what appeared to me to be the dangerous inner-city streets of Houston was the safest place she

²⁷ Passel, Cohn, and Barrera, “Net Migration from Mexico Falls to Zero—and Perhaps Less,” p.32. Although that poverty rate was the same in 2010 as it was in the 1980s, it soared to a peak of 69% in 1996.

²⁸ Soerens and Hwang, *Welcoming the Stranger*, 80.

²⁹ Mariano Castillo and Rafael Romo. “Defiant Former Mexican Mayor Killed.” *CNN.com*, November 28, 2012. http://www.cnn.com/2012/11/27/world/americas/mexico-former-mayor-killed/index.html?hpt=hp_t3 (accessed November 28, 2012).

³⁰ CNN Wire Staff. “Mexican Beauty Queen Killed in Shootout.” *CNN.com*, November 27, 2012. http://www.cnn.com/2012/11/26/world/americas/mexico-beauty-queen-death/index.html?hpt=hp_t3 (accessed November 28, 2012). The beauty queen was actually killed by the police as she sided with the drug cartel members.

³¹ CNN Wire Staff, “Mexican Beauty Queen Killed in Shootout,” accessed November 28, 2012.

³² The information used in this paragraph is taken from: Berlinger, Joshua. “The 50 Most Dangerous Cities in the World.” Published online in the *Business Insider*, October 9, 2012. <http://www.businessinsider.com/most-dangerous-cities-in-the-world-2012-10?op=1> (accessed November 28, 2012).

had ever seen—safer than she had ever dreamed possible. Such insecurity is unimaginable to Americans. If you had to shut your door out of terror at 6pm every night, what would you do?

If there is any doubt about the desperation many migrants feel in their home countries, consider the cost of immigration. An undocumented immigrant is willing to leave behind his loved ones, travel thousands of miles across hostile terrain, risk the drug cartels of Mexico, pay thousands to a ruthless “coyote” to take him across the border into the U.S., and crawl through the deserts of the American southwest for miles, all to work a low-paying job that most Americans would never dream of having. This shows the severity of the situation in his country.

A fourth reason why undocumented immigrants enter the U.S. illegally is because the U.S. economy invites them. The demand for workers from U.S. companies is the greatest force driving illegal immigration. If there were no jobs, they would not come. Soerens and Hwang describe the irony: “There is simply no legal way to immigrate for the majority of those who would like to do so, even though those who can arrive anyway do not seem to have difficulty finding willing employers.”³³ There is wide consensus that the current immigration laws don’t reflect the need for workers in the U.S. While it is estimated that the U.S. demand for foreign-born workers is around 500,000 a year, only 5,000 temporary worker visas are granted each year.³⁴ The U.S. economy welcomes many more immigrants each year than current laws allow.

It is helpful to note how integrated undocumented immigrants are into the U.S. economy. The fruit at the grocery store was likely picked by an undocumented immigrant. Your last hotel room was likely cleaned by an undocumented immigrant. Your meal at that American-sounding restaurant may have been cooked by an undocumented immigrant. An implicit acceptance of undocumented immigrants and their work is built into multiple levels of American society.

Enforcement of U.S. Immigration Laws

The large number of undocumented immigrants in the U.S. has led many to question the effectiveness of the current enforcement of immigration laws. Immigration enforcement is carried out by U.S. Immigration and Customs Enforcement (ICE). ICE’s mission is as follows.

To identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise

³³ Soerens and Hwang, *Welcoming the Stranger*, 80.

³⁴ Lutheran Immigration & Refugee Service. “Bible Study Guide: People on the Move • New Neighbors • Much to Give.” Baltimore, MD: 2012. <http://lirs.org/wp-content/uploads/2012/05/BNAMANUALBIBLESTUDY.pdf> (accessed December 30, 2012), p.7.

undermine the integrity of our immigration laws and our border control efforts. ERO upholds America's immigration laws at, within and beyond our borders through efficient enforcement and removal operations.³⁵

As its mission states, there is no doubt that ICE is currently enforcing U.S. immigration laws. In the 10 years from 2002-2011, 8,350,531 undocumented immigrants were removed from the United States and repatriated to their countries of origin.³⁶ The budget for the U.S. Border Patrol within the Department of Homeland Security (DHS) more than tripled from 2000 to 2011 and more than doubled from 2005 to 2011. The federal government doubled staffing along the southwest border from 2002 to 2011, expanded its use of surveillance technology, and built hundreds of miles of border fencing.³⁷ Although it has not always been the case, the present reality is that the U.S. is enforcing its immigration laws, at least along its southwest border.

It must be noted, however, that the number of undocumented immigrants removed from the United States has actually declined significantly over the last two years. The total of 323,542 deportations in 2011 was the lowest total since 1970.³⁸ Although these lower deportation numbers have led some to accuse the U.S. government and the Obama administration with lax enforcement, the opposite may be true. As stricter policies have been enacted along the southwest border, less people are attempting to cross the border, and less deportees are attempting to reenter the U.S. after being deported.³⁹ The Pew Hispanic Center comments,

In spite of (and perhaps because of) increases in the number of U.S. Border Patrol agents, apprehensions of Mexicans trying to cross the border illegally have plummeted in recent years... a likely indication that fewer unauthorized migrants are trying to cross.... As apprehensions at the border have declined, deportations of unauthorized Mexican immigrants—some of them picked up at work sites or after being arrested for other criminal violations—have risen to record levels.⁴⁰

Although there can be no doubt that the U.S. is actively enforcing its immigration laws, there is also no doubt that the U.S. is not enforcing its laws consistently. Anecdotal evidence of

³⁵ U.S. Immigration and Customs Enforcement webpage: <http://www.ice.gov/about/offices/enforcement-removal-operations/>. Accessed November 24, 2012.

³⁶ United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 102.

³⁷ Passel, Cohn, and Barrera, "Net Migration from Mexico Falls to Zero—and Perhaps Less," p.27.

³⁸ United States Department of Homeland Security, *Yearbook of Immigration Statistics: 2011*, 102. Over 800,000 undocumented immigrants were removed in very year from 1981-2008.

³⁹ Passel, Cohn, and Barrera, "Net Migration from Mexico Falls to Zero—and Perhaps Less," p.24. In 2010, six-in-ten (60%) Mexican migrants who were repatriated to Mexico said they would try to re-enter the U.S. within seven days. That statistic marks a significant decrease from an average of 81% who said so from 2005-2008.

⁴⁰ Passel, Cohn, and Barrera, "Net Migration from Mexico Falls to Zero—and Perhaps Less," p.9.

this abounds. I once met an undocumented immigrant in Milwaukee who was struggling to find work in the middle of the economic recession. He was homesick and tired of living his life in secrecy. So he walked into a Milwaukee police station, announced that he was an undocumented immigrant, and asked to be sent back to Mexico. The police officers laughed and told him to go away. Immigration was not their jurisdiction, and they had bigger problems to worry about.

I also once met a Honduran undocumented immigrant who was arrested for drunk driving. He was sentenced to time in jail and served a few months in prison. After his release from prison, he was turned over to immigration officials for possible deportation. At his immigration hearing, however, he was told that he didn't have to leave the country, and he was immediately released to his family, even though he remains an undocumented immigrant.

Every pastor involved with Hispanic outreach could present anecdotal evidence of the inconsistency with which U.S. immigration laws are enforced. One WELS pastor recounted,

I looked into the matter from the legal perspective. At the time (and I know these things are changing constantly) crossing the border illegally was considered a misdemeanor, putting it in the same category as a speeding ticket. I was told that they (immigration officials) didn't want anyone reporting illegal immigration nor anyone turning themselves in. They said the only way this crime is enforced is if one gets caught. It would be along the lines of me turning myself in later today knowing that I was doing some speeding earlier. To hear it explained in those terms helped me understand the root of the issue.

To further complicate matters, individual states and cities have begun addressing immigration in their own ways, adding further inconsistencies. Arizona's tough anti-immigration laws caused a firestorm around the country, while cities like New York have openly welcomed undocumented immigrants. New York City Mayor Michael Bloomberg commented on his city's undocumented immigrants: "Although they broke the law by illegally crossing our borders or overstaying their visas, our City's economy would be a shell of itself had they not, and it would collapse if they were deported. The same holds true for the nation."⁴¹ An ELCA resolution recognized this problem: "While states with the largest foreign-born populations...tend to propose bills that expand immigrants' rights, states newly experiencing rapid immigration growth...tend to propose bills that contract immigrants' rights."⁴² How can a WELS pastor wade through such conflicting laws? A WELS pastor commented, "While I do recognize that illegal

⁴¹ Soerens and Hwang, *Welcoming the Stranger*, 125.

⁴² Evangelical Lutheran Church in America. "A Social Policy Resolution: Toward Compassionate, Just, and Wise Immigration Reform." Adopted by the Church Council of the Evangelical Lutheran Church in America at its November 2009 meeting. Copyright 2010 by the Evangelical Lutheran Church in America, p.5.

immigration is against the laws of our nation, I live in an area where state and local laws or enforcement of laws conflict with federal laws. This puts everyone in a strange position.”

One thing almost everyone agrees on is that the U.S. immigration system needs to be fixed. In a 2012 presidential debate, President Barack Obama said, “We’re also a nation of laws. So what I’ve said is we need to fix a broken immigration system and I’ve done everything that I can on my own and sought cooperation from Congress to make sure that we fix the system.”⁴³

Less than a month later, John Boehner, the Republican Speaker of the House of Representatives, said, “This issue has been around far too long. . . . A comprehensive approach is long overdue, and I’m confident that the president, myself, others can find the common ground to take care of this issue once and for all.”⁴⁴ The aforementioned ELCA document states succinctly:

The massive number of unauthorized immigrants residing in the United States also has cast doubt on the federal government’s competence to carry out its immigration responsibilities. Such doubt follows from unresolved congressional debate, an overwhelmed and under-resourced immigration system, and obvious violations of immigration law on a vast scale.⁴⁵

Imagine what goes through an undocumented immigrant’s mind to hear the leaders of both parties of the U.S. saying, “Our laws are unclear and inconsistent. We need to and are going to change them soon.” Should they suffer hardship to keep laws that the U.S. freely admits will soon be changed? Richard Lund, a theologian from the Southern Baptist Convention, comments,

If our nation had been actively engaged in stopping people from crossing the border and in stopping people from hiring undocumented immigrants, this situation would never have arisen. But for decades, the government looked the other way. All too often we have allowed two signs to be posted at the border: “No Trespassing” and “Help Wanted.” The government’s failure to enforce the nation’s immigration laws served as an implicit acceptance of those who were entering the country illegally. The government was essentially winking at the transgression. For the government to suddenly begin enforcing those laws retroactively would be unjust toward those who have been led to believe, by decades of government inaction, that they are participating in an implied working arrangement in this country.⁴⁶

⁴³ 2012 Presidential Debate. October 16, 2012. http://politicalticker.blogs.cnn.com/2012/10/16/transcript-second-presidential-debate/?hpt=hp_t2. Accessed October 17, 2012.

⁴⁴ Liz Goodwin. “Sean Hannity, John Boehner Say GOP Should Tackle Immigration Reform.” <http://news.yahoo.com/blogs/ticket/sean-hannity-john-boehner-gop-tackle-immigration-reform-142212570--election.html>. Posted and accessed November 9, 2012.

⁴⁵ Evangelical Lutheran Church in America. “A Social Policy Resolution: Toward Compassionate, Just, and Wise Immigration Reform,” p. 5.

⁴⁶ Dr. Richard Land and Dr. Barrett Duke. “Just Immigration Reform: Foundational Principles.” The Ethics & Religious Liberties Commission of the Southern Baptist Convention, p.16-17.

As this thesis was being written, new legislation aimed at immigration reform was again making its way through the U.S. Senate and House of Representatives. Immigration reform could prove to be a major blessing for both Lutheran immigrants and the pastors who shepherd them, especially if such reform includes a pathway toward legal status for undocumented immigrants. If the government would clarify its laws and standardize its enforcement of those laws, many of the challenges posed by illegal immigration could quickly disappear. Those are some of the goals of recent proposals by both President Obama and some members of Congress:

The president...specified three pillars of immigration reform: better enforcement of immigration laws, providing a path to citizenship for the more than 11 million undocumented immigrants already in the country, and reforming the legal immigration system. To earn the opportunity for citizenship,...undocumented immigrants must first pass a background check, learn English, pay a penalty, and then get “in the back of the line” behind people trying to come to America legally. Millions of undocumented immigrants would get immediate but provisional status to live and work in the United States.⁴⁷

For now, however, the Lutheran pastor will minister to his people with the laws that are currently in force. It is necessary to ask what, if any, responsibilities the current immigration laws place on clergy. At the present time, clergy are not required or even encouraged to report undocumented immigrants to the authorities. WELS pastor Timothy Flunker reports,

The US government and the Department of Homeland Security have determined that religious organizations have no right or need to determine, inquire or enforce immigration status. Should they come upon the knowledge of such status, they will not be polled by the government to reveal that status to anyone at anytime.⁴⁸

Therefore, pastors have no legal responsibility to address the issue of illegal immigration in their congregations. That, however, doesn't make life easy for the pastor, because a pastor's legal responsibility is not the real issue. The real issue is what spiritual responsibility, if any, a pastor has to address the spiritual effects of illegal immigration in his congregation, and what guidance is proper for him to share with the undocumented immigrants in his community. If the legal aspects of immigration are complicated, the spiritual elements are even more complex. Examining them is the goal of the rest of this thesis. May God's Word grant us clarity.

⁴⁷ Dan Lothian, Jessica Yellin, and Tom Cohen. “‘Now's the Time' to Move on Immigration, Obama Says.” *CNN.com*, January 29, 2013. http://www.cnn.com/2013/01/29/politics/immigration-reform/index.html?hpt=hp_t3 (accessed January 29, 2013).

⁴⁸ Rev. Timothy Flunker. *A Biblical Guide to Understanding How to Handle the Illegal/Undocumented Immigration Situation*. A Bible study prepared for congregational use, p.4.

Literature Review

Contemporary Christian Resources

Although little has been written in the WELS on the topic of illegal immigration, much has been written within the last decade by other Christians. The plethora of recent books and articles on illegal immigration shows how important this topic is for the Christian Church today. At issue is whether illegal immigration involves sin against God, and to what extent a person's illegal status is a spiritual issue that should be addressed by the Christian Church. While it is a blessing that many Christians are studying this issue, the reality is that Christians have arrived at very different conclusions. Although the scope of this thesis prevents a thorough review of the many resources available, this literature review will summarize some of the more comprehensive resources and highlight key aspects of the immigration debate among American Christians.

A small but vocal minority of Christian writers opposes any acceptance of undocumented immigrants by the Christian Church. An example is Father Patrick J. Bascio, a retired Catholic priest, and his book *On the Immorality of Illegal Immigration*. Bascio admits that his position is outside the mainstream in American Christianity. He writes, "I believe that the Christian church, both here and abroad, has made a serious misjudgment, supporting a policy that has a long list of attendant evils. The Christian church currently favors an immigration policy that assists those who violate our laws rather than enter the legal process that leads to legal immigration."⁴⁹

Bascio's main biblical support for his position is the obedience to government commanded by God in Romans 13:1-7. He sees two problems in the arguments made by other Christians, an overemphasis on compassion and a lack of emphasis on obedience to government. He writes, "Neither church nor state should give even the slightest impression that the illegal immigrant is not obliged to obey the laws of the host nation. If the laws of the country were truly respected, the illegal immigrant would not be there in the first place." He adds, "Although Christianity encourages acts of charity, we cannot be both charitable and law breakers. We cannot rob Peter to pay Paul."⁵⁰ He encourages the Church to "look beyond its rose-colored glasses of 'compassion for the poor'" and see the devastating effects of illegal immigration.⁵¹

⁴⁹ Bascio, Patrick J. *On the Immorality of Illegal Immigration*. LaVergne, TN: AuthorHouse, 2009, p.1.

⁵⁰ Bascio, *On the Immorality of Illegal Immigration*, pp.18 and 10 respectively.

⁵¹ Bascio, *On the Immorality of Illegal Immigration*, 22.

Although he claims to base his arguments on God’s Word and its command to submit to government, the majority of the arguments in Bascio’s book are based on factors other than the Bible, including race, crime, and economics. His conclusion is that undocumented immigrants should return to their countries in obedience to God’s command and for the good of all involved.

The majority of Christian writers today approach illegal immigration from a completely different perspective. In fact, Dr. M. Daniel Carroll R., a professor of Old Testament at Denver Seminary, insists, “If one begins here [with Romans 13], any sensible discussion about Hispanic immigration is quickly aborted.”⁵² He chides people like Bascio for letting ideology get in the way of being a Christian: “When I have engaged Christians in conversation about immigration, I have found that more often than not this choice has had little to do with Christian convictions and much to do with ideological commitments and personal background and experience.”⁵³

Instead of starting with Romans 13, Carroll and others start in the Old Testament with God’s commands to his people to show compassion to the alien and the stranger. To them, compassion for the stranger becomes the essence of being a Christian as he reflects God’s love. Their writing is filled with compassion and love for undocumented immigrants. Carroll writes,

We should recognize that the way it deals with the foreigner says something very important about the heart of Israel and of its God who gave them these rules. . . . The laws reflect something deeper: Israel’s stance toward the foreigner was part of the larger fabric of its ethical life. It was part of the ethos of what it meant to be the people of God.⁵⁴

Ben Daniel, a Presbyterian minister in northern California, stresses God’s compassion in a similar way. He writes, “If God is walking with immigrants as they ford the Rio Grande, if God accompanies undocumented folks through the fiery heat of the desert, then perhaps American Christians need to walk with immigrants as well—not just to influence public policy, but to strengthen our faith and to deepen our spiritual connection to the Divine.”⁵⁵ In his concern for the needs of the immigrant, Daniel goes so far as to say that the pursuit of happiness is “an inalienable right, endowed upon humanity by a benevolent Creator.”⁵⁶ This hermeneutic of

⁵² Carroll R, M Daniel. *Christians at the Border: Immigration, the Church, and the Bible*. Grand Rapids: Baker, 2008, p.131.

⁵³ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 136.

⁵⁴ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 99.

⁵⁵ Daniel, Ben. *Neighbor: Christian Encounters with “Illegal” Immigration*. Louisville: Westminster John Knox Press, 2010, p.12.

⁵⁶ Daniel, *Neighbor: Christian Encounters with “Illegal” Immigration*, 83.

compassion and acceptance over all leads Daniel to connect the acceptance of gays and lesbians in a congregation with its willingness to reach out to and accept undocumented immigrants.⁵⁷

When illegal immigration is approached purely from the perspective of compassion and love for the stranger, it is difficult to support any restriction on immigration or see any need to address illegal immigration within a congregation. Daniel writes forcefully on this point:

To say that Christians should respond to the immigration crisis by supporting the enforcement of increasingly strict national anti-immigration laws, even if the enforcement of such laws causes human suffering, is to say that international borders are more deserving of protection than are the humans who cross them. Such an approach renders to Caesar what belongs to God. It does not reflect the Bible's word or spirit. It's hard to imagine Jesus...taking such a view of immigration.⁵⁸

Although Daniel and Carroll acknowledge that God does command obedience to government in verses such as Romans 13, they downplay those commands by appealing to the higher law of love and insisting that often it is necessary to disobey unjust laws. Daniel writes,

Faithful Christians are responsible to disobey those human laws that run contrary to biblical values. Christians are to be spiritual immigrants, citizens of a kingdom not of this world. A Christian's proper loyalty is directed first to the kingdom of God before it is pledged to an earthly nation, and that hierarchy of fidelity necessarily causes us to question laws even when set down by an emperor whose reign was established by God.⁵⁹

Carroll agrees that a Christian has the right and responsibility to disobey unjust laws. He writes,

If one believes that these laws do not fit the teaching of the Bible and the ethical demands of the heart of God, some Christians will not say 'What is it about 'illegal' that you don't understand?'; instead, they might declare with the apostles Peter and John: 'Judge for yourselves whether it is right in God's sight to obey you rather than God' (Acts 4:19).⁶⁰

Daniel goes so far as to say, "Regardless of the biblical mandate to be subject to 'governing authorities,' and to 'honor the emperor,' Christians have a strong tradition of finding it necessary sometimes to resist immoral laws," and "Christians have a long tradition of breaking the law for the sake of God's kingdom."⁶¹ The extreme of this position can be seen at the end of Daniel's book, in which he encourages Christians to read Psalm 23 with reference to Christ as the good Shepherd who leads his people—immigrants—into the United States. He quotes

⁵⁷ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, 130.

⁵⁸ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, 52.

⁵⁹ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, 42.

⁶⁰ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 132.

⁶¹ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, pp.44 and 46, respectively.

approvingly a comment comparing Jesus to a law-breaking “coyote”—el Buen Coyote: “I’ve been seeing Jesus more and more as our ‘Buen Coyote.’ Jesus crosses us over into the kingdom against the law, by grace. We cannot save ourselves through observing laws. Jesus liberates us, Jesus saves us. He doesn’t even charge. He just wants us to trust him and to follow.”⁶²

With Daniel and Carroll, the majority of Christian writers today conclude that Christian compassion and love lead Christians to accept undocumented immigrants with little regard for their breaking of federal laws. Although that might surprise those who are accustomed to anti-immigration sound bites from the religious right, it fits perfectly with the overarching principle in modern Christianity of toleration and acceptance for all. A common characteristic of this type of Christian literature is an abundance of anecdotal evidence and personal stories with less time spent on biblical study. It is a pragmatic and heart-driven approach to illegal immigration.

Dr. James K. Hoffmeier, a professor at Trinity International University, also promotes a compassionate approach to illegal immigration, but he is not willing to encourage disobedience to law. He laments, “It is astonishing that some supporters of immigration reform or immigrants’ rights treat Romans 13 rather cavalierly.”⁶³ He refers to Carroll specifically and writes:

For Carroll, the starting point is that the immigrant should be viewed as being made in the image of God regardless of whether he or she has the proper legal documentation. Certainly any nation should treat visitors, legal or otherwise, with dignity and respect. As a Christian I expect that of my country. However, that does not mean that because people are made in the image of God..., a government official or authority should look the other way when a crime is committed. There is no basis in Scripture for such a stance.... Naturally, people who believe in the Bible as a source of authority should be held to an even higher standard.⁶⁴

Hoffmeier quotes Luther’s *Commentary on the Epistle to the Romans*, “Even though rulers are wicked and unbelieving, yet is their governmental power good (in itself) and of God. So our Lord said to Pilate, to whom He submitted Himself as a pattern for us all.”⁶⁵ He writes,

Clearly the person who fears God and believes that he is sovereignty [sic] controlling the course of human events will be motivated by conscience to follow the edicts of the state unless there is a very clear conflict with the teachings of Scripture. Based on this clear instruction, I believe that citizens and foreigners should be subject to a nation’s laws, and

⁶² Daniel, *Neighbor: Christian Encounters with “Illegal” Immigration*, 152.

⁶³ Hoffmeier, James K. *The Immigration Crisis: Immigrants, Aliens, and the Bible*. Wheaton, IL: Crossway, 2009, p.144.

⁶⁴ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 144-145.

⁶⁵ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 142.

this applies to immigration laws and how one enters a country and becomes a legal resident (or citizen).⁶⁶

Based on his study of the same Old Testament passages used by Carroll and Daniel, Hoffmeier insists that the treatment of foreigners in the Old Testament teaches us that legal and undocumented immigrants must be distinguished from one another. He writes, “Carroll has clouded the issue by not distinguishing legal from illegal immigrants vis-à-vis the responsibility of government. . . . As I have shown in the earlier chapters, biblical law does differentiate the legal alien (*ger*) from the foreigner (*nekhar*) who does not have resident status.”⁶⁷ In the end, Hoffmeier, like Bascio, concludes that legal immigrants should be welcomed with full Christian compassion, but undocumented immigrants should be encouraged to return to their countries.

