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On Immigration Issues of Our Day

**Statement by Bishop Edward J. Weisenburger
Released June 20, 2018**

At a recent meeting of the U.S. Conference of Catholic Bishops we addressed the painful topic of immigrant parents being separated from their children. The bishops' widely quoted final statement on the topic was unanimous, making clear that there is not one Catholic bishop in the U.S. who finds this treatment of immigrants and innocent children morally acceptable. Immigrants and those seeking asylum, in exasperation and seeking to save their children, bring them to what many of us deem to be the greatest nation on earth—a shining beacon of justice, freedom, and human rights for the rest of the world. To survive the journey only to have their child pulled from their arms and placed in an unknown detention camp for children is in every way immoral. What emerged as critical in our bishops meeting was that in the face of such a crisis words are simply not enough and in frustration we are seeking appropriate action.

In the midst of that conversation I made a very brief statement to my brother bishops asking the question of whether or not we should be discussing the topic of canonical penalties for Catholics who participate in this inhumane action. Despite references to the contrary, my statement never included the words “excommunication” or “deny people the sacraments.” Church law reserves excommunication or the formal restricting of Sacraments only for the most heinous crimes. These can be imposed only at the end of a process seeking the conversion of the sinner and reconciliation for the community. We actually find the basis for the Church's legal system in Scriptural passages, such as Matthew Chapter 18:15-17.

The fact is that there are lesser options preceding excommunication, such as prayer and penitential practices. Moreover, the majority of penalties in Catholic law are not punitive in nature but medicinal, meaning to help the sinner and to repair the sin's rupture of the community—the Body of Christ.

As the nation's bishops continue to confront the issue I believe it is critical that we answer certain statements which we find inconsistent with our faith. For instance, it is frequently asserted that the immigrant parents broke the law and therefore any punishment meted out is appropriate. This is entirely flawed on many levels.

First, the notion that we can impose penalties of any degree or intensity shatters the principal of proportionality between a crime and its punishment. Second, to presume that everything legal is automatically moral is inconsistent with Catholic teaching (think of the current legality of abortion, the former legality of slavery, or the use of torture on prisoners which some assert is legal). Third, the notion that we can legitimately traumatize children in order to punish their parents or deter future immigration is without precedent in our nation's history or legal foundation. It is also beyond the pale.

Simply put, our founding fathers and mothers were better people than that. They would never have jailed children because their parents were seeking to keep them alive. And lastly, the argument that immigrant children in detention camps are equivalent to the children of incarcerated

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U.S. citizens is equally flawed. The children of jailed American parents typically have extended family who can advocate if not care for them personally. They are not sent to detention camps as punishment for their parents' crimes. Perhaps it should not surprise us that at least one traumatized father recently committed suicide in jail following the forced separation from his child. The facts being reported, and the images emerging, are nothing short of horrific.

I must acknowledge that only a few years ago I would never have believed that I would be addressing such a topic. Like many, I am baffled at how our culture has arrived at this point and why we appear to be losing our moral compass. I might have believed that a nation associated with terrorism or despotic governments might actually take children from their asylum-seeking or immigrant parents, but never America.

As far as the question of canonical penalties for Catholics goes, again, the matter is quite complex. Canonical penalties are not "one size fits all." In a Christian ethic, legislators and political leaders who facilitate sinful actions have the greater share in responsibility for the resulting violence to human dignity. Too, I am certainly not the only bishop with grave concern for the harm and anguish this practice is doing to many good and

faithful immigration workers. Indeed, the average immigration officer—even if he or she recognizes the inherent evil in the action—might accurately conclude that he or she is able to be a force for good within his or her employment, aiding the situation more than contributing toward the harm of children. In such cases the immigration officer might be justified in his or her endeavors. And of course, immigration officers—like nurses ordered to participate in abortion—clearly deserve the option of conscientious objection.

But in the end, the critical issue at hand isn't canonical penalties, even if the concept has intrigued many. The real issue is children being used as pawns in a contorted effort at punishing their parents or deterring future asylum seekers. These children, the voiceless in our midst, are now in the thousands and their number is growing daily. If many in our nation cannot see the ethical and moral quagmire we're slipping into then my brother bishops and I will continue to seek every way possible to be of assistance to those suffering in our midst. However, I would greatly prefer—and daily pray—that we will awaken from our slumber and resume walking in the ways of justice, truth, and human rights, leaving the discussion of canonical penalties altogether unnecessary.

Bishop Edward J. Weisenburger