# HERE THE OUTCAST AND THE STRANGER BEAR THE IMAGE OF GOD'S FACE: AN AMERICAN LUTHERAN PONDERS HOW TO ANSWER UNDOCUMENTED LATINO IMMIGRATION THEOLOGICALLY

A THESIS SUBMITTED BY

Carl Rabbe, A.A.

TO THE FACULTY OF GUSTAVUS ADOLPHUS COLLEGE,
DEPARTMENT OF RELIGION

in partial fulfillment of the requirements for the degree of

BACHELOR OF ARTS

May 11, 2009

**Acknowledgements**

The author wishes to express profound gratitude to the following people and organizations who have supported and contributed to the compilation of this thesis:

- The Rev. Jon Anderson, and the entire staff of the Southwestern MN Synod
- The Rev. Alan Bray
- Dr. Thia Cooper
- The Rev. Dr. Katie Day
- The Rev. Jeff Engholm
- The Rev. Dr. Mary Gaebler
- Dr. Nancy Hanway
- The Rev. Don Holmstrom
- The Rev. Brian Johnson
- Dr. Sarah Johnson
- Dr. María Isabel Kalbermatten
- The Rev. Rachel Larson
- Kari Lipke
- The Rev. Todd Lynum
- The Rev. Naomi Mahler, and the entire congregation of Iglesia Luterana Paz y Esperanza
- The Rev. Dr. Nelson Rivera, and the affiliates of the Hispanic Studies program of the Lutheran Theological Seminary at Philadelphia
- The Rev. Grady St. Dennis, and the staff of the Office of Church Relations at Gustavus Adolphus College
- The Rev. James Siefkes
- Dr. Mary Solberg
- The Rev. Mariano Varela, IVE
- The Rev. Dr. Joel Xavier

# Table of Contents

C. P. Rabbe
Thesis- FD

**The Situation Onsite**

Imagine, for a moment, a dark night in southwestern Arizona, in the area known as the Devil's Highway. Undocumented immigrants use this area, given its previously minimal level of protection, to cross into the United States from Mexico and Central America. However, security along the Devil's Highway is minimal no longer.[1]

A group of middle-aged ranchers and farmers, carrying shotguns and wearing night vision goggles, are now standing guard on ridges overlooking the areas through which immigrants have previously passed. When they see people crossing, they open fire in an attempt to force the travelers to halt. Charging down upon them, they handcuff them and surrender them to the Border Patrol.[2]

*Minutemen*, these vigilantes call themselves. While they do this work by night, they spend their days on television and the radio proclaiming that they are doing this to defend law simply because it is the law. In many cases, these men and women claim to do what they are doing in the name of God.[3]

At the same time, millions of lower-class workers in the United States are living hidden in shadow. Working in meat processing plants, in the shops at car dealerships, on large farming operations and in the kitchens of sports bars and country clubs, countless immigrants from Mexico, Central America, and South America have come to this country without first having obtained lawful permission to enter American territory. Ostracized,

---

[1] Stephen M. Thompson, *The Minutemen, Reconsidered*. Orange Coast Magazine (January 2008). Quoted by Jim Gilchrist, The Minuteman Projet organizational website. URL: www.minutemanproject.com. Accessed 5-1-09.
[2] Ibid.
[3] Ibid.

ridiculed, and condemned by American society, these people often have only one place to which they may retreat for comfort and shelter from the storms of life - the Christian faith - which is a common denominator amongst nearly all of them. However, North American Christian denominations and communities of faith are severely and harshly divided on how they should handle such a population, one whose legal stance is in question.

I have found that the time has come for the ELCA to choose where it stands on the question of the immigration crisis, and the sub-crisis of undocumented Latino immigration. While realizing that this will require Lutherans to defy their traditional cultural reluctance to take a firm stance on a political dilemma, this is a situation which requires a swift, clear reply. The situation regarding undocumented Latino immigration has reached crisis proportions which place many basic American freedoms at risk, and which also put the safety of many immigrants in imminent jeopardy.[4]

The dictionary defines a crisis, in one context, as "the point in a play or story wherein a crucial conflict takes place, determining the final outcome," and in another as, "a time when significant decisions must be made."[5] Undocumented Latino/a immigration, and American responses to it, have arrived at a point where a decision must be made, one that will determine the next historical phase of Christian response to immigration as a whole. This situation demands that we ascertain how we welcome the stranger. When we

---

[4] I am the former Latino Ministry and Relations Intern for the Southwestern Minnesota Synod of the Evangelical Lutheran Church in America. Throughout my time as a researcher for the synod, I conducted extensive interviews with immigrants, active and retired government personnel, sociologists, practical theologians, and members of the Lutheran church's hierarchy, in an effort to help the ELCA discern what her role should be in relating to the Latino community in southern Minnesota, and how she should respond to questions related to Latino immigration. Throughout this time of research, I have read and translated countless church documents, government statements, immigrant letters, and other such papers.

[5] Oxford English Dictionary website. URL: www.dictionary.com. Accessed 2-29-09.

do this, will we only welcome the strangers who fit into our own ideal images of who may come to live among us? Or, will we follow the example set by Christ in reaching out, as the Body of Christ, to the marginalized, rejected, and outcast of society?

Latino immigrants, whether documented or not, have a set of needs and expectations that they will look to the Christian faith to fulfill. Among these needs are just and ethical treatment that is free of racial discrimination, free and equal access to work based upon their work ethic and skill level, acceptance into the world in which they find themselves, and, central to the last precept, recognition by other Christian groups and faith communities.[6] They approach Christian communities for help with the presupposition that their baptismal identity will supercede their temporal identity. This presupposition is rooted in their religious identities as Roman Catholics and Pentecostals.

At the same time, the civil dimension related to immigration has certain requirements which must be met. Among these are proper regulation/enforcement of the civil laws that govern immigration, guarantee of homeland security for Americans, and discernment of the legitimacy of each request to enter the United States.[7] Current United States immigration policy, in its practice of sweeping raids by Immigration and Customs Enforcement (ICE), resulting in division of families, and racial hostility, has demonstrated itself as not offering a workable solution to the present-day immigration crisis. It does not measure up to the expectations laid down by immigrant groups, or US citizens. A pattern of discrepancy can be established which demonstrates that, consistently, Latino

---

[6] Interview by the author with Felipe (psuedonym), undocumented immigrant, 6-2-09. Trans. Carl Rabbe. Note: names of all cited immigrant interviewees have been changed to protect their safety.

[7] Interfaith Worker Justice, *For You Were Once a Stranger: Immigration in the US Through the Lens of Faith*. Chicago, IL: Interfaith Worker Justice Press (2007). p. 8.

immigrants to this country have received far less than the rights and freedoms which the law promises them.

In the theological realm, a major question comes into conflict regarding undocumented Latino immigration. Shall we live based totally on the Law or the Gospel? Attempts by both sides have been made, and have proven themselves inadequate to provide a long-term, ethical, Christian response to undocumented Latino immigration. The negative in these attempts to live by either Law or Gospel exclusively very much outweighs the positive in regards to providing a justifiable, ethical, Christian answer to the problem of undocumented immigration to the United States. For the purposes of interpretation, I argue that there are three main points necessary to allow for a just reply to undocumented immigration:

1) Maximum possible compassion for undocumented immigrants;

2) Maintenance of that which is just within civil immigration law;

3) Discernment of what within existing religious and civil propositions is just or otherwise, and the freedom to correct injustice whenever it may be encountered and the situation so warrants.

In order to adequately respond to undocumented immigration, an alternative vision is required, one that allows for us to satisfy the demands of the laws of land and love. What theology would guide this vision? While no single faith tradition can meet all of these requirements, a combination of the "two-kingdoms" theory as offered by the teachings of Lutheranism and certain insights offered by liberation theology could, potentially, offer a response.

# Chapter I: Who is an Immigrant?

## Introduction

Before we deal with theology, a foundation must be laid for the discussion. First, , what an immigrant is must be defined. Second, we will address the question of what the Latino immigrants ask of their new homeland. Third, we will hear from immigrants themselves identifying what they actually receive.

## Who Is An Immigrant, and to What Are They Legally Entitled?

The United States Department of State, along with Immigration and Customs Enforcement, define an immigrant as a person who enters a country not their own, for whatever reason or length of time. [8] Upon lawful arrival in the US (before arrival, in many cases), immigrants are granted a visa, the type of which depends upon the length and nature of their stay. Residency in the United States for a period of five calendar years (three years if the immigrant is married to a US citizen) qualifies an immigrant for the status of Lawful Permanent Residency (LPR).[9] Those who hold LPR status are identified by the so-called "green card." LPR is often the final step taken before acquiring citizenship, which is defined by the dictionary as "being a lawful subject or national, whether native or naturalized, of any state or country."[10] In the USA, citizenship through naturalization is gained by residing here for five years, passing a series of tests that

---

[8] United States of America Department of State, Division of Immigration, Customs, and Border Protection website. URL: www.state.gov

[9] Ibid.

