The Immigration Experience at the Border:
***An address to the 2013 assembly of* Christian Churches Together**
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I propose to discuss the current social and pastoral situation affecting our families in the Rio Grande Valley. And I will do this by describing some of the immigration challenges we face on the Border, complicated in recent days by the criminal violence afflicting northern Mexico. Many of my descriptions are anecdotal, though there is no lack of law-enforcement records and testimonies to support the particular accounts I will offer. I will also propose some social and pastoral commentary based upon the reality I describe. Many of these are based on intuitions and reflections that, it seems to me, are appropriate for myself and others dedicated to the mission of the Church.

What I speak about flows from a sense of pastoral urgency as a Catholic Bishop on the Border. I consider it an obligation that flows from my office in the Church to speak about the plight of the immigrant. Augustine's celebrated phrase: "For you I am a bishop, with you I am a Christian," applies particularly here.[1] The "with you" implies the common graceful hope that both frees and binds the human conscience washed and illuminated in baptism. The Word does continue to take up human flesh. The "for you" of which Augustine speaks implies the obligation of a shepherd to give voice to what the Gospel requires of us in response to what the conscience sees. Augustine was a voice speaking a word. Indeed, he spoke many words. For him it was the labor of his love for Christ and his love for those called to hope and life in Christ. Words are both the poorest tools we possess as human beings, and the most powerful. They are poor like a seed is poor in comparison to a windstorm or an earthquake; but they are the most powerful of the gifts that come with being created in the divine image, because they are like a seed in comparison to a windstorm or an earthquake.

Listening to the news and reading accounts of the ongoing public discussion of immigration and border security, I have a sense that we who

[1] Sermon 340, 1.

seek to be faithful to the grace that frees and binds are facing a particularly crucial moment of trial. The political and social context that frames the current discourse is not so hospitable to what we might have to say about it. At the outset, then, let me say that we in the Church must do what the graceful conscience demands in order to live up to our indispensable obligations to the Lord. We do this by seeking to contribute to the discussion in a way that keeps it realistic and keeps it human. There is no efficacious faith in the Incarnation of the Son of God that is not simultaneously a defense of the dignity of the human person; and there is no defense of the human person that is not also a kind of compassionate realism. Realism is important because without it we are as a people trying to address difficulties that are incompletely understood. Keeping it human is important because we are not dealing only with numbers of people, and statistical variations. We are dealing with men, women and children, young folks and elderly grandmothers confronting a horrific human tragedy.

1. The increasing complexity of immigration from Latin America:

We are accustomed to hearing about the following social dynamic: the mothers and children remain in Mexico, and the men, the teenage boys and young women come to the United States looking for work so as to send money home to support them. There are, in fact, whole towns in Mexico and Central America that are bereft of adult males. Families that remain await word from their loved ones. Are they safe? Do they have work? An acquaintance of mine, an attorney who lives in the Rio Grande Valley, writes lawyer novels set in the local context. Fiction, but they are based on life in the Rio Grande Valley. You might want to look at his first book called *The Case Runner*, by Carlos Cisneros. The description of the immigrant family caught in uncertainty and fear gives a sense of this dynamic.

This reality, we would say, fits the typical narrative that we hear about when immigration is discussed in the public square in the United States. Some reports I have seen seem to indicate that the numbers of immigrants from Mexico and Central America approaching the United States in order to look for work is down, compared to past years, due, some say, to the weakness of the American economy.

The current political discourse bases itself on this description of the social dynamic; it lacks nuance commensurate to the reality. It focuses upon the notion that immigrants who come seeking work are sapping national resources, by taking jobs away from others, and in the notion that national resources are expended to support these immigrants through our educational and health-care systems. It also focuses upon the notion that the "law is the law", and any reform of the law must begin with better enforcement of what is currently on the federal books. But the whole reality is much more complex than this, and in attempting to offer a discussion both human and real, I will spend some time today pointing to some of the complexities.

On January 15 of this year, just a couple of weeks ago in fact, a front page story appeared in *The Monitor,* one of the principal newspapers in the Rio Grande Valley. I will just quote the opening paragraph: *Federal authorities arrested three men accused of holding 51 undocumented immigrants, threatening them with a handgun and a machete as well as paddling them to keep them in line. The arrests came after a Guatemalan immigrant managed to escape the house and alert authorities.*[2] This incident occurred in McAllen, Texas, the article reports. It goes on to say that Border Patrol agents and ICE agents arrested the 51 undocumented immigrants, and the 3 who were holding them. The article concludes as follows: *the men were taken before a U.S. magistrate judge who formally charged each with one count of harboring illegal immigrants and ordered they be held without bond pending a detention hearing later in the week.*

Now then, I begin with this article because it is timely and illustrative of several points I wish to make. First, it is remarkable that the story ran in the first place. Stories like this are not so frequent in the press. Yet, the story confirms what law enforcement officials have told me personally, namely that what amounts to organized human trafficking is a major concern of law enforcement in the Valley.

