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# Loving Our Neighbors, Both Far and Near

BY PETER C. MEILAENDER

**There may be no single “Christian” immigration policy, but by directing us to weigh the needs of outsiders against the defense of the life we share with our fellow citizens, Christian ethics illuminates the appropriate moral framework for understanding, and conducting, our immigration debates.**

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**I**n any discussion of immigration in America someone is likely to comment, “We are a nation of immigrants.” Their intent is to end debate. How could a nation of immigrants not welcome immigrants? Yet this comment—too true to deny, but too much a truism to aid in reflection—conceals much that is important to understanding the place of immigration in American life. Few countries in the world are populated by descendants of their earliest inhabitants. In a real sense, the history of humanity is a history of migration. Nor is America the world’s only “nation of immigrants.” Canada and Australia, Brazil and Argentina have all been deeply shaped by immigration. Even the countries of Western Europe, few of which have any historic identity as destinations for migrants, now find themselves home to large foreign populations. What does it mean, then, to call ourselves a nation of immigrants?

Both the reception of immigrants and their gradual assimilation play a prominent role in the American psyche. Images of Ellis Island and of huddled masses seeking refuge and a fresh start are an essential part of our national identity. Nevertheless, the history of immigration in America is more complex and ambivalent than the “nation of immigrants” label suggests. From the nation’s beginnings Americans have not only taken pride

in the traditions of liberty that made this country an attractive destination for so many, they have also worried deeply about the potential consequences of large-scale immigration for our economic, political, and cultural life. Indeed, when one reads the immigration debates of the early twentieth century, one is immediately struck by the familiarity of the arguments, which concern the very things we worry about today: competition for jobs, strains on urban services, immigrants not learning English, the fraying of our cultural fabric. We are having exactly the same arguments that our great-grandparents had.

This is unsurprising, because our experience with immigration resembles theirs. The history of immigration to America can be described, without undue distortion, very simply: first a rise, then a fall, then a rise again.<sup>1</sup> Early in the country's history there was no national immigration policy. During most of the nineteenth century, immigration levels rose gradually, with periodic increases or decreases caused by economic changes or war. After the Civil War, however, during the last decades of the 1800s, immigration rose substantially, creating what we now know as the First Great Wave. Concern began to mount, especially about the new immigrants from southern and eastern Europe, who were regarded as backwards and potentially unassimilable. This concern culminated in a pair of immigration acts in 1921 and 1924, which significantly reduced the overall number of immigrants admitted annually and assigned to other countries annual quotas of immigrants intended to preserve America's traditional ethnic composition.

As a result, immigration dropped sharply. Numbers remained low into the 1950s before gradually beginning to rise again. Several factors contributed to an increasingly bad national conscience about low immigrant admissions: growing awareness of the consequences of countries' not having accepted Jewish refugees during the Holocaust; the gathering civil rights movement, whose focus on racial equality was hard to square with immigration quotas based on ethnicity; and a Cold War desire to attract immigrants fleeing the communist bloc. These factors led to a loosening of the restrictions in the Immigration Act of 1965. This act introduced two reforms in particular that proved momentous: it eliminated the national origins quotas and it created an elaborate system of preference categories under which various relatives of current citizens and legal residents were automatically entitled to immigrate, in some cases without being subject to a new overall cap on the number of immigrants admitted annually.

In ways not fully anticipated even by the act's supporters, these reforms caused both a major shift in the ethnic composition of the immigrant stream and a sharp increase in total immigration levels. As a result of the family reunification provisions, whatever countries were currently sending immigrants—no longer the traditional European countries of origin—got a foot in the door, as it were, so that new immigrants could in turn sponsor their relatives for immigration, creating systems of chain migration from the new

sending countries. And because close family relatives were automatically entitled to immigrate, regardless of numbers, overall admissions continued to rise. This again sparked public concern during the 1980s, and by the 1990s immigration reached levels not seen since the early twentieth century, averaging close to a million legal immigrants entering the United States each year. We are currently living through the Second Great Wave.

Despite minor reforms in 1986 and more significant ones in 1996, the Immigration Act of 1965 continues to provide the basic framework for American policy. Without changes, there is no reason to expect immigration levels to decline in the near future; even were illegal immigration to vanish tomorrow, legal immigration would continue to be at historically high levels. Little wonder, then, that we find ourselves rehearsing the debates of one hundred years ago.