[10] Oxford English Dictionary

demonstrate knowledge of American history, law, and a suitable working knowledge of the English language, and by taking a public oath of fealty to the USA.[11]

An undocumented immigrant (often referred to as an illegal immigrant) is a national of one nation who accesses another without first having obtained permission from the second nation's government to enter.[12] In the USA, the nations whose citizens represent the largest number of undocumented immigrants presently are China, El Salvador, Germany, Guatemala, and Mexico.[13] The focus of this document will be undocumented Latino immigrants.

Both in the USA and in all other nations, immigration laws are classified as *civil* laws. This means that those who violate them are subject to civil penalties, which may range from a fine to the maximum penalty of deportation. Violations of immigration laws are not penalized by prison time.[14] It is for this reason why undocumented immigrants cannot be legitimately referred to as "illegal immigrants." The media often portrays undocumented immigrants as being sent to prison, but neglects to mention that they are being sent there for having broken *criminal* laws. In 2007, the most common criminal offense of which undocumented immigrants were convicted was forgery of identification documents and/or providing false identification to authorities, both of which are offenses punishable under criminal law, and therefore subject to imprisonment if applicable.[15]

---

[11] United States Department of State

[12] Ibid.

[13] Interfaith Worker Justice, *For You Were Once a Stranger*, p. 12.

[14] Lawrence M. Friedman, *A History of American Law*, 3rd ed. New York, NY: Touchstone Rockefeller Center (2001). p. 434.

[15] Interfaith Worker Justice, *For You Were Once a Stranger*, p. 10.

By law, immigrants, whether documented or not, are entitled to the same just treatment, fair working conditions, and due process as all other workers in the US. Although they may be entitled to these things, they do not always receive them.

**What They Actually Get**

The following examples of how immigrants respond the current practices by ICE, and the meeting of their expectations, are quotations from interviews taken by the author during the course of synodical research. The first is a quote from a woman who was once an undocumented immigrant, and is now naturalized as a US citizen. I use it to show her experiences of the malenforcement of immigration laws, and the denial of due process present in the broken immigration system as it now stands:

"One of the things I advocated most strongly for in my years as an activist was for the reformation and restraint of ICE tactics in targeting Latinos. For example, a friend of mine from Minneapolis once had her doors kicked open by ICE agents at 3:00 on a Sunday morning. This woman and the rest of her family were all naturalized citizens. When the agents came storming in, they demanded immediate proof of legal residency. However, this family had previously done the sensible thing with this documentation- they put it in their safe deposit boxes at their bank. What bank would allow you to get access to their vaults at 3:00 on a Sunday morning? This is completely unjust, and needs to change."[16]

Further, in their daily lives, Latino immigrants are maltreated. The second quote is from a documented immigrant from Ecuador, who at the time had been in the US less

[16] Interview by the author with Nicole (pseudonym), formerly undocumented immigrant, 6-29-08.

than a year. He is talking about his expectations for decent, just treatment, Latino though he may be. He is employed at a turkey processing plant, where he works between eighty and ninety hours a week at less than minimum wage, taking home around $1,500 monthly:

"The economic conditions in my native region of Ecuador are terrible right now, so I came here in an attempt to earn enough money to support my wife and three children. I miss them terribly- not a day goes by that I don't pray to be able to reunite with them very soon.

Well, a few months later, here I am. I live in a junky little apartment in Willmar, working on the line at Jennie-O (a turkey processing facility in town). I have to send about two-thirds of my monthly income home to my family, in order to sustain them. After that, needless to say, I don't have that much to live on. I rarely eat three meals a day, and am forced to depend on my wife's family for much of my food."[17]

These quotations are typical of the sense of frustration felt by Latino immigrants, documented or otherwise, regarding their treatment by governmental and corporate officials. Both express the desire for due process, fair labor conditions, and treatment by authorities that conforms to the requirements of the law. However, their expectations are not being met, and the knowledge that this is wrong.

Before analysis of Christian theology is possible, it is necessary to address the question of what sociological roles the church has played in relating to immigrant communities to the United States. In order to do so, it is first necessary to look at how Christians congregations who were once immigrants conducted themselves.

---

[17] Interview by the author with Germando (pseudonym), documented immigrant, 6-14-08. Trans. Carl Rabbe. For original text of this quotation in Spanish, see Appendix A.

**From Religion's Perspective**

Prior to the late 1900s, the relationships that religious institutions had with immigrants remained independent of the civil law. Immigrant communities would typically bring their own clergy, practices, and worship resources with them, and form worshipping communities around those of the same ethnic and linguistic background.[18] They would worship in their ancestral language for at least as long as the first generation was still alive. The second generation, given their typical fluency in both English and their native tongue, would drift back and forth between the two. They typically did not marry outside their ancestral groups, and considered themselves to be Americans, with their heritage still being a central part of their identity.[19] The third generation, and usually those that followed, would often abandon any allegiance to their heritage, viewing themselves as American, pure and simple.[20] This is where the sociological distinction of the "immigrant other" comes into being, wherein a person views any immigrant community as completely separate from themselves.[21] Worshipping communities would obey these trends of language and relationship to heritage. They would continue to practice the concept of being a social support network to their congregation, even though the ethnic and linguistic elements would no longer be of such great importance. This was especially true in rural areas, and in the Midwest.

American Christian communities did not develop much of a stance on how to relate to immigrants in the outer world until the late 1900s, when the question of how to

---

[18] Interview by the author with the Rev. Thomas Cooke, RC Diocese of Winona, 8-14-08.
[19] Ibid.
[20] Ibid.
[21] Nelson Rivera, *Editorial: The Immigrant Other*. Journal of Lutheran Ethics (December 2008). URL: www.archive.elca.org/jle.

deal with refugees came into existence. Here, both Protestant and Roman Catholic groups began to speak of agreeing with the biblical mandate to welcome the stranger,[22] not oppress the alien,[23] and shelter those in danger.[24] Once these conversations began, denominations were forced to write these beliefs and practices down, leading to the formation of ethical statements.

Ethical statements created by Christians regarding how to contend with undocumented immigrants followed the sociological trends of public responses to them. Two common themes began to appear in Christian theology around how to deal with the undocumented:

A) Compassion for the immigrants, as in the theology of welcoming the stranger and identifying with the marginalized and rejected of society;

B) Debates over how Christian communities should relate to the civil laws governing immigration. Were they obligated to first obey God's law and welcome the alien, or to first obey civil law and report the undocumented to the authorities?

To summarize the debate, it concerned questions of to whom Christians owed their first loyalty: obedience to the secular law, or compassion for the immigrants who came to them in need, as commanded by God.

---

[22] Matthew 25: 35, NRSV

[23] Leviticus 19: 34, NRSV

[24] Matthew 25: 36-37, NRSV

A stark example of this debate came in 2001, when a young man from Guatemala, an undocumented immigrant, learned that ICE was planning to raid his workplace in downtown Los Angeles. Escaping from the job site, he fled into a nearby Roman Catholic Church for protection. Instantly, the congregation split into two camps. Half insisted that he be turned over to the authorities, while the other half insisted that it was the Christian obligation of the parish to protect this young man and ensure his just treatment[25]. Roger Cardinal Mahoney, Archbishop of the Roman Catholic Archdiocese of Los Angeles, settled the matter with a twofold edict. First, he sent orders to the parish instructing that the immigrant be protected at all costs. Second, he sent a message to all clergy in the archdiocese, mandating that, if in the future an undocumented immigrant came to one of their parishes seeking shelter, they were to extend a cordial welcome and a safe haven to them[26]. While the undocumented Guatemalan national in question was eventually deported, following his arrest when a SWAT team raided the church[27], this incident sparked practices that led to the creation of the New Sanctuary Movement.[28] It joined with other bodies created by Protestant denominations, such as the Lutheran Immigration and Refugee Service and the Episcopal Immigration Campaign, to present a front advocating reformation of immigration laws and just treatment of undocumented immigrants.[29]

## Conclusion

---

[25] Roger Cardinal Mahoney, Archdiocese of Los Angeles, quoted by Interfaith Worker Justice, *For You Were Once a Stranger*, p. 42.
[26] Ibid.
[27] Ibid.
[28] Ibid.
[29] Katherine Jefferts Schori, Episcopal Church USA, quoted by Interfaith Worker Justice, *For You Were Once a Stranger*, p. 44.

Up to this point, we have observed a significant discrepancy between that to which the law entitles Latino immigrants, and what they actually receive. What accounts for this clash? Although not the sole root of the problem, this discrepancy has a religious predisposition. In the following pages, we will observe a pattern of the self/other mode of thought, derived from John Calvin's doctrines regarding sin and double predestination.

# Chapter II: Living Under Law Alone

## Us and Them- Calvinism and US Immigration Legal Practices

The North American legal perspective on immigration has vastly changed since its inception in the founding documents of the US. To trace this, we will look at the earliest American immigration laws, following through to the beginning of consistent regulation of immigrants in the 1850s, arriving at the development of the extensive network of government agencies that define, supervise, and control immigration in the early 21st century.

