

Electing Citizens and Aliens:  
A Theology of Migration, Borders, and Belonging

by

Justin Parrish Ashworth

Date: \_\_\_\_\_

Approved:

\_\_\_\_\_  
Prof. Willie J. Jennings, Supervisor

\_\_\_\_\_  
Prof. Stanley Hauerwas

\_\_\_\_\_  
Prof. Edgardo Colón-Emeric

\_\_\_\_\_  
Prof. Walter D. Mignolo

\_\_\_\_\_  
Prof. Leo R. Chavez

Dissertation submitted in partial fulfillment  
of the requirements for the degree of Doctor of Theology  
in the Divinity School of Duke University

2015

Copyright by  
Justin Parrish Ashworth  
2015

## Abstract

This work offers a theological reading of and response to migration restrictions in the United States of America, focusing on their instantiation in the U.S.-Mexico border and on the discourses and practices of citizenship and alienage that support these arrangements. Unlike most works in Christian immigration ethics, this work not only highlights the negative effects of migration policies, but also unearths the basic assumptions grounding these policies, all while displaying the racial and theological imaginaries grounding them.

The first part of this work argues that the assumption grounding all migration policies is “the preferential option for one’s own people,” that is, the view that citizens not only may but must prefer or prioritize the life of fellow citizens over that of non-citizens. The first chapter draws on French theorist Michel Foucault and decolonial intellectuals to offer a reading of three non-theological arguments for migration restrictions, namely, security, economics, and culture. In short, those who believe the U.S. must have migration restrictions believe that aliens may threaten the security, economy, and culture—that is, the *life*—of citizens. The second chapter interrogates theological arguments for national borders, the most visible way of restricting migration, showing that ultimately theologians assume and assert the legitimacy of Westphalian nation-state sovereignty. The third chapter offers a theological reading of the concrete effects of border practices on “illegal aliens,” arguing that national borders will continue to exist as long as citizens assume both that “our people” means “fellow citizens,” and also that they may and must prefer and prioritize their life over that of others. The latter assumption is particularly troubling because it implies that the insecurity, poverty, and

cultural denigration that aliens face—though perhaps saddening—is ultimately just. The central argument of the second, constructive part of this work is that Christians (and others) should not prefer or prioritize fellow citizens over non-citizens. Chapter 4 discusses the nature and task of citizenship in light of the parable of the Merciful Samaritan in Luke’s Gospel, and chapter 5 employs Hispanic theologians to articulate an alternative account of faithful citizenship with undocumented Latina/o migrants.

The doctrine of election holds the dissertation together theologically. The first part shows that the preferential option for one’s own people—even when proclaimed by a theologian—is a secularized performance of the doctrine of election: citizens elect themselves for life and belonging, but in so doing they damn the undocumented to death and anxiety. The second part shows that God’s election of the Jews, favor for the poor, and destiny of fellowship for the world sets Christians on a trajectory of border-crossing solidarity that opposes the preferential option for one’s own and de-borders belonging.

For Tiffany, Tommy, and Tomi — chirping birds

## Contents

Abstract .....	iii
Contents .....	vi
Introduction.....	1
Meeting Aliens .....	1
Three Words on Words .....	16
PART ONE: BORDERING BELONGING .....	18
Chapter 1: Choose Life: The Architecture of Migration Restriction .....	19
Introduction .....	19
Arguments for Restriction: Security, Economics, and Culture .....	21
Physical Security .....	22
Economic Well-being .....	25
Cultural Integrity .....	28
Summary.....	30
The Biopolitical Logic of the Arguments: Liberation, Life, and Race .....	31
Liberation from Repression and Insecurity .....	32
The Politics of Sustaining and Cultivating Life .....	35
The Uses of Race.....	41
The Racial Logic of the Arguments: Division, Subordination, and Norming .....	42
The Geopolitics of National Distinctions .....	43
Subordination and Norming .....	50
Conclusion.....	61
Chapter 2: Electing One’s Own: Sovereignty, Preference, and the Theology of Migration Restriction .....	63
Introduction .....	63
Asserting Sovereignty: <i>Strangers No Longer</i> .....	66
Grounding Sovereignty: Three Views.....	74

Defining Sovereignty: Imagining Our Own.....	82
Secularizing Sovereignty: Electing Our Own.....	87
Conclusion: Assessing Sovereignty.....	94
Chapter 3: The Dividing Wall of Hostility: Damning the Undocumented.....	99
Introduction.....	99
The Damnation of Border Practices.....	103
The Unseen Deadliness of the Border Apparatus.....	109
Deterrence, Death, and Violence.....	109
Deportation, Detention, Exploitation, and Family Separation.....	114
Racialized Anxiety over Exclusion.....	119
Two Stories of Belonging.....	123
Anxiety and Reprobation.....	127
The Moralism of Attempts to Make Borders More Humane.....	129
Conclusion.....	132
PART TWO: LIBERATING BELONGING.....	136
Chapter 4: Samaritan Citizenship: A Political Theology of Neighbor-Love.....	137
Introduction.....	137
The Ethics of Proximity in Augustinian Liberalism.....	140
The Merciful Samaritan in Context.....	145
Defining Nearness.....	153
Proximity as Nature?.....	154
Segregated Proximity.....	158
The Nature of Proximity.....	160
Summary of Objections.....	166
Election and the Merciful Samaritan.....	167
Predestined for Fellowship.....	170
Decision for the Poor.....	175
Samaritan Citizenship: Solidarity without Boundaries.....	179

Solidarity with the Vulnerable.....	180
Solidarity in Boundary-Crossing Fellowship .....	183
Conclusion: Against the Preferential Option for One's Own .....	184
Chapter 5: <i>Hacia una Iglesia Mezclada: De-Bordering Belonging</i> .....	186
Introduction: Toward a Fellowship of Co-Sufferers .....	186
Virgilio Elizondo: The Election, Vocation, and Hope of <i>Mestiza/os</i> .....	191
The Promise and Problems of Elizondo's <i>Mestizaje</i> .....	197
Elected for <i>Mezcolanza</i> .....	204
The Election of Israel .....	204
Favoring the Poor .....	211
Notes toward De-Bordered Belonging .....	217
Conclusion.....	221
Conclusion .....	223
Bibliography .....	226
Biography.....