### **LOVING (ALL OF) OUR NEIGHBORS**

As President Bush's failure to pass comprehensive immigration reform dramatically illustrated, Americans today are no less ambivalent than their ancestors about immigration. American attitudes towards immigration often combine deep unease about the effects of current immigration levels on American politics and culture with a vague sense of guilt that such unease may be either immoral or, at least, un-American. This guilt arises from several sources. One I have mentioned: our powerful self-image as a "nation of immigrants." Another is a concern that America's ideals of liberty and equality may be incompatible with immigration restrictions that deny others access to the opportunities we enjoy. Christians in particular may feel pangs from a third source: the fear that immigration restrictions, by protecting a privileged position for our fellow nationals, conflict with the obligation to love all human beings as God loves us.

This popular ambivalence has an intellectual parallel. Under international law, control over immigration has traditionally been regarded as a sovereign right of the state. With limited exceptions—states are these days generally thought

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to have an obligation not to return asylees to countries where they will be persecuted and to have at least some obligations to accept refugees—sovereign freedom continues to characterize the state's rights under international law. On the other hand, moral philosophers and political theorists writing about immigration have tended to argue that a commitment to equality makes immigration restrictions ethically suspect and that the normative

ideal is therefore a world of open, or nearly open, borders. The gap between traditional international law and contemporary ethical theory thus displays a divide every bit as stark as the one within many an American citizen's psyche.<sup>2</sup>

I want to argue that we need not feel quite as ambivalent as we sometimes do. The average citizen's concern about the risks of continuing high levels of immigration is not simply selfish; it can and should be defended

in moral terms, consistent with commitments to equality and love of neighbor. In order to explore this argument, we first need to discern the characteristic shape of immigration as a moral issue. Immigration policy is best understood as a version of a common moral dilemma: the conflict between universal and particular

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obligations, or—to put the same point slightly differently—the problem of preferential love.<sup>3</sup> When we enforce immigration restrictions against outsiders seeking to enter the country, we are in effect exercising state force in order to preserve the particular way of life that we share with our fellow citizens. The ethical challenge posed by immigration policy, therefore, is whether we can justify using state coercion in this manner. On what basis might we restrict access to this life that we share? Are we entitled to show this kind of preference for our own compatriots?

We do not ordinarily think that either a commitment to equality or the Christian obligation to love all persons is incompatible with special obligations to particular individuals. I am obligated to care for my own children more than for children in general. My friends reasonably expect from me forms of sympathy, attention, and assistance that those of you reading this essay do not. I have obligations towards my faculty colleagues and fellow parishioners that I do not have towards professors at other colleges or the members of other church congregations. And the same logic applies to my fellow countrymen and countrywomen. Because we share in a common life, involving a range of shared institutions and practices, we develop obligations towards one another that we do not have, or not to the same degree, towards outsiders—not because we do not love those outsiders, or because we think that our fellow citizens are somehow better than folks elsewhere, but simply because these are the people with whom our lot has been cast.

That image of the lot being cast—calling to mind the idea of someone doing the casting—suggests an additional reason why Christians, far from rejecting, should embrace these special obligations. It may be possible to justify particular obligations without reference to distinctively Christian

beliefs. That citizens share a common life, shaping and being shaped by one another through their mutual encounters, appropriately gives rise to expectations for treatment different from that accorded strangers. Yet the Christian belief in providence helps us comprehend more fully why such differential treatment is appropriate. As finite, mortal beings, we are creatures of time and place, living at a particular historical moment, inheriting a particular past, in a particular community, among particular neighbors. But these circumstances of our lives are not simply random matters of chance. Rather, they are part of God's plan for each of us. I might have married any one of a number of women, but that my wife and I happened to find ourselves next-door neighbors in graduate student housing a dozen years ago was not merely fortuitous. Biologically, I might have produced many children other than the ones I did; but that God has gifted me with a particular son and these three daughters has led me (or perhaps better, invited me) to develop in some ways rather than others. I see no reason why a similar logic should not apply to the national communities into which we "happen" to be born.

One could push this argument too far, of course, falsely supposing that God must wish everything to be precisely as it is. I intend no such grand claim. My point is simply that we should not regard the circumstances of our lives as mere biographical data of no moral significance. Rather, they are the concrete historical settings in which God challenges us to make moral choices and develop into the kinds of persons he wishes us to become. If he grants me a daughter, the appropriate response is not to pretend that I have no special duty to care for her in ways I am not obligated to care for all the other children in the world, merely in order to demonstrate my moral impartiality. Nor is it a sign of refined moral sensitivity to think that our fellow citizens have no special claims on us. Human charity is necessarily filtered through the prism of time and place. As Dietrich Bonhoeffer suggested,