Let's think back to the Minutemen whose story we read at the beginning of this thesis. These men have charged down upon a group of undocumented Mexicans, attempting to sneak across the border into the United States by way of the Devil's Highway. They have captured those whom they were able to shock to a halt by shooting at them. Now, they are marching toward the nearest highway. One takes out a cell phone and calls the nearest Border Patrol office. The one on the phone might possibly say, "Yeah, we caught another group of Mexicans. We want these lawbreakers in jail right now. And hurry up; it's Saturday night, and we need to get to church tomorrow morning."

Who is the God that demands this legalism, and whom these Minutemen worship? What kind of theology motivates this action, motivating that its followers uphold the law without question, merely for the sake of its being the law? Though it is not well-recognized, the action taken by the Minutemen and other vigilante groups is inspired by

the oldest standing tradition of theological legalism practiced in the Americas - the system of Christian theology known as Calvinism.

In order to best comprehend the impact that Calvinism had upon US immigration law, it is first necessary to understand the "self/other" dogma that has guided American reactions to immigration law past and present. We will begin by examining what the Minutemen hear in church every Sunday from the pulpit, in order to explain the extreme distortion of self/other that has led to their practices. Then, we will examine an historical outline showing how this self/other pattern began in American history, and how it has gotten to the point at which it now sits.

**What Says the Preacher?**

The religious makeup of the majority of the Caucasian population of the southwestern United States, that the Minutemen call home, is of an evangelical Protestant nature.[30] Parishes that proclaim legalism, strict adherence to civil law, as God's will are of denominations that are sociologically congregated by those who are white, of middle to upper-class background, and often have those in their forties and fifties as their leaders. Typical denominations represented are Baptist (of various branches), conservative Presbyterian, charismatic/fundamentalist Lutheran [ELS, LBA, AFLC, etc.] and conservative nondenominational churches.[31]

What do the Minutemen hear from the pulpit every Sunday? They hear a number of things with consistency to motivate them to act as they do. Good examples can be seen

---

[30] United States Department of Homeland Security, *Report on Rightwing Extremism* (March 2009), quoted by Jay Sekulow, "Call the DHS Report What It Is: Offensive." (4-17-09). Beliefnet Religion in America Newsfeed, URL: http://blog.beliefnet.com/lynnvsekulow/2009/04/call-dhs-rightwing-extremism-r.html

[31] Ibid.

in these quotes from a series of sermons given by Dutch Reformed clergy in the southern United States:

- "Government is ordained by God, and to be obeyed as an incarnation of divine will."[32]
- "There is no significant difference between the law of God and the law of the land, because government is ordained by God."[33]
- "Civil law, like Scripture, is to be obeyed without question. Enforcement of the law is a vocation to which everyone is called. The only way to effect legitimate individual change in a sinful human being is through punishment."[34]

Relationships between Christian communities and the law which follow the models that these preachers express are reflections of the "self/other" theory espoused by Calvinism. "Self/Other" is the doctrine derived from John Calvin's propositions of double predestination and the sinful nature of humanity.

**Introduction to Calvinism**

Orthodox Calvinism offers us a model that they translate into deontological adherence to the law: loyalty to the civil law because the law is the edict of a government ordained by God. This is rooted in two basic principles from Calvin's dogma, namely his teaching on the sinful nature of humanity, and his concept of double predestination. This is expressed sociologically through the concept of the "self" and the "other." Although its

---

[32] Chris Berlet, *Calvinism, Capitalism, Conversion, and Incarceration.* The Public Eye, Vol. 18, No. 3. (2008). URL: http://www.publiceye.org/magazine/v18n3/berlet_calvinism.html.
[33] Ibid.
[34] Ibid.

application to US immigration law is an adaptation to culture that Calvin probably would not have envisioned, this emphasis on living according to a civil law, which is viewed as God's voice, has led into unjustly harsh treatment of undocumented Latino immigrants at the hands of vigilante groups such as the Minutemen.

John Calvin's teachings mixed very well with those of the established Church of England, and traveled with the British Christians to their American colonies. Beyond its initial strongholds of Presbyterianism and Congregationalism in New England,[35] Calvin's influence remained strong within the Anglican Church, which was the official church of nearly all the southern colonies.[36]

At this point in religious history, relationships between John Calvin and his spiritual offspring in the American colonies began to change. From this point in time onward, literal orthodoxy (right doctrine) became less of a concern, while a more specific focus on orthopraxis (right practice) came into being. Theologians of these faith traditions began to take a more critical look at Calvin's precepts, and ask the question, "Now that John Calvin is dead and can no longer teach actively, how can we take what he taught and find appropriate ways to apply it to life and the world as we know it?"[37] This was not a deliberate alteration of Calvin's teachings, but merely an evolutionary development of theology that is typical following the loss of a prophet.

Upon transitioning to American soil, Calvinism in the United States began to express its principles in the teachings of such theologians as Cotton and Increase Mather,

---

[35] John Eidsmoe. *Christianity and the Constitution: The Faith of Our Founding Fathers*. Grand Rapids, MI: Baker Book House Company (1987). p. 308

[36] Ibid., p. 310.

[37] Interview by the author with the Rev. Dr. Katie Day, 2-23-09.

Samuel Davies, Jonathon Edwards, and above all, John Witherspoon.[38] These men, directly or indirectly, transmitted much of the Calvinist mode of thought to the founding fathers who studied under them, people such as James Madison, Patrick Henry, John Adams, and many more.[39] In effect, Calvinist preachers were the men who shaped the men who shaped American legal doctrine.

When dealing with the question of how to respond to undocumented immigration, the orthodox Calvinism which fueled American general legal thought would speak from two distinct theological viewpoints. The first response would be to enforce the law they interpret as ordained by God, which leads to the conclusion that those who have violated immigration laws in coming to this country without legitimate documentation are representative of sinful humanity. They cannot hope to change their status, and have earned the just punishment of deportation.[40] In these circumstances, Calvinism would speak from a "Christ against Culture" point of view.[41]

If Calvin were writing modern US immigration codes, it is probable that he would also place strict upper limits on how far governing authorities could take their disciplinary powers, based upon his fear of placing significant amounts of power in unrestrained human hands. This point of Calvinism in American legal thought can be clearly seen in the distinction made regarding penalties for violating immigration laws; they are classified in the United States as civil laws. Consequently, there are strict limits to the penalties the government can enforce for their being broken. Hence, the maximum lawful penalty for those whose sole charge is entering this country without permission is

---

[38] Eidsmoe, p. 79.

[39] M. E. Bradford, *A Worthy Company: Brief Lives of the Framers of the United States Constitution*. Marlborough, NH: Plymouth Rock Foundation (1982). Quoted by Eidsmoe, 41.

[40] Friedman, *A History of American Law*, p. 437.

[41] Stanley Hauerwas & William H. Willimon. *Resident Aliens*. Nashville, TN: Abingdon Press (1989). p. 39.

deportation. This, then, is representative of Calvinism's fear of excessive governmental authority.[42]

The beliefs that influenced US legalism, as summarized in John Calvin's *Institutes*, may be named in five basic tenets, two of which lead to the later development of a Calvinist political theology in relation to immigration law: Total Depravity, Unconditional Election, Limited Atonement, Irresistible Grace, and Perseverance of the Saints.[43]

It was Unconditional Election and Limited Atonement that we see playing out in both US immigration law and the actions of the Minutemen. These two gave rise to the "Self vs. Other" mentality that the Minutemen preach.

Unconditional Election, the teaching that God used the death of Christ to atone totally for the sins of the elect, who could not earn their salvation, appears in the thought of the Minutemen in a unique way. According to the Institutes, the doctrine has a special relationship with works. Good works cannot earn salvation, but are usually the evidence of membership in the elect. Therefore, one who works harder and achieves more is higher on the list of having a chance for salvation.

How does this relate to the Minutemen? They speak frequently about how the undocumented they capture are taking an easy way in, and not going through the legitimate, difficult process. This indicates that they are in the wrong, and not among the elect of God.

Limited Atonement is the doctrine that God determined, before all things began, which sinful humans would be saved, and which would not. Those who oppose

---

[42] Eidsmoe, p. 309.

[43] John Calvin, *Institutes of the Christian Religion*, quoted by Eidsmoe, p. 29.

undocumented immigrants, and who follow similar stances, would consider themselves to be within the "elect of God." Those whom they consider to be breaking the law by entering the US illegally are not, therefore, worthy of any measure of compassion or protection.

As espoused by the Minutemen, conservative orthodox Calvinism would have no mercy for undocumented immigrants. They would judge them as convicted by God, through the government, of their sin. No possibility exists of changing their behavior or status, except through punishment.

This legalism came about thanks to the Calvinist roots in immigration law and in the founding documents of the United States. This influence was born in the sermons that the founding fathers heard Calvinist clergy give.

**The Founding Fathers**

Due to the sinful nature of humanity, the founding fathers taught, rights and freedoms could, and inevitably would, be transgressed upon. As such, structures of government were instituted by God in order to protect these rights. Whatever form these governments took, they would solely derive their authority from the people they governed, and were limited to using this power to defend the rights of the citizenry.[44]

Immigration law had yet to be formalized to the extent that it has been today. Later developments in the law, however, retained the same concept of insiders/outsiders and transformation of human status that early American legal thought, directly influenced

[44] Eidsmoe, p. 73.

by Calvinism, did.[45] Prime examples of this include the rigid differentiations put in place regarding citizens/non-citizens, and the gradual process required to achieve citizenship.