As an example of the intensity of the illegal immigration debate among Christian writers, Carroll responded with a review of Hoffmeier’s book.⁶⁸ In it, he criticizes Hoffmeier’s approach,

One wonders about the level of Hoffmeier’s acquaintance with current immigration law. He seems to assume that this nation’s present immigration laws are fair and coherent (although he might take the stance that their content is irrelevant and that the laws of the land are to be obeyed without question) and that simply to point out that countries have the right to maintain their borders is enough to refute those who advocate on behalf of undocumented immigrants. This perspective reflects an ignorance (whether unintentional or deliberate) of the very checkered history of immigration into the United States. . . .

Contrary to Hoffmeier, Carroll insists that Christians should disobey unjust laws. He writes, “When governments deny official entry, human need drives people to seek it by other needs.”

Another attempt at a biblically-balanced approach was written by Soerens and Hwang. Contrary to Daniel, they affirm the right of nations to enforce their borders: “There is nothing inherently unjust about a nation having borders,” and they understand the biblical principles at play: “We seem to be faced with a dilemma, then: Scripture tells us to welcome and care for immigrants, without reference to legal status, but it also commands us to obey and respect the laws created by the governing authorities. Given this apparent paradox, it is understandable that Christians who take Scripture very seriously have diverging opinions on this topic.”⁶⁹

⁶⁶ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 142.

⁶⁷ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 150. Hoffmeier’s in-depth analysis of many pertinent Old Testament passages is found in chapters 4 and 5 of his book, pages 71-112.

⁶⁸ M. Daniel Carroll R., Review of James K. Hoffmeier, “The Immigration Crisis: Immigrants, Aliens, and the Bible,” *The Denver Journal: An Online Review of Current Biblical and Theological Studies*, Vol. 13, January 2010. <http://www.denverseminary.edu/article/the-immigration-crisis-immigrants-aliens-and-the-bible/>. Unpaginated.

⁶⁹ Soerens and Hwang, *Welcoming the Stranger*, 109-110.

Ultimately, however, Soerens and Hwang answer that paradox with conclusions similar to those of Carroll and Daniel. They emphasize compassion as the highest Christian principle which overrides other directives given by God. Quoting a speech by Roman Catholic Cardinal Roger Mahoney, they write, “As Christians...there are no prior commitments that can overrule, or trump, this biblical tradition of compassion for the stranger, the alien, and the worker.” They also conclude that God’s command to obey the government applies only to just laws:

The Christian who accepts his subjection to government retains his moral independence and judgment. The authority of government is not self-justifying...While we recognize that everyone must submit to the governing authorities, which God has established, we must simultaneously recognize that laws were created for the well-being of human beings and society. The question for us if we are to seek God’s justice, then is not only what the law is and is it being followed, but is the law itself just? Ultimately the laws must answer to God’s higher law, which requires us to treat all human life with sanctity.⁷⁰

Finally, two pastors within the Lutheran Church – Missouri Synod (LCMS) have written about illegal immigration: Dr. Leopoldo Sánchez, the director of the Center for Hispanic Studies at Concordia Seminary in St. Louis, and Rev. Aurelio Magariño, the president of the Hispanic Lutheran Conference of the LCMS and author of *Justicia Social en un Mundo Injusto*.⁷¹

In his articles, Sánchez consistently stresses three main themes. First, he emphasizes the doctrine of the two kingdoms and the different offices God has ordained for the church and the state. He is quick to point out that the church’s primary mission is to preach the gospel: “There can be no compromise on the church’s fundamental call, responsibility, and privilege to proclaim the Gospel and do the works of mercy on behalf of all people regardless of their legal status...”⁷²

As he writes about the government’s temporal authority, Sánchez believes that Christians must distinguish between the office of the government and governmental officials. Since governmental officials can err, a Christian’s obedience to his government’s laws is not blind obedience. He has the right and responsibility to examine the laws and disobey those that appear to him to be unjust. It will be important to examine this conclusion in the light of Scripture.

Often it is distinguished between the *office* of the Gospel or of the government that God has instituted and the *person* who occupies that office at any given moment. For example,

⁷⁰ The two quotes are taken from Soerens and Hwang, *Welcoming the Stranger*, 137 and 109 respectively.

⁷¹ This book—*Social Justice in an Unjust World*—is not available in English. When it is quoted below, my personal translation will appear in the body of the thesis, while Magariño’s original words in Spanish will appear in a footnote. This same procedure will be followed throughout this thesis when works written in Spanish are cited.

⁷² Sánchez, Leopoldo. “Immigrants Among Us: What Are Confessional Lutherans to Do.” *LOGIA* 19/1 (2010): 58.

even though the office of the government is in itself instituted by God, the person who occupies that office often can err, and for that reason laws can be questioned and even rejected if they appear to go against the law of God, whose goal is always to promote the good of the neighbor. Those who advocate for the mission of the church among immigrants, without any distinction on account of legal status, give a certain priority to the advancement of the vocation of every baptized Christian in the spiritual realm over the advancement of his duty as a citizen to obey absolutely and without question the immigration laws. They don't do this because they want to disobey the laws in and of themselves, but because they are not convinced that the laws in reality are for the good of all. It's a matter of conscience.⁷³

Second, Sánchez emphasizes the doctrine of vocation as a distinctly Lutheran addition to the immigration debate. Your God-given vocation informs you both *how* and *whom* to love and serve. Christians in different vocations will emphasize different principles, such as obedience to law or compassion for others, based on whom their neighbors are. He writes, "From their respective vocations, it is to be expected that each person look out for and give priority to the needs of the neighbor *closest to him*."⁷⁴ Sánchez notes that Janice Brewer, the Arizona governor known for her anti-illegal immigration stance, is an LCMS member carrying out her vocation.⁷⁵ She and a defense lawyer will naturally emphasize different principles in their vocations:

Through the teaching of vocation, Christians learn that their concrete neighbor(s) will determine to some extent how much weight they give to various factors (for example, poverty, border security, labor demand, law enforcement, just wages, and family unity) in the immigration debate. They also learn to live in this world with a solid commitment to the Gospel and the neighbor, but also a variable measure of flexibility and ambiguity when dealing with complex and debated issues such as immigration where it is not yet evident or clear that the civil law always or even mostly promotes what is good, just, and reasonable.⁷⁶

⁷³ The original Spanish reads: "Se distingue a menudo entre el *oficio* del evangelio o del gobernante que Dios ha instituido y la *persona* que lo ocupa en un determinado momento. Así pues, por ejemplo, aunque el oficio del gobernante en sí es instituido por Dios, el ocupante del mismo puede errar y por ello leyes pueden ser cuestionadas y aún rechazadas si estas parecen irse en contra de la ley de Dios cuyo fin es promover siempre el bien del prójimo. Aquellos que abogan por la misión de la iglesia entre inmigrantes sin distinción de status legal dan cierta prioridad a la promoción de la vocación de todo cristiano bautizado en la esfera espiritual por encima de la promoción de su deber como ciudadano de obedecer las leyes migratorias de forma absoluta y sin cuestionamiento. Lo hacen a menudo no por querer desobedecer las leyes en sí, sino porque no están convencidos de que estas son en la actualidad de beneficio para todos. Es cuestión de conciencia." Sánchez, Leopoldo. "Misión e inmigración: Pedagogía para trabajar entre los inmigrantes." *Missio Apostolica* 16/1 (2008): 70-71.

⁷⁴ The original Spanish reads: "Desde sus respectivas vocaciones, es de esperarse que cada uno vele por y dé prioridad a las necesidades de su prójimo *más cercano*." Sánchez, "Misión e inmigración: Pedagogía para trabajar entre los inmigrantes," 72.

⁷⁵ Sánchez, Leopoldo. "Arizona Neighbor On My Mind." ConcordiaTheology.Org. <http://concordiatheology.org/2010/05/arizona-neighbor-on-my-mind> (accessed December 27, 2012).

⁷⁶ Sánchez, "Immigrants Among Us: What Are Confessional Lutherans to Do," 58.

Finally, Sánchez emphasizes that Christians have the freedom to disagree in their attitudes and opinions concerning illegal immigration, since there are subjective elements involved. He writes, “We can then acknowledge that, among Christians, there can be a spectrum of opinions and even heated debate regarding what is (and what is not) just, good, reasonable, and peace building about current immigration law. Such disagreements, however, should not infringe upon our unity in Christ, which the Gospel alone brings about and nurtures.”⁷⁷ He adds,

Someday I really would love to see governor Jan Brewer, member of a LCMS congregation, and President Magariño from the Hispanic Lutheran Convention of the LCMS, have coffee together and talk about law, vocation, and neighbor. Better yet, I would love to see them take the Lord’s body and blood together at the same altar. That should be no problem: Disagreements on the law should not get in the way of our unity in Christ which the Gospel creates and sustains.⁷⁸

Aurelio Magariño, Sánchez’s colleague in the LCMS, approaches illegal immigration from a slightly different perspective in his book *Justicia Social en un Mundo Injusto*. He believes that undocumented immigrants have a right to be in this country. He argues that those who abandon their home countries because of a lack of economic opportunities ought to be welcomed in the U.S. as refugees, since “to want to have a better life is a just aspiration.”⁷⁹ Later, he adds, “Hunger is stronger than the law.”⁸⁰ Magariño never associates any sin or guilt with illegal immigration, and in the 45 pages dedicated to immigration in his book, he only mentions Romans 13 and God’s command to obey the government once in passing. In contrast, he calls new laws against illegal immigration “clear examples of a growing climate of intolerance”⁸¹ and criticizes the U.S. government because it “maintains a clearly discriminatory brand of politics.”⁸²

Magariño emphasizes that God’s command to love our neighbor supersedes politics, laws, and even creeds. He quotes many other authors in his book, and two will be noted here as a short summary of his arguments. First, he quotes favorably these words by Daniel G. Groody in

⁷⁷ Sánchez, “Immigrants Among Us: What Are Confessional Lutherans to Do,” 58.

⁷⁸ Sánchez, “Arizona Neighbor On My Mind.”

⁷⁹ The original Spanish reads: “Es una aspiración justa querer tener una vida mejor.” Magariño, Aurelio. *Justicia Social en un Mundo Injusto*. Saint Louis: Editorial Concordia, 2009, 105.

⁸⁰ Spanish: “El hambre es más fuerte que la ley.” Magariño, *Justicia Social en un Mundo Injusto*, 140.

⁸¹ Spanish: “...ejemplos claros del crecimiento de un clima de intolerancia.” Magariño, *Justicia Social en un Mundo Injusto*, 133.

⁸² Spanish: “...mantiene una política claramente discriminatoria.” Magariño, *Justicia Social en un Mundo Injusto*, 139.

which Christians are encouraged to see Jesus and his crucifixion in the suffering of immigrants. He implies that undocumented immigrants today innocently suffer injustice just as Jesus did:

What we want to bring to the forefront is the human face of the immigrant and the face of Christ crucified in the immigrant. The path an immigrant takes is the path of the cross. In one sense, they are the people who are crucified today. Although they certainly don't have a monopoly on suffering, they in many ways experience a social crucifixion since they are far away from their families. They experience a political crucifixion when they are called illegal immigrants, an economic crucifixion in their poverty, and at times an emotional crucifixion in their loneliness.⁸³

Second, Magariño argues that these are the very people who should be welcomed and helped and served by the church, regardless of their immigrant status, because the church is the place where differences can be set aside. He favorably quotes Jürgen Moltmann, who writes,

The church is not a dogmatic religious community of people who think the same way. In a concrete way, it is the overcoming of exclusive and repressive societies and their limitations. It is only by means of this community that people are able to overcome the boundaries that separate some people from others and that are the sources of such fear and contempt. . . . Everyone is the same in Christ. One person moves closer to another in Christ, who liberates them from their narrow-mindedness and their borders. To be in a "Christian Community" does not mean that you are together with someone who always agrees with you. Instead, it means that you place yourself at the side of someone with whom you don't agree.⁸⁴

He implies that differences in legal status—and doctrine—can be set aside within the church.

Official Statements from Other Christian Denominations

Within the last five years, many Christian denominations in the U.S. have also issued formal statements or studies on illegal immigration. That fact again proves the timeliness of this topic and its relevance for the Christian Church today. The majority of these denominational statements are readily available on the websites of the respective denominations. Keep in mind

⁸³ The original Spanish reads: "Lo que queremos poner al frente es el rostro humano del inmigrante y el rostro del Cristo crucificado en el inmigrante. El camino del inmigrante es el camino de la cruz. En un sentido ellos son las gentes crucificadas hoy. Aunque ciertamente ellos no tienen el monopolio del sufrimiento, pero en muchas maneras experimentan una crucifixión social al estar alejados de sus familiares. Experimentan una crucifixión política al ser llamado inmigrantes ilegales, una crucifixión económica en su pobreza, y algunas veces una crucifixión emocional en su soledad." Magariño, *Justicia Social en un Mundo Injusto*, 141.

⁸⁴ The original Spanish reads: "La iglesia no es una comunidad religioso-dogmática de quienes piensan lo mismo. Es la superación concreta de las sociedades exclusivistas y represivas y de sus limitaciones. Sólo mediante esta comunidad pueden superarse los linderos que separan a unos hombres de otros y que son la fuente de tanto miedo y de tanto desprecio. . . . Todos son una misma cosa en Cristo. El uno se acerca al otro en Cristo, que es el liberador de sus estrecheces y sus fronteras. Comunidad Cristiana no quiere decir estar junto a aquél con quien siempre se está de acuerdo, sino ponerse al lado de aquél con quien no se coincide." Magariño, *Justicia Social en un Mundo Injusto*, 145.

that the key issue is whether illegal immigration involves sin against God, and to what extent a person's illegal status is a spiritual issue that should be addressed by the Christian Church.

The majority of Christian denominations in the U.S. today have concluded that Christian compassion and love should lead Christians to accept undocumented immigrants with little regard for their breaking of federal laws. It is not surprising that the Roman Catholic Church has produced the most literature on illegal immigration, since the majority of undocumented immigrants enter the U.S. as Catholics. The most thorough examination of illegal immigration by the Roman Catholic Church is the essay referenced above entitled *Strangers No Longer Together On The Journey of Hope*, issued by the United States Conference of Catholic Bishops in 2003.⁸⁵

One main argument of *Strangers No Longer* is the belief that every person in the world has the God-given right to migrate. It states, "Catholic teaching has a long and rich tradition in defending the right to migrate." This position has been affirmed by various popes. *Strangers No Longer* cites the apostolic constitution *Exsul Familia*, in which Pope Pius XII affirmed that "all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate." No Bible references are given for any biblical foundation for that teaching.

Naturally, if people have the right to migrate from their present country, they necessarily have the right to immigrate into another country. *Strangers No Longer* reaches this conclusion:

The sovereignty of the State, although it must be respected, cannot be exaggerated to the point that access to this land is, for inadequate or unjustified reasons, denied to needy and decent people from other nations, provided of course, that the public wealth, considered very carefully, does not forbid this. In his landmark encyclical *Pacem in Terris*, Blessed Pope John XXIII expands the right to migrate as well as the right to not have to migrate: "Every human being has the right to freedom of movement and of residence within the confines of his own country; and, when there are just reasons for it, the right to emigrate to other countries and take up residence there."

Despite this position, the Roman Catholic Church does insist that nations have the right to control their borders, but it lays a special responsibility on wealthy nations to accept all law-abiding immigrants. *Strangers No Longer* attempts to balance two issues in this way:

II. Persons have the right to migrate to support themselves and their families. 35.

The Church recognizes that all the goods of the earth belong to all people. When persons cannot find employment in their country of origin to support themselves and their families, they have a right to find work elsewhere in order to survive. Sovereign nations

⁸⁵ United States Conference of Catholic Bishops, "Strangers No Longer Together On The Journey Of Hope." The document used for this paper was not paginated, so quotations will not be footnoted.

should provide ways to accommodate this right. **III. Sovereign nations have the right to control their borders.** 36. The Church recognizes the right of sovereign nations to control their territories but rejects such control when it is exerted merely for the purpose of acquiring additional wealth. More powerful economic nations, which have the ability to protect and feed their residents, have a stronger obligation to accommodate migration flows.

The Evangelical Lutheran Church in America (ELCA) unequivocally states its position: “This church acknowledges its responsibility of ministering to and advocating the human rights of undocumented aliens now in Canada and the United States.”⁸⁶ It explains,

The leaders and congregations that have given us this legacy remind us that hospitality for the uprooted is a way to live out the biblical call to love the neighbor in response to God’s love in Jesus Christ. They recall for us God’s command to Israel: “The stranger who resides with you shall be to you as the citizen among you; you shall love the stranger as yourself, for you were strangers in the land of Egypt: I am the Lord your God” (Leviticus 19:34). They direct us to where Jesus said he is present: “I was a stranger and you welcomed me” (Matthew 25: 35). They call on Martin Luther to ask us: “How do we know that the love of God dwells in us? If we take upon ourselves the need of the neighbor.” Our desire is to carry on their faith and practice, their exemplary way of faith being active in love. “We pledge to continue our church’s historic leadership in caring for refugees and immigrants.”⁸⁷

“A Message on Immigration” makes no reference to Romans 13 or obedience to government. A later ELCA resolution notes that omission but cautions about the proper limits of obedience to government: “The ELCA’s posture toward governing authorities is one of critical respect—respectful of their role to serve the common good, yet critical of unjust and harmful ideologies, structures, and processes.”⁸⁸ Clearly, ELCA’s position is that the immigration laws of the U.S. are “unjust and harmful” and ought to be disobeyed. That same resolution also uses the “right to migrate” argument as proposed by the Roman Catholic Church: “The ELCA advocates especially for the right to migrate to support oneself or one’s family, the right not to be forced to migrate, the right to be reunited with family, and the right to just working conditions.”⁸⁹

⁸⁶ Evangelical Lutheran Church in America. *A Message on Immigration*. Copyright © November 1998, Evangelical Lutheran Church in America. Produced by the Department for Studies, Division for Church in Society, 8765 West Higgins Road, Chicago, IL, 60631-4190, p.2.

⁸⁷ ELCA, *A Message on Immigration*, 3.

⁸⁸ Evangelical Lutheran Church in America. *A Social Policy Resolution: Toward Compassionate, Just, and Wise Immigration Reform*. Adopted by the Church Council of the Evangelical Lutheran Church in America at its November 2009 meeting. Copyright 2010 by the Evangelical Lutheran Church in America, p.2. The same page states, “Not cited in the 1998 message but also relevant is Romans 13:1-7 and related Lutheran interpretations about the proper limits of obedience to government.”

⁸⁹ ELCA, *A Social Policy Resolution: Toward Compassionate, Just, and Wise Immigration Reform*, 8.

Although space does not permit it here, a study of the statements on illegal immigration issued by the United Methodist Church and the Episcopal Church reveals a similar position.⁹⁰ A common theme within American Christianity is the principle of expressing solidarity with undocumented immigrants and a desire to actively pursue changing the laws to their benefit.

One final denomination's statements ought to be examined briefly. In 2006, then LCMS President Dr. Gerald B. Kieschnick and then Director of LCMS World Relief/Human Care Reverend Matthew Harrison issued a statement titled "Joint Statement Regarding Immigration Concerns."⁹¹ The "Joint Statement" highlights the immigrant history of the LCMS and reminds of the Christian principle of love for all: "The Lord Himself set the standard for responding to 'the stranger in our midst.' Jesus Christ sought out, welcomed, and cared for people in need. He acted in mercy without respect to ethnicity, religion, or nationality. The LCMS seeks to respond in similar manner." At the same time, however, it affirms the government's God-given authority:

The Lutheran Church--Missouri Synod affirms the right, responsibility, and authority of the government to act as God's agent, according to what is reasonable and just, in the creation and enforcement of laws (Romans 13:1-7). It follows that we recognize and affirm the responsibility of the government to regulate immigration in a godly manner while considering the many factors that deserve careful attention.

The document stresses that different Christians may reach different conclusions regarding illegal immigration, but it encourages a special emphasis on love for the stranger: "Christians equally committed to God's Word may reasonably arrive at different conclusions on specific aspects of these issues and their resolution. However, this much is certain: God, in His Word, consistently shows His loving concern for 'the stranger in our midst' and directs His people to do the same." It concludes with a plea for understanding toward those ministering to undocumented immigrants: "We also request that the charitable act of providing assistance to undocumented aliens not otherwise engaged in illegal activity not be criminalized *ipso facto*." Because of its short length, the "Joint Statement" offers no practical applications for the Lutheran pastor.

⁹⁰ An example of a statement by the United Methodist Church is "Welcoming the Migrant to the US," located at: http://www.umc.org/site/apps/nlnet/content2.aspx?c=1wL4KnN1LtH&b=4951419&content_id={A603D0B4-3680-42C7-8993-F814DBCA13D3}¬oc=1 (accessed October 1, 2012). An example of a statement by the House of Bishops of the Episcopal Church is "The Nation and the Common Good: Reflections on Immigration Reform," located at <http://www.episcopalchurch.org/notice/house-bishops-issues-pastoral-letter-along-theological-resource-%C2%93-nation-and-common-good-refl> (accessed October 2, 2012).

⁹¹ Dr. Gerald B. Kieschnick and Rev. Matthew Harrison. "Joint Statement Regarding Immigration Concerns." Issued June 2, 2006 to The Lutheran Church – Missouri Synod. The document is not paginated. Therefore, quotes from this document will not be footnoted. The "Joint Statement" is included in the appendices.

After the “Joint Statement” in June 2006, then LCMS President Gerald Kieschnick appointed the Blue Ribbon Task Force on Hispanic Ministry. That task force recommended that the LCMS Commission on Theology and Church Relations (CTCR) prepare a position paper on immigration that would “consider the Christian’s legal and biblical responsibilities for ‘welcoming the stranger.’”⁹² That CTCR report—“Immigrants Among Us: A Lutheran Framework for Addressing Immigration Issues”—was released in February 2013.⁹³ Although its release came after the writing of this thesis, “Immigrants Among Us” provides a helpful study of illegal immigration and is worthy of further evaluation by those involved in Hispanic outreach.

Clearly, Christians are boldly confronting the challenges of illegal immigration. There are aspects of the positions quoted in this literature review that are to be commended. Some write beautifully about God’s love and compassion and encourage us to mirror that love to all. Others write convincingly about the God-given authority of government and encourage us to keep and defend God’s commands. This study, however, has revealed that there is an impasse within American Christianity on whether illegal immigration is a sin and how the Christian Church should react to it. Here are some general observations. First, missing in many of these resources are practical applications for a pastor as he faces the challenges of ministering to undocumented immigrants. More practical guidance is needed. Second, the positions stated in this review elicit two questions: 1) Does practice formulate doctrine, or does doctrine formulate practice? 2) Does one biblical principle—compassion for the stranger or obedience to the government—necessarily have to be followed at the exclusion of the other? Does a biblically-balanced position exist?

Biblical Study

Immigration in the Bible

Although the issue of illegal immigration as it applies to the United States today is not specifically addressed in the Bible, it is amazing to study the presence of immigration in the Scriptures. We began this paper by talking about God’s people as strangers in the world. The truth is that God asked many of his people to literally live as strangers in the world. Think of all the main biblical characters who spent some or all of their lives as strangers in a new or different land. Often, our familiarity with the stories causes us to miss this important detail.

⁹² Lutheran Church – Missouri Synod. *Report of the Blue Ribbon Task Force on Hispanic Ministry Report: One Mission, One Message, One People / Una Misión, Un Mensaje, Un Pueblo* (2007), 12.