We ought to find and love God in what he actually gives us; if it pleases him to allow us to enjoy some overwhelming earthly happiness, we mustn't try to be more pious than God himself and allow our happiness to be corrupted by presumption and arrogance, and by unbridled religious fantasy which is never satisfied with what God gives. God will see to it that the man who finds him in his earthly happiness and thanks him for it does not lack reminder that earthly things are transient, that it is good for him to attune his heart to what is eternal, and that sooner or later there will be times when he can say in all sincerity, "I wish I were home." But everything has its time, and the main thing is that we keep step with God, and do not keep pressing on a few steps ahead – nor keep dawdling a step behind.<sup>4</sup>

If we have had the good fortune to be born in a free and prosperous country, we should neither overlook our obligation to assist the less fortunate elsewhere nor “try to be more pious than God himself” by neglecting the duties of our common life with those immediately surrounding us.

This explains why restrictions on immigration are morally justifiable within a Christian ethic: they are an appropriate way of expressing the

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special obligations we have towards members of our national family. Some readers may fear that that this answer is too easy, merely a convenient way to explain away obligations that might challenge our own interests. But this response implicitly embodies an inappropriately individualistic perspective on immigration, assuming that one’s policy views reflect a narrow focus on personal self-interest. Clearly,

however, I need not support immigration regulation solely, or even primarily, for my own sake. I may do for the sake of others, and may do so even if I myself expect to benefit from immigration. In this connection we might recall Martin Luther’s advice in his essay on *Temporal Authority* about the appropriate Christian attitude toward the exercise of political power. On their own account, he argued, Christians should always be prepared to suffer, turning the other cheek and refusing to seek vengeance. But for the sake of the neighbor, they should resist violence and injustice, protecting others even by force if necessary.

A Christian should be so disposed that he will suffer every evil and injustice without avenging himself; neither will he seek legal redress in the courts but have utterly no need of temporal authority and law for his own sake. On behalf of others, however, he may and should seek vengeance, justice, protection, and help, and do as much as he can to achieve it.<sup>5</sup>

From this perspective, we might say that we are not merely permitted to preserve the common life we share with our fellow citizens; we owe this to them. “If [the Christian] did not so serve” – Luther again – “he would be acting not as a Christian but even contrary to love....”<sup>6</sup> We should think of immigration policy, then, not as a way in which I seek to protect myself. Rather, through it I aim to serve my neighbors who will face competition for their jobs; or the

children whose education will suffer in overburdened schools; or those fellow citizens in communities whose ways of life will be disrupted by a continuing influx of immigration at current levels; or indeed our own grandchildren, to whom we hope to pass on a cultural and political heritage. We will be unable to assess immigration policy adequately until we learn to think of it as serving *all* our neighbors – not just the distant ones seeking to join us, but also those near at hand, with whose lives our own are already interwoven and for whose welfare we thus bear more direct responsibility.

## **REFLECTING ON CURRENT DEBATES**

With this framework in mind, what can we say about recent debates over immigration policy? I have argued here for the moral justifiability of immigration restriction. I emphasize this argument because our public rhetoric often leaves the contrary impression that moral concerns all line up on the pro-immigration side, and that only self-interest prevents us from generously accepting as many immigrants as we ought. Nevertheless, I by no means think that the state should enjoy unlimited discretion in crafting immigration policy. Our duty to sustain the economic, political, and cultural life we share with fellow citizens is balanced by other duties, and these set outer limits to the leeway we may legitimately exercise in determining whom to admit. In particular, I believe that close family members of current citizens as well as refugees and asylees have very strong claims to be admitted as immigrants – the former because of their relation to current members of the national community, the latter simply because their need is so great.<sup>7</sup> These are not trivial points. If the United States continued to admit, say, even a million legal immigrants a year, we would have no trouble filling most or even all of those slots with people from these categories.<sup>8</sup> I am therefore inclined to oppose common proposals to devote a higher percentage of immigrant admissions to people selected for possessing specific economically desirable skills. These people, often highly educated and reasonably well-off, appear to make a weaker or less direct claim on our generosity than do refugees or family members of current citizens.

More significantly, the framework outlined here suggests a resolution to what have recently been the most fiercely debated and controversial aspects of immigration policy, namely illegal immigration and the question of amnesty for illegals already residing here. The argument I have made strongly suggests that we should indeed support what is generally referred to (negatively) as “amnesty” – permitting illegal residents who have been in the country for some specified length of time (I would suggest five years) to legalize their status and eventually become eligible to apply for citizenship. If we are entitled to restrict immigration in the first place because we owe special obligations to members of our own national community, the same logic suggests that we may not indefinitely exclude from legal status people who are in fact already members of that community, even if they originally

came without our permission. Shared membership in the community, which generates the special duties, is at some level simply an empirical fact, and precisely that fact, I have argued, has moral significance.