The earliest regulation of immigration or citizenship status in the United States was set down in both the Articles of Confederation[46] and the US Constitution[47]. Both documents classified free-born, legitimate, white males over the age of twenty-one who owned a requisite amount of land as lawfully recognized citizens of the United States. It did not matter, at the time, whether they were born on American soil.[48] Beyond that, the founding documents say little more in reference to citizenship, nor to immigration. The Constitution has been amended several times since the Constitutional Convention to expand the definitions of citizenship and the use of the rights of citizens, as in the granting of citizenship and the right to vote to African-Americans, women, and those age eighteen or older.[49]

Philosophically, the establishment of the citizenry as the "self" took place at this point. From here, the views on immigrants developed and mutated as the definition of the "other" changed over time.

**Later Years**

The social pattern interpreting immigrants as others followed a pattern of self-defense. Throughout the history of the development of immigration law and the practice

---

45 Ibid.
46 Articles of Confederation, 1777, quoted by ibid. p. 451.
47 US Constitution, 1787, quoted by ibid. p. 423.
48 Ibid.
49 Ibid.

of relating to immigrants, this context of "us" versus "them" was at the forefront of lawmakers' minds.

Beginning in the 1840s when immigration to the US from Eastern Europe and Asia began to increase dramatically, the first sets of civil laws were created, in order to control the percentage of East Asian (especially Chinese) immigrants entering this country.[50] In 1851, after the initial surge of immigration generated by the California Gold Rush of 1849, Congress passed an act limiting setting quotas on the number of Chinese immigrants who were allowed to enter the United States at any one time.[51] This was done to keep the number of persons who were "incapable, by virtue of their racial affiliation, of integrating into our society," to a minimal level.[52]

Even prior to the institution of most regulation of immigrants, certain measures were taken to scrutinize everyone entering this country in the interest of public safety. These inspections first began on Ellis Island, New York, in the 1820s, later expanding to all major port cities on the Eastern Seaboard. At first, this was done merely for the purpose of screening those who might have carried any infectious disease, such as tuberculosis, yellow fever, or malaria, and preventing them from bringing their illness in with them.[53] In 1851, when the restrictions on Chinese immigration were first passed by Congress, the first known screening of immigrants entering by land began at El Paso, Texas. This was done out of fear that Asians would try to sneak across the border through Mexico. According to notes recorded by the officers stationed at the train depot in El Paso, any worker asking to enter the US who was Spanish-speaking was permitted to pass

---

[50] Sujay Rao, Ph.D. *Mexican Immigration*. Lecture given to LALACS teach-in program on immigration, 4-11-08.
[51] Ibid.
[52] Ibid.
[53] Ibid.

without delay or hindrance. By contrast, anyone of Asian descent arriving at El Paso by train was immediately arrested and scheduled for a deportation hearing without question.[54]

It should also be noted that, between 1846 and 1848, huge numbers of Latinos were brought into the US without moving an inch. Border shifts resulting from the treaties signed at the conclusion of the US-Mexican war incorporated huge portions of Mexican territory into the US, including the present-day states of New Mexico, Arizona, Colorado, Nevada, and California. When this happened, all residents of these territories were automatically incorporated into the US and granted citizenship insofar as citizenship was freely given in those days.

During this period of American history, Hispanics were welcomed into the US as a source of cheap labor. They were not perceived as coming from a nation hostile to the US, and therefore had no need of intense scrutiny or evaluation. By the time of the First and Second World Wars, Latin American workers' standing in the eyes of the US citizenry began to change.

**A World at War**

This relative laxity concerning immigrants from Latin America continued through to the First and Second World Wars. At that time, the situation became even easier, given that enormous amounts of human labor were necessary to supplement a workforce that had been severely crippled after the conscription of so many for the armed forces. In 1914, guest worker programs such as the well-known "Brazos program" were established, which allowed anyone from Latin America (although it was assumed that the

---

[54] Ibid.

majority of those who took advantage of this program would be from Mexico, as was the case) who wished to enter the United States and work for the duration of the war, with the provision that they provide the names of their employing companies on a regular basis.[55] After the war ended, the majority of such guest workers either returned to their homelands, or remained in the US and transitioned into doing migrant agricultural labor.[56] Throughout this time period, no regulation existed regarding who could or could not enter the United States from Latin America. Patrols continued to monitor those of Asian descent, as well as those of German origin, during this time period, but not those of Hispanic ancestry.[57] This system was virtually repeated during World War Two. One major difference between the structure of the guest worker programs was that at the conclusion of World War II, most Hispanic workers were encouraged to return home. Most did, and began returning for seasonal agricultural work in different parts of the country.[58]

Both before and during World Wars I and II, the focus of immigration authorities was to keep out those who came from nations deemed as hostile, or potentially hostile, to the US. Thus, those targeted were those of Japanese, German and Italian ancestry. Hispanic workers were allowed to come and go freely, as in the past.[59] This was evidence of a racial discrimination, made in favor of a source of cheap labor. Latino immigrants were still viewed as, to a certain extent, insiders in that they posed no danger to the

---

[55] Peter C. Meilaender, *Immigration: Citizens and Strangers*. First Things, no. 173, May 2007, p. 10.

[56] Rao, *Mexican Immigration*.

[57] Meilaender, *Immigration: Citizens and Strangers*, p. 12.

[58] Rao, *Mexican Immigration*.

[59] Ibid.

American image as a wealthy, powerful, stable being. Such viewings of Latin America began to change, however, with the arrival of communism.

**Cold War Years**

The spread of communism made American politics, and therefore American immigration policy, focus on keeping Marxist practices out of governments in the Western Hemisphere at all costs. One of the most significant actions in that regard included criminalizing travel by US citizens to Cuba, and intense scrutiny of anyone who came from Cuba.[60] In later years, the so-called "wet foot, dry foot" policy regarding Cuban immigrants would come into being. This code - not law- states that undocumented immigrants from Cuba who arrive by sea must be immediately deported, while those who arrive by land- usually by sailing to Mexico and then entering via the Devil's Highway- may be permitted to stay here.[61]

Cuba was not the only Latin American nation affected by this critical view of communism that the USA practiced in that era. In the 1970s and 1980s, US taxpayers poured billions of dollars in cash, weapons, and intelligence materials into a civil war in El Salvador, backing an extremely oppressive dictatorship in opposition to the neo-Marxist guerilla forces coming from rural El Salvador.[62] As a consequence, over a period of ten years of fighting, more than 60,000 Salvadorans lost their lives. Similar situations, which also resulted in American military intervention, arose in Nicaragua and Guatemala, as well

---

[60] Sonya Ramirez, *La Inmigración Cubana a los Estados Unidos*. Academic lecture attended by the author 4-10-09. [ET: Cuban Immigration to the United States]

[61] Ibid.

[62] Michael Allen and Larry Schweikart. *A Patriot's History of the United States*. New York: Penguin Group (2004). p. 805.

as in Peru, during this time frame.[63] For nationals of these countries who fled to the United States, however, things were different.

Attitudes toward communism put the US in a unique situation, as for the first time American policymakers had to formally decide how to deal with Latin American refugees. Prior to this, Latin Americans had been viewed as coming to this country to remedy financial need, both for their own countries and for the USA. Now, they were coming to escape from our mutual enemy of communism, which rendered them a part of the "self," given that they were in opposition to the "other." To that end, refugee status was formalized for the first time in American history, allowing those who could prove that they were seeking protection from political, religious, ethnic, or other types of categorical, violent discrimination to enter the USA and seek protection.[64] Then as now, refugees were not limited in the amount of time they were allowed to hide in US territory, and they were put on an expedited track to US citizenship, in comparison to other immigrants.[65]

A critical point to note during this time period was a shift in attitude toward immigration, and limits placed upon who could enter this country. Previously, negative attitudes had been directed toward specific nations. Citizens from those nations who came to this country were accorded recognition, based upon the judgment that if they were coming here, they were doing the sensible thing. Certain aspects of the "other" had the potential to become part of the "self." At this point, the Calvinist link was not so clear, as in orthodox Calvinism the boundaries between elect and condemned cannot be crossed as

---

63 Ibid.

64 Ibid.

65 United States Department of State

a result of any human action.[66] From this point on, however, more critical attitudes would begin to be directed toward those who came to the USA.