But on another level, the story points to some legal incongruities. Nothing is really said about the 51 who were beaten and threatened while being held in the stash house except that they were arrested. Secondly, the 3 who held them were charged with "harboring illegal immigrants". To say the least, this seems an inadequate description of what they were doing. I

[2] Idelfonso Ortiz: *The Monitor*, January 15, 2013.

suppose if a pastor in one of our parishes gave a hot meal to an undocumented immigrant and let him sleep in the parish hall, he could be charged with the same thing. Now, I am sure the hearing will likely deal with aggravating factors in the "harboring", but the law does not seem especially well suited right now to distinguish between aggressors and victims in the current immigration dynamic.

And it is the distinction between of aggressors and victims that most stands out in my conversations with men and women in the Valley as I go about my daily activities. Based on those discussions, I can tell you that it is more than likely that the 51 who were being held in the stash house were told in Central America that it was a fairly routine thing to immigrate to the United States. Some of them probably had never seen a map to give them a proportionate idea of the distances involved, or the terrain. They probably had no idea how dangerous it would be to cross the interior of Mexico. It is likely some of them saw some of their *compañeros* die or get killed along the way, as they were handed from one band of *coyotes* to another along the long trek from the Guatemalan border with Mexico to the Mexican border with Texas.

And most of them had no idea when they started out that they would likely become pawns in a world of drug cartels. Allow me to elaborate. Twice a year, the bishops of Texas with territory on the border meet with bishops of Mexico whose dioceses also approach the River. One of the realities that we discuss is the rapidly shifting character of immigration from Mexico into the United States. We discuss this primarily to keep each other informed of what is affecting our people in concrete ways, so that we can adapt pastoral strategies in accord with these factors.

A matter of great concern to the bishops in northern Mexico, and one that should impact our consciences as well, is precisely this issue of cartel involvement in the abuse of immigrants. Perhaps you will recall the reports a couple of years ago about the massacres of Central American immigrants in San Fernando, Tamaulipas, and other places. Those murdered in these incidents, the poorest of the poor from Central America, or southern Mexico, were passing through the interior of Mexico on their way to the United States. The deaths in San Fernando shocked the sensibilities of many at the time both in Mexico and in the United States. Though the attention span in our culture is short, and frequent reports of violence can numb the conscience to the point that it doesn't hear anymore, still the

incident brought to the attention of both the Mexican and United States public the kind of organized brutality that frequent occurs in Mexico. One Mexican journalist put it this way: *Before it was something that all of us knew, but it wasn't publicized*.[3]

I encourage you to read the documentary study done in Mexico by the *Comisión Nacional de Derechos Humanos, (*National Commission of Human Rights), entitled *Informe especial sobre secuestro de migrantes en México.*[4] Pay particular attention to the personal testimonies recorded there. Salvadorans, Guatemalans, Hondurans, and others, making their way through Mexico are routinely kidnapped from trains and buses. They are forced to give telephone numbers of their relatives in the United States, so that they can be contacted to pay ransom. The money is used to pay for the drug war, and if no money is forthcoming, the kidnap victims are killed, and if they are women or girls they are raped and killed, or if they survive, they are forced to labor for the cartel. If they pay, they might be given passage to the next stop. It was likely this scenario that resulted in the deaths in San Fernando, and in many other places along the route from Central America to the United States.

But the violence pervades many spheres of Mexican life. An elderly woman approached me after the Mass celebrating the patronal feast day of one of our rural parishes. Amid all the food and music that happily accompanies *las fiestas patronales*, she approached me and pulled me by the arm so she could whisper in my ear, "*Mataron a mi hijo, y no tengo a nadie. Ruegue por mí, y ruegue por México."* Her only son had been killed in their native town right across the river. She told me that she was here without documents because she had no one left in her life.

And at the National Shrine of Our Lady of San Juan del Valle, where an estimated 20,000 pilgrims attend Mass on a given weekend, I frequently hear from recent arrivals from Mexico. I hear heartrending stories of brothers kidnapped, or shot, of families decimated, of widowed mothers waiting in small Mexican towns—unwilling to come to the United States

[3]Moises Gomez, reporter for *Hora Cero*, quoted in an article by Michael Barajas, *San Antonio Current*, June 8, 2011. (Gomez is a reporter who, after the San Fernando massacre, traveled to Central America and across Mexico to trace the path of immigrants on their way to the U.S. border.)

[4]Comisión Nacional de los Derechos Humanos*: Informe especial sobre secuestro de migrantes en México*, 22 Febrero de 2011.

even though they could do so legally—because they are hoping against hope that their kidnapped daughters will yet be coming home.