On the other hand, American citizens are entitled to a policy that respects the rule of law, and they reasonably fear that amnesty will create incentives for additional illegal immigration by those who hope to enter the country and hide out long enough to enjoy a future amnesty. The resolution to this dilemma seems clear: trading real border control for legalization of current illegal residents. Legislation implementing improved border security measures could include benchmarks that would trigger amnesty provisions only when evidence became available showing that the new security measures were indeed working. Some such trade-off as this is the most ethically defensible resolution to the current debate over illegal immigration.

Resolving this issue would leave the thorniest but most important question of all: determining appropriate levels of legal immigration. This is a more significant issue than illegal immigration, but it will be much harder to settle. It is easy, after all, to oppose people breaking the law; harder by far to determine how many we should admit in the first place. It is also a question, I think, for which moral reflection can provide only limited guidance. My argument above suggests that we can reach a wide range of ethically justifiable conclusions about whom to admit, and in what numbers. It does not insist that we reach any particular answer. And if I am correct that we may legitimately exercise considerable discretion about this, our conclusions will rely heavily upon prudential judgments about the empirical effects of various immigration levels on our national way of life and our economic, political, and cultural institutions. My own view is that it would be prudent, as we did a century ago, to scale back admissions temporarily after such an extended period of massive immigration, giving ourselves the chance to digest the newcomers and see how things stand. At the same time, such a decision, even if politically feasible, would have costs. Reducing legal immigration in half, from almost a million to, say, half a million entrants per year—still a lot of people!—would mean admitting fewer family members and refugees, to say nothing of those with special economic skills. And it is difficult to predict what effect a new round of restriction would have on America's image in an increasingly globalized world.

Because reasonable people will estimate these potential costs and benefits differently, preferred solutions will vary. It is therefore implausible, I think, to suggest some particular conclusion as the "Christian" immigration policy. Nevertheless, by directing us to weigh the needs of outsiders against the defense of the life we share with our fellow citizens, Christian ethics illuminates the appropriate moral framework for understanding, and conducting, our immigration debates.

## NOTES

1 Helpful accounts of the history of American immigration include Roger Daniels and Otis L. Graham, *Debating American Immigration: 1882-Present* (Lanham, MD: Rowman & Littlefield Publishers, 2001); Noah Pickus, *True Faith and Allegiance: Immigration and American Civic Nationalism* (Princeton, NJ: Princeton University Press, 2005); Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America* (Cambridge, MA: Harvard University Press, 2006); and Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, NJ: Princeton University Press, 2002).

2 For a short defense by a political theorist of something resembling the traditional view, see Michael Walzer, "Membership," chapter 2 in *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983). The best statement (though one occupying the far end of the spectrum) of the more standard egalitarian view currently favored by most political theorists remains Joseph H. Carens's important article "Aliens and Citizens: The Case for Open Borders," *Review of Politics* 49.2 (Spring 1987), 251-273. Two good collections of scholarly essays on the topic are Brian Barry and Robert E. Goodin, eds., *Free Movement: Ethical Issues in the Transnational Migration of People and of Money* (University Park, PA: Pennsylvania State University Press, 1992); and Warren F. Schwartz, ed., *Justice in Immigration* (Cambridge, UK: Cambridge University Press, 1995).

3 I have made this argument in *Toward a Theory of Immigration* (New York: Palgrave, 2001), chapter 3, "'This is My Own, My Native Land': Immigration, National Identity, and the Problem of Preference." Those who prefer their arguments in briefer form might instead consult my "Immigration: Citizens & Strangers," *First Things*, 173 (May 2007), 10-12.

4 Dietrich Bonhoeffer, *Letters and Papers from Prison: The Enlarged Edition*, edited by Eberhard Bethge (New York: Touchstone Books, 1997), 168-169.

5 Martin Luther, *Temporal Authority: To What Extent It Should Be Obeyed*, in volume 45 of *Luther's Works*, edited by Helmut T. Lehmann (Philadelphia, PA: Muhlenberg Press, 1962), 101.

6 *Ibid.*, 94.

7 I lack space here to make this case in more detail but have argued these points in chapter 6, "The Boundaries of the Political," of *Toward a Theory of Immigration*.

8 For a powerfully argued case along these lines focusing specifically on refugee admissions, see Matthew Gibney, "Liberal Democratic States and Responsibility to Refugees," *American Political Science Review* 93.1 (March 1999), 169-181.



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