In the late 1980s and early 1990s, attitudes towards Latin American immigrants began to change. Many large cities in the southern United States, chief among them being Miami, Florida, began experiencing large outbreaks of violence as gang warfare erupted. The source of this warfare was disputes between groups of narco-terrorists smuggling cocaine and marijuana from certain Latin American countries, such as Colombia, the Dominican Republic, Haiti and Mexico. These *narcoterroristas*[67] became especially newsworthy when it was discovered that they were bringing in not only narcotics, but also huge numbers of unlawful weapons, stolen/laundered money, and human slaves.[68] The aspect of slavery was the most significant to religious groups, as the USA sociologically had previously painted an image of Mexican laborers doing hard field work cheaply. Now, it came out, a significant percentage of Hispanics of all ages who came to work were being brought here against their will, and were being traded around as commercial goods in labor and sex slave rings.[69] Lastly, it also began to become apparent that many workers from Latin America were either evading the visa system now mandatory for all immigrants, or forging immigration documents in order to gain access to the US.[70]

At this point in history, the US began to take a much harsher stance against Latino immigrants. Whereas before they had been branded as beneficial to the American

---

66 Hugh T. Kerr, editor. *Calvin's Institutes: A New Compend*. Louisville, KY: Westminster/John Knox Press (1989). p. 59.
67 ET: Drug runners/drug lords, lit. "narcoterrorists." Trans. Carl Rabbe
68 Julia Preston. *More Illegal Crossings are Criminal Cases*, Group Says. New York: New York Times (6-18-08).
69 Ibid.
70 Ibid.

economy, now they were seen in much the same way those of other ethnic groups had been seen in previous eras, namely as potential threats to American safety.

Also, at this point in history, immigration agencies created by the government were given new dimensions to their authority. Previously, they had been made to provide security at points of entry, merely maintaining the distinction between self and other. Now, their roles shifted from interpreting and regulating the laws to actively enforcing them. Raids by agents of the then Immigration and Naturalization Service [INS- today known as Immigration and Customs Enforcement (ICE, as it will be referred to hereafter)] into workplaces and public gathering places to arrest those bearing the marks of certain drug gangs became much more commonplace. Later, they began invading workplaces demanding that all Latino workers present proof of visa status upon demand. Without this, the Latino workers were subject to arrest and deportation.[71]

December of 2006 was the most extreme example of these raids, up to that time. That month, ICE agents raided Swift Packing Company's meat processing plant in Worthington, MN. Over 1,000 Latin Americans were arrested, loaded onto buses and taken for processing to San Antonio, TX.[72] Upon arrival in Texas, it was discovered that about half the people arrested were American citizens, and guilty of no crime. They were released on the streets of downtown San Antonio, but not returned to Minnesota. No apology was even offered to them. Of the remainder, about fifty were charged with possession of false identification, and forgery of immigration documents. Out of all the Latinos arrested, less than a hundred were deported back to their homelands.[73]

---

[71] Ibid.
[72] Ibid.
[73] Interfaith Worker Justice, *For You Were Once a Stranger*, p. 15.

Worthington, MN retained the record of the largest ICE raid in US history until the summer of 2008. At that time, two major raids took place, one in Postville, Iowa[74], the other in Laurel, Mississippi[75]. In both of these raids, similar situations took place as before, wherein over a thousand would be arrested, but a minimal number would actually be deported or subjected to prosecution for a criminal offense. Likewise, those who were arrested and later released received no assistance from the government in returning to either Iowa or Mississippi, but were forced to get back on their own time and finances.

In this instance, American practice reverted to the orthodox Calvinist link from which it sprang. The boundaries between insider and outsider had been drawn quite clearly, and were now strictly enforced.

---

74 Ibid.

75 Erik Camayd-Freixas, Ph.D., *Interpreting After the Largest ICE Raid in US History: A Personal Account*. Florida International University (July 13, 2008). p. 3.

**Conclusion**

It can be seen that the US has gone through a dramatic shift in reference to its thought on immigration since it first began to check immigrants at Ellis Island. Once very welcoming toward Latino immigrants, whom it viewed as an economic asset, it later went on to view them as potential threats. This led to exclusive, and unjust practices and treatments rooted in the harassment and exploitation of Latinos.

American religious standpoints, until quite recently, maintained a relationship toward immigrant communities based upon welcoming those of the same ethnic background, while ignoring those of others. At the end of the twentieth century, religious communities in this country began to take a much more activist perspective to express their views on immigration. Fierce divisions also ensued within various denominations, relating to the ethical question of to whose law Christian denominations were first accountable, the law of God or the law of the land.

# Chapter III: Living Under Gospel Alone

## Introduction

Many Christian communities, including some of the largest branches of the faith, advocate an alternative stance to that of Calvin. They claim that it is necessary to live according to the law of God as expressed in the Sermon on the Mount. Two of these which enter the debate are the faiths that Latino immigrants bring with them, Roman Catholicism and Pentecostalism.

## Roman Catholicism

As the oldest recognized branch of Christianity in the Western Hemisphere, and the official church of nearly all Latin American countries, Catholicism is one of the two religious traditions brought by Latino immigrants to the United States. With its emphasis on the law of God, proclaiming such values as justice and the common good as laws written by the divine on human hearts, the Roman Catholic Church is a staunch foe of the Calvinism enacted by many participants in the dialogue around undocumented Latino immigration. Let us examine how this opposition would be acted out.

## Scene on the Ground

Let us imagine an undocumented immigrant from Mexico, captured/kidnapped by the Minutemen and surrendered to the Border Patrol. This immigrant is taken to a jail in downtown Tucson, AZ. He or she refuses to talk to the authorities. The only person with whom they will converse is an elderly Jesuit Roman Catholic priest, who serves as the

chaplain to the inmates. As a representative of his faith tradition, what would this priest say? First, we must examine what Roman Catholicism has to do with immigration, and then look at its relationship with the law of the land versus the canon law, which this priest is sworn to uphold.

**History**

A descendant of the oldest historical organization of Christianity, Roman Catholicism[76] is the largest single Christian denomination, and also the affiliation of the largest number of Christians worldwide, being the spiritual home of over 1.2 billion people.[77] It has no specific founder, but traces the lineage of the papacy back to Christ's words to Simon Peter, when he said, "You are Peter[78], and upon this Rock I will build my Church, and the gates of hell shall not prevail against it."[79]

Roman Catholicism has historically centered its theology on two basic foundations, namely Sacred Scripture and Sacred Tradition.[80] Both are held as mutually interdependent, and both are identified as subject to interpretation. That interpretation, which is itself vested with significant authority, is typically found in the decrees of popes and the rulings of ecumenical (worldwide) ecclesiastical councils.[81] Roman Catholicism accepts that original sin in human beings makes it impossible to make a salvific effort, or

---

[76] Author's note: Throughout the composition of this document, the terms *Catholicism* and *Roman Catholicism* will be used interchangeably.

[77] United States Conference of Catholic Bishops website. URL: http://www.usccb.org/statements.shtml. Accessed 3-1-09. Note: All further citations referred to as USCCB come from this same source.

[78] Gk. *Petros*, ET: Rock.

[79] Matthew 16:18, NRSV.

[80] USCCB

[81] Ibid.

gain any legitimate knowledge of God's truths. Such are only achieved through the grace of God, and mediated by the Church.[82]

It should be noted that while Roman Catholicism did have a fairly strong presence in colonial America, Catholics were considered second-class citizens in all states save Maryland, which was founded as a colony to be a home for the Catholics of Great Britain. As such, Catholic influences on the legal and political developments in early American history were minimal.

**Accountable to Whose Law?**

In the scenario above, much would be going through the old priest's mind. Ecclesiastical law, not civil law, has been the dominant force is the historical relationships that the Catholic Church has had with the secular world.[83] Indebted to the model of Christ above Culture, social ethics in the Catholic tradition have always been organized in a descending order.[84] This order states that certain classes, being spiritually more advanced than others, are either not accountable to human legal structures, or subject to them in different ways.[85]

Roman Catholic relations with US immigration law have adhered to two basic points:

---

[82] Ibid.
[83] Catholic University of America School of Canon Law website. URL: www.cua.edu. Accessed 2-21-09.
[84] Hauerwas & Willimon, *Resident Aliens*, p. 92.
[85] Ibid.

A) Rigid opposition to any attempts to arrest or deport undocumented immigrants, based upon the traditional assumption of defense of human dignity.[86]

B) Political difficulty in making any objective statements regarding immigration reform, given the Church's need to remain loyal to the vast numbers of self-identified Roman Catholics who immigrate into the United States every year from Africa and Latin America, many of them being undocumented.[87]

Referring back to the hypothetical story at the beginning of this section, what would the old priest say to the immigrants to whom he must minister? As a pastor, he would first offer comfort to the immigrants, reminding them that God loves them without condition. In speaking to the prison and immigration authorities, he would say that the immigrants deserve just treatment and compassion, by virtue of their baptismal identity as Christians, which renders all equal in the eyes of God. Later, the priest would return to his parish, and tell the story of these immigrants in his homily at the next Sunday Mass. This would potentially encourage members of the congregation to go out and take action, advocating on behalf of the immigrants in question.

**Pentecostalism**

**At the Prison**

Other immigrants in the group caught by the Minutemen, who are now sitting in jail, refuse to converse with the Catholic priest. They are now sitting in their cell, singing

---

[86] Richard S. Myers, contributing author. Encyclopedia of Catholic Social Thought, Social Science, and Social Policy: Volume 2, K-Z. *Law, Practice of.* Lanham, MD: The Scarecrow Press, Inc. (2007).