⁹³ A copy of the CTCR report can be downloaded from the CTCR webpage: <http://lcms.org/?pid=675>.

The first immigrants were our first parents—Adam and Eve. After eating the forbidden fruit, they were banished from the Garden of Eden and forced to find a new home (Ge 3:21-24). Cain faced a similar fate. After killing Abel, he was “driven from the ground” and became a “restless wanderer on the earth” (Ge 4:11-12). Noah and his family walked out of the ark into a strange place in a strange world that they were to repopulate (Ge 9:1-3). Jacob fled to Haran and lived many years there (Ge 27:41-46). Joseph was sold as a slave to Egypt and lived his adult life in a strange land (Ge 27). The entire nation of Israel spent 400 years as strangers—even unwanted strangers—in Egypt. Moses lived for forty years in Midian and named his firstborn son Gershom—“an alien there”—saying, “I have become an alien in a foreign land” (Ex 2:21). David spent years of his life on the run, including an extended stay in Philistia (1 Sa 27). The people of Israel were deported to Assyria. The people of Judah were exiled in Babylon. Even Jesus himself was forced to flee for his life and lived for a time as a stranger in Egypt (Mt 2). Paul, Philip, and all the other early missionaries knew what it was like to live in a foreign land.

Some say that America is a nation of immigrants. It is equally true to say that God’s people are a people of immigrants—literally. God’s people throughout the Bible bounced from place to place. Sometimes their migration was a result of sin. Sometimes it was done at God’s command. In every case, however, God was reminding his people that their permanent home was heaven—the new Jerusalem—and that their lives on earth were totally dependent on his grace.

There is one important immigrant we haven’t mentioned yet—Abraham. He was an immigrant twice over, as he first moved from Ur of the Chaldeans to Haran with his father, and later moved from Haran to Canaan in response to God’s promise, “Leave your country, your people and your father’s household and go to the land I will show you. I will make you into a great nation and I will bless you” (Ge 12:1-2a). Even when he arrived in the Promised Land, Abraham still lived his whole life in tents as an immigrant. When his wife died, he owned no property on which to bury her, and so he bought a tract of land from the Hittites (Ge 23).

In fact, Abraham’s immigrant story became such a part of Israel’s identity that they were to recite this in the temple: “You shall declare before the LORD your God: ‘My father was a wandering Aramean, and he went down into Egypt with a few people and lived there and became a great nation, powerful and numerous’” (Dt 26:5). One kernel of truth from the Old Testament that must be understood is that God’s people are immigrants and the descendants of immigrants and therefore completely dependent on God. God wanted his people to constantly remember that.

Old Testament Laws

Not only did the Israelites have an immigrant history, but people of various nationalities lived as immigrants within the nation of Israel. The Israelites' experiences in Egypt and their knowledge of God's abounding love for all were to inform their treatment of all other people, including the strangers in their midst. It is eye-opening to see how often God expresses his concern for the stranger and the alien in the Old Testament. Already at Mount Sinai, God told his people, "Do not oppress an alien; you yourselves know how it feels to be aliens, because you were aliens in Egypt" (Ex 23:9; see Ex 22:21). He added, "When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the LORD your God" (Lev 19:33-34).

That phrase "love him as yourself" is significant. Just a few verses earlier, God had given the command that would come to be a summary of his entire law (Gal 5:14): "Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself. I am the LORD" (Lev 19:18). When stated in 19:18, that command had special relevance for loving the people of God—"one of *your people*." When God repeated that command in 19:34, however, he expanded it to the non native-born alien and indicated that Christian love knows no boundaries.

This love for the alien and stranger wasn't something the Israelites were to manufacture in their own hearts. It was a reflection of God's own love for all: "He upholds the cause of the oppressed and gives food to the hungry. The LORD sets prisoners free, the LORD gives sight to the blind, the LORD lifts up those who are bowed down, the LORD loves the righteous. The LORD watches over the alien and sustains the fatherless and the widow, but he frustrates the ways of the wicked" (Ps 146:7-9). God wanted to see his same love and compassion reflected in his people.

Circumcise your hearts, therefore, and do not be stiff-necked any longer. For the LORD your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no partiality and accepts no bribes. He defends the cause of the fatherless and the widow, and loves the alien, giving him food and clothing. And you are to love those who are aliens, for you yourselves were aliens in Egypt. (Dt 10:16-19)

God demonstrated his love for the alien throughout the Mosaic Law. The gleanings were to be left behind for the "poor and alien" (Lev 19:9-10). Tithes were collected not only for the Levites, but also for "the aliens, the fatherless and the widows" (Dt 14:28-29). Conversely, the alien was expected to keep God's laws just as closely as the native-born (Lev 18:26-28) and be present for the reading of the law (Dt 31:10-13). No other Ancient Near East law code protected foreigners the way God ordained in the Mosaic Law. Carroll writes, "The first thing that stands

out in the study of the sojourner (*ger*) in Old Testament law is the huge contrast that can be drawn with the other law codes of the ancient Near East. . . . The legislation in the Old Testament could not be more different. The laws are numerous, and they are gracious to the sojourner.”⁹⁴

The alien was to be treated as equal in God’s eyes with the Israelite, even concerning the most intimate expressions of his relationship with his covenant people. Concerning the Passover, God said, “An alien living among you who wants to celebrate the LORD’s Passover must have all the males in his household circumcised; then he may take part like one born in the land. No uncircumcised male may eat of it. The same law applies to the native-born and to the alien living among you” (Ex 12:48-49). In reference to the sacrificial code, God said,

For the generations to come, whenever an alien or anyone else living among you presents an offering made by fire as an aroma pleasing to the LORD, he must do exactly as you do. The community is to have the same rules for you and for the alien living among you; this is a lasting ordinance for the generations to come. You and the alien shall be the same before the LORD: The same laws and regulations will apply both to you and to the alien living among you. (Nu 15:14-16)

The aliens in Israel were also permitted to participate in the Day of Atonement (Lev 16:29-30), the Feast of Weeks (Dt 16:11), the Feast of Tabernacles (Dt 16:14), and Firstfruits (Dt 26:11).

These exhortations to show love to foreigners were to be taken seriously. The prophets thundered against the Israelites for not keeping these commands. In Zechariah, God promised judgment against his people for not showing justice and love to the poor and alien as he desired:

This is what the LORD Almighty says: “Administer true justice; show mercy and compassion to one another. Do not oppress the widow or the fatherless, the alien or the poor. In your hearts do not think evil of each other.” But they refused to pay attention; stubbornly they turned their backs and stopped up their ears. They made their hearts as hard as flint and would not listen to the law or to the words that the LORD Almighty had sent by his Spirit through the earlier prophets. So the LORD Almighty was very angry. “When I called, they did not listen; so when they called, I would not listen,” says the LORD Almighty. “I scattered them with a whirlwind among all the nations, where they were strangers. The land was left so desolate behind them that no one could come or go. This is how they made the pleasant land desolate.” (Zec 7:9-14)

When God’s people mistreated strangers, he made them strangers, scattered among the nations.

Why was this compassion and justice so important in God’s eyes? His ultimate goal has always been salvation for all—Jew and Gentile alike. For that we Gentiles give thanks. Solomon recognized this goal. On the day the magnificent temple in Jerusalem was dedicated, he prayed,

⁹⁴ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 102.

As for the foreigner who does not belong to your people Israel but has come from a distant land because of your name—for men will hear of your great name and your mighty hand and your outstretched arm—when he comes and prays toward this temple, then hear from heaven, your dwelling place, and do whatever the foreigner asks of you, so that all the peoples of the earth may know your name and fear you, as do your own people Israel, and may know that this house I have built bears your Name. (1 Ki 8:41-43)

Solomon's prayer was not wishful thinking. It was not a pious wish. He realized that this was God's will, that all peoples of all nations find salvation in the Name. Centuries after Solomon, the LORD made his will crystal clear in the restoration prophecies he gave to Isaiah:

Let no foreigner who has bound himself to the LORD say, "The LORD will surely exclude me from his people."...Foreigners who bind themselves to the LORD to serve him, to love the name of the LORD, and to worship him, all who keep the Sabbath without desecrating it and who hold fast to my covenant—these I will bring to my holy mountain and give them joy in my house of prayer. Their burnt offerings and sacrifices will be accepted on my altar; for my house will be called a house of prayer for all nations. (Isa 56:3,6-7)

As we seek a biblical approach to illegal immigration, we must first marvel at God's love for all people. If these passages surprise us, there is a problem. We are forgetting who our God is and his love and compassion for his fallen race. We are forgetting who God's people are, strangers waiting to go home. These passages are completely in line with what we know about our wonderful God. As we look at the immigrants around us, legal or undocumented, there can be no doubt that God wants us to treat them with love aimed at the salvation of their souls. If that love and compassion are lacking, the legal status of the immigrant is not to blame; we are.

Perhaps one reason why this compassion is not always emphasized in our congregations as much as it could be is because of our legitimate concern not to fall into preaching the social gospel. If that is our fear, we need to remember that concern for the well-being of others, both spiritual *and physical*, is not the social gospel. It is true biblical Christianity. God tells us clearly, "Seek justice, encourage the oppressed. Defend the cause of the fatherless, plead the case of the widow" (Isa 1:17). The danger arises when concern for physical needs supersedes or eliminates concern for spiritual needs. That is the social gospel. Let these passages remind us, however, that concern for spiritual needs will always be accompanied by concern for the physical needs of our neighbors as well. Our rebuttal of the social gospel dare not empty us of love for neighbor. If we see that happening, it is time to confess. Then, let us read the next verse in Isaiah, "Though your sins are like scarlet, they shall be as white as snow; though they are red as crimson, they shall be like wool" (Isa 1:18). Our God knows how to show love and compassion for all without losing the heart of the gospel found in Christ's forgiveness of sins. May we learn to do the same.

How directly do these passages apply to today's illegal immigration? That is a legitimate question. More than any other section of the Bible, these passages referring to the "alien" are taken by Christians today and applied to undocumented immigrants. Carroll insists, "God's ethical ideals continue to be valid and should be made concrete in the contemporary world. Care for the sojourner is one of those ideals. It was a moral demand that set apart God's people from the other nations; even more significantly, it was grounded in God's person."⁹⁵ Carroll equates the "alien" of the Old Testament—the "sojourner"—with undocumented immigrants and insists that the compassion and protection given to the "alien" are to be given to them today.

Is that true? The reality is that different words are used for foreigners in the Old Testament. While cursory studies often lump them all together, even a brief study of the use of the various words shows that this should not be done. The Mosaic Law recognized different levels of immigrants who had different rights in society, perhaps to a certain extent similar with America today. They weren't all lumped together in one group. They were treated differently.

The most common word for a foreigner within the nation of Israel is גֵּר—"ger." The *ger* is the "alien" referred to in the passages above. Of the various Hebrew words for "foreigner," the *ger* enjoyed the fullest status and greatest protection under the law. HALOT translates "protected citizen," and BDB describes a *ger* as a dweller in Israel with "certain conceded, not inherited rights." The Theological Workbook of the Old Testament comments, "The *gēr* in Israel was largely regarded as a proselyte....He also enjoyed many of the same rights as the native and was not to be oppressed." Hoffmeier writes, "In the Hebrew Bible the alien (*ger*) was a person who entered Israel and followed legal procedures to obtain recognized standing as a resident alien."⁹⁶ Hoffmeier contends that the *ger* corresponds directly to a legal immigrant today.

In contrast, many apply this concept of *ger* to all immigrants, especially undocumented immigrants, to encourage full acceptance for undocumented immigrants in society. But not all immigrants enjoyed the status of the *ger* in Old Testament Israel. Four other words are also used: תוֹשֵׁב—"temporary resident," שָׂכִיר—"hired worker," זָר—"stranger," and בְּוֵינָם—"foreigner." It should be noted that Bible translations are *not* consistent in their translation of these terms. That these four words are not synonymous with *ger* is clearly stated in Hebrew lexicons. For example,

⁹⁵ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 102.

⁹⁶ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 52.

BDB describes the תושב as being “appar. of a more temporary and dependent...kind than the גֵר.” It notes that תושב is used of a foreigner “enjoying only a temporary tenure.”

That the *ger* was treated differently than other foreigners is clear in God’s directives concerning the Passover in Exodus 12. Four words for “foreigner” are used in God’s command:

The LORD said to Moses and Aaron, “These are the regulations for the Passover: No foreigner (בְּנוֹ-גֵר) is to eat of it. Any slave you have bought may eat of it after you have circumcised him, but a temporary resident (תוֹשֵׁב) and a hired worker (שָׂכִיר) may not eat of it.... An alien (גֵר) living among you who wants to celebrate the LORD’s Passover must have all the males in his household circumcised; then he may take part like one born in the land. No uncircumcised male may eat of it. The same law applies to the native-born and to the alien (גֵר) living among you. (Ex 12:43-45,48-49)

While the circumcised גֵר was allowed to participate in the Passover in the same way as a native-born citizen, the בְּנוֹ-גֵר, the תוֹשֵׁב, and the שָׂכִיר were not permitted to do so. Therefore, there were clearly different levels of immigrants in Old Testament Israel under the Mosaic Law. Not all immigrants were treated the same way. Not all foreigners had equal rights.

So it is simply not biblically accurate to read “undocumented immigrant” in place of “alien” in the verses quoted above and demand similar treatment for them today. Hoffmeier is right to conclude: “Clearly there was a distinction between the alien (*ger*) and a foreigner (*nekhar* or *zar*) in the Old Testament.... This distinction must be kept in mind when we attempt to apply ethical considerations from the Bible to the present discussions about immigrants.”⁹⁷

Another important distinction to be kept in mind is the fact that when we as New Testament Christians read the Old Testament, we don’t assume that every civil or ceremonial law is intended to have universal application. Even if you could argue that Old Testament Israel had an open-door immigration policy, which it didn’t, that fact alone still wouldn’t force moral obligations on any government today. To pick out one aspect of Old Testament ceremonial law and immediately apply it to Christians today is simply not a correct way to interpret the Bible.

In summary, no direct applications can be made to the current situation in the U.S. based on these passages, because no direct correspondence exists between the “foreigners” of today and the “foreigners” of the Old Testament. Even Hoffmeier goes too far when he equates *ger* with the legal permanent residents in the U.S. today. The *ger* of the Old Testament doesn’t

⁹⁷ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 52.

correspond exactly with any immigrant in the U.S. today. A *ger* is a *ger*—a status in a culture and time different from our own that cannot be forced on the definitions used in the U.S. today.

Let us, however, not miss this absolute truth from the verses cited above: God’s people will show compassion to the poor and the stranger. God’s love is the essence of who he is and who his people are, and the Mosaic Law shows us the heart of God and of his people.

New Testament Principles

The same compassion of God in the Old Testament is seen even more clearly in Jesus’ teachings in the New Testament. A prime example is the Parable of the Good Samaritan in Luke 10:25-37. The teacher of the law who came to test Jesus correctly understood the essence of the Old Testament law—love for God and love for neighbor. But he thought he could trap Jesus by asking who his neighbor was. So Jesus told the Parable of the Good Samaritan to emphasize that a Christian looks at every single person in the world as his neighbor. To the Samaritan, even that poor, forlorn, beat-up enemy of his people was his neighbor. That was Jesus’ point. The teacher of the law remembered Leviticus 19:18, but he had forgotten Leviticus 19:34.⁹⁸

Christian love knows absolutely no national or economic boundaries. While an undocumented immigrant may not be the *ger* of the Old Testament, he is your neighbor. There is a time and a place to talk about the “illegal” part of illegal immigration, but this must come first: An undocumented immigrant is your neighbor, equal to you in God’s eyes, to be loved by you.

Jesus put the Parable of the Good Samaritan into action with his interaction with the Samaritan woman at the well in John 4. Some object to the use of the Parable of the Good Samaritan in the context of illegal immigration. They say, “An illegal immigrant is *illegal*. He is not just a poor man on the side of the road. He is *sinning*. There’s a difference!” Look, however, at Jesus’ interaction with the Samaritan woman—the sinful, Samaritan, woman. On three levels, Jesus had no business talking with her. She was living in open adultery, and it wasn’t the first time. She was a Samaritan, and just touching her water jar would make Jesus unclean in the eyes of the Jews. She was a woman, and respectable rabbis did not talk with women.

But he loved her too much not to. She was his neighbor. He was her Savior. Sin in other people is never a reason to love them less. In fact, the sins we see in others give us all the more reason to share Christ’s forgiveness with them. According to Jesus, there is no litmus test for

⁹⁸ Leviticus 19:18 – “Do not seek revenge or bear a grudge against *one of your people*, but love your neighbor as yourself. I am the LORD.” Leviticus 19:34 – “The *alien* living with you must be treated as one of your native-born. *Love him as yourself*, for you were aliens in Egypt. I am the LORD your God.”

preaching the gospel. He didn't tell that woman to get married and then come back. He told her about himself. It doesn't matter if a person is an adulterer or not. We don't pre-screen those to whom we preach in any way. To do so puts a condition on the unconditional gospel. Even if an undocumented immigrant is from a different culture, speaks a different language, and wrestles with sins you find repulsive, he is someone Jesus saved. He is someone Jesus would talk to.

Space doesn't permit a study of all the beautiful New Testament passages that show God's desire for us to show compassion to all—including the foreigner. Jesus encourages us to see even seemingly insignificant acts of kindness as works done for him (Mt 25:40). Paul reminds us that faith in Christ and our baptisms make us all one in Christ Jesus. Race, economic status, and gender have no bearing on status in God's family (Gal 3:26-28). He tells us that Christian love is patient and kind, not envious, proud, boastful, rude, or self-seeking (1 Cor 13:4-6). Just as John tells us to love one another as God has loved us (1 Jn 4:11), Paul tells us to welcome one another, just as Christ has welcomed us, all to the glory of God (Ro 15:7). The writer to the Hebrews reminds us that in welcoming strangers, some have welcomed angels without knowing it (Heb 13:2), and Paul exhorts us: "Therefore, as we have opportunity, let us do good to all people, especially to those who belong to the family of believers" (Gal 6:10).

Jesus' own words provide a wonderful summary of all of these passages: "You have heard that it was said, 'Love your neighbor and hate your enemy.' But I tell you: Love your enemies and pray for those who persecute you, that you may be sons of your Father in heaven" (Mt 5:43-45a). What are the limits of a Christian's love? None. Not one. As a son imitates his father, so a Christian imitates the boundless, unconditional love of his Father in heaven.

Implications for Today

It is simply not true to say that the Bible is silent on immigration. It is filled from cover to cover with exhortations to show Christian love to all. It is filled with descriptions of what a Christian's attitude will be—the attitude of Christ: indiscriminate compassion for all and purpose-driven love aimed at winning souls for eternal life. In fact, love for *all* people is the defining characteristic of a Christian: "By this all men will know that you are my disciples, if you love one another" (Jn 13:35). Martin Luther once wrote: "How do we know that the love of God dwells in us? If we take upon ourselves the need of the neighbor."⁹⁹

⁹⁹ ELCA, *A Message on Immigration*, 3.

Too often we, like the teacher of the law in Luke 10, put restrictions on whom we are to love. God's commands to love others as freely as he has loved us and to look first to the good of others instead of our own good (Php 2:4) are absolutely incompatible with our selfish sinful natures. At times, love is missing in our hearts and in our churches. We need to acknowledge that sad reality as we examine our relationship with the undocumented immigrants in our country. Is the greater problem illegal immigration or the lack of love and concern for others in our hearts?

It should become clear that there are many wrong reasons to oppose immigration in general and illegal immigration specifically. Our hearts by nature are filled with racism and classism. It is natural for us to believe that our culture and its language and customs are superior to others, but such thoughts are a prime example of the sinfulness ingrained in us from birth. Jesus destroyed any such arguments as he ministered to the Samaritan woman. If racism and prejudices breed inside of us, and if a desire to preserve the white majority culture of the U.S. drives our actions more than love for neighbor, we are the ones who need to change.

It can also be tempting for a Christian congregation to crave the neat and tidy. To not upset the apple cart. To stay within one's comfort zone. To keep to the status quo. It is tempting to make ministry as convenient and comfortable as possible. If that is a congregation's mentality, immigration poses a grave threat, because there is nothing tidy or convenient about reaching out to a different culture. On the contrary, cross-cultural outreach always involves awkwardness and inconvenience for the Christian who steps out of his culture and enters another. Those challenges tempt us to set aside the Great Commission and hunker down in our own cultural world.

When that happens, illegal immigration provides a convenient excuse for not reaching out in love to the strangers around us. One WELS pastor expressed the problem like this: "Often we aren't as eager to do mission work as we should be; issues related to immigration give us an excuse or at least a distraction." If the devil is using illegal immigration to provide us with an excuse for our Jonah-like indifference to the spiritual fate of those around us, we need God to wake us up to the seriousness of our sin. We need to be reminded that the God who has saved us wants all people to be saved (1 Ti 2:4), including the undocumented immigrants around us. He wants them to hear about their Savior Jesus, and he gives us the opportunity to share the gospel with them. God forbid that the devil use illegal immigration to stop that from being done.

There is also a danger in our politically charged society that politics infiltrate the spiritual decisions within our churches. We must remember that the nature of politics is not the nature of

theology, and the goal of politics is not the goal of God's Church. A politician rightfully asks, "What is best for my constituents?" A Christian, however, asks, "What is best for the salvation of souls?" At times, those questions will end at the same conclusion. Many times, however, they will not. There is no political party in the United States whose platform is the love of God shown to us in Christ Jesus. There is no political party whose purpose is the salvation of souls through the Means of Grace. American civil religion is not the same as the gospel of Christ.

Therefore, our views as Christians on immigration cannot be determined by any political party's platform. God is neither Republican nor Democrat. If we imply that he is, consciously or not, we harm God's people, because to imply that any political party is united in mission with God and his Church is a misunderstanding of the kingdom of God. We must not assume, therefore, that because a political party has some good ideas, it must be right on everything. Every issue must be individually studied based on God's Word, not political sound bites. Often what seems best to many in our country is not what it best for the kingdom of God.

Finally, there is always a temptation for churches to focus on outward morality. This is understandable. If a pastor focuses on getting his people to conform to a certain way of living, he may see more tangible results than by focusing on building his people up in their faith in Christ. But there is grave danger here. Oswald Chambers, a Scottish minister at the turn of the 20th century, remarked: "Wherever Christianity has ceased to be vigorous it is because it has become Christian ethics instead of Christian evangel. People will listen more readily to an exposition of the Sermon on the Mount than they will to the meaning of the Cross. But they forget that to preach the Sermon on the Mount apart from the Cross is to preach an impossibility."¹⁰⁰

The cross is not a pretty sight, and its message is meant for even the dirtiest of sinners, including you and me. This is what Paul reminded the Ephesians: "Remember that at that time you were separate from Christ, excluded from citizenship in Israel and foreigners to the covenants of the promise, without hope and without God in the world" (Eph 2:12). Caught in sin—both in ignorance and out of willful rebellion? That's our story too. That dirty story of a man dying for dirty people is the essence of Christianity. It is the beautiful story of Jesus' love, a story meant both for life-long WELS members and the newest undocumented immigrant alike. May we and our churches never lose our focus first and foremost on sharing that story of how God has made us clean through the blood of his Son. That's love, love meant for *all!*

¹⁰⁰ As quoted in a PowerPoint used in Senior Dogmatics class at Wisconsin Lutheran Seminary, fall 2012.