Related to this phenomenon of violence affecting immigration patterns today is the frequency of kidnapping: *los secuestros.* Last Spring, I said Mass at one of our local parish Catholic elementary schools. It is a good school, with an excellent learning environment. After Mass I made my way to the back of the church and spoke briefly with a mother with her two daughters waiting near the sacristy. The mother explained to me that they were from near Tampico, Mexico, and that they had recently moved to Texas. Her husband, the father of the two girls, remained in Mexico working. I suspect he is a professional of some kind, perhaps an engineer or the owner of a small business. I hear regularly of families in similar situations, a wife and children relocated to the Valley, and a Father remaining in Mexico to continue working to support the family. Sadly, though, what the mother and the daughters had to say to me is also something I hear about frequently. The family had not heard from the husband and father in three months. He has been kidnapped, and no word has been received as to his whereabouts. The Mother wanted a blessing for her children, and she asked that I keep their situation in my prayers, especially when I say Mass.

On another occasion, I was saying a Sunday Mass at a local parish in the Diocese, and was happily greeting people after Mass, blessing babies, and saying a few words of encouragement to the parishioners. A woman, probably in her 40's introduced me to her elderly mother and asked if I would bless her mother, and pray for her three brothers. The brothers had been kidnapped, and no word had been heard from them for several weeks. These three brothers are not professionals; they are construction laborers in northern Mexico. The sister and their mother are in the Valley, and are desperately worried that they will never hear from the three brothers again. I asked the Sister to write down the names of her brothers so that I could place them on the altar in my chapel, and thus remember them at the Mass and in the Divine Office.

And when I greet parishioners after Mass in any one of our parishes, it is not uncommon for me to shake hands with young and middle aged men who are missing two or three fingers. I don't have to ask, and they do not have to say anything. We know. At some point in their recent history,

they were kidnapped, and the fingers severed and sent in the mail as proof of the captivity, and as a warning that the ransom must be paid.

Proof is part of the reality. Some calls that come in from across the Border demanding ransom from local families are hoaxes. It has become an epidemic among petty thieves and criminals who simply pick up the phone and call numbers in the phone book threatening to kill a loved one if a ransom is not paid. They may not even have contact with the person they claim to have sequestered; but the threat alone is enough to bring in a little money. Not long ago, in fact, I was visiting one of our poorer parishes for Confirmation. The pastor told me that many of his parishioners tell him of the telephone calls they get from anonymous persons in Matamoros or Reynosa, demanding ransom for a brother, a cousin, or an uncle whom they claim they have kidnapped. The family ties between those who are in the Valley for reasons of fear, and those who have remained in Mexico to work make the working poor particularly vulnerable to petty claims for ransom.

I have also been invited into the homes of some of the wealthier Mexican families living in the Valley. Wealthier segments of the Mexican population have long kept a second home in parts of the Rio Grande Valley, whether a condominium on South Padre Island, or a home in one of the gated communities present in our larger cities. What is different now? They have told me what is different now: increasingly, the entire family moves to the second home in the United States, abandoning for the foreseeable future the principal home in Monterrey, Tampico, or Mexico City; *por razones de seguridad.* The Father in the family will fly into Mexico to attend to business when necessary, but conducts much of his business via telephone and internet. And more homes are being built to accommodate the families seeking a less tense, and a more secure environment.

In the different dynamic that I have described, the families affected adjust in what way they can. The educated professionals and businessmen can usually prepare the needed documentation for the appropriate visas or residency, for their families. The widows and the poor advance across the border by other means. The new reality is rooted in what each of these families has in common: fear. They do not live in the Valley, or in Laredo, or in San Antonio primarily for economic reasons; rather, fear of

kidnapping, random shootings, being caught at the wrong time in the wrong place, these are the pressures moving them. They are driven also by the fear that their children will grow up in, and know only, a lawless and cynical community if they remain at home.

One local law enforcement official put it this way:

> *We know that people in Mexico live in constant fear, not just for their safety, but for their lives, the lives of their children, and for their personal property. Their stories are pure horror. We often listen to them. We listen to them, because they escape to the United States and to our communities. They come to our communities because they feel safe here. All of them get here as fast as they can."*[5]

In summary, the situation we are facing is much more complex than it was just seven years ago. The conditions driving immigration patterns can be divided roughly into four general categories.