[87] CUA School of Canon Law

love songs to Jesus, and reciting long passages of Scripture from memory, particularly the stories and prophecies about prisoners being set free and chains being broken. They belong to the second largest religious body in Latin America, known as Pentecostalism. In the following section, we will examine what Pentecostalism has to say about undocumented immigration, and what action Pentecostal churches would take regarding their members incarcerated here for immigration law violations.

**What is Pentecostalism?**

The year was 1906. On Azuza Street in downtown Los Angeles, CA, a fundamentalist group was hosting a revival. All of a sudden, a number of the participants began speaking in abstract languages, ones of which they had no prior knowledge. In this moment of *glossalalia*- speaking in tongues- the Pentecostal movement was born.[88] Since then, this charismatic movement has found expression in nearly every Christian denomination, as well as forming a unique set of enclaves for itself, independent of any church body.

Not long after its initial formation, Pentecostalism spread to Latin America, where it took off like a brush fire in dry grass. It went on to become the second largest religious movement in Latin America, second only to Roman Catholicism. Among Latino immigrants to the United States, Pentecostalism is the most frequently practiced religion.

**Pentecostal Theology and Politics**

---

[88] University of Southern California, Charismatic and Pentecostal Research Initiative. URL: www.usc.edu. Accessed 2-20-09.

Historically, Pentecostalism has maintained a very rigid separatist view regarding its relationship to political practices, structures, and institutions. This is due to the belief that true followers of God must not be conformed to this sinful world. Individual conversion, brought about at the point of salvation, will bring about a radical transformation in the individual, which results in a dramatic outpouring of love toward fellow Christians. Pentecostalism maintains a Christ against Culture model very similar to Calvinism, but the results are quite different, in that Pentecostalism advocates rigid separation from the civil law, as opposed to the Calvinist belief in governmental edicts being the voice of God.

Self-sufficiency is a trademark of Pentecostal congregations. This is due to the fact that Pentecostalism, as a movement with no central denominational organization, has no true relationship with any other Pentecostal bodies or movements around it. Each congregation, usually vesting a vast amount of authority within its own minister, is responsible for its own members. This responsibility entails ensuring the fact that those in the flock are saved, that those outside the flock come to salvation, and the maintenance of the safety and care of all members.

**The Pentecostal Response**

Returning to the prison, we see the arrested immigrants looking through a phone book, preparing to call a local Pentecostal congregation and request their help in obtaining release from jail, and shelter once they were free. How would a Pentecostal congregation in the United States relate to undocumented Latino immigrants? They would place critical emphasis on first ensuring that the immigrants were saved. After this

initial step, they would offer them a cordial welcome into membership in their congregation, but would have nothing to do with the problems related to their legal status.[89] They would maintain rigid differentiation between the spiritual and temporal realms. Evidence of this kind of differentiation and emphasis on personal salvation may be seen in the sermon quotation below from a Pentecostal preacher in Phoenix who said that, "To be effective for God, you must live as a primarily spiritual person. Your spirit must be the dominant force over your body and your soul- that is, your intellect, will, and emotions."[90] In other words, your relationship to God and your personal salvation are of supreme importance. Anything else either takes second place, or is disregarded entirely.

If the undocumented Mexican immigrants were to pick up the phone and call the local Pentecostal congregation, it is likely that the response they would receive would be something like this: "You are more than welcome to worship with us, but your legal entanglements in the civil world are no concern of ours."

**Conclusion**

When Roman Catholicism and Pentecostalism come to the dialogue about undocumented Latino immigration, they both have a significant personal stake in the outcome. In attempts to defend themselves and the sheep of their folds, they advocate obedience to the law of God to an extent that trivializes the law of the land. However, the civil realm is a reality with which no balanced ethical statement can justify ignoring. It is necessary to find a way to live with one foot in each world. For this, we turn to theories advocated by a 16th century German monk and theology professor named Martin Luther.

---

89 William C. Placher, *Essentials of Christian Theology*. Louisville, KY: Westminster/John Knox Press (2003). p. 194.

90 James M. Feeny, Ph.D. "Be Men and Women of the Spirit." Sermon preached at South Valley Church, Phoenix, OR (12-17-06).

# Chapter IV: One Foot in Each World

## Lutheranism

My research experience focused on relationships between Latino immigrant communities and congregations of the Evangelical Lutheran Church in America. With nearly three hundred congregations in the Southwestern Minnesota Synod alone, this denomination is a significant religious presence in a region that is a hotbed of some of the strongest local Latino immigration in the Midwest, and also some of the harshest ICE activity in the nation. By virtue of their call to minister to all people, and their substantial presence in many of the communities embroiled in this debate, the ELCA often finds itself in the position of having to care for and mediate between people on both sides of the immigration debate.

## "Undocumented immigration? What does this mean?"

The scene is a small town in southern Minnesota, with a large meat processing plant and agricultural operations being its primary sources of income. Recently, ICE raided the plant, arresting a large number of Latino workers, many of whom are now in jail for various civil and criminal law violations. Families have been divided, and the local economy has sustained serious damage as a result of this raid.

A group of citizens have gathered to discuss what to do next. Many of these are members of local Lutheran churches. They are forced to decide where they, as Lutherans,

stand on this issue. How would a Lutheran congregation address the issues of undocumented immigration?

First, we will scrutinize the historical relationship that the Lutheran Church has had with immigrant communities, including its own immigrant origins. Second, we will examine Lutheranism's systematic models for relating to cultural and political structures through the "two-kingdoms theory."

**Lutherans as Immigrants Themselves**

The first organized Lutheran body in the United States was a group of German immigrants to eastern Pennsylvania. Upon their arrival in 1748, they formed the Ministerium of Pennsylvania, under the leadership of Henry Melchior Muhlenburg. This group later gave rise to a second group of largely Swedish origin known as the Ministerium of New York.[91] This group later split into a series of nearly sixty different, miniscual branches of Lutheranism.[92] However, no major Lutheran presence was established in the United States until the arrival of a large group of German Lutherans to St. Louis, Missouri.

Under the ultimate leadership of the Rev. Dr. C. F. W. Walther, a large group of confessional Lutherans departed the German province of Saxony in 1839. Bringing more of their followers over the next thirty-five years, they formed what became known as the German Lutheran Church, later forming into the Lutheran Church-Missouri Synod.[93] To

---

[91] John L. Hoh, Jr. *The Pennsylvania and New York Ministeriums*. Suite 101 Magazine (July 11, 2003). p. 6.

[92] Lawrence R. Rast, Jr. *Walther and the Formation of the Lutheran Church - Missouri Synod.* Life of the World Magazine. Fort Wayne, IN: Concordia Theological Seminary (October, 2003). p. 4.

[93] Ibid.

this day, this group remains one of the two largest branches of Lutheranism in the United States, with a baptized membership of 2.4 million.[94] These Germans, nevertheless, were not the only Lutheran body to emigrate to this country.

Scandinavian Lutherans also arrived in large numbers from their homelands, the largest ethnic groups coming from Sweden and Norway. These ethnic groups, like the Germans, formed church bodies around themselves, bringing their own clergy and worship practices with them. Until the mid 20th century, these nationalities comprised such groups as the Swedish, Norwegian, and Danish Lutheran churches.[95] In the 1950s, they reorganized into two major church bodies. One was the Norwegian-based American Lutheran Church, the other the Swedish-based Lutheran Church in America.[96] By this time, linguistic and ethnic divisions had faded to being of minimal importance. In 1988, the two major bodies merged into what is now the Evangelical Lutheran Church in America, with a baptized membership of 4.7 million, thereby becoming the largest Lutheran church body in the United States.[97] The focus of the remainder of this section on Lutheranism will deal with Lutheranism as espoused by the Evangelical Lutheran Church in America.

Lutherans, like all other Christian denominations represented in this country, were once immigrants. They exemplified the typical sociological practices regarding how Christian denominations related to immigrants, in that they associated cordially with those of the same ethnic and linguistic background, while refusing to associate with those of other nationalities. Upon formation of new church bodies, particularly after the merger

---

[94] The Lutheran Church – Missouri Synod churchwide website. URL: www.lcms.org. Accessed 4-20-09.
[95] Interview by the author with Rev. James Siefkes, 2-10-08.
[96] Ibid.
[97] Ibid.

in 1988, the ELCA began to take action regarding how it related to political structures, and how it dealt with immigrants. The *Message on Immigration*, issued in 1998 by the ELCA Conference of Bishops with the approval of the Division of Church and Society, says that "we thank God for these developments [of the arrival of new immigrants], and we remember Paul's admonition: "Welcome one another, just as Christ has welcomed us, to the glory of God.[98]" [99] To interpret this is to say that, because Christ welcomed us without showing partiality based upon nation of origin, we are to do likewise.