Obedience to Government – Prescriptive Passages

We are not done with our study of Scripture, however. Passages that address the Christian's relationship with his government must also be a part of our study. Ultimately, these passages are the crux of the matter with it comes to illegal immigration. God's commands to love and show compassion are clear. If there were no laws against immigration, there would be no biblical reason not to welcome immigrants into our churches with anything less than open arms. But there is a sticking point—one major sticking point—the one little word: *illegal* immigration. There is no way around it. Every undocumented immigrant has broken the laws of the U.S.

So we now turn to God's words concerning obedience to government. As we do so, it is important to keep in mind that the majority of Christians today use one of the following two arguments to downplay obedience to government. 1) God's love and commands for compassion supersede his commands to obey the government. 2) God commands us to obey the government, but he also wants Christians to judge the laws to make sure that they are just. Since immigration laws can cause so much hardship for the immigrant, they are clearly not just and shouldn't be obeyed. These two arguments need to be examined and evaluated in light of God's Word.

The Bible's clearest words concerning God's will for a Christian's relationship with his government are found in Romans 13. There Paul through the Holy Spirit writes,

Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. Consequently, he who rebels against the authority is rebelling against what God has instituted, and those who do so will bring judgment on themselves. For rulers hold no terror for those who do right, but for those who do wrong. Do you want to be free from fear of the one in authority? Then do what is right and he will commend you. For he is God's servant to do you good. But if you do wrong, be afraid, for he does not bear the sword for nothing. He is God's servant, an agent of wrath to bring punishment on the wrongdoer. Therefore, it is necessary to submit to the authorities, not only because of possible punishment but also because of conscience. This is also why you pay taxes, for the authorities are God's servants, who give their full time to governing. Give everyone what you owe him: If you owe taxes, pay taxes; if revenue, then revenue; if respect, then respect; if honor, then honor.

Note the surprising context of these verses in Paul's letter. Romans 13 is bracketed by verses encouraging Christians to love their neighbors. At the end of Romans 12, Paul exhorts his readers to love. He says, "Love must be sincere. Hate what is evil; cling to what is good" (12:9). "Live in harmony with one another. Do not be proud, but be willing to associate with people of low position" (12:16). "Do not be overcome by evil, but overcome evil with good" (12:21). In

the verses following God's commands regarding government, Paul again exhorts his readers to love. "Let no debt remain outstanding, except the continuing debt to love one another, for he who loves his fellowman has fulfilled the law" (13:8). "'Love your neighbor as yourself.' Love does no harm to its neighbor. Therefore love is the fulfillment of the law" (13:9b-10).

Those who pit love for neighbor and obedience to government against each other as conflicting biblical principles apparently haven't read Romans 12 and 13 in their entirety. The purpose of this entire section is guidance concerning love for God and love for neighbor, and God's commands regarding obedience to government are no exception. They have everything to do with love. God's command to submit to government is a concrete example of his command to love God and neighbor. The person who obeys his government *is* showing love for God and neighbor! To not obey government is to not love. A Christian can't do one without the other. It is therefore unscriptural to say that God's command to love supersedes his command to obey the government, because obedience to government is inseparable from God's very command to love.

Note the reason why obedience to government is an expression of love—every earthly authority has been established by God. Respect and obedience are not given to government because government deserves them. They are given freely by the Christian because to honor government is to honor God who established it. Even the tyrannical Roman government of Nero with all its injustices was to be obeyed. There exists within Christianity today a desire to insert subjectivity into a Christian's decision of which laws to obey. Paul, however, says the opposite. With his Spirit-inspired words, he removes all subjectivity. Every government is established by God. A Christian obeys every government, because to obey government is to love God.

While one exception to this principle is stated elsewhere in Scripture,¹⁰¹ it is noteworthy that Paul doesn't list any exceptions here. He emphasizes the objectivity of God's command. Obedience to government is one area in which, as a general rule, we don't get a say. Our sinful natures, which naturally rebel against every kind of authority, often need to be reminded of that fact. A Christian will not look for reasons not to obey his government. God does not tell us to submit to authorities that are Christian. God does not tell us to submit to authorities when it is convenient, or as long as such submitting doesn't pose too much of a burden on us. He doesn't even tell us to test the authorities and submit to those which appear to us to be just and fair, as many today claim. He simply tells us to submit, because to do so shows love to our God.

¹⁰¹ Acts 5:29, "we must obey God rather than men," will be discussed in detail later in this thesis.

Therefore, to say that “everyone must submit himself to the governing authorities, for there is no authority except that which God has established” is markedly different than to say that “everyone must submit to the governing authorities, as long as he considers them to be just and fair.” The former places the ultimate authority in God’s hands. The latter places the ultimate authority in the hands of each individual citizen. If Paul were merely trying to encourage Christians to obey just governments, these verses would be rather superfluous. It is common sense that a Christian—or even a non-Christian—will obey his just and good government. It’s the very surprising fact that God wants us to obey all authorities—just and unjust—that God had Paul put these verses into the Bible. Governments, even the wicked Roman government which actively persecuted believers, are to be obeyed as God’s representatives out of love for God.

Finally, note the phrase “because of conscience” (13:5). Fear of possible punishment is a reason to keep the law, but it is not the only reason. A Christian knows that government has been established by God, and so a Christian conscience in tune with God’s Word will constantly remind a Christian that obedience to authority is God-pleasing. A Christian’s conscience will lead him to obey his government’s laws, even if they are not always strictly or consistently enforced, because his motivation isn’t only fear of punishment; it’s a desire to please his God.

That doesn’t sound right. The idea that even unjust governments, even authorities which use their power for evil, are to be obeyed doesn’t sit well with my American sense of justice for all. In fact, it sounds downright repulsive. I have been trained to fight back against injustice. To obey the government, even when it is unjust? This is foolishness! This can’t be what God wants!

But the idea of submission to authority as God-given representatives is certainly not unique to Paul’s writings. Peter writes, “Submit yourselves for the Lord’s sake to every authority instituted among men: whether to the king, as the supreme authority, or to governors, who are sent by him to punish those who do wrong and to commend those who do right. For it is God’s will that by doing good you should silence the ignorant talk of foolish men” (1 Pe 2:13-15).

Peter also gives no exceptions to this command. Does he mean obedience to both just and unjust governments? A look at the context proves that he does. Peter continues,

Slaves, submit yourselves to your masters with all respect, not only to those who are good and considerate, but also to those who are harsh. For it is commendable if a man bears up under the pain of unjust suffering because he is conscious of God. But how is it to your credit if you receive a beating for doing wrong and endure it? But if you suffer for doing good and you endure it, this is commendable before God. (1 Pe 2:18-20)

Peter encourages slaves to submit to and obey even the most unjust masters, and it is certain that this encouragement also applies to his words concerning submission to government.

If all this submission in the face of injustice sounds impossible—perhaps even too much to ask—Peter points us to the ultimate example of injustice: Christ. He writes,

To this you were called, because Christ suffered for you, leaving you an example, that you should follow in his steps. “He committed no sin, and no deceit was found in his mouth.” When they hurled their insults at him, he did not retaliate; when he suffered, he made no threats. Instead, he entrusted himself to him who judges justly. He himself bore our sins in his body on the tree, so that we might die to sins and live for righteousness; by his wounds you have been healed. (1 Pe 2:21-24)

Governments do commit terrible injustices, but God is the one who will hold them accountable for their sins. Even in the case of unjust governments and unjust laws, the Christian submits and obeys, just as Jesus did in the face of the greatest injustices of all, because he trusts that true justice ultimately lies in the hands of his just God. True justice will be served on the Last Day.

The Christian also has a second reason to submit. His final goal is not justice for himself; it is salvation for others. God in his wisdom may use a Christian’s perseverance under unjust suffering to lead others to him. Peter returns to that theme often. He says, “Live such good lives among the pagans that, though they accuse you of doing wrong, they may see your good deeds and glorify God on the day he visits us” (1 Pe 1:12). “Wives, in the same way be submissive to your husbands so that, if any of them do not believe the word, they may be won over without words by the behavior of their wives” (1 Pe 3:1). “But even if you should suffer for what is right, you are blessed. ‘Do not fear what they fear; do not be frightened.’ But in your hearts set apart Christ as Lord. Always be prepared to give an answer to everyone who asks you to give the reason for the hope that you have. But do this with gentleness and respect” (1 Pe 3:14-15).

The doctrine of Christian vocation applies here. When a Christian asks, “Dear Lord, how can I serve you?” God points us to our God-given vocations and tells us that our service to others in our vocations is service to him. The Christian in his new man rejoices that God gives him opportunities to show his love. When God places us under someone else’s authority, he is showing us what our good works of service to him can and should be. Being under the authority of a government, therefore, provides an opportunity to produce fruits of faith, and the vocation of Christian citizenship is always a blessing from God, because it gives us another way to serve our King. Luther wrote, “When citizens yield obedience to the government and do so from faith and the hope of eternal life, they are performing good works, though they do not shine and glitter in

the sight of reason.”¹⁰² In every one of our vocations, God’s encouragement to us is this: “Serve wholeheartedly, as if you were serving the Lord, not men” (Eph 6:7).

When examined in this light, the proper motivation for obedience to government is never obligation. Rather, like all good works, obedience to government is a “work produced by faith,” a “labor prompted by love,” and “endurance inspired by hope in our Lord Jesus Christ” (1 Th 1:3). Living obediently under an unjust government actually provides an even greater opportunity for a Christian citizen’s faith to shine. While such obedience may bring greater physical hardship to a Christian in this life, it also brings great glory to his God. That’s what Peter meant when he wrote, “Live such good lives among the pagans that, though they accuse you of doing wrong, they may see your good deeds and glorify God on the day he visits us” (1 Pe 1:12). Luther emphasized two types of knowledge that every Christian will keep in mind:

...the knowledge of Jesus Christ our Savior, who has called us by Baptism and the Gospel as heirs of eternal life, waiting for that blessed hope and the glorious appearance of our Lord Jesus Christ, and the knowledge that everything we do in our Christian calling and station by faith is altogether a good and precious work; on which account we should be zealous unto good works.¹⁰³

Can you see how it all fits together? Obedience to government shows love to God, because every government has been established by him. Obedience to government also shows love to our neighbor, and not only because law-abiding citizens are good for society, although that is certainly true. When Christians bear quietly under injustice, this is one way they let their lights shine in the world. Their suffering is a strong, loving testament to their faith in God and *his* justice. You can’t separate love from obedience. Peter ties it all together like this: “Show proper respect to everyone: Love the brotherhood of believers, fear God, honor the king” (1 Pe 2:17).

The Bible gives only one exception to obedience to government. When Christ’s disciples were forbidden to preach in Christ’s name in Jerusalem, Peter and the other disciples defiantly told the Sanhedrin, “We must obey God rather than men!” (Ac 5:29b). Note the context well. Peter and the apostles were specifically prohibited from preaching the gospel. This was not a matter of adiophora. This was not a matter of a government passing laws that made mission work or Christian living a little more difficult. This was greater than that. The very Means of Grace were prohibited, and so in that instance Peter and the apostles obeyed God rather than men.

¹⁰² Pieper, Francis. *Christian Dogmatics: Volume 3*. St. Louis: Concordia Publishing House, 1953, p.41.

¹⁰³ Pieper, *Christian Dogmatics: Volume 3*, 41.

So, it is true that there is an exception to the obedience commanded in Romans 13 and 1 Peter 2. The government is not *always* to be obeyed. A Christian's obedience to his government is not blind obedience. If a government commands a Christian to do something that God forbids, or to not do something that God commands, the Christian will obey God rather than men.

We must be careful not to stretch the limits of that exception, however. It is tempting to disobey government for the sake of convenience or out of disrespect for those in authority or concern for unjust laws. "We must obey God rather than men" can make a handy excuse for this disobedience, but these examples do not involve choosing between God and men. A Christian will only disobey the government when the government commands him to sin. There certainly are cases in which a Christian will be forced to obey God rather than men, but a Christian must make sure his case is truly an exception. The burden of proof falls on the Christian to prove that he has been commanded to sin, and a Christian will not try to avoid obeying God's commands.

The Bible, therefore, does not give a Christian the freedom to disobey the laws of the government which he personally considers unjust. While that belief appeals to our sense of justice, it is not supported in the Bible. If I consider the current tax laws unjust, I don't have the right to refuse to pay taxes. If I find it unjust to have to drive 25 mph through the streets of my town, I don't have the right to drive 45 mph instead. If an immigrant considers the immigration laws of the U.S. unjust, he doesn't have the right to break them. Such subjective obedience would rob governments of the authority God has given to them. Instead of disobedience in the face of injustice, God tells Christians that they should expect to endure injustice in their lives.

Many Christians disagree with that statement. As seen in the literature review, the trend in American Christianity is to disregard laws that are considered unjust, including laws limiting immigration. Daniel questions whether governments have the authority to make and enforce international borders.¹⁰⁴ Carroll writes that laws which don't fit with the "ethical demands of the heart of God" are to be disobeyed.¹⁰⁵ He labels contrary ideas "simplistic" and "uninformed."¹⁰⁶

It is not within the scope of this paper to answer every objection that is raised to the biblical concept of obedience to government. It is beneficial, however, to note briefly the rights

¹⁰⁴ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, 52.

¹⁰⁵ Carroll, *Christians at the Border: Immigration, the Church, and the Bible*, 132.

¹⁰⁶ Carroll, Review of James K. Hoffmeier, "The Immigration Crisis: Immigrants, Aliens, and the Bible," unpaginated.

that are given to governments on the pages of Scripture. The nation of Israel and the nations that surrounded it certainly had fixed borders that were known by all and defended vigorously (1 Ki 4:21). Entrance into nations was at times strictly regulated. The Egyptians built border forts as early as the 1900s B.C.¹⁰⁷ Abram and his family were physically deported from Egypt for lying to Pharaoh (Ge 12:20). On their trek to the Promised Land, the Israelites understood international protocol and asked permission from Edom to cross its land. The permission was denied, and the Israelites went around Edom (Nu 20:16-21). The Amorites also denied passage to Israel (Nu 21:21ff). Chapters of the Bible are spent describing in detail the borders and territories of the tribes of Israel (Jos 13-19). God sanctioned the building of Jerusalem's walls (Neh 2ff).

Coupled with God's commands in Romans 13 and 1 Peter 2, these descriptive passages provide clear biblical support that governments have the right to regulate their borders, even when that causes hardship for some. Conversely, there is no biblical evidence that it is ungodly to enforce immigration laws. The idea of a universal right to migrate is not found in Scripture. God's Word grants government the right to establish immigration laws for God's people to obey.

A Lutheran pastor will note that encouraging obedience to government was a biblical teaching that Luther highlighted and that Lutherans have emphasized more clearly than other denominations. In his *Large Catechism*, Luther wrote, "Therefore, since they [civil government] bear such name and title with all honor as their highest dignity, it is our duty to honor them and to esteem them great as the dearest treasure and the most precious jewel upon earth."¹⁰⁸ Clearly Luther understood government as a gift from God. In his *Treatise on Good Works*, he wrote,

For even when the government commits an injustice, as the King of Babylon did to the people of Israel, God wants the government obeyed, without treachery or deception...In all this we are to regard that which St. Peter bids us regard, and that is that the power of the temporal authority, whether it does right or wrong, cannot harm the soul, but only our body and our property—unless, of course, it should try openly to compel us to do wrong against God or men...For to suffer wrong destroys no man's soul, in fact, it improves the soul, though it does inflict hurt to our body and our possessions. But to do wrong destroys the soul, even though all the world's wealth be gained.¹⁰⁹

¹⁰⁷ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 142.

¹⁰⁸ Lutheran Church. Missouri Synod. (1997). *Concordia Triglotta - English : The symbolic books of the Evangelical Lutheran Church*. Includes Historical Introductions by F. Bente and indexes of subjects. (electronic ed.). Milwaukee WI: Northwestern Publishing House. p.363.

¹⁰⁹ Martin Luther, vol. 44, *Luther's Works, Vol. 44: The Christian in Society I*, ed. Jaroslav Jan Pelikan, Hilton C. Oswald and Helmut T. Lehmann, 92 (Philadelphia: Fortress Press, 1999).

Note Luther's concern for spiritual well-being over physical well-being. Note also his insistence that God wants the government obeyed, even when it commits an injustice. It is better to suffer injustice and hardship while obeying the law than risk spiritual damage by breaking it.

Luther also taught that if it was unclear whether a command is God-pleasing or not, it is best to err on the side of obedience to the government. The burden of proof rests on the citizen disobeying the law to make his case, not on the government to prove its motives. In *Whether Soldiers, Too, Can Be Saved*, he writes, "But if you do not know, or cannot find out, whether your lord is wrong, you ought not to weaken certain obedience for the sake of an uncertain justice; rather you should think the best of your lord, as is the way of love...."¹¹⁰

The Augsburg Confession followed Luther's lead and stated, "Therefore, Christians are necessarily bound to obey their own magistrates and laws save only when commanded to sin; for then they ought to obey God rather than men."¹¹¹ The burden of proof rests on the undocumented immigrant to prove how the U.S. immigration laws command him to sin.

These truths from God's Word certainly have direct implications for our study of illegal immigration. Before we apply these sections of Scripture to others, however, it is wise for us to apply them first to ourselves. The topic of illegal immigration can easily appeal to the little Pharisee inside each of us, because it involves people "out there." So we would be wise to first note our own struggles with these commands from God. How quick are we to obey the laws that do apply to us, whether traffic signs or tax codes or building permits? How respectfully have we talked about our elected officials—whose authority comes from God—whether President Obama or George W. Bush? Have we who are rightly concerned about upholding the biblical principle of obedience to government been guilty of joining in on the slander of God's representatives? The topic of illegal immigration has the potential to bring out a lot of sinful double talk. Our own hypocritical actions certainly don't undermine Biblical principles, but they need to be addressed.

When Scripture convinces us of God's desire for us to obey the government, a Christian will take all of his government's laws seriously, not just those which are convenient in his own situation. It is easy to set double standards, but a Christian who knows that every sin is equal in

¹¹⁰ Martin Luther, vol. 46, *Luther's Works, Vol. 46: The Christian in Society III*, ed. Jaroslav Jan Pelikan, Hilton C. Oswald and Helmut T. Lehmann, 131 (Philadelphia: Fortress Press, 1999).

¹¹¹ Augsburg Confession, Article XVI:6-7. Taken from: Lutheran Church-Missouri Synod, *Concordia Triglotta—English: The Symbolical Books of the Evangelical Lutheran Church*, electronic ed., 51 (Milwaukee, WI: Northwestern Publishing House, 1996).

God's eyes will admit that the person who speeds or fails to report income on tax returns is guilty in God's eyes just as the undocumented immigrant who has broken an immigration law. As we stress obedience to government in our congregations, we do so not only with undocumented immigrants, but also with ourselves and every other member of our churches. We all need it.

This biblical study has proven that God wants us to obey every authority he has placed over us here on earth. This command does not conflict with his command to show love and compassion for all, because obedience to government is one way Christians show love to God and neighbor. Therefore, Romans 13 and 1 Peter 2 need to be applied to undocumented immigrants here in the U.S. The Bible teaches that a Christian will obey his government in every case, regardless of personal convenience or perceived injustice, unless it is expressly commands disobedience to God himself. As we remind ourselves of these truths and teach them to our immigrant neighbors, may our motivation be the glory of God and the salvation of souls.

Obedience to Government – Descriptive Passages

In addition to the prescriptive passages cited above, there are numerous descriptive passages that show how God's people applied God's command to obey government to their individual situations. Space does not allow the in-depth study that each passage deserves, but they can show how God's people balanced love for others with obedience to government.

At times, believers have disobeyed the government when it commanded them to sin against God. An example is the Hebrews midwives in Egypt. When commanded to kill all Hebrew boys, they refused and even lied to Pharaoh to protect the lives of innocent children. They obeyed God rather than men, even to the point of lying to the government, and God blessed them for it (Ex 1:15-21). At times, believers obeyed the government, even in difficult situations. After his healing and conversion, Naaman expressed concern about bowing down with his master in the temple of Rimmon. Elisha said simply, "Go in peace" (2 Kg 5:19). Because of his faithful attitude, Naaman's decision to obey his government would not harm his faith in God.

In other instances, believers appear to disobey the law without receiving any rebuke from God. Further analysis, however, reveals that no laws were actually broken, because those believers understood the true spirit of those laws as given by God. An example is the account in 1 Samuel 21 in which David took and ate the consecrated bread from Ahimelech the priest. Jesus used that account in Mark 2 when he said to the Pharisees, "In the days of Abiathar the high priest, he entered the house of God and ate the consecrated bread, which is lawful only for priests

to eat. And he also gave some to his companions....The Sabbath was made for man, not man for the Sabbath. So the Son of Man is Lord even of the Sabbath” (Mk 2:26-27). Jesus’ overall point was not, “David and I have the right to break the law.” Rather, his point was, “If you truly understood the law as God intended it, you would know that this is not breaking it.” According to Jesus, David didn’t actually break the Sabbath laws. He kept them as God wanted them to be kept. The appearance of potentially breaking a law is different than actually breaking the law.

The book of Ruth shows both sides of immigration—the immigrant and the one welcoming the immigrant. In its opening chapter, Elimelech made the difficult decision to move to Moab to provide for his family. Under duress from a severe famine in Israel, he decided that he and his family would flee the Promised Land for a time to live as refugees in Moab, much like Abraham and Jacob each had done when they sojourned to Egypt (see Ge 12:10; 47:1-6). The decision to leave his land in the Promised Land for a time must have been difficult for Elimelech. Some commentators even contend that he sinned by leaving his God-given land (see Nu 36:7).

We can certainly see some similarities between Elimelech’s situation and the situation many potential immigrants find themselves in today. If leaving his God-given land was forbidden by God, this could be an example of an extreme case in which a believer felt that the only way to provide for his family was to emigrate to another country, even though that decision prohibited him from keeping God’s command. We must be careful not to go too far in that comparison, however. The book of Ruth neither condemns nor condones Elimelech’s decision, so it’s impossible for us to base any conclusions or applications on it. It is certainly possible that Elimelech’s decision to leave his land for a time was permitted by OT law, and nowhere is it mentioned that Elimelech and his family broke any laws in moving into Moab. What is certain is that Elimelech’s difficult decision is similar to those faced by some potential immigrants today.

Boaz, on the other hand, provides an excellent example of a God-fearing man who went out of his way to show compassion and love for a foreigner—Ruth. This ancestor of our Savior models what it means to show God’s love to someone who was from a lower class, a different race, and a different gender. Much can be learned about immigration from the book of Ruth.

Another pertinent account is Paul’s treatment of Onesimus in the book of Philemon. Onesimus, a run-away slave, met Paul in Rome. There were certainly legal issues involved, and Onesimus had sinned by breaking the law. Paul, however, didn’t immediately address Onesimus’ legal status. Paul also didn’t ignore him or demand that he return immediately to his master.

Instead, Paul took the time to preach the gospel to him and get to know him so intimately that he called him his “dear brother” (Phm 16). He built a relationship with him and placed a priority on preaching the gospel. Once the gospel had been preached, he then sought to rectify Onesimus’ legal status by sending him back to his owner Philemon. Although Paul admitted Onesimus had sinned against Philemon, he interceded on his behalf and even promised to assume his debt.

Paul’s approach is balanced and provides invaluable insight for the Lutheran pastor ministering to undocumented immigrants today. He showed Christian love to Onesimus by preaching to him both law and gospel, each at its proper time. He began by teaching him about his Savior Jesus, and he placed no conditions on the gospel message. That wasn’t Paul’s only message, however. Once faith had been created in Onesimus’ heart, he then emphasized obedience to law and encouraged Onesimus to rectify his legal status. Paul approached love and obedience for Onesimus’ master Philemon as a matter of faith, not simply of outward obedience. For Onesimus to have a proper relationship with his master, returning to him wasn’t enough. He needed to return to him with a heart of faith in Christ. Paul showed how emphasizing obedience to law and gospel proclamation are not mutually exclusive. This is law and gospel ministry.