The first group would include the wealthy, who out of fear are leaving parts of Northern Mexico. They are establishing their homes and even their businesses in the United States. These families often nourish hopes of returning home *cuando se componga la cosa.* That is to say, when things get better back home. The children of the wealthy are particularly vulnerable to kidnapping. A second group would include the professionals and businessmen who send their families to the United States while they themselves remain the bulk of the time working in Mexico. Here the fear is kidnapping or getting caught in a line of fire. A third group includes the poorer working class, themselves gainfully employed in Mexico, but finding it an intolerable situation for their families. And a fourth group would be those primarily motivated by the desire to work in the United States for a time, and send what money they can make back to their families in the United States. This is more or less the traditional narrative. But, as I have argued, it is not the only narrative, nor the dominant one at this time. The dominant fact is that the women and children are here. The men are often still in Mexico working to support them. They visit when they can. This is a new phenomenon, and not one that fits into the usual descriptions of immigration that we hear about on the news.

[5] Victor Rodriguez, Chief of Police of McAllen, Texas; Testimony before Congress, May 11, 2011.

2. The breakdown of Trust

But, aside from the complex phenomenon of a much diversified immigrant population, and the tragic phenomenon of cartel violence and kidnapping unleashed on the poor from Central America and Mexico on their way to the United States, how is this new situation affecting the life of the people in the Rio Grande Valley? I remember as a little boy hearing my uncles speak of the work they did on the rough ranch land they owned in Zapata County, and on which they kept small herds of cattle, and a few horses. Often enough they would mention to us that some young men had been passing through the ranch, and that they would stop to ask for directions. This would have been the late 1960's. Everyone knew that this kind of encounter likely involved young men recently arrived from Mexico, probably on their way to San Antonio and beyond because of an opportunity to work. *Les dimos algo de comer, platicamos un rato, y les llenamos sus botellas de agua para el viaje.* Nobody asked for immigration papers, because in the ethos of life on the border, a markedly Christian ethos, people did not think of papers when it came to a situation of offering someone something to eat and drink, offering a brief respite in the shade, a time of conversation. This is called hospitality, and it is a basic human good. This basic human impulse is older than Homer, Virgil and the author of Beowulf. The *Odyssey* is about many things, but among them is the social crisis that ensued upon the breakdown of the social norms governing hospitality. The norms of social relations are prior to the legal distinction between documented or undocumented. Hospitality given to strangers, though, is possible only when there is a basic trust between persons, and a sense that if you are kind to a traveler on one day, someone will be kind to you when you are on a journey.

The border is no longer like it was in the days of my uncles. A barking dog in the yard no longer hints at the approach of honest travelers. Now, people tense up at the sight of a traveling stranger. ¿*Es un narco*?, people ask. Are they carrying drugs? Do they have guns? The violence has had a corrosive effect on the most basic of human relations. People have been injured and killed in an effort to be kind. But, I must add, I know people in the Valley who have acted heroically to help someone half-starved and beaten-up get medical attention and food.

On the Mexican side, we are told, it is not safe to talk about the events of the day with someone you do not know or trust personally. Conversation with the barber or restaurant worker is more limited than it used to be. And the word on the streets of the towns on the American side is that it is not safe to honk your horn at a car that suddenly cuts you off on the road. *Nunca sabe uno; si son de los malvados de matan.* You never know, people, say, they might shoot you. People look suspiciously at their neighbors, and at strangers. People watch what they say, and where they say it.

It is also true that folks do not trust the press to report what is happening just across the border. Reporters in Mexico are routinely threatened, and reports in the local press on the American side are sketchy and mostly unconfirmed. That is why the story I cited at the beginning of this talk can be termed remarkable. They do not surface often. We hear about skirmishes on this side of the border, either by rumor or by press reports. Radio reports come across the air every now and then, usually beginning with the phrase "unconfirmed reports indicate". They go on to say that cartel members fled across the River into the United States, seeking to escape gunfire from Mexican Federal Police, and that gunfire ensued on the American side.

And so people rely on the whispered account of how many bodies were found in what Mexican town, and word of mouth, spread *con mucho cuidado*, informs people in the Valley about what may or may not have happened in the towns on the Mexican side. And the American press, cautious to report what cannot, perhaps for security reasons, be confirmed, alludes in tentative terms to the shadow of violence reaching into our communities. A general sense of unease creeps into the communities on the American side, as if everyone knows that whatever is reported is only the surface of a much deeper abyss of danger and lawlessness.

The communities along the border share a common concern for the corrosive effect of money on the integrity and honor of all aspects of the local society. I mentioned a little earlier that in northern Mexico, it is not a good idea to mention in polite conversation at the barber-shop what you might have heard about the activities of criminal elements. It is sad to say that this kind of circumspection is growing on the American side. The circumspection is rooted in suspicion. Because everyone says that drug money moves easily across the border, many people are not entirely sure

who might or might not be tainted by it. My point is about an atmosphere of distrust. Law enforcement itself knows that they must be particularly vigilant to maintain the community's confidence in the integrity of everyday business and legal relations, and in the local institutions that touch our daily lives. As one law enforcement officer in Hidalgo County put it in testimony before Congress:

> *The threat is drug trafficking money that creeps, infiltrates and corrupts our communities. The threat is the crime that drug trafficking money causes. The threat is the criminals that drug trafficking money buys.*[6]

3. Law Enforcement

The people of the Rio Grande Valley appreciate and are grateful to all those who work in law enforcement in our neighborhoods, on our streets and highways, and on the border itself. These city, county, state and federal officers are our neighbors, attend our churches and give of themselves heroically for the safety and protection of our communities.