**Luther and Politics**

During the Reformation era, Luther formed many of his beliefs on how Christians should relate to political institutions through his dealing with the chaotic governance of the Holy Roman Empire. For Luther, the whole of politics can be rooted in his teaching on vocation. He taught that government is like any other vocation, namely a gift from God and a path to follow. In regarding how Christians should deal with government edicts, Luther taught that they should be obedient to governmental law except when the secular and sacred laws conflict, in which case the law of God took precedence. He maintained a doctrine known as the "two-kingdoms theory," which states that all Christians hold dual citizenship, both in the kingdom of God and in this world. A balance of loyalty to both is necessary.[100]

**One Foot in Each World**

---

[98] Romans 15:7, NRSV

[99] Evangelical Lutheran Church in America, Division of Church and Society, with ELCA Conference of Bishops. *Message on Immigration.* (1998).

[100] William H. Lazareth. *A Theology of Politics*. Christian Social Responsibility. New York, NY: Board of Social Missions, United Lutheran Church in America (1960). p. 11.

Luther's two-kingdom's theory, with its requirement that one remain conscious of the dual loyalty all Christians possess, may be imposed upon political theology in two major ways. In a constructive context to dealing with Lutheranism and undocumented immigration, we would bring two significant aspects of Lutheran theological identity to the table, which will help to facilitate the dialogue regarding immigration. First would be the Lutheran hermeneutical model, whereby one looks at a biblical text, and asks how the text points to the teachings/image of Christ. Second would be the Lutheran ethical perspective, whereby one would ask whether the legal precepts regarding immigration, or any amendment to them, could point us toward a just situation allowing maximum possible compassion for the immigrants, while also seeking to fulfill the law of the land. This is in opposition to Calvinism, which would say that the law of God and the law of the land are synonymous. This is also in opposition to Roman Catholicism and Pentecostalism, which would say that the baptismal identity takes priority over temporal identity, whatsoever that may entail.

However, these theological tenets are not quite sufficient. In order to do this, we must turn away from Luther and look to brothers Leonardo and Clodovis Boff for help. These Brazilian liberation theologians will bring with them a critical aspect of love to the immigration dialogue.

## Liberation Theology

### In the Field

At a Roman Catholic seminary in southern Minnesota, not far from where the raid described previously took place, a group of students and professors have rallied to discuss

the issue. Many quote passages from the Bible about welcoming the stranger, aiding the poor, and treating the alien as one of their native-born. Those who speak in this manner, whether they know it or not, are passionately expressing the sentiments of Christian liberation theology, a theology born in Latin American basic Christian communities in the second half of the twentieth century.

What insights may this relatively young tradition within Christianity have to say about immigration? Does it speak from a biased viewpoint, given that so many writers in liberation theology come from Latin America? It may have much to contribute.

**What is Liberation Theology?**

In the 1960s and 1970s, the Roman Catholic Church in Latin America, particularly Brazil, Peru and Central America, began to proclaim a new and prophetic message. Priests began to proclaim that it was the duty of the Catholic Church to ally itself with the poor and marginalized, and to work toward relieving the suffering of the oppressed. Many Catholic clergy allied themselves with Marxist movements in the attempt to help better the situation for the poor, and in the end, many gave their lives for their cause.

Prominent among liberation theologians were two brothers, Leonardo and Clodovis Boff, both ordained Catholic priests, trained as systematic theologians at the University of Munich in Germany. These men worked among poor, basic Christian communities, and crafted the most concise statements of liberation theology to date. It is to these men we will turn for explication of the insight from liberationism we will use for the purpose of this thesis.

**How is this done?**

With their new message, early liberation theologians introduced an entirely new language. The first precept they taught is that God is never neutral, and, consequently, neither is theology. The God known by liberation theology is always biased toward the poor, and remains on the side of the rejected of society.[101] Likewise, they taught, all theology, and all theologians, must place themselves firmly on the side of the poor, and work outward from that perspective. An ethical name created for this precept is the "preferential option for the poor,"[102] a term which endures to this day.

Second among the expressions that the Boff brothers crafted was the expression "meeting people where they are." Theologically, this entails speaking, writing, and working on the level of the common people. This dogma also vested a significant amount of power in the peasantry, as it called all significant moral decisions they were forced to make theological decisions, thereby naming all those who must make these choices theologians.[103]

Contrary to popular opinion, liberation theology is not unique to Roman Catholicism. It is a movement that has found a home, particularly through its missiological concept of base ecclesial communities, in many Protestant faiths, among them Lutheranism, Anglicanism, and Methodism.[104] However, it is the author's belief that the Christian faith best positioned to use the aspects of liberation theology introduced above to better the situation of the immigration crisis is the Lutheran church, as

---

[101] Leonardo Boff, OFM, & Clodovis Boff, SM. *Introducing Liberation Theology*. Petrópolis, RJ., Brazil: Editora Vozes Ltda. (1987). p. 20.

[102] Ibid., p. 22.

[103] Thia Cooper, Ph.D. Academic lecture attended by the author 9-25-08.

[104] Enrique Dussel, Ph.D., editor. *The Church in Latin America, 1492-1992*. Maryknoll, NY: Orbis Books (1992). p. 339.

represented by and in the Evangelical Lutheran Church in America. This is due to their devotion to Luther's teaching on the two kingdoms, but also to their belief in being the instruments that perform the work of God in this world. One can see this most clearly in the churchwide motto of the ELCA: "God's work, our hands."[105]

[105] Evangelical Lutheran Church in America Churchwide Website. URL: www.elca.org. Accessed 2-15-09.

# Chapter V: To Conclude

## Conclusions

We have analyzed the history of United States immigration law, the theology in which it was rooted, the Christian theological traditions that are engaged in the contemporary debate related to undocumented Latino immigration in the US, and the one overriding theology pleading to be heard out. We have arrived at a number of conclusions thus far:

1) The situation surrounding immigration into the United States, both in theory and in practice, is not presently in a state that meets the requirements of Latino immigrants into the United States. Neither is it in a state that allows for the just satisfaction of the civil law governing immigration.
2) John Calvin's theology was once the driving force behind the formation of US legal and political thought. When this played over into the creation of immigration law, Calvinism proved itself inadequate to provide a response to undocumented immigration in a way that satisfies the demands of both civil law and the law of love. This is due to the legalistic stance which Calvin proclaimed, as viewed in his rigid maintenance of the "self/other" model, which negates the possibility of fulfilling the law of mercy.
3) Roman Catholicism, oldest of Western Christian faiths and the chief faith that immigrants from Latin America bring with them, has likewise proven itself inadequate to offer an ethical answer to the

immigration crisis, given its emphasis upon the law of mercy over the civil law in a way that trivializes the civil realm in an unacceptable manner.

4) In like manner, the Pentecostal movement, the second faith which many Latino immigrants bring with them, cannot reply appropriately to the immigration question. This is due to their belief, similar to that of Roman Catholicism, that one's civil status is of no consequence in comparison to one's personal identity through salvation.
5) Lutheranism, by virtue of its two-kingdoms theory, is in the best position to effect maximum compassion and justice for the immigrants, but is limited by its own cultural biases against "the immigrant other."

We have seen what does not work, but what would? There are two parts necessary to formulate a theological response to the immigration crisis:

1) Compassion for the undocumented to the fullest possible extent, while maintaining that which is just within secular law. This dual loyalty to law of land and law of love is most clearly and ethically expressed in the "two kingdoms theory" found in the teachings of Martin Luther.[106]

[106] Lazareth, *A Theology of Politics*, p. 11.

2) Pastoral compassion for both sides as expressed through liberation theology, as espoused by the teachings of Leonardo Boff, OFM, and Clodovis Boff, SM.[107]

a. Meeting people where they are[108]

Meeting people where they are is the practice of being willing to identify yourself with those in specific situations, speak their language, and sympathize with their concerns.

b. Preferential option for the poor[109]

Preferential option for the poor, the theological practice of placing yourself firmly on the side of the poor, entails a new way to ask ethical questions. You come to a source or statement and ask, "What can you tell us about how we got into our situation, and how best we may get out of it?"

For constructive theology, asking these new questions and working toward their answers will mean shifting in a modern Christ transforming Culture model. This model will give us a new perspective on immigration, one wherein immigrants are valued, treated as equals, and given the same chances to advance and develop their personal situations as those who have always lived here. This balance of compassion and justice will, the author hopes, be shaped by the guideline offered in this quote by a Lutheran theologian:

---

[107] Boff & Boff, *Introducing Liberation Theology*, p. 2.
[108] Ibid. p. 38.
[109] Ibid., p. 16.

"You can throw off any number of oppressive regimes, institutions, laws, what have you. But, if you don't change the hearts of both those who govern and those who are governed, you will wind up with exactly the same situation, only under a different name."[110]

[110] Interview by the author with the Rev. Todd Lynum, 7-1-08.

# Works Cited

Allen, Michael and Schweikart, Larry. *A Patriot's History of the United States*. New York: Penguin Group (2004).

Michael Allen is a professor of history at the University of Washington, Tacoma. Larry Schweikart is a professor of history at the University of Dayton. These men attempt to break away from both conservative and liberal rhetoric used in the presentation of American history, and offer a very good, objective analysis of said history from the earliest colonization to the Iraq War.

I will use this book to gather information on colonization, immigration and distribution of territory throughout my thesis. I will also cite their portrayals of American religious demographics.