One final verse that shows the interplay between law and need is Proverbs 6:30-31: “Men do not despise a thief if he steals to satisfy his hunger when he is starving. Yet if he is caught, he must pay sevenfold, though it costs him all the wealth of his house.” The situation of this thief is the situation some immigrants find themselves in. We can understand a thief who steals to feed his family, just as we can understand a Honduran immigrant who risks life as an undocumented immigrant to provide for his family. The fact that an action is understandable, however, doesn’t make it justifiable, as the second half of the proverb states. Difficult circumstances don’t nullify the law of the land. If the government chooses not to grant an exception for the thief or undocumented immigrant, the Christian in that situation accepts the responsibility for his actions.

Balancing Multiple Biblical Principles

That verse from Proverbs demonstrates that at times a believer is asked to balance what could appear to be conflicting principles from God’s Word. That thief in Proverbs, along with some undocumented immigrants today, seemed to be faced with a choice between obeying the law and providing for the physical needs of self and family. The Bible does place a responsibility on parents to provide for both the physical and spiritual needs of their families. Paul writes, “If anyone does not provide for his relatives, and especially for his immediate family, he has denied

the faith and is worse than an unbeliever” (1 Ti 5:8). He adds, “Fathers, do not exasperate your children; instead, bring them up in the training and instruction of the Lord” (Eph 6:4).

Since a father’s responsibility to provide for his family is a clear directive from God, in certain situations it could seem that a father is forced to choose between two commands from God—to provide for his family or to obey the laws of his government. This seeming contradiction is often apparent in ministry to undocumented immigrants. A WELS pastor writes,

There are also other principles to consider. When, for example, a father/husband is deported and finds his way back (illegally again), he is not doing that just for himself. He is doing that because he has the God-given responsibility to provide food, clothing, shelter, and protection for his wife and children. Some of the young illegal immigrants are here to do the same for their relatives who are still living in impoverished parts of Mexico or other greatly impoverished countries.

Could the responsibility to provide for one’s family be a case of obeying God rather than men?

Some Christians would say that when multiple biblical principles apply, a person must choose which to follow in his own situation at the expense of the other principles. For example, they would say that it is morally acceptable for a father to break immigration laws in order to provide for his family as God has commanded him. Since he is stuck between two conflicting biblical principles—to provide or to obey—he can’t be faulted for choosing one over the other.

A Christian, however, must be very cautious before making that argument. It could imply that God has rather naively given us conflicting directives for our lives, unaware of the potential difficulties that result for the Christian. It could imply that we as Christians must sort through what appears to be confusion and subjectively choose what we believe is best. It implies that Christians are placed into situations in which they are forced to sin, no matter what they do.

In contrast, when faced with a situation in which biblical principles seem to contradict, a Christian knows and trusts that God’s will is perfectly united. His commands exist in perfect harmony, because there are no contradictions in God. If to us there appear to be contradictions in God’s commands, therefore, the Christian humbly recognizes that the problem lies in us and in our understanding of God’s perfect and holy will. So when he is faced with biblical principles that might seem to contradict in a given situation, a Christian’s response isn’t to choose which principles to follow and which to disobey. Instead, the Christian will look for a key that would unlock the dilemma and lead him closer to understanding God’s perfectly united will.

Perhaps one of the keys to unlocking the apparent dilemma of care for family versus obedience to law is understanding what God expects from a parent. God tells parents to “provide

for their families” (1 Ti 5:8). That is a rather open-ended command, but note what God doesn’t say. He doesn’t tell parents that they are responsible for keeping their children alive. Why? That’s God’s job. God doesn’t tell parents that they will be held accountable if anything bad happens to their children. Why? A parent is in no way capable of shielding his children from every danger and every sin. That’s ultimately God’s job too. What God does command is for parents to provide for their families to whatever degree they are best able according to his Word.

Those last words are important: “to whatever degree they are best able according to his Word.” There are boundaries to God’s commands, and those boundaries are the other commands God has given us in his Word. When God gives us a command, he also is the one who sets the boundaries for keeping his command. He asks us to do everything we can short of breaking other commands that he has given us. When God commands us to obey the government, we are to obey the government to the best of our ability in every case, *unless that obedience to government breaks other commands of God*. When God tells fathers to provide for their families, they are to provide for their families the best they are able *without breaking other commands of God*.

For example, a father cannot say that because God commands him to provide for his family, he has the right to murder his neighbor to do so. The desire to provide for his children doesn’t give a father the right to steal for their sake. God’s Word itself sets defined boundaries on a parent’s care. No father is asked to choose between taking his neighbor’s life and providing for his children, because God doesn’t tell us to break some of his commands to keep others. What God commands is that I do all I can to care for my family according to his Word.

A WELS missionary recently told of a real-life example of what the preceding paragraphs describe. In a remote jungle village, the daughter of a Christian family became gravely ill, and her very life was in danger. Unfortunately, the only person in that remote village with any kind of medical training was a witch doctor who always combined pagan rituals and prayers to the spirits with his treatment of his patients. The girl’s parents were presented with a horrible dilemma. Should they take their daughter to a pagan witch doctor and participate in his heathen rituals, or should they do nothing and risk watching their daughter die?

While that decision must have been excruciatingly difficult for those parents, the missionary explained that God’s Word clearly gave them the answer: “You shall have no other gods before me” (Ex 20:3). Could keeping the 1st commandment and refusing to jeopardize their family’s faith by not going to a witch doctor possibly result in the death of their child? Yes. Was

that still the best thing for them to do? Yes. Because God asks parents to provide for their families to whatever degree they are best able *according to his Word*. When parents do that, they can trust that whatever happens, even the life or death of a child, lies in God's hands. To obey God's commands—and, therefore, the government's laws—and to provide for one's family is not an "either...or." It's a "both...and," because as a parent provides for his family, he does so in line with the rest of God's commands, trusting that God himself is controlling the end result.

It is true that Scripture presents various principles that need to be taken into account as a pastor confronts illegal immigration. This thesis has now highlighted three. The Bible shows us the gracious heart of God and invites us to show God's love and compassion to all as we proclaim the gospel to them. The Bible stresses God's gift of government and emphasizes the Christian's desire to obey government as God's representative. Finally, the Bible places a responsibility on parents to provide for the well-being of their families. The pastor's responsibility is to look for the key that unlocks the apparent dilemma between these principles and to help his people see and understand how God's will works together in perfect harmony.

That is certainly easier said than done. How Satan loves to make God's Word seem to say conflicting things! That was his tactic with Eve in the Garden of Eden (Gen 3:1-5), and that was even his tactic with Jesus in the wilderness (Lk 4:9-11). That voice telling us that God's Word contradicts and that we must make a subjective choice because God's Word isn't clear doesn't come from God. It's the deceiver busy with his age-old tricks once again. He loves to turn scriptural arguments into emotional arguments, because he knows that when our emotions and opinions and wills are allowed to make the final decision, God's Word is silenced. So he encourages our hearts to emphasize some of the Bible's teachings at the expense of others, or he tempts us to downplay certain commands of God in order to justify our sinful behavior.

With the devil hard at work, pastoral theology is not neat or easy. When faced by multiple biblical principles that seem to contradict, however, a Lutheran pastor will remember that while God does give us multiple commands in Scripture, he doesn't give us conflicting commands. It is our understanding and application of God's commands that cause the apparent conflict. The goal of a pastor through his study of God's Word is to find the underlying principle of God that explains why a particular case is not a dilemma in God's eyes. Sometimes the Holy Spirit leads a pastor to see the resolution of the issue. Sometimes grey areas still remain. The job of a pastor is to start with Scripture, understand the principles, and make an informed decision

based on what the Scriptures say. If scriptural study doesn't bring a resolution to doctrines which apparently contradict, it is also the pastor's responsibility to clearly establish those difficulties, but not to go beyond what Scripture says by trying to solve them. J. P. Koehler writes,

Now it may happen that according to *purely human* understanding a difficulty is present which consists of this: that this doctrine according to our reason cannot be brought into harmony with other doctrines. Then it is part of correct interpretation and presentation of doctrine to establish this difficulty and make it known.¹¹²

As we seek to make practical applications based on our study of Scripture, we will let all of God's commands stand. Our God asks us—and the undocumented immigrants among us—to love, to obey, and to provide, and in God's eyes those commands function in perfect harmony. As we make practical applications, we also ask ourselves this question: Does doctrine formulate practice, or does practice formulate doctrine? There is a difference. In an issue that is complex, we need to base our conclusions on Scripture, and not on what appears to be most practical in a given situation. This will be difficult for a pastor active in Hispanic outreach. His heart goes out to his people. But just like a pastor's teaching on justification is not governed by his feelings, so a pastor's practice regarding illegal immigration cannot be based on his heart. It must be based on his study of God's Word. It is my prayer that the following conclusions are based on that.

Conclusions

Does Illegal Immigration Always Involve Sin against God?

The foundational question for a pastor in the immigration debate is whether illegal immigration always involves sin against God. If no sin is involved, addressing it would not be a pressing issue. If sin is involved, it becomes an important spiritual issue for a pastor to address.

There is no doubt that illegal immigration involves the breaking of the laws of the United States, both in entering the U.S. illegally and continuing to live here against the laws of the government. Based on God's commands to submit to the governing authorities in Romans 13 and 1 Peter 2, illegal immigration would therefore clearly seem to be a sin in God's eyes. God's commands are clear, and the burden of proof rests on those who assert that illegal immigration is not a sin. Many Christians assert that very thing, however, and say that illegal immigration is not a sin against God. Some of their arguments were addressed above. Others will be addressed here.

¹¹² Koehler, J. P. "The Analogy of Faith." Published in *The Wauwatosa Theology: I*. Milwaukee: Northwestern Publishing House, 1997, p.221.

First, some Christians argue that America's immigration policies are contrary to God's Word and therefore ought to be disobeyed. They argue that borders are human inventions, and that immigration laws prohibit the universal right of all people to migrate. Immigration laws also necessarily involve the arrest and deportation of individuals, which violates God's command to treat our neighbors with love and compassion. This argument has already been discussed. As was stated above, there is no biblical support for the claim that border laws and immigration enforcement are unjust acts by the government. There is no evidence of a universal right to migrate. To the contrary, governments appear to have every right to enforce their borders.

A similar argument is raised that immigration laws ought to be disregarded because they prevent God's people from showing the love and compassion to our neighbors that God desires. Appeals are made to God's higher law of love, which supersedes all other commands, including obedience to government. Daniel presents this choice in the introduction to his book: "This book presents a choice to anyone who follows Christ: *Do I believe in the moral teaching of my faith more than I believe in the constructs of humankind, nationalism, and borders.*"¹¹³ This type of argumentation encourages the Christian to view every command in the Bible through an analogy of compassion and insists that God's love is always to be emphasized over obedience to laws.

There are elements of this argument that are to be commended. Every Christian's sinful nature needs to be constantly reminded to reflect to others the compassion it has been shown. Viewing the Bible through the lens of an "analogy of compassion," however, is a dangerous form of biblical interpretation. It exalts one attribute of God—his love—and uses it to trump all others. It exalts one set of passages and uses them to annul other clear statements of Scripture. Such thinking ultimately leads to dangerous logical conclusions. The acceptance of sin and universalism are the ultimate results of an analogy of compassion line of argumentation. As stated earlier, Daniel uses this type of reasoning to connect the acceptance of gays and lesbians in a congregation with its willingness to reach out to and accept undocumented immigrants.¹¹⁴

Further, it is unbiblical to say that God's greatest command to us is to love our neighbors. When people say that love for others is the ultimate fulfillment of God's law, they misquote Jesus' words. Jesus said, "'Love the Lord your God with all your heart and with all your soul and with all your mind.' This is the first and greatest commandment. And the second is like it: 'Love

¹¹³ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, xi.

¹¹⁴ Daniel, *Neighbor: Christian Encounters with "Illegal" Immigration*, 130.

your neighbor as yourself” (Mt 22:37-39). According to Jesus, love *for God* is the greatest commandment. This shouldn’t surprise us—it’s exactly what the First Commandment says. God-pleasing love for our neighbors can only flow from love for God. Therefore, our love for God and his commands means that we let God tell and show us how best to love our neighbors.

So, in order to faithfully study God’s view of government and immigration, we must look to those passages that speak specifically about government and immigration. Koehler writes,

...in explaining the so-called *loci classici* or the *sedes doctrinae* one may not, when it is a question of obtaining a doctrine, deviate from the grammatical-historical sense that is immediately and clearly contained in these passages. And if these passages contain terms that according to our human understanding even seem to contradict other doctrines of Holy Writ, one may not modify (*umgestalten*) these terms according to these other doctrines, provided that they are clearly present in these *loci classici* and are integral parts of this particular doctrine.¹¹⁵

Clear passages about obedience to government are not superseded by an analogy of compassion. If God’s statements on compassion were to annul his clear commands to obey the government, he surely would have told us so. Further, nowhere in Scripture are Christians given the right to disobey laws they consider to be unjust. “We must obey God rather than men” applies only to laws that command a Christian to sin against God. Immigration laws do not do that.

A third argument used to deny that illegal immigration is a sin points to the lack of clarity surrounding the U.S. immigration laws and their enforcement. There is no doubt that the current laws cause confusion, and there is no doubt that they are inconsistently enforced. This is not God-pleasing. Solomon warns, “When the sentence for a crime is not quickly carried out, the hearts of the people are filled with schemes to do wrong” (Ecc 8:11). One way a Christian can love his immigrant neighbors is by seeking consistency in the enforcement of immigration laws. To accomplish that, a Christian may seek changes in immigration laws through legal means.

There is also no doubt, however, that the U.S. government is currently enforcing its borders and is actively apprehending undocumented immigrants. The number of deportations each year proves that the U.S. is enforcing its laws, and an undocumented immigrant most certainly needs to evade border patrols and ICE agents, at least as he enters the country. Such actions show active disobedience against the government. This is contrary to God’s will.

A fourth argument against illegal immigration as a sin against God asserts that U.S. immigration laws cannot be supported because they cause undue hardship to those who are arrested for breaking them. Since deportation can lead to the separation of families, immigration

¹¹⁵ Koehler, J. P. “The Analogy of Faith,” p.221.

laws can't be viewed as God's will. The problem with this argument is that it blames the government when punishments are carried out, instead of the one who has broken the law. It is ultimately not the government's fault when immigrant families are separated or when undocumented immigrants are deported. It is the fault of the person who broke the law. As an extreme example, we don't fault the government for the hardship caused for the family of a murderer when he is sent to prison for life. When punishment is carried out, the problem is not with the law. The problem is with the individual who has broken the law. As Paul wrote, "Do you want to be free from fear of the one in authority? Then do what is right..." (Ro 13:3).

One final argument against illegal immigration as a sin against God is more compelling. It is argued that some undocumented immigrants flee abject poverty and horrific violence in their countries. For those immigrants, the decision to enter the U.S. is a matter of life or death. When asked whether illegal immigration always involves sin, one WELS pastor said, "No, because some people are literally fleeing for their lives especially now with the situation in Mexico and the drug cartels." Another WELS pastor mentioned the African immigrants in his congregation. They face horrific persecution in their home countries and have watched family members murdered in front of their eyes. Yet, they were unable to receive refugee status in the U.S. or Canada. They are certain that a return to their countries will result in death for them and their loved ones. Is it perhaps conceivable that an undocumented immigrant in a difficult life or death situation could enter another country illegally as a God-pleasing way to protect lives?

Extreme caution must be taken before arriving at that conclusion. Extenuating circumstances—even the grave circumstances described above—are not justifiable reasons to break God's commands, even just once. In reality, the unfortunate truth in our world is that life presents us with an unending stream of extenuating circumstances. In virtually every practical decision of life, there are extenuating circumstances in which it would seem like "just this once" it is okay to break God's commands. God, however, hasn't given us that authority to stand in his place and decide what his will really should be. Crossing the line just one time in extenuating circumstances sets a dangerous precedent for crossing the line time and again in the future.

Ultimately, we don't know what the future holds, and we shouldn't assume to know what will happen if a certain action is taken. When a country denies admittance to a refugee and forces him to return to his country, it is certainly putting that refugee in grave danger. That decision could very well be unwise and unloving, but ultimately we don't know what the future holds. If I

have done everything short of breaking God's commands to avoid danger for my family, what's left for me is to trust in God and his plan for my life. It will be difficult to reach that conclusion, but ultimately this is what trust in God is—facing the unforeseen dangers of the future with God at our side and heaven as our final destination. To decide to break God's commands in the hopes of bringing about a different future result assumes that we, instead of God, control our destinies. When viewed in this light, it is certainly preferable for a family to face persecution or even death with clear consciences than to hope for a better earthly life while breaking God's commands.

So does illegal immigration always involve sin against God? Yes. The conclusion of this paper is that sin is involved in every case of illegal immigration. Every case is different. In some cases, the sins are drastically different. Yet, sin is involved in every case, because God's directive to submit to the governing authorities cannot be ignored. One WELS pastor said,

Yes, crossing the border illegally is sin. There is no way around that one. I praise God that I can point His people to the cross and their forgiveness for that one too. It is a very dangerous sin because it can lead to so many others – lying, identity theft, tax fraud, among others which take this misdemeanor and turn it into something much bigger with bigger issues to be addressed.

The sin of illegal immigration isn't just committed by undocumented immigrants, however. It must be remembered that it involves many people. One WELS pastor explained,

Yes [illegal immigration always involves sin]. It's the sin of the leaders/government that caused some people to be so desperate that they see a better future for themselves in an illegal state, than to remain in their current country. It's the sin of the people that decided to disobey our US government and ignore that their visa running out so that they could stay here. . . . It's the sin of our government who allow the illegal immigrants to be here but don't enforce it because they know that our society, especially in NYC, depends on their cheap labor, but yet won't give them benefits.

It is also important for the Lutheran pastor to remember that sometimes this sin of illegal immigration is an unintentional sin. One WELS pastor wrote: "I would say that it does not always involve an intentional sin against God. Some people have absolutely no knowledge of the laws and take bad advice. Some come legally and then, due to circumstances beyond their control, watch helplessly as their documents expire before they can do anything about it." That reality doesn't excuse the sin involved in illegal immigration or downplay it in any way, but it does affect how a pastor will minister to an undocumented immigrant. He is not targeting openly impenitent sinners. He is leading people to a deeper understanding of their sin and God's grace.

That is always a pastor's goal—to lead his people to a deeper relationship with their Savior. Illegal immigration involves sin against God, but we don't acknowledge that so that we

can point our fingers at our brothers and sisters in Christ or look down on them in any way. On the contrary, we recognize that illegal immigration involves sin against God so that the spiritual nature of this issue is brought to the forefront, and so that pastors have the opportunity to share with undocumented immigrants exactly what they need to hear: God's law and God's gospel.

Is It Necessary for a Lutheran Pastor to Address Illegal Immigration in His Congregation?

Since illegal immigration always involves sin against God, what responsibility does a Lutheran pastor have to address that sin in his congregation? One important point needs to be emphasized. The question is not, "Since they are here illegally, should I preach the gospel to them?" Whether or not the gospel is preached is not up for debate. There is no doubt that undocumented immigrants are to be taught about their Savior. The pastor will establish a relationship with them and look for opportunities to tell about Jesus. His first goal is that they believe in Christ. The question is whether or not a pastor needs to address illegal immigration with undocumented immigrants once they come into a relationship with their Savior.

First, there are two sides to immigration. While this thesis has focused on undocumented immigrants *after* they arrive in the U.S., there is also a *before* side to immigration. A Lutheran pastor in Mexico or in any other country from which undocumented immigrants enter the U.S. has the important responsibility to discourage his people from coming to the U.S. illegally. Many of the difficult decisions immigrants and pastors face in the U.S. could be avoided if potential immigrants received God-pleasing guidance from their pastors in their home countries. Their message to their people should be, "Out of love for your God and his representatives, obey the laws and don't cross." The message of a Lutheran pastor here in the U.S. is different, however, because he meets undocumented immigrants after they have made the decision to illegally enter the U.S. A sin has already been committed, and his focus is what to do now that they are here.

There are many within the Christian Church, including some pastors within the WELS, who are not convinced that illegal immigration needs to be brought up within a congregation. A common argument goes like this: Since there is the separation of church and state in America, immigration is not a pastor's job. It's the government's responsibility. The pastor should focus on preaching the gospel. One WELS pastor said, "I am not an agent of the state, so I don't ask immigration status. That's not my job; I don't have the call to do that. I preach the Gospel."

That argument, however, could imply a misunderstanding of the separation of church and state—or of the doctrine of the two kingdoms. The doctrine of the two kingdoms means that the

government should not interfere in the Church's mission to spread the gospel. It means that the Church should never set aside its gospel proclamation to pursue political aims that God has granted to government. The doctrine of the two kingdoms does not mean, however, that the Church should never talk about the state and the Christian's relationship with his government.

If, for example, a member of a Christian congregation is arrested for stealing, the pastor will not say, "Addressing this is not my job—it's the government's responsibility." It's true that the pastor won't handcuff and arrest that member. That is the government's responsibility. He will, however, address the spiritual issue of that man's sinful action, because wherever sin is involved, it is a spiritual matter, and a person's relationship with his God is impacted. Wherever there is sin, the pastor—and every other Christian—has the responsibility to "go and show him his fault, just between the two of you" (Mt 18:15). The doctrine of the two kingdoms is not a valid reason to avoid addressing the sin of illegal immigration within a congregation.

Further, being a church does not mean avoiding all social issues. One only has to skim through the Old Testament prophets to find judgment after judgment against God's people for failing to be concerned about the social ills around them (see Is 58:3-7). The doctrine of the two kingdoms does not separate the church from the moral issues that revolve around the state. It is the role of the church to clearly proclaim what God says to governments and to the citizens of governments. Article XVI of the *Apology to the Augsburg Confession* states, "For the Gospel does not destroy the State or the family, but much rather approves them, and bids us obey them as a divine ordinance, not only on account of punishment, but also on account of conscience."¹¹⁶

A second argument against addressing illegal immigration in a congregation is this: Since a pastor is confronted with the choice to either preach the gospel to undocumented immigrants or address illegal immigration, the Lutheran pastor will choose to preach the gospel. One WELS pastor wrote, "As a practice I do not ask immigration status because for me it's all about Jesus and reaching the souls who have come here. Asking such a thing creates a nervous fear in the Spanish-speaking community, which generally has a skeptical view of government." Another said, "I have never initiated such a conversation in any way. My interest is, first and foremost, in their greatest need, for the Gospel. If somehow the word got out that our church, members, staff was anti-immigrant, how many people would feel comfortable coming to church...?"

¹¹⁶ Lutheran Church-Missouri Synod, *Concordia Triglotta—English: The Symbolical Books of the Evangelical Lutheran Church*, electronic ed., 331 (Milwaukee, WI: Northwestern Publishing House, 1996).

This concern for the gospel and the salvation of souls is to be applauded, but we must be careful not to set up a false dichotomy between preaching the law and preaching the gospel. C.F.W. Walther reminds that both law and gospel “are in the most perfect harmony with one another” and warns, “When a person ceases to employ either of these two doctrines, he is no longer a true Christian.”¹¹⁷ A pastor is not forced to choose between preaching the gospel to undocumented immigrants or using the law to address their sin, just as he never has to choose between preaching the gospel or addressing the sin of adultery. The pastor does both. He uses the law to show the seriousness of *every* sin. He uses the gospel to show how Christ won forgiveness for *every* sin. He does both, because God’s Word to us contains both law and gospel.

Therefore, addressing the sin of illegal immigration at its proper time will not impede the preaching of the gospel, nor will it come at the expense of preaching the gospel. Rather, as the gospel grows in a believer’s heart, a pastor will gradually use the law to address the sins in their lives. One WELS pastor said, “When I have had sufficient time to preach the Gospel and the Spirit has claimed and established his rule in the heart, I trust this topic will come up (or I’ll bring it up) and we will address it then.” A Lutheran pastor welcomes undocumented immigrants with open arms and preaches to them law and gospel, each at its proper time. Flunker writes,

I deal with everyone, legal or illegal, in the same way. I preach Law to condemn the heart, and I preach Gospel to bring forgiveness, healing and comfort to the heart. . . . Everyone is a sinner when they come to hear the Gospel, and they remain a sinner after they hear the Gospel. That is why we are called to do what we do – to work with sinners so that they may see their sin and hear the forgiveness that God has so graciously given them through Jesus Christ – and in that forgiveness to enable people to practice love in forgiveness and to obey the laws of the land in which they live.¹¹⁸

When law and gospel are properly divided, a Lutheran pastor does not have to choose between preaching the gospel and addressing sins like illegal immigration. He will—and must—do both.

A third argument against addressing illegal immigration in a congregation is this sentiment: “If the government doesn’t enforce its own laws, why should I?” Certainly there is some validity to that statement. Quite frankly, a pastor’s job is never to enforce the law at all. He should never think it is his duty to round up undocumented immigrants, just as he doesn’t pull over his members for speeding. That would be a confusion of the doctrine of the two kingdoms.

¹¹⁷ Walther, C.F.W. *The Proper Distinction between Law and Gospel*. St. Louis: Concordia, 1928, p.7.

¹¹⁸ Rev. Timothy Flunker. *A Biblical Guide to Understanding How to Handle the Illegal/Undocumented Immigration Situation*. p.4.

Whether or not the government enforces its laws as consistently as it should, however, a pastor doesn't address illegal immigration for the government's sake. He does so for the sake of the souls under his care. Even if the government isn't as concerned about its own laws as it could be, this matter is weighing on the conscience and mind of the undocumented immigrant. He knows he is an undocumented immigrant, whether or not ICE is actively pursuing him. How can a pastor avoid an issue that affects every aspect of his people's lives? How often are our undocumented members and neighbors actually hoping we'll bring up illegal immigration so that they can find peace for their consciences and guidance from a man of God whom they trust? If our members, regardless of their legal status, recognize the spiritual issues involved with illegal immigration and yet see that we are not addressing it, what message are we sending them?

The dynamics of illegal immigration will be felt in a congregation whether or not it is openly discussed. One WELS pastor commented, "It can also create a slightly awkward dynamic between those who are here legally and those who are not." If this issue is truly on everyone's heart and mind, wouldn't it be better for it to be openly discussed on the basis of God's Word?

A fourth argument against addressing illegal immigration in a congregation is the idea that the church is to be a sanctuary for undocumented immigrants. The concept of sanctuary has picked up steam over the last few decades. In fact, there are now dozens of sanctuary cities spread across the United States. These sanctuary cities follow practices to protect undocumented immigrants, such as refusing to devote municipal resources for the enforcement of federal immigration laws or forbidding employees to inquire about one's immigration status. Examples of sanctuary cities are New York City, Los Angeles, and Houston, along with Madison, WI.¹¹⁹

Shouldn't the church be like that? One WELS pastor wrote, "The church is a refuge for illegal people so I can serve them and let them be members. Immigration service will not bother anyone at church or school." If we are talking about physical safety, then the church should be a sanctuary of peace and calm. If we are talking about immigration enforcement, then the church should be kept free from immigration raids. But if we are talking about the spiritual ramifications of disobedience to government, then the church is not a sanctuary. It is not a sanctuary for sin. It is a place for sin to be condemned by God's law and wiped away by Jesus' blood. The church is a sanctuary for undocumented immigrants—it is a place where they can find peace with God.

¹¹⁹ Lists of sanctuary cities can be found in multiple locations on the internet. Two examples are http://en.wikipedia.org/wiki/Sanctuary_city and <http://www.sanctuarycities.info/>.

A fifth argument against addressing illegal immigration in a congregation is the fear that openly addressing illegal immigration will hurt a church's outreach efforts. This concern was mentioned in one of the quotations above. Two opposing arguments could be noted, however. First, to not address in an open way an issue that is such a part of the daily life of the Hispanic community could be equally, if not more, detrimental to outreach efforts. The Blue Ribbon Task Force on Hispanic Ministry (LCMS) stated simply, "To *not* address immigration issues will hinder Hispanic ministries."¹²⁰ Second, the fact that a teaching has the potential to hinder outreach efforts is not in and of itself an adequate reason to avoid it in our congregations. Other doctrines such as closed communion or the roles of men and women also have the potential to hinder outreach efforts, yet we don't avoid those. We teach them without shame because they are part of God's will for his people, just like his command that we submit to our government.

Finally, doesn't a Lutheran pastor have more important issues to deal with than illegal immigration? One WELS pastor confessed, "I am more concerned trying to get their kids baptized and get the live-ins married. This is not a black and white issue." It is certainly true that a pastor has many spiritual issues to address in his congregation. This thesis is not meant to raise illegal immigration above the other sins that a pastor addresses in the life of his congregation. Rather, the goal of this section is to encourage the Lutheran pastor as he carries out his responsibility to address the sins he sees in his congregation and comfort them with the gospel. May Paul's tender-hearted attitude be ours as well: "Brothers, if someone is caught in a sin, you who are spiritual should restore him gently. But watch yourself, or you also may be tempted. Carry each other's burdens, and in this way you will fulfill the law of Christ" (Gal 6:1-2).

When Should Illegal Immigration Be Discussed?

Illegal immigration involves sin against God. Therefore, it is necessary for a pastor to address the sin of illegal immigration with the people to whom he ministers. But when is the most appropriate time? Bourman offers good advice, "The pastor will not intentionally avoid the subject, but a conversation of such importance best happens within the context of a relationship."¹²¹ Walther concurs, "A minister must...proclaim the truth so as to meet the needs of his people. He may have to defer saying many things until his people have gained confidence in him and his teaching and he knows that he may frankly tell them anything without fear of

¹²⁰ *Report of the Blue Ribbon Task Force on Hispanic Ministry Report: One Mission, One Message, One People / Una Misión, Un Mensaje, Un Pueblo* (2007), 11.

¹²¹ Bourman. "The Pastor Shepherds the Undocumented Member," p.4.

repelling them.”¹²² The Lutheran pastor shows great patience as he deals with undocumented immigrants. Illegal immigration is a personal issue, and a level of trust is needed to address it.

The Lutheran pastor who trusts in the power of the Means of Grace gives the Holy Spirit time to work on a new believer’s heart. To address the issue of illegal immigration before faith takes hold of an immigrant’s heart can only lead to civic righteousness. A WELS pastor wrote,

Most people are caught in some type of sin when we reach out to them. And often the sin is hard to leave. For example how do you deal with a family who is living together and has children? ... It may take awhile to gain the spiritual strength to leave sins that have become a way of life. Illegal immigration is no different.

Illegal immigration need not be mentioned in a pastor’s first conversation with a Hispanic prospect. It may not even be mentioned in a Bible Information Class, although a lesson on the fourth commandment might provide a perfect opportunity to address a Christian’s proper relationship with his government. It might not be mentioned for a matter of years, as that Christian matures in his faith and sorts through the mountain of baggage he brought with him to his new church. This is not done out of laziness or apathy or fear, but out of concern for his soul. The Lutheran pastor will make sure that illegal immigration is ultimately discussed at the best time for forgiveness to be given and for the fruits of repentance to follow. A WELS pastor said,

I would agree with your comment that “at some point” a pastor would bring up the subject with a member. This would be done in a personal way in love for that person and with the goal of helping them continue to grow spiritually....I would attempt to engage a member when there is a relationship that provides a level of trust between me and that person....I would hope that “avoiding an unpopular topic” would not describe my thoughts or the thoughts of anyone else. I would rather think in terms of loving and careful pastoral care and a process of long term spiritual growth which often happens over time. The ministry is often more like a marathon than a sprint.

What Fruits of Faith Should be Expected?

Once the sin of illegal immigration has been addressed with a Christian brother or sister, what fruits of faith could be expected in their life? The matter of fruits of faith is one of the most difficult practical questions surrounding illegal immigration. It is absolutely necessary to keep in mind the goal for every person—repentance and salvation. The goal is not civic righteousness or outward morality. The goal is heart change, and this takes time. Before a person can act like a Christian, he needs to be a Christian. Before people can produce the fruits of the Spirit, the Spirit needs time to work in their hearts. Long-term repentance is better than a short-term end to sin.

¹²² Walther, *The Proper Distinction between Law and Gospel*, 208.

One WELS pastor offered this advice on fruits of repentance, “Teach the principles, but don’t micro-manage lives.” That is good advice. As the Lutheran pastor ministers to undocumented immigrants, he will clearly teach the principles of the Bible, including that of obedience to government. But fruits of repentance and faith can’t be forced through the law. A pastor’s job, therefore, is not to legislate specific fruits in the lives of his members. He certainly guides his people in their Christian living, but he cannot live vicariously for another person. He is a preparer and a builder (Eph 4:12), not an enforcer. So what fruits of faith will he encourage?

First, if the U.S. government should enact immigration reform, the job of a Lutheran pastor would become much easier. He could then encourage undocumented immigrants to do whatever possible to follow whatever new pathway toward legal status the government would provide. Until that reform is enacted, however, a clear answer for a pastor is harder to find.

There are some who quickly jump to the conclusion that undocumented immigrants must return to their countries when confronted with their sin. This conclusion does make logical sense. It seems natural that an undocumented immigrant who illegally entered the U.S. and who now struggles to gain legal status would go back to his country. Hoffmeier, for example, relates that if he came across a person without a green card, he would immediately encourage him to do whatever it takes to legalize his residency, even if that meant leaving the country.¹²³ A number of WELS members and pastors have personally expressed to me their belief that the immigration issue is simple. An undocumented immigrant who recognizes his sin must return to his country.

The difficulty, however, lies in that little word “must.” A pastor is certainly free to share what he believes to be the most beneficial and God-pleasing ways for his people to produce fruits of faith. He may even encourage an undocumented immigrant to return to his country. The Lutheran pastor, however, will hesitate to insist that the only way for an undocumented immigrant to put his faith into practice is a return to his country, because he will acknowledge the inconsistencies surrounding illegal immigration in the U.S. Although the laws themselves are clear, the inconsistencies in their enforcement and the mixed messages given by federal officials create legitimate doubt as to the best course of action for a repentant undocumented immigrant. If an undocumented immigrant returns to his country because he feels obligated to do so to please his pastor, and not because he is convinced that his return is the best action for him to take as he applies his new faith to his current circumstances, his action is not a fruit of faith.

¹²³ Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible*, 151.

As an example of the inconsistency, the leaders of the U.S. have publicly declared that undocumented immigrants don't need to go back to their countries. Compare these statements by President Obama and Mitt Romney during a 2012 presidential debate. Romney stated,

We're not going to round up 12 million people, undocumented illegals, and take them out of the nation. Instead let people make their own choice. And if they...can't get the benefits here that they want and...can't find the job they want, then they'll make a decision to go a place where – where they have better opportunities. But I'm not in favor of rounding up people and – and – and taking them out of this country.¹²⁴

President Obama responded, “What I've also said is if we're going to go after folks who are here illegally, we should do it smartly and go after folks who are criminals, gang bangers, people who are hurting the community, not after students, not after folks who are here just because they're trying to figure out how to feed their families.”¹²⁵ Despite what the current U.S. immigration laws plainly state, both candidates clearly said they were not in favor of rounding up and deporting undocumented immigrants. If the president of the United States does not obligate undocumented immigrants to go back to their countries, should a Lutheran pastor?

We must be careful not to take this argument too far. The hopes and dreams of politicians are not laws, and there are certainly members of the U.S. government who don't agree with the sentiments expressed by Romney and President Obama. This isn't the first time immigration reform has appeared imminent, and each previous attempt has ultimately been derailed. A Christian citizen will abide by the laws on the books, not by laws which may or may not exist at some point in the future. A president's yet-unfulfilled promises do not condone the breaking of current laws, but they do help form the pastor's guidance. The government doesn't expect undocumented immigrants to leave the country, so a pastor won't insist on that fruit of faith.

Anecdotal evidence could abound here. I once met an undocumented immigrant who is married to an American citizen. They have three children who are all also American citizens. Despite such close family connections with U.S. citizens, however, the man has been unable to change his legal status in any way. On his last visit to an immigration office, he was told, “You cannot receive legal resident status, but you don't have to leave the country.” This man was told that he could not become a legal resident of the U.S., even with an American wife and American

¹²⁴ 2012 Presidential Debate. October 16, 2012. http://politicalticker.blogs.cnn.com/2012/10/16/transcript-second-presidential-debate/?hpt=hp_t2. Accessed October 17, 2012.

¹²⁵ 2012 Presidential Debate. October 16, 2012. http://politicalticker.blogs.cnn.com/2012/10/16/transcript-second-presidential-debate/?hpt=hp_t2. Accessed October 17, 2012.

children, yet he was told to keep living in the U.S. even as an undocumented immigrant. What should his Lutheran pastor encourage him to do? In this case, since the government itself has told the man to continue living in the U.S., he can do so with a clear conscience before God.

That anecdote, however, does not prove that a pastor should never encourage an immigrant to return to his country. If an undocumented immigrant decides in faith that returning to his country would be the best way for him to serve God and obey the government, a Lutheran pastor will whole-heartedly support that decision as a beautiful fruit of faith. Two WELS pastors provided examples of situations in which they did encourage undocumented immigrants to return to their countries. One pastor said, “Yes. I have told illegal immigrants to return. Usually when I hear someone who is struggling to find work because they don’t have proper identification. I speak to them about what God says about breaking the law as well as taking the step of faith in returning to their country of origin which probably means a step backward financially.” Another pastor said, “Yes. I have and I would again. Many leave their wives and children in their country. In these cases, I encourage them to save their money and to return home.”

That last quote brings up a little mentioned side of immigration. When a man leaves his country to provide for his family back home, what is forgotten is that a wife and children are often forced to live for years without their husband and father. In his book, *On the Immorality of Illegal Immigration*, Father Patrick Bascio includes some letters written by women in Guerrero, Mexico to their immigrant husbands in the United States. Here is an example: “Dear Pedro, how I miss you. You said you were only going to Arizona to get money for our house but now you have been away and did not come back when your sister got married. Oh how I worry that you have another woman! Don’t you love me? You told me you love me. You love me...”¹²⁶

Sadly, the difficulties of life as an undocumented immigrant do often have a negative impact on marriages. On the one hand, since immigrants leave behind their families for extended periods of time, both husbands and wives are tempted to find new partners. A WELS pastor wrote, “Some have left wives...in order to work here and provide for them. In the process, they’ve met new women and started new families here causing for some very messy situations.”

On the other hand, since family connections are one way for immigrants to legally enter the U.S., it is a far too common practice for people to get married simply to help a friend on his path to the U.S., without any desire to establish a permanent relationship. One WELS pastor said,

¹²⁶ Bascio, *On the Immorality of Illegal Immigration*, 204.

I run into problems with marrying people. They can't get married because they are married to someone else only to get their papers. Some haven't gotten around to getting the official divorce, others can't get it yet because they have to wait a certain amount of time before they can get a divorce so they can get their green card. Most live in fear that they will get caught. I've even had a couple cases of blackmail, where the American who married the Hispanic continued to ask for more money.

Still another WELS pastor described the seriousness of this marriage conundrum:

The situations that bother my conscience most are the “matrimonio por negocio” [“business marriages”]. We have a good group of families in the same situation. They came to the USA married. They had children with their spouse. Then, to get citizenship, they divorced their legitimate spouse and married an American. The American usually received \$20,000-\$30,000 for their services. The divorced couple usually continues to live together, have children, etc. Should we receive families like this into membership? How do we discipline them? Should we tell them to go to jail (7 years)? What are the fruits of repentance?

The need to provide for their families back home is often given as one reason why undocumented immigrants enter the U.S. Perhaps sometimes that very need to provide for one's family by being there for wife and children *in person*, coupled with a godly desire to obey the laws of God's representatives, will actually lead an undocumented immigrant to return to his country. The Lutheran pastor need not be hesitant to state what he believes is the best way to fulfill God's laws. He will encourage undocumented immigrants to live their faith as they fulfill their God-given vocations as citizens, parents, and spouses. At times, he will encourage them to return to their countries. The Lutheran pastor, however, will hesitate to bind consciences and say that there is only one right way to remedy these difficult situations. The ultimate decision rests in the conscience of the Christian individual as he faithfully wrestles with God's Word.

Another seemingly obvious fruit of faith is this: Why don't they just become legal? If an undocumented immigrant would simply rectify his legal status, the spiritual issues would largely disappear as well. The problem, however, is that very few of the 11.2 million undocumented immigrants living in the U.S. have any chance at attaining legal status. For the vast majority of them, there is no legal pathway to permanent resident status. The words that man was told at the immigration office ring loud and clear: “You can't become legal, but you don't have to leave!”

A pastor will encourage undocumented immigrants to do whatever possible to gain legal status in the U.S., but he will understand that for many that is an impossible goal. Carroll writes,

The fact that the current immigration system is unworkable for those who are here without documentation and who earnestly desire to change their legal status is obvious to all who are familiar with the law and know people who have tried without success to

accomplish this. To say that undocumented Christians “need to be sensitive to their obligation to this teaching of Scripture [i.e., to submit to the law] and work through what may be deemed to be imperfect government procedures to obtain legal status” is to disregard what is actually occurring. For many, there is no line to get into, no recourse to be had.¹²⁷

So is continuing to live in the United States as an undocumented immigrant a sin? This is the greatest challenge raised by illegal immigration, because the sin of illegal immigration doesn’t stop at the border. The reality is that an undocumented immigrant needs to break laws on a daily basis to continue to live in the U.S. He will most likely need to buy false documents and a false Social Security number. The false document trade is a big business on the streets of large cities. In 2007, more than 7 million W-2s were issued with false Social Security numbers.¹²⁸ He will need to lie every time he applies for a job. He will need to drive without a driver’s license. He will need to lie when questioned about his legal status. This is life for an undocumented immigrant, and Daniel for one is not ashamed to admit that he is part of it all:

I falsified papers for her so that, like the Banos family, she could qualify for residency. I lied to the U.S. government, saying that I’d known her for enough time that she appeared to qualify for amnesty. I’ve never regretted my youthful decision to practice outlaw compassion. I wasn’t ready to send my friend back to El Salvador and a probably death. I wasn’t prepared to render unto Caesar what belonged to God.¹²⁹

Is that the path a Lutheran pastor should take—practicing “outlaw compassion” for his people?

These practical issues are what make sorting out the illegal immigration issue so difficult. The sin of crossing the border illegally can certainly be forgiven. The sin of a disrespectful attitude toward government can be forgiven and corrected. These other sins, however, are part of the very fabric of being an undocumented immigrant. In interviews, WELS pastors time and again lamented the other sins that go hand-in-hand with illegal immigration. One pastor said, “It also causes problems concerning breaking other laws. Many have fake ID’s, or use someone else’s social security card for work. Many drive without licenses or insurance. Many use false names and live in constant fear.” Another pastor lamented, “Lying easily becomes a way of life for the illegal immigrant. It’s just something that has to be done in many circumstances in order get set up with a job, house, car, etc... I’ve been asked on several occasions to ‘Just sign this

¹²⁷ Carroll, Review of James K. Hoffmeier, “The Immigration Crisis: Immigrants, Aliens, and the Bible,” unpaginated.

¹²⁸ Nina Bernstein. New York Times. April 16, 2007. “Tax Returns Rise for Immigrants in U.S. Illegally.” <http://www.nytimes.com/2007/04/16/nyregion/16immig.html?pagewanted=all> (accessed October 17, 2012).

¹²⁹ Daniel, Ben. *Neighbor: Christian Encounters with “Illegal” Immigration*, 46.

paper Pastor, we only need the signature of someone with papers in order to get the permit, license, apartment.” Another WELS pastor described the problems he sees:

Lying to the government is not looked at as sin. And a pragmatic way of life seems to rule their decision making. The question is “will I get in trouble?” instead of “What does God say?” Also, the continuous propaganda from different pro-illegal immigration groups doesn’t help. Many organizations spend a lot of time and money telling people their rights of keeping their secret safe.

Yet another WELS pastor wrote, “Some also live with the mentality that the end justifies the means. Although it was breaking the law to cross the border, it is viewed as a necessary action and ‘we’d do it again if we have to.’” A pastor would never want to encourage these attitudes!

Once again, however, the U.S. government’s reaction to these actions only complicates the matter for the Lutheran pastor. While, for example, it would seem patently wrong to use a false Social Security number, the U.S. government has purposefully not done everything it could to stop it. Since the 1980s, the Social Security Administration has received so many W-2 forms with incorrect or fictitious Social Security numbers that it has created an “earnings suspense file” in which taxes from these false Social Security numbers are stored. In addition, in 1996 the IRS began giving out individual Tax Identification Numbers to those without Social Security numbers. Since that date, more than 11 million of these numbers have been issued, and it is generally assumed that the vast majority have gone to undocumented immigrants.¹³⁰

The government knows who is using fraudulent numbers, and the government knows where they work. Yet, the government has done nothing to stop this practice. In fact, the U.S. government has made sure there is no connection between the IRS and ICE. Instead, Mark W. Everson, the former IRS commissioner, said, “We maintain a separation between the two systems.... We want your money whether you are here legally or not and whether you earned it legally or not.”¹³¹ To the U.S. government, the end of receiving more tax revenue justifies the means of permitting false documentation. It is hard to deny that the unenforced nature of some aspects of the immigration laws of the U.S. cast doubt on their validity. Is a lie still wrong if it is permitted by society and government as an acceptable way to find a job? A WELS pastor said,

It’s not that black and white. The government really doesn’t enforce this law. A Time magazine article last summer was written by an illegal immigrant who called immigration and told them of his status – and asked what they would do about it. Immigration told

¹³⁰ Nina Bernstein, “Tax Returns Rise for Immigrants in U.S. Illegally.”

¹³¹ Nina Bernstein. “Tax Returns Rise for Immigrants in U.S. Illegally.”

him that, since he wasn't in their system (hadn't committed any crimes), he technically didn't exist, so they weren't going to do anything about him. That's sending a mixed message, at best. If the government itself doesn't mind having law-abiding illegal immigrants in the country, then are these immigrants living in sin by staying here? I don't think so.

What a mess! These quotations show that many WELS pastors are struggling mightily as they attempt to faithfully apply God's Word to complicated situations in a complicated system. These are difficult questions, and this thesis certainly can't provide clear-cut answers. Yet, what can be said to a Lutheran pastor as he struggles to encourage his people in their fruits of faith?

First, it is good that pastors are struggling with issues surrounding illegal immigration. That doesn't sound right, but it is true. One WELS pastor said: "It is best to be uncomfortable whatever your pastoral theology may be." This struggle is not a result of a deficiency in God's Word. It results whenever an imperfect pastor seeks to apply God's Word to imperfect people in an imperfect world. That struggles indicates that a pastor has neither given in to the ways of the world, nor has he distanced himself from the real problems of real people. He is a man of the Word intimately involved in battles with Satan in society. This struggle will lead a Lutheran pastor to approach each individual case with much humility, prayer, and trepidation.