As you may recall, ICE agent Jaime Zapata was a Brownsville native killed in the line of duty in San Luis Potosi about two years ago. During the funeral procession, school children lined the streets holding little American flags as the long line of vehicles made their way to the cemetery. The faces of so many federal, state and local law enforcement officers who formed an honor guard for their fallen comrade left a profound impression on the entire community of the Valley.

ICE agents and Border Patrol often do heroic work in order to stop the drug trade, and the gangland violence that it spawns and pays for. Delivery of cocaine is an armed transaction, and many of our federal enforcement agents find themselves confronting an enemy that will shoot in order to defend his cargo making its way across the River.[7]

I have met with the leadership of law enforcement, at various times and on various levels, and we share a great many common concerns. Foremost among those concerns is the plague of human trafficking. There are people right now in the Valley, and in other communities across the

[6] Victor Rodriguez, Chief of Police of McAllen, Texas; Testimony before Congress, May 11, 2011.

[7] Sigifredo Gonzalez, Jr., Zapata County Sheriff: Testimony before Congress. May 11, 2011. See section "Border Threats".

nation, young girls and boys that are from Central America and Mexico, kidnapping victims. They are smuggled into the United States and kept against their will. These are precisely the persons affected by situations like the one I cited in the *Monitor* article. Some are held until a ransom is paid, some are used as mules to carry drugs from one place to another; some are used to supply prostitution rings. Local law enforcement often expresses frustration because it is difficult to identify where people are being held against their will on the American side.

Another common concern is the vulnerability of our youth to the lure of money that can so easily pull them into the criminal activity that skates both sides of the border. Police officers and sheriff deputies, as well as ICE agents volunteer time to help organize youth sports activities, and supervised gathering places for kids. Younger kids are particularly vulnerable to older kids moving in to intimidate them into joining a gang or participating in some illegal activity. As the Director of the Texas Department of Public Safety recently stated publically:

> *Mexican cartels have corrupted an entire generation of youth living in Northern Mexico, and they seek to corrupt our youth as well to further their smuggling operation. The Mexican cartels value Texas teenagers for their ability to serve as expendable labor in many different roles and they have unlimited resources to recruit our children."*[8]

It is important to note that the enforcers of the law do not write the law, Congress does, and the President signs the law. When it comes to the urgent need to craft a more just and reasonable immigration law in the United States, our attention should be focused on Congress and the President. But when it comes to how we work in our communities, it is in everyone's interest that all the resources of the community, including the civil community, law enforcement and the Church marshal their resources together in an effort to push back the looming darkness that gathers south of us, and projects its shadows over us. I do not have any statistics or numbers to offer you delineating how many people are in the Rio Grande Valley for the various reasons I have briefly described. I do know they are

[8] Texas Department of Public Safety Director Steve C. McCraw: As reported in the Brownsville Herald, October 14, 2011.

many; they are suffering, and we have to respond generously to the reality they (and we) are living. And this fundamental reality leads me to the next part of my reflection.

4. The Justice of the Matter

Several years ago the bishops of the United States and the bishops of Mexico jointly published a document on immigration entitled *Strangers No Longer.* In that document several principles were enunciated that form the basis for the Church's position of what constitutes a humane reform of the immigration system. I should like to list these principles now:

I. **Persons have the right to find opportunities in their homeland.**
II. **Persons have the right to migrate to support themselves and their families.**
III. **Sovereign nations have the right to control their borders.**
IV. **Refugees and asylum seekers should be afforded protection.**
V. **The human dignity and human rights of undocumented migrants should be respected.**

The principles are rooted in a traditional Catholic sense of the natural law as a generally discernible expression of what constitutes the human good and the reasonable norm of justice. It is prior to civil law, or laws enacted for the ordering of human society, and serves as the basis for adjusting civil law to accommodate changing particular circumstances.

Indeed, the principal purpose in this address has been to delineate the changing circumstances affecting the immigrant population. The principles expressed in *Strangers no longer* are even more relevant now than they were in 2003 when the document was issued. As articulated, the principles move from the most universal to the more particular, i.e. from conditions in the country of origin to how people are treated when they are apprehended in the United States. I would like to comment on each principle in the opposite order, though, not so much to defend their relevance, but rather to lend a bit of order to the situations I have spoken about tonight.

Concerning the humane treatment of undocumented immigrants: A crucial aspect of law enforcement dealing with the undocumented involves saving the lives of immigrants who are left in the desert-like terrain of South Texas by the *coyotes* who smuggle them across the border. With no

idea about where potable water might be found, or even in which direction to travel to reach a kind of safety, Mexican and Central American immigrants are cruelly left to fend for themselves. Border Patrol rescues many who are found half-dead. Tragically, many are found too late. The *status quo* of immigration law helps perpetuate the *coyote* system, however.

And of course, when adverting the humane treatment of the immigrant population, we should acknowledge that immigrants are treated here with greater respect than is often the case in countries that lie between here and the original country of origin. Nevertheless, several points should be noted. First, the fact is that many immigrants do not know what rights and protections United States law provides for them. Immigrants do have rights, among these are a right to a hearing before and immigration judge prior to deportation. Because immigrants often do not speak English, and do not have recourse to reliable legal counsel, especially in the hours following apprehension, it is possible that they find themselves on a bus to Reynosa for a midnight drop into Mexico before they can contact anyone who could help them. There are immigrant advocates both inside and outside the Church who help the organize ways in which the newly arrived can learn about their rights, their recourse and their resources. These grass-roots efforts are a service to justice and charity. Our system of law enforcement benefits from independent observers and participants who work to make sure legal protections already in place are not cavalierly ignored simply because there is no one there to insist upon their being observed.

That is why at this most practical level the independent status of Church organizations becomes most crucial. The defense of religious liberty touches on many issues, but one of the most vital is the Church's activity in favor of the immigrant. This is why Catholic and non-Catholic churches in Alabama and Oklahoma, for example, have sued in court to prevent state laws from infringing upon the freedom of the Church to operate its charitable organizations. We have to be able to feed, clothe and give counsel and medical attention to those in need, without being required to have proof of legal status in the United States. This, too, is a point that falls under the overall responsibility of society to treat humanely the immigrant.

And on a most urgently practical level, the time of apprehension is usually a time of crisis for the whole family. Children at times discover that their parents have been apprehended for deportation only when they

realize that they simply did not come home from work. They must rely on neighbors or relatives to help them find out where they are being held in detention, and when they might be deported. The tragedy of families separated in this way contributes to the gang problem. Immigration reform needs to recognize the human and societal need to protect family unity. I will say more about this point at the conclusion of my remarks.

In our meetings with the bishops of Mexico along the border, it has been mentioned by the Mexican bishops that it creates a tremendous hardship for the immigrants and for the towns on the Mexican side of the border when detained persons are taken by bus to a border town in the wee hours of the morning, and unloaded off the bus to fend for themselves. This is a common practice. The Mexican towns do not usually have the resources to accommodate the needs for food and shelter and communication needs the deported may have. Also, there is no way for the local populations in northern Mexico to know if those who are left there belong to criminal gangs who then form up with the local criminal population. This is a major problem. And it leads to my next point, which is best treated under the next principal.

***Concerning refugees and asylum seekers*:** The prophet Jeremiah rightly admonishes ancient Israel, and all of us, to *do what is right and just. Rescue the victim from the hand of his oppressor. Do not wrong or oppress the resident alien, the orphan, or the widow, and do not shed innocent blood*.[9] There is a moral distinction taught by Scripture and that we as a civilized people should maintain: someone who overstays a tourist visa out of fear for their lives, is not in the same category as someone who is running a prostitution ring in the Valley to support the drug trade, or is beating Central American's into submission while Lord knows what types of extortion is being exacted from their families. To break the current immigration statutes is not the same as to be an agent of criminal gangs. Again, it is a matter of distinguishing between aggressors and victims in the current situation.

Here in the United States, it is important that the various jurisdictions of law enforcement remain focused upon their respective competencies. Federal immigration authorities have their responsibilities, and are familiar with immigration law. Local police departments and sheriffs' offices are charged with keeping the local peace. Little old ladies and their teenage

[9] Jer 22:3

grandsons who live in the Valley without immigration documents are not likely to report suspicious activity in the neighborhood to local police if they are afraid their immigration status will be questioned by the police officer. Nor will someone report to the sheriff that a group of people are being held in a neighborhood house against their will if they fear that their own status will be challenged

We need the help of everyone in the neighborhood to help identify and apprehend human traffickers, and other criminal elements within the population. Let the federal agents trained in immigration law enforcement enforce the law in the manner they think best; but let local law enforcement focus upon maintaining community order and peace. Any local law enforcement officer will tell you that maintaining community peace requires the cooperation of the whole local population, the very ones who live in fear of the criminal elements operating in the neighborhood. And it is only reasonable that Federal law enforcement focus upon these criminal elements that afflict both recent immigrants and long time residents. There is a temptation for some to say "arrest all the undocumented, and deport them all." But this is neither in the interest of the immigrant nor in the interest of good law enforcement in the United States.

We must insist in season and out of season that a just people distinguishes between the innocent and the guilty, and that a great and generous people respond to the plight of the widows and the orphans, those who mourn the loss of a mother, or a nephew, or a grandson. Perhaps it is time we actually consider a kind of refugee status for those who are fleeing the violence. It seems to me that the time has come to discuss this reality more openly.

Concerning the rights of sovereign nations to control their borders: It is a part of the Christian patrimony of teaching to acknowledge and defend the rights of sovereign nations to control their borders and to set reasonable norms to insure that immigration from one land to another is an orderly process, and that criminal elements are purified from the system. The Church does not dispute that there should be a national immigration policy; rather we argue that the current one is in need of major reform.

To begin with, the situation of undocumented workers has to be reasonably addressed. Immigrant populations have contributed and continue to contribute their labor and ingenuity to the economic life of this country. It is an injustice that often their work is not properly compensated,

or is manipulated by dishonest employers, or that their contributions to society are dismissed as insignificant. *Obviously these laborers cannot be considered as a commodity or a mere workforce*.[10] But that is precisely what happens when the economic *status quo* accepts immigrant labor when needed, but rejects the immigrant when he or she is in need. There are harrowing stories of undocumented workers knowingly hired and then dismissed abruptly when a limb is lost in a work-place injury. The worker is told to go away, or he or she will be reported to the immigration authorities. A just immigration reform should recognize that workers have a right to be protected, and their labor justly compensated. As it is, we do not even know how many undocumented workers are here. Surely it is in our national interest to get an accurate accounting, if for no other reason than to begin to distinguish between the honest worker trying to support a family, and the member of a criminal gang, a drug-runner, or a human trafficker.

While it is true that immigration should be governed by laws and thus be a safe and orderly process, it is not true that we can treat immigrant populations lacking in proper documentation as if this lack means they forfeit the respect due to their human dignity: *Every migrant is a human person who, as such, possesses fundamental and inalienable rights that must be respected by everyone and in every circumstance.*[11] And while it is true that resources must be prudently allocated to those in the community who have the most need of them, it is not true that justice and mercy are due only to those who have proof of citizenship.

Concerning the rights of peoples to migrate to support themselves and their families: Here it is important to recognize that the individuals and families who leave their home to come to the United States do not do so for light reasons. There are situations at home that propel them to make a decision that will alter the lives they have known since birth. The issues are often issues of survival, whether in terms of being able to support a family with sufficient food and shelter, or in terms of fleeing a violent subculture that threatens to become the dominant culture itself. This principle is related to the principle of self-defense. And while governments have a right and responsibility to control movements across borders, it is not an absolute good that is invoked when they do so. It is a good that

[10] Pope Benedict XVI, *Caritas in veritate*, 62
[11] Pope Benedict XVI, *Caritas in veritate*, 62

must be balanced with the good of families and individuals to seek humane conditions and to provide for themselves.

Hence this principle is related to the most universal principle of the five enunciated in *Strangers No Longer*, ***Concerning the rights of peoples to find sufficient opportunities to support themselves and their families in their respective homelands.*** It is unjust in principle that individuals and families should have to choose between some stark necessity and leaving their homeland.[12] That stark necessity could be the threat of starvation, or the inability to support a family. The principle holds true when the issue is violence, and the fear of violence. These families I described to you would quite happily continue working and raising their children in northern Mexico, were it not for the fear that pervades life there. There are many Mexican citizens, after all, who think of the United States in terms of the phrase: *Nice place to visit, but I would not want to live there.*

You do not have to be an economist or a sociologist to see that there is a relation between this newer phenomenon of immigration and the more traditional dynamic. We must be concerned about the long term economic impact on Mexico that the new situations I have described will have. If the wealthy entrepreneurs and businessmen, the very ones who offer employment opportunities to Mexican citizens in Mexico, are re-locating to Texas because of fear, then we can expect an increase of unemployment among those in Mexico who have never had the intention of coming to the United States. And, if the middle class and those gainfully employed workers in Mexico are leaving because of violence, then we can expect the effects will be felt in an increase in poverty in Mexico. All of this will surely put more pressure on immigration into the United States, only it will be doubly propelled by fear of violence and by poverty.

Both the principle of freedom to migrate, and the principle of the right to be able to stay in one's native country point to the reality that a realistic solution to the current situation cannot simply be a matter of internal American immigration law; rather, international cooperation is required to address the situations at home that pressure the immigrant population, and that address the conditions that affect families and individuals when they do try to move across borders. Lawless gangs and cartels should not be what await someone who sets forth from his or her

[12] Strangers No Longer, USCCB, January 22, 2003: nos. 33-39.

native village. In short, when addressing this humanitarian issue, a hemispheric solution is required. Violence in Mexico impacts the United States mightily, and economic problems in Central America affect us as well. A hemispheric approach may sound like a daunting task, but we cannot for that reason abandon the effort.

5. The Hope of the Gospel

The Church, through her public voice must call attention to the plight of the innocent who suffer, and to how a culture of violence and death is destroying a people and a culture that has endured and flourished on both sides of the Border for many generations. And it particularly falls to the Christian Churches to insist on a national level that current immigration law in neither sufficiently humane nor sufficiently realistic, especially in light of the rapidly changing dynamics affecting our people and our communities. And we should not be shy about the enunciation of the principles that shed light on what constitutes a just way forward.

But my remarks would not be complete if I did not speak to this assembly about the deeper things that are at stake here. In the context of the dynamics I have described we are facing the real and deadly enemy of human life. The enemy has many facets to its countenance. It is the drug trade; it is the insatiable appetite for drug consumption. It is also the human trafficking trade that makes money off of children and defenseless adults. It is the wanton trafficking in guns, itself a lucrative trade flowing from the American side to the Mexican side of the border. It is also the deadness of conscience that can wantonly kill in cold blood both nameless *Salvadoreños* passing through Mexico, and uniformed agents assisting the Mexican government in the fight. This deadness of conscience then creeps like a shadow into our local communities and manifests itself as a sense of fear and hopelessness marring the thoughts of children and old people, of parents and siblings. Despair is the last mask hiding the enemy we are dealing with; it saps the human and spiritual resources of a people. This is what is happening in northern Mexico, and what is also happening in South Texas.

Indeed, for this reason, to my mind the most urgent aspect of Immigration Reform has to do with keeping families together. At present, parents who work here or seek refuge here without documentation are often quickly deported, leaving their children in the United States under

the care of neighbors or relatives. Children need their parents, and parents need to spend time with their children. The family structure is where hope, compassion, justice and mercy are most efficaciously taught. If parents are not around, the vacuum is filled by other, often sinister, voices and examples. The current reality is tearing family life apart and thus feeding the lawlessness and the despair.

Everywhere I go in the Valley, I repeat a message to whoever will hear me that the ones most at risk are our kids. I plead with parents: spend time with your children. The cartels, and the gangs associated to them start by offering an 11 or 12 year old 50 bucks to take the drugs across to the other side, or to bring something back. If they do well, they will get more money the next time. They can rise in the ranks and make more money. We have all known this for some time, and law enforcement has been raising this reality, especially recently.[13] The offer is what we call the "glamour of evil."

Eleven or twelve year olds are making decisions about whether to make money quick and easy, or risk being beat up if they choose to live an honest kid's life and go to Church, go to religious education classes. The border violence is not simply about security around the line of demarcation between two great sovereign nations; battles are being fought on the borders of the soul that mark the difference between life and death, grace and sin. The conscience of an 11 year old is the principal battle ground in the current border wars. And, it is fair to say, the battleground of our culture today.

I am particularly fond of reading the French novelist Georges Bernanos. With a kind of unrelenting starkness, he depicts in words how the soul must sooner or later choose Christ or despair, grace or self-destruction, life or death. Bernanos saw in the experience of grace and sin something that is lived everyday in this windswept world of ours. In the end, either our lives are held in the hand of a loving God, or there is

[13] Texas Department of Public Safety Director Steve C. McCraw, ass reporters by Reuters, October 17, 2011: Cartels would pay kids $50 just for them to move a vehicle from one position to another position, which allows the cartel to keep it under surveillance to see if law enforcement has it under surveillance," he said."Of course, once you're hooked up with them, there's consequences."McCraw said 25 minors have been arrested in one Texas border county alone in the past year for running drugs, acting as lookouts, or doing other work for organized Mexican drug gangs. The cartels are now fanning out, he said, and have operations in all major Texas cities. This month, "we made an arrest of a 12-year-old boy who was in a stolen pickup truck with 800 pounds of marijuana," he said. "So they do recruit our kids."

nothing holding us at all. Either the story of life is a story meant to end in the triumph of life and truth and goodness, or it is a story that must tragically end in the destruction of all things. Between Christ and despair there is only the illusion of a middle ground; there is no safe secular space where we all happily mind our own business. The most enduring and effective remedy we offer in this troubled time is to do what we have always done, only with a greater sense of generosity and urgency. We need to teach the Gospel. It engenders hope in the final triumph of what is good and noble in life. Without this hope, the spiritual resources of our communities will not be sufficient to meet the inimical power facing us and threatening our children.