Berlet, Chris, *Calvinism, Capitalism, Conversion, and Incarceration.* The Public Eye, Vol. 18, No. 3. (2008). URL: http://www.publiceye.org/magazine/v18n3/berlet_calvinism.html.

Leonardo Boff, OFM, & Clodovis Boff, SM. *Introducing Liberation Theology*. Petrópolis, RJ., Brazil: Editora Vozes Ltda. (1987).

Camayd-Freixas, Erik, Ph.D., *Interpreting After the Largest ICE Raid in US History: A Personal Account*. Florida International University (July 13, 2008).

Catholic University of America School of Canon Law website. URL: www.cua.edu.
Cooke, Rev. Thomas. Interview by the author 8-14-08.

Cooper, Thia, Ph.D. Academic lecture attended by the author 9-25-08.

Day, Rev. Dr. Katie. Interview by the author 2-23-09.

Katie Day is an ordained Presbyterian minister and urban sociologist. She holds the Charles A. Scheiren Chair in Church and Society at the Lutheran Theological Seminary at Philadelphia.

I will use Day mainly to gain an insider's view of Calvinist theology, and how it developed in relation to social structures after coming to the US.

Dussel, Enrique, editor. *The Church in Latin America, 1492-1992*. Maryknoll, NY: Orbis Books (1992).

Eidsmoe, John. *Christianity and the Constitution: The Faith of our Founding Fathers*. Grand Rapids, MI: Baker Book House Company (1987).

John Eidsmoe is an ordained AFLC (at the time of this publication, Church of the Lutheran Brethren) minister, an attorney, and a professor of constitutional law at the Thomas Goode Jones School of Law in Alabama. He presents a substantial amount of evidence about the Calvinist/Puritan roots of many ideals written into the founding documents of the US. While quite conservative in both his politics and his theology, Eidsmoe makes a good case that many of the founding writers were, and taught their followers as, Calvinists. He also uses a vast amount of excellent primary source citation, particularly from the writings of the founders and the theologians who influenced them during their lifetimes.

I plan to use Eidsmoe to help lay out the arguments about the Calvinist/Puritan influences on the formation of US legal and political thought, past and present.

Evangelical Lutheran Church in America Churchwide Website. URL: www.elca.org.

Evangelical Lutheran Church in America, Division of Church and Society, with ELCA Conference of Bishops. *Message on Immigration.* (1998).

Feeny, James M., Ph.D. "Be Men and Women of the Spirit." Sermon preached at South Valley Church, Phoenix, OR (12-17-06).

Friedman, Lawrence M. *A History of American Law*, 3rd ed. New York, NY: Touchstone Rockefeller Center (2001).

Lawrence Friedman is a professor of law and legal history at Stanford University. He writes about how much of early and modern American law came into being, and the thought processes behind their formation.

I will use Friedman mainly to document the religious roots of much of American legal and political thought.

Hauerwas, Stanley, & William H. Willimon. Resident Aliens. Nashville, TN: Abingdon Press (1989).

Hoh, John L., Jr. *The Pennsylvania and New York Ministeriums*. Suite 101 Magazine (July 11, 2003).

Interfaith Worker Justice, *For You Were Once a Stranger: Immigration in the US Through the Lens of Faith*. Chicago, IL: Interfaith Worker Justice Press (2007).

Interview by the author with Felipe (psuedonym), undocumented immigrant, 6-2-09.

Interview by the author with Germando (pseudonym), documented immigrant, 6-14-08. Trans. Carl Rabbe.

Interview by the author with Nicole (pseudonym), formerly undocumented immigrant, 6-29-08.

Kerr, Hugh T., editor. *Calvin's Institutes: A New Compend*. Louisville, KY: Westminster/John Knox Press (1989).

Lazareth, William H. *A Theology of Politics*. Christian Social Responsibility. New York, NY: Board of Social Missions, United Lutheran Church in America (1960).

The Lutheran Church – Missouri Synod churchwide website. URL: www.lcms.org.

Lynum, Rev. Todd. Interview by the author 7-1-08.

Meilaender, Peter C. *Immigration: Citizens and Strangers*. First Things, no. 173, May 2007, p. 10-12.

Peter Meilaender is a professor in the Political Science Department of Houghton College, and the author of a number of works on undocumented immigration to the US. He presents a very clear view of the definitions of terminology such as "insider," "outsider," "stranger," and "welcome" that American church bodies often use in their rhetoric about dealing with immigrants, particularly undocumented Latino immigrants. Chiefly, I will use Meilaender as a basis for a glossary, as well as a description of religious rhetoric about undocumented Latino immigration.

Myers, Richard S., contributing author. Encyclopedia of Catholic Social Thought, Social Science, and Social Policy: Volume 2, K-Z. *Law, Practice of.* Lanham, MD: The Scarecrow Press, Inc. (2007).

Richard Myers is an associate professor of law at Ave Maria School of Law. He writes about how Catholic theology interprets the just practice of law.

I will use Myers to contribute to my section on how the Roman Catholic Church relates to US immigration law.

Oxford English Dictionary website. URL: www.dictionary.com.

Placher, William C., Ed. *Essentials of Christian Theology*. Louisville: Westminster John Knox Press (2003).

William Placher is the chair of the Department of Philosophy and Religion at Wabash College. In each chapter of this book, Placher puts himself into dialogue with a total of eighteen other Christian theologians from diverse backgrounds regarding questions of truth, authority and limitation in Christian systematic theology.

Placher will help in bringing the theological views of a wide variety of denominations and authorities to the table for debate.

Preston, Julia. *More Illegal Crossings are Criminal Cases*, *Group Says*. New York: New York Times (6-18-08).

Ramirez, Sonya, *La Inmigración Cubana a los Estados Unidos*. Academic lecture attended by the author 4-10-09.

Rao, Sujay, Ph.D. *Mexican Immigration*. Lecture given to LALACS teach-in program on immigration, 4-11-08.

Rast, Lawrence R., Jr. *Walther and the Formation of the Lutheran Church - Missouri Synod.* Life of the World Magazine. Fort Wayne, IN: Concordia Theological Seminary (October, 2003).

Lawrence Rast is an ordained LCMS minister and a professor of historical theology at CTS. He writes about the history regarding the establishment of the early Lutheran church bodies, especially the German Lutheran Church, in this country.

I will use Rast mainly to develop my section on how early American Lutherans behaved while they were immigrants themselves.

Rivera, Nelson. *Editorial: Immigration and the Immigrant Other*. Journal of Lutheran Ethics (December 2008). URL: www.archive.elca.org/jle

Nelson Rivera is a professor of systematic theology and director of the program in Hispanic ministry at the Lutheran Theological Seminary at Philadelphia. He is a native of Puerto Rico, and an ordained ELCA minister. He writes of how the ELCA should strive to identify itself in relationship to the "immigrant other," the one who is ostracized and rejected simply because they are Latino.

I will use Rivera to offer a Latino perspective, as well as that of an insider to the ELCA hierarchy.

Siefkes, James. Interview by the author. 2-10-08.

Rev. Jim Siefkes is the former director of what is now the ELCA Division for Church and Society. He is also the principal founder of MATRIX, an organization that was the first to portray Lutheran social justice work as missiology. He is an expert on the intersections between social justice and Lutheran systematic theology. An ordained ELCA minister, he also conducted several studies on Lutheran relationships with Latino communities a number of years ago.

I will use Siefkes as a source of on-the-ground information regarding how the church has developed its social justice programs, and where it may be going in the near future.

Thompson, Stephen M. *The Minutemen, Reconsidered*. Orange Coast Magazine (January 2008). Quoted by Jim Gilchrist, The Minuteman Projet organizational website. URL: www.minutemanproject.com.

United States Conference of Catholic Bishops website. URL: www.usccb.org.

United States Department of Homeland Security, *Report on Rightwing Extremism* (March 2009), quoted by Jay Sekulow, "Call the DHS Report What It Is: Offensive." (4-17-09). Beliefnet Religion in America Newsfeed, URL: http://blog.beliefnet.com/lynnvsekulow/2009/04/call-dhs-rightwing-extremism-r.html

United States of America Department of State, Division of Immigration, Customs, and Border Protection website. URL: www.state.gov.

University of Southern California, Charismatic and Pentecostal Research Initiative. URL: www.usc.edu.

Appendix A:

Interviews with immigrants:

A) The interview with Nicole was conducted in English. The quotation by her is from her original words in English.

B) A transcript of the original Spanish of the interview with Germando is below:

La situación económica en mi regiòn nativa de Ecuador ahorita está terrible. Asi que, vine acá para ganar suficiente dinero para cuidar a mi esposa y mis tres hijos. Los extraño horiblemente- un día no pasa cuando no rezo para poder reunirme con ellos de pronto.

Pues, algunos meces más, y acá estoy. Vivo en un sucio apartamientito en Willmar, MN, trabajando en la linea a Jennie-O. Hay que enviar dos de cada tres dolares que gano a casa, para sostener a mi familia. Después de este, no es necesario decirtelo, no tengo mucho para vivir. Casi nunca como tres comidas cada día, y tengo que depender en la familia de mi esposa por la mayoría de mi comida.