Second, a Lutheran pastor needs to remember that he is not struggling alone. If he feels like he wants to throw up his hands and give up, let him remember that his Father will never leave him nor forsake him (Dt 31:6). His Savior is with him always, to the very end of the age (Mt 28:20). The Spirit will give him words to say (Mt 10:19-20). When it comes to facing the difficult questions of illegal immigration, God isn't a stern judge waiting to thunder down his judgment if less than perfect decisions are made. God is a pastor's strength, comfort, and refuge, and he has given the Lutheran pastor a most powerful tool—his Word. Although the gospel message of Christ crucified can't change immigration laws, it can change hearts of stone and make them hearts of flesh. When a Lutheran pastor feels like giving up, let him return to the Word and remember who is on his side—the eternal gospel and the Spirit of Christ with all his power and love. A Lutheran pastor approaches each individual case with humility and prayer, but with the assurance that comes from Christ and the confidence that comes from his Word.

Third, the Lutheran pastor needs to constantly be reminded that his greatest concern is the spiritual welfare of his people. He will always look for opportunities to share the gospel with everyone, and he will look for faith in people's hearts before he looks for fruits in their lives. At the same time, he will not be afraid to say what needs to be said when his people's spiritual lives

are at stake. When he is concerned about the ongoing sins that are a part of illegal immigration, he will not be afraid to clearly point out those sins. He will not ignore or avoid speaking the truth in love to his members, because he knows that it is for their spiritual and eternal benefit.

As part of his concern for the spiritual welfare of his members, the Lutheran pastor will encourage his members to obey the government's laws out of love for Christ. He will encourage them to do everything they can to rectify their legal status, and he will encourage them to model a God-pleasing attitude toward government to their children, friends, and neighbors. He will remind them that the government does have the power to send them back to their countries, but he will comfort them with the fact that even in that situation their God has their lives in his hands. At times, he may encourage his repentant members to return to their countries. He will not insist on that fruit of faith, however, and will help his people with their daily struggles.

Fourth, the Lutheran pastor will remember that fruits of faith come from the gospel, not the law. One WELS pastor reminds, "Unbelievers will never do things for the right reason." Even after undocumented immigrants have come to faith in Christ, the Lutheran pastor won't expect from new Christians the same spiritual maturity and level of sanctification that he would from life-long believers. What might seem obvious or be taken for granted by a life-long believer perhaps will not be immediately apparent to a new believer. This does not excuse sin in new converts, but it reminds us that all changes in the life of a believer can properly come only through growth in the gospel. Sanctification is a process, and a Lutheran pastor will patiently rejoice as he watches his people grow in their faith and fruits of faith. He will avoid legislating specific fruits and will praise God for every good work he sees. One WELS pastor writes,

Fruits of repentance are always impossible to prescribe in a general way and especially so in this matter because each situation is so vastly different. Possible fruits could be self-deportation, applying for certain papers knowing that deportation is now a possibility, or...remaining and submitting to the government in every other aspect (including taxes, obeying laws, etc.) with the understanding that, eventually, deportation could still happen.

Finally, a Lutheran pastor will recognize the need to speak openly and honestly about illegal immigration with his people and with his brothers in the ministry. Illegal immigration needs to be discussed in the WELS more in the future. It needs to be discussed by brother pastors as they wrestle together with difficult practical applications and cases of casuistry. It needs to be discussed by theologians and church leaders as they provide encouragement and a sound biblical footing for those who are hard at work in the field. Most of all, it needs to be discussed by the

Lutheran pastor with the members of his congregation. How could we expect an immature Christian to ever begin to sort through these issues on his own? Why would we want that? Speaking openly and honestly about illegal immigration will allow a pastor the opportunity to truly understand the struggles his members are facing, and it will give him the chance to comfort struggling consciences with the gospel and provide much-needed guidance from God's Word.

It is in that open and honest setting of a pastor with his people in front of God's Word that fruits of repentance will be discussed. They must always be encouraged on an individual basis. They must always take into account where a Christian is in his level of spiritual maturity. And discussions about fruits of faith must always be cloaked in the gospel motivation that comes from a forgiven heart. Then a pastor can be assured that true fruits of faith will flow.

Conclusions

This thesis does not answer every question that is raised concerning illegal immigration. In fact, many still remain. What restrictions, if any, should be placed on undocumented immigrants in the life of a congregation? Can they serve as voting members? Council members? What should be the WELS' approach to undocumented immigrants who desire to be trained as pastors? What are the best ways for churches to continue to reach out to members who have returned or been deported to their home countries? What lessons from God's Word do our non-immigrant members need to hear and learn? Many more questions could be listed.

My prayer, however, is that this thesis has provided some guidance for the Lutheran pastor to help him in his daily struggles and to encourage him to further study. There are some things we can say with certainty about a Lutheran pastor and illegal immigration. Here are ten: 1) The Lutheran pastor will love every soul as he has been loved, and he will seek the salvation of every soul as he himself has been saved. 2) The Lutheran pastor will preach law and gospel at their appropriate times, with a focus on the gospel message of salvation found in Christ. 3) The Lutheran pastor will base his ministry on God's Word, and not on popular opinion, convenience, or personal preference. 4) The Lutheran pastor understands that to show love for his government is to show love for his God, and he will model and teach that God-pleasing attitude to his people. 5) The Lutheran pastor will immerse himself in his immigrant community. The struggles of his people will be his struggles. The joys of his people will be his joys. 6) The Lutheran pastor will not hesitate to step out of his comfort zone and put himself into situations in which he personally feels uncomfortable, all for the sake of the gospel. 7) The Lutheran pastor will have patience and

will always strive for heart change over outward morality. 8) The Lutheran pastor is not ashamed of his God or the commands his God has given in his Word. He will not be afraid to say what needs to be said, even if his message from God is not well-received. 9) The Lutheran pastor will not put himself in God's place and abolish laws which God has created, or create laws where God has not. 10) The Lutheran pastor will daily lay his sins at the foot of the cross, rejoice in the forgiveness his Savior won for him, and trust in the awesome power of God's Word.

We can use those principles to suggest a typical plan of action when dealing with undocumented immigrants, although this plan will certainly need to be adjusted as it is applied to individual situations: 1) Love undocumented immigrants enough to get to know them and welcome them to your community and church. 2) As you build a relationship with them, look for opportunities to preach to them the message of Christ's forgiveness for all of their sins. 3) Once an undocumented immigrant has come to faith in Christ, use God's Word to show them areas in which they can improve in their lives of sanctification out of love for Christ. Address the sin of illegal immigration, but don't emphasize that sin over any other sin, and address it at the right time for each individual. 4) Once an undocumented immigrant has confessed his sin and received Christ's forgiveness, offer him guidance in fruits of faith and emphasize that proper fruits often involve sacrifice. 5) Recognizes that your relationship with an undocumented immigrant is not a sprint, but a long-term blessing that God has given you. 6) Pray for you and pray for them.

The Lutheran pastor's duty and privilege to preach both law and gospel to all people leads him to both offer the gospel message of Christ's redemption free of charge to everyone he meets, regardless of legal status, and to address the sins connected with illegal immigration at the proper time in each individual Christian's life as they mature in their faith and grow in their level of sanctification. That is a truly Lutheran approach to illegal immigration.

Solo Deo Gloria.

Tu pueblo, no mío. Tu Palabra, no mía. Tu gloria, no mía. Amén.

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Appendices

*Appendix A – Definition of Terms*¹³²

Asylum seekers: People forced to flee their homeland without access to the refugee resettlement process. People must apply for asylum within one year of arrival in the United States in order to be considered eligible. Those who receive asylum are called *asylees*.

Coyote: A person who smuggles Mexican nationals or other undocumented immigrants across the border into the U.S. for a fee.

Deportation: The lawful expulsion of an undocumented immigrant from a country. The deported individual is returned to his or her country of origin. This process is also known as repatriation.

Immigration and Customs Enforcement (ICE): U.S. Immigration and Customs Enforcement is the principal investigative arm of the U.S. Department of Homeland Security (DHS). Its primary mission is to promote homeland security through the enforcement of federal laws governing border control, customs, trade, and immigration.

Lawful Permanent Residents: Foreign-born individuals who have the legal right to live and work permanently in the United States are called lawful permanent residents. Foreign-born individuals can seek to become lawful permanent residents of the U.S. in one of three ways: 1) *Family Sponsorship:* Adult U.S. citizens can sponsor their foreign-born spouses, parents, children and siblings. Lawful permanent residents can sponsor their spouses, children under age 21 and unmarried adult children. 2) *Employment Sponsorship:* U.S. employers can sponsor individuals for specific positions when there is a demonstrated shortage of available highly skilled workers. 3) *Diversity Lottery:* Immigrants from certain countries can register for 50,000 visas made available each year.

Mixed-Status Families: Mixed-status families are those with one or more members who are not U.S. citizens. The noncitizen family members may or may not be documented. For example, a mixed-status family might comprise a U.S. citizen married to an undocumented immigrant with U.S.-born citizen children.

Naturalized Citizens: Lawful permanent residents are eligible to apply for U.S. citizenship through a process called naturalization. To qualify for naturalization, applicants must meet these qualifications: 1) They must have resided in the United States for five years, or three years if they are married to U.S. citizens, without having committed any serious crimes. 2) They must show that they have paid their taxes and are of “good moral character.” 3) They must demonstrate knowledge of U.S. history and government as well as an ability to understand, speak, and write basic English.

¹³² Many of these definitions are taken from a Bible study published in 2012 by the Lutheran Immigration & Refugee Service entitled “Bible Study Guide: People on the Move • New Neighbors • Much to Give.” It is available at <http://lirs.org/wp-content/uploads/2012/05/BNAMANUALBIBLESTUDY.pdf>.

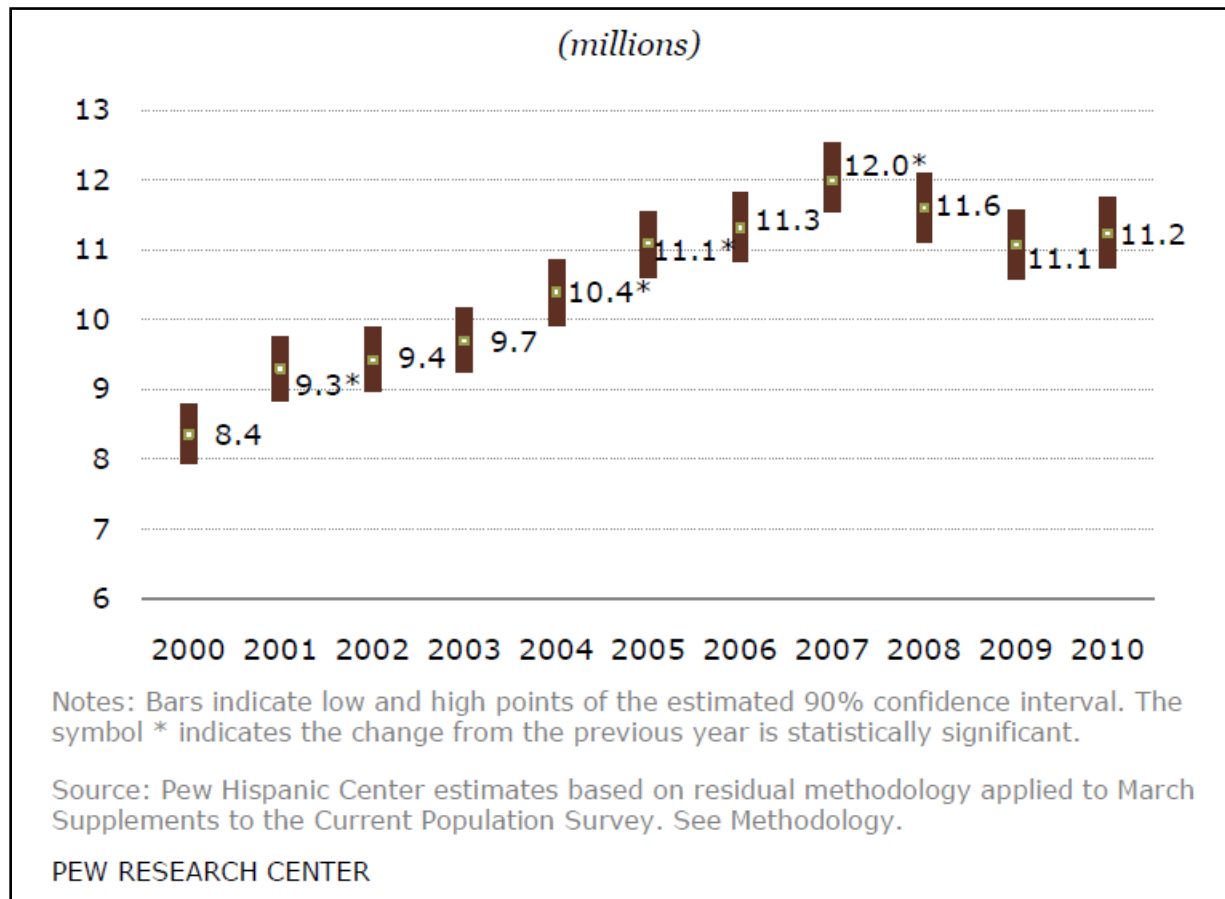
Non-immigrants: People who are permitted to enter the United States for a limited period. Most non-immigrants must apply for a visa before entry. Visa holders must also pass an immigration inspection upon arrival. Examples of non-immigrants include students, tourists, temporary workers, business executives, diplomats, artists, entertainers, and reporters.

Refugees: People who fled their home country due to persecution or fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion. Refugees typically stay in camps in a safer country before being resettled in a third country. The process usually takes years.

Undocumented immigrants: People present in the United States without the permission of the U.S. government. Undocumented immigrants enter the United States without being inspected by an immigration officer or by using false documents. A foreign-born person who entered the country with permission of the U.S. government can become undocumented by “overstaying”—remaining after a temporary visa expires.

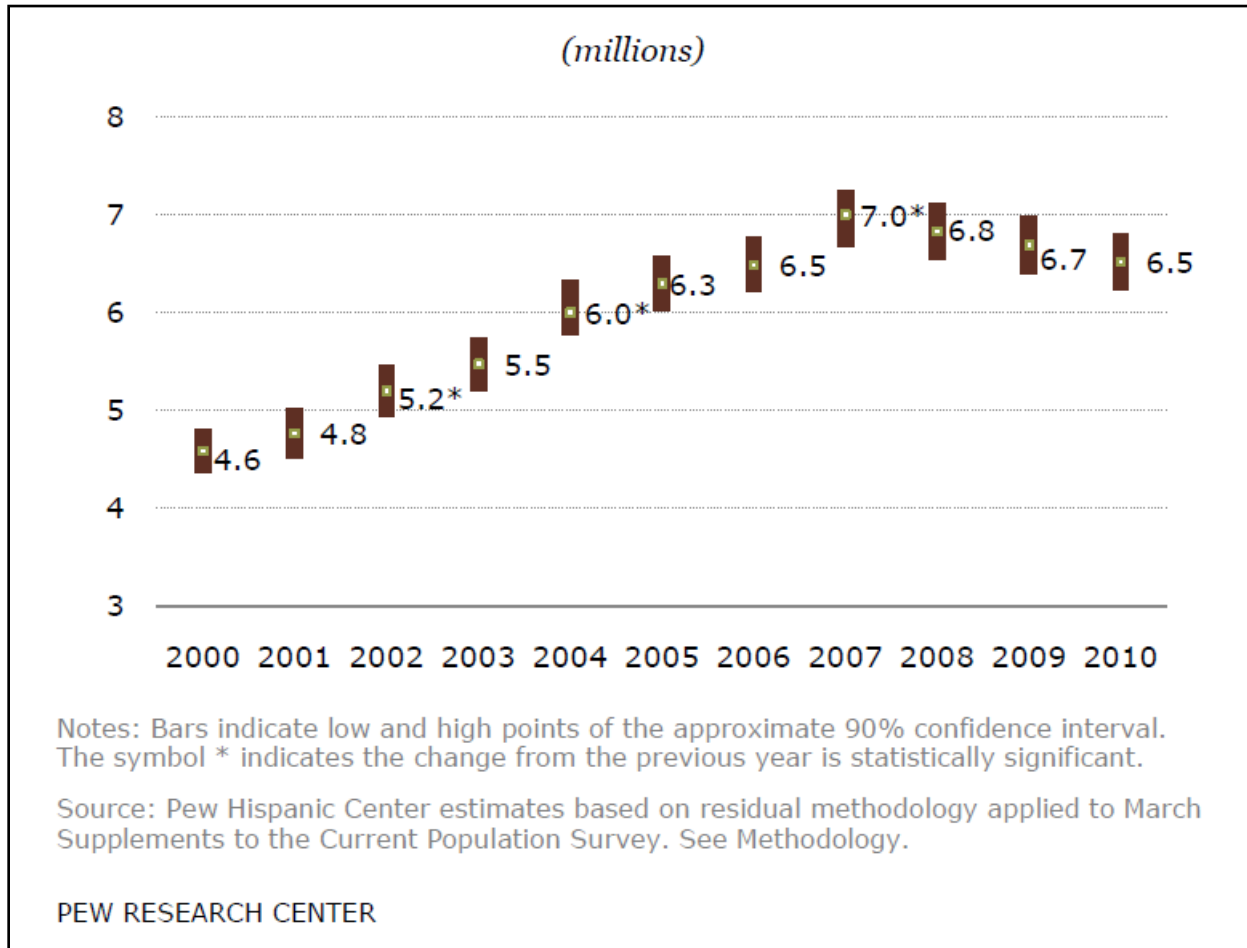
Visa: A travel document granted by consular officials. Visas do not guarantee entry into the United States. Examples of visas include student, tourist, and temporary worker visas.

Estimates of the U.S. Undocumented Immigrant Population, 2000-2010



¹³³ Charts on this and the following pages are taken from Jeffrey S. Passel and D’Vera Cohn. “Unauthorized Immigrant Population: National and State Trends, 2010.” Washington, DC: Pew Hispanic Center (February 1, 2011).

Estimates of the U.S. Undocumented Immigration Population from Mexico, 2000-2010



States with the Largest Undocumented Immigration Populations, 2010

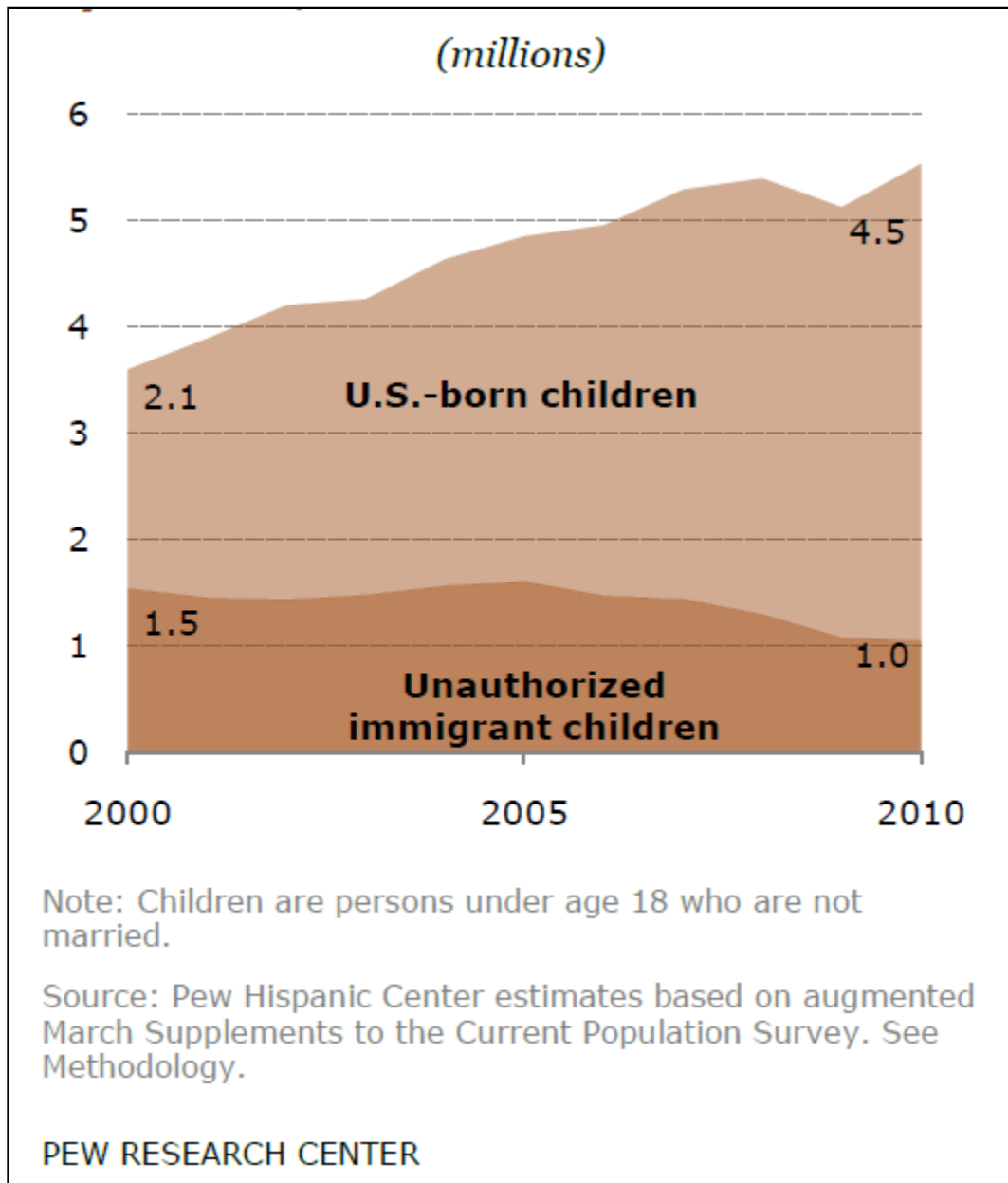
<i>(thousands)</i>		
	Estimated Population	Range
U.S. Total	11,200	(10,700 - 11,700)
California	2,550	(2,350 - 2,750)
Texas	1,650	(1,450 - 1,850)
Florida	825	(725 - 950)
New York	625	(525 - 725)
New Jersey	550	(425 - 650)
Illinois	525	(425 - 625)
Georgia	425	(300 - 550)
Arizona	400	(275 - 500)
North Carolina	325	(240 - 425)
Maryland	275	(200 - 325)
Washington	230	(140 - 325)
Virginia	210	(170 - 250)

Note: Range represents approximate 90% confidence interval around estimated population.

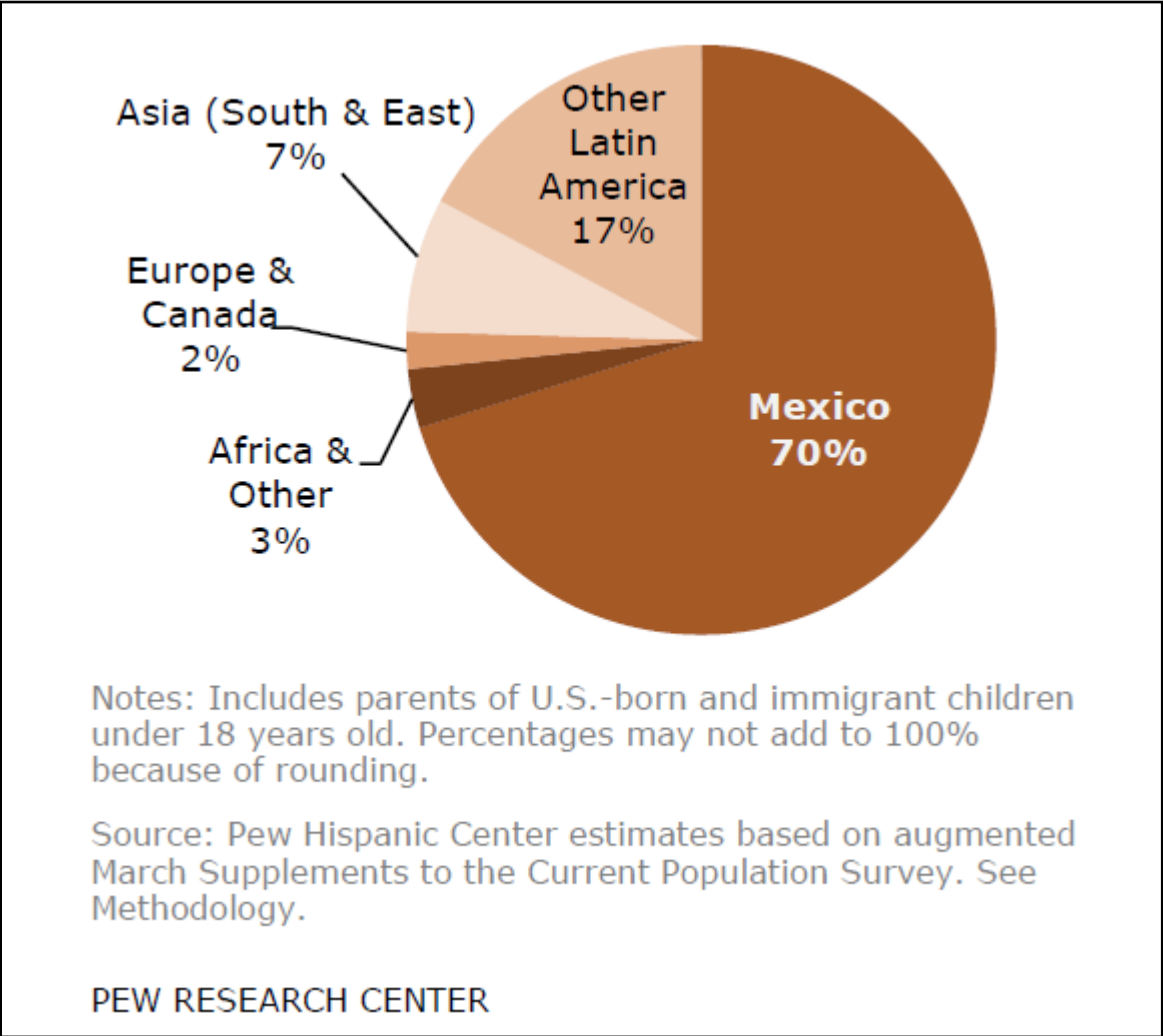
Source: Pew Hispanic Center estimates based on augmented March Supplements to the Current Population Survey. See Methodology.

PEW RESEARCH CENTER

Children with at Least One Undocumented Immigrant Parent, 2000-2010



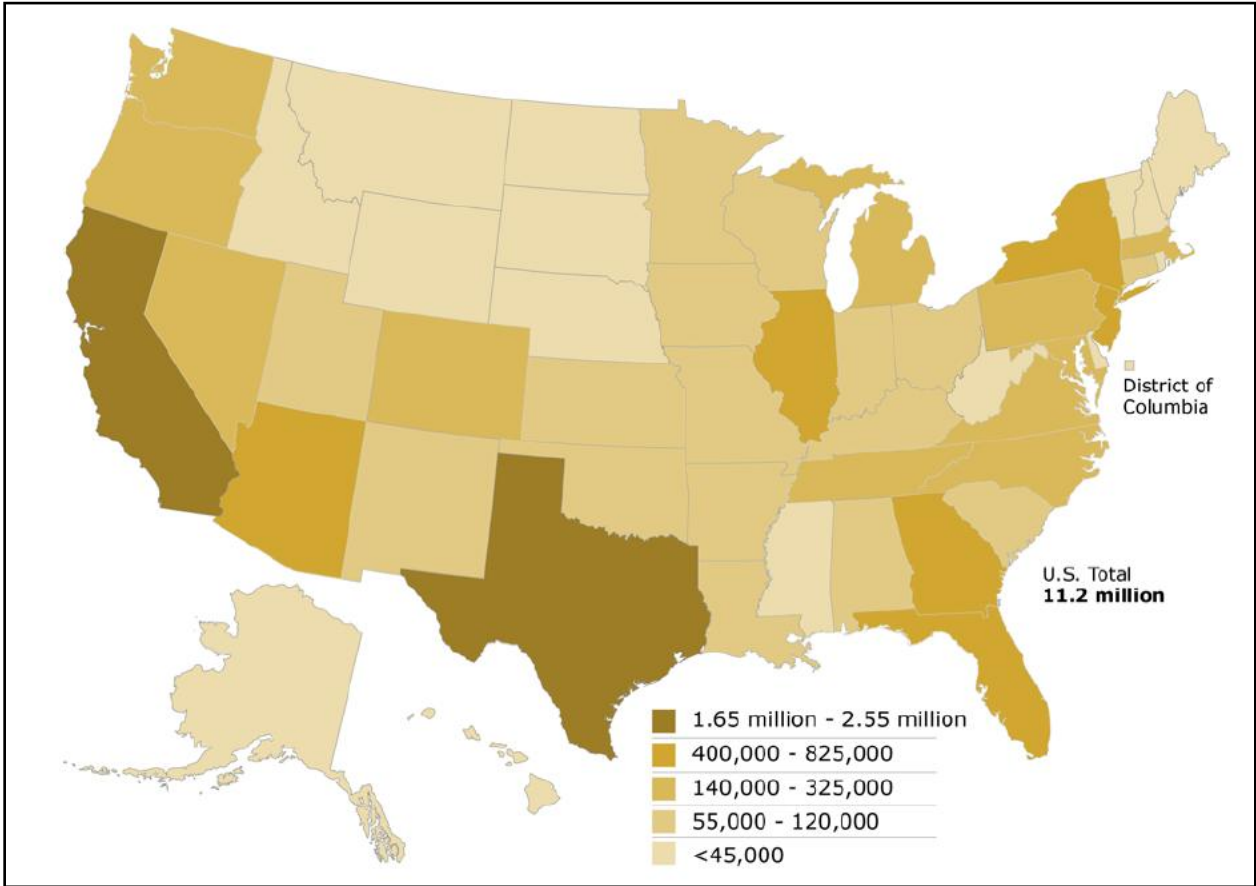
Parents' Country of Birth for Children of Undocumented Immigrants, 2010



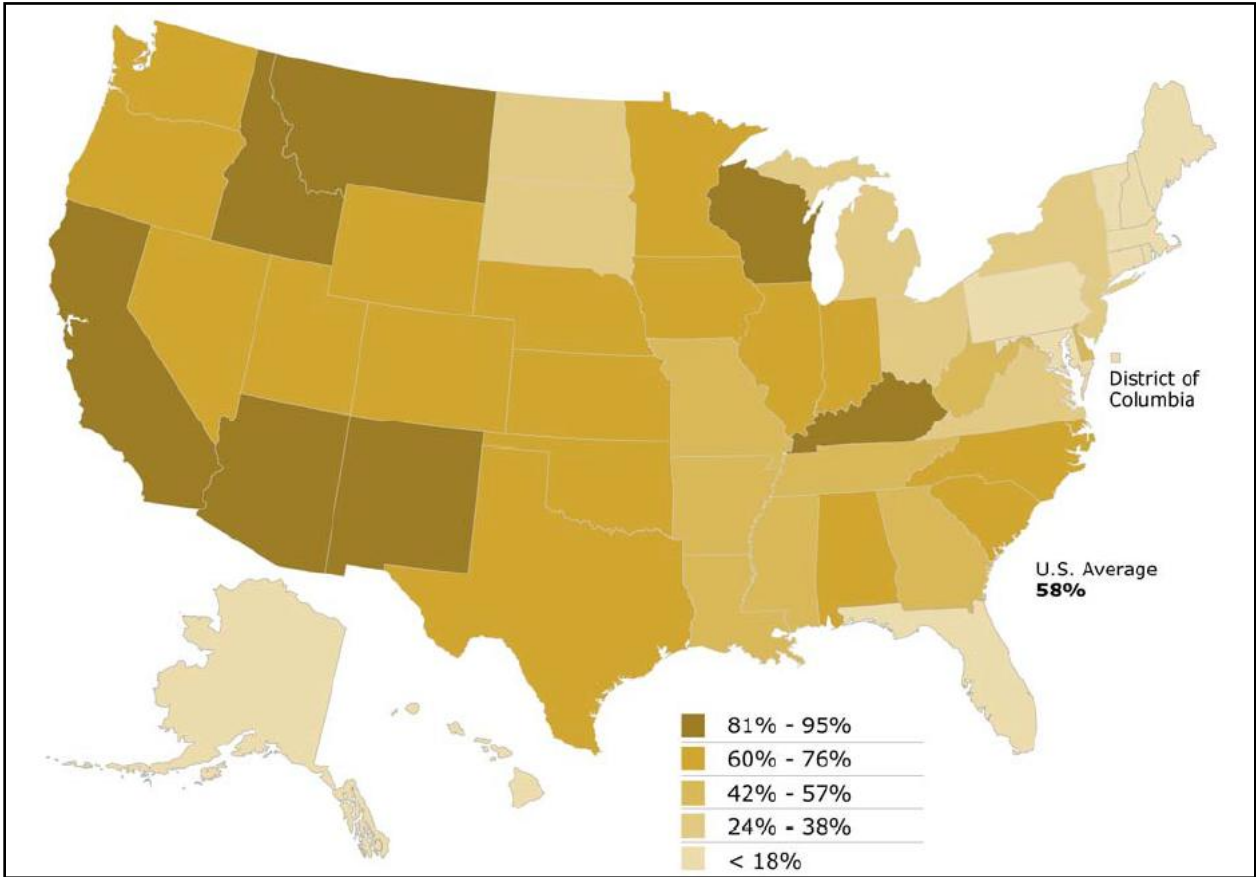
Undocumented Immigrants in the U.S. Civilian Labor Force, 2000-2010



Undocumented Immigrant Population by State, 2010



Mexicans as Share of Undocumented Immigrants by State, 2010



Appendix C – Joint Statement Regarding Immigration Concerns

To: The Lutheran Church--Missouri Synod

From: Dr. Gerald B. Kieschnick, Synod President, Rev. Matthew Harrison, Executive Director, LCMS World Relief/Human Care

Date: June 2, 2006

Dear Brothers and Sisters in Christ:

The Lutheran Church--Missouri Synod traces its origin to 750 Saxon immigrants who came to Missouri in 1839 seeking freedom from religious rationalism in Germany. Under the leadership of a young pastor named C.F.W. Walther, these German immigrants joined together with a number of pastors sent to America by Wilhelm Loehe in Neuendettelsau (Bavaria) to form 'The German Evangelical Lutheran Synod of Missouri, Ohio, and Other States.

This brief summary in Dr. Samuel Nafzger's "Introduction to The Lutheran Church--Missouri Synod" reminds us that our founding fathers were immigrants. Many of them came to this country to escape religious oppression with the hope of living in a land where one would have the freedom to worship according to one's convictions. Many others came to these shores to improve the economic lot of their families.

With this as part of its history, the LCMS has been sensitive to the needs of immigrants across its 159-year history. In the early decades, the LCMS welcomed many more immigrants, largely of European descent, into its congregations. In more recent times, the Synod has welcomed immigrants from all parts of the world. Through social ministry organizations and a partnership with Lutheran Immigration and Refugee Service (LIRS), many immigrant and refugee communities have been and continue to be served. Congregations receive refugees and care for immigrants in many ways and situations. African, Asian, Hispanic, and other immigrant ministries are springing up and flourishing in our midst. The people of many nations are being welcomed in the LCMS with the love of God in Christ Jesus.

The Lord Himself set the standard for responding to "the stranger in our midst." Jesus Christ sought out, welcomed, and cared for people in need. He acted in mercy without respect to ethnicity, religion, or nationality. The LCMS seeks to respond in similar manner and in accord with His Word, which teaches, "Beloved, if God so loved us, we also ought to love one another" (1 John 4:11). We express love toward immigrants not only as individual and corporate Christians, but also as individual and corporate citizens of this nation, which we love.

Today, issues related to immigration and immigration laws are causing distress in our land. As corporate citizens of this nation, we recognize that solutions to the problem of illegal immigration are complex. There are many factors that deserve consideration, each exhibiting its own value. Secure borders, national security, policy enforcement, national stability, inexpensive labor, decent income, budget limits, human rights, and work opportunities are only the beginning of the long list.

The Lutheran Church--Missouri Synod affirms the right, responsibility, and authority of the government to act as God's agent, according to what is reasonable and just, in the creation and

enforcement of laws (Romans 13:1-7). It follows that we recognize and affirm the responsibility of the government to regulate immigration in a godly manner while considering the many factors that deserve careful attention.

Millions of undocumented persons have come to the United States for many and various reasons. They have come to flee oppression of many sorts, including extreme poverty and hunger. They have come in order to make provision for their loved ones. They have come in order to end separation from loved ones. They have come illegally because they have deemed that the legal route is nearly impossible to maneuver. They have come because they can work, and they find dignity in labor. We recognize also that a small percentage have come for malevolent reasons.

Christians equally committed to God's Word may reasonably arrive at different conclusions on specific aspects of these issues and their resolution. However, this much is certain: God, in His Word, consistently shows His loving concern for "the stranger in our midst" and directs His people to do the same. The Children of Israel were told, "He defends the cause of the fatherless and widow, and loves the alien, giving him food and clothing. And you are to love those who are aliens, for you yourselves were aliens in Egypt" (Deuteronomy 10:18-19). God told Moses to tell the people, "When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the Lord your God" (Leviticus 19:33-34). Jesus said, "Whatever you did for one of the least of these...you did for me" (Matthew 25:40). We are reminded in Hebrews 13:2, "Do not forget to entertain strangers, for by so doing some people have entertained angels without knowing it."

The challenges of illegal immigration are real and solutions must be found. While we accept our Christian responsibility to care for those in need, it is not the role of the church to specify particular civil legislation, either to its own constituency or to the government. We do, however, pray that God will grant wisdom and discernment to our nation's elected leaders as they endeavor to provide appropriate solutions to this very real dilemma.

Meanwhile, in order to fulfill our Christian obligation, we also request that the charitable act of providing assistance to undocumented aliens not otherwise engaged in illegal activity not be criminalized *ipso facto*. We pray that appropriate solutions may be found, so that our assistance to those in need can also include helping persons become legal residents and citizens of this land of freedom and opportunity in which God has so richly blessed us.

Sincerely in Christ,

Dr. Gerald B. Kieschnick, President, The Lutheran Church--Missouri Synod

Rev. Matthew Harrison, Executive Director, LCMS World Relief/Human Care

Appendix D – Should the WELS Have an Official Position on Illegal Immigration?

As of February 2013, the Wisconsin Evangelical Lutheran Synod (WELS) has not issued any official position or position paper on the topic of illegal immigration. This is rare among Christian denominations in the U.S. As was seen in the literature review portion of this thesis, the majority of Christian denominations in the U.S. have publicly stated their positions on illegal immigration through position papers, convention resolutions, and theological essays.

Should the WELS have an official position on illegal immigration? On the one hand, nothing can compare with individual pastors doing their own studies based on God’s Word. If a lack of an official statement or position paper from the WELS encourages pastors to deeply search the Scriptures on their own, this is a good thing. It is also perhaps wise for the WELS not to do something that might unnecessarily bind consciences on a difficult and complex issue.

On the other hand, interviews with WELS pastors have clearly shown that WELS called workers are seeking more guidance in dealing with the challenges of illegal immigration. The comments of WELS pastors active in Hispanic ministry lead me to agree wholeheartedly with this statement from a Missouri Synod task force: “Immigration brings issues of both governmental authority and Christian responsibility. Professional church workers and laity need a theological guide for responding as individuals and through their congregations.”¹³⁴

If the reason no official statement has been published by the WELS is because the topic of illegal immigration has not been thoroughly studied and examined in our church body, this is a serious problem. More and more WELS seminary students are learning Spanish. More and more WELS congregations are reaching out to Hispanics. If the WELS plans to continue expanding its ministry to Hispanics in the U.S., the reality is that many young and inexperienced Hispanic outreach pastors—perhaps like myself—will be heading out into challenging new fields. Guidance from God’s Word from experienced pastors will be needed and appreciated.

Perhaps it is unnecessary for the WELS as a synod to become embroiled in what is often a much too politically-charged debate by issuing an official position paper. May the reason for that, however, not be that study hasn’t been done. This is my plea that the pastors and leaders of our church body openly and thoroughly study and discuss the challenges of illegal immigration in light of God’s Word and offer practical applications for those ministering to immigrants.

¹³⁴ Lutheran Church – Missouri Synod. *Report of the Blue Ribbon Task Force on Hispanic Ministry Report: One Mission, One Message, One People / Una Misión, Un Mensaje, Un Pueblo* (2007), 12.

Appendix E – Sample Case Studies

If a person has never been involved with outreach to immigrants in the U.S., it can be difficult to understand the difficulties or the heartache that result from the challenges presented by illegal immigration. The following case studies are designed to merely present a few of the difficult decisions that WELS pastors and members are faced with on a daily basis. Each case study is based on a real event from my short ministry or from the ministries of other WELS pastors. All names have been changed.

1. Uvaldo is an undocumented immigrant from Central America. He illegally crossed the border into the U.S. five years ago. His journey was very difficult. He was kidnapped as he traveled across Mexico, and when he finally crossed the U.S. border, he spent three days and nights walking barefoot across the Texas desert. He has lived as an undocumented immigrant ever since, but you wouldn't know it if you met him. He receives free health and dental care from the government in the city in which he resides. He has a job with a major U.S. company using a false Social Security number which he bought for \$500 on the black market. His managers know he is an undocumented immigrant, and they even made sure that he was able to complete his paperwork correctly. It is impossible for him to become legal under U.S. law, but he has no plans to return to his country, because he seems to have been so accepted by everyone in the U.S. *Now he walks into your church...*
2. Martín and his family are taking Bible information classes (BIC) at your church. They have lived in the U.S. for eight years as undocumented immigrants. Coming to your church has changed their relationship with God and their perspective on life. They can't seem to get enough of God and his Word. As you study the 4th Commandment at its regular point in your BIC course, you emphasize God's command to submit to our government, unless it commands us to sin. Martín nods his head in complete agreement. He raises his hand and says, "That's why I had to cross the border into the U.S. The government's laws just aren't fair and are preventing people from having a better life." *Now it's your turn to respond...*
3. Luís has been attending your church since before you arrived. After knowing him for a number of years, it continues to surprise you that he makes so many trips back and forth from Mexico to the U.S. You always assumed that he was a legal permanent resident of the U.S., but one day you find out that he is actually an undocumented immigrant. When you ask him

how he is able to make so many trips across the border as an undocumented immigrant, Luís looks surprised. “Pastor,” he says, “It’s easy. I just know the right times to come. Every year like clockwork the farms need workers at the same times. If you cross the border at harvest time, the border patrol agents will take one look at you and turn and look the other direction.”
What are you thinking?

4. August is a European citizen. He entered the U.S. legally as a tourist three years ago. He never renewed his tourist visa, however, and now he is an undocumented immigrant. He is very well-educated, but he finds it almost impossible to find the kinds of white-collar jobs he is looking for because of his immigration status. He has tried to navigate through the U.S. legal system, but he hasn’t had any luck. He has relatives in Europe to go back to, but he doesn’t want to “run away” from his problems. He says he won’t leave the country until he has solved his immigration issues. *What advice would you give him?*

5. Yolanda just started coming to your church, and she has loved every part of what she has seen and heard. She wants to become a member and has started taking BIC classes. Her cousin—an undocumented immigrant—got arrested for drunk driving. He fulfilled his sentence and has now been handed over to an immigration court to determine whether he will be deported. Yolanda has supported him every step of the way. She asks that you say a prayer in church that God prevent him from being deported and allow him to keep living in the U.S. *What will you pray for?*

6. Raúl and his family are in the middle of the BIC course at your congregation. They are excited to become members soon, and you can’t wait to have them as a part of your church. They are undocumented immigrants who have lived in the U.S. for 14 years. They had no contact with the gospel in their home country and are overjoyed to be learning about Christ. There is one problem, however. They have absolutely no money. They have found it almost impossible to find work lately, and they are always afraid of losing their apartment. Today Raúl for the first time tells you he feels like giving up and returning to his country with his family. He is very worried, though, because there is no church near where the rest of his

extended family lives, and he knows he is still very immature in his faith. He would love to stay in the U.S. and at your church if only he could have that option. *What do you tell him?*

7. Silvia has been one of the most dedicated members of your congregation. As a single young woman, she has had the time to come to every Bible study and church service, and she is always ready to volunteer. One day, however, she comes to you with a confession. She is married. Four years ago, she became friends with a man on the internet who lives in Cuba. Their relationship was never romantic by any means, but the man convinced Silvia to marry him just for a short time so that he could come to the U.S. She agreed and flew to Cuba for a quick ceremony at a courthouse. They never had any desire to be or stay married and have never been romantically involved. The man's plan hasn't worked very well, however, and he is still in Cuba. Silvia would like to start dating and find a real husband. She wonders whether her marriage is a real marriage and whether she can date other men with a clear conscience. *How will you respond?*

Appendix F – Research Documents

1) The following email was sent to pastors involved in Hispanic ministries in the United States:

Dear Pastor,

My name is Nathan Nass, and I am a senior at Wisconsin Lutheran Seminary. For my senior thesis, I have chosen the topic: "The Lutheran Pastor and Illegal Immigration." I was blessed to serve an emergency call in Houston, TX last year, and that experience opened my eyes to the complexity and importance of this issue for Hispanic outreach in the United States.

As part of my research, I am very interested in hearing about and learning from other WELS pastors who are active in Hispanic outreach. Pastor Tim Flunker provided me with your name as someone whose congregation is currently reaching out to Latinos.

If you are able to find the time, please consider filling out the attached interview and emailing it back to me by Wednesday, November 7th. I appreciate any answers you provide and encourage you to be open in your answers. Should I choose to use any of the information you provide in my thesis, neither your name nor information about your congregation will be used.

Thanks for your time and help, and I pray that God continue to bless your ministry,

Nathan Nass

2) The following email survey was attached to the aforementioned email. These questions also served as the basis for the in-person interviews which were conducted.

The Lutheran Pastor and Illegal Immigration

Thank you for taking the time to answer these questions. Be assured that should I choose to use information you provide in my thesis, neither your name nor any identifying information about your congregation will be given. I realize some of these questions are perhaps open-ended or general. I am grateful for any answers you provide and for the time you have taken to help me.

Please email your completed interview to nassn@wls.wels.net.

1. How long have you been involved in Hispanic outreach?
2. Describe your congregation and community. What are the home countries of the immigrants in your area? What percent would you estimate are here illegally?
3. What challenges does illegal immigration pose in your ministry?
4. What personal study have you done into illegal immigration, and what Scripture references have you found to be especially pertinent?
5. Do you believe that illegal immigration always involves sin against God? Please explain.
6. What situations in regards to addressing illegal immigration in your congregation still bother your conscience?
7. At what point do you bring up immigration status with the prospects or members of your church?
8. Have you or would you ever encourage an illegal immigrant to return to his/her country?
9. What fruits of repentance do you expect to see in the life of a Christian illegal immigrant?
10. If you could go back and change any aspect of how you have dealt with illegal immigration in your ministry, what would it be?
11. What feedback—positive or negative—have you gotten from other WELS pastors as a result of your position on illegal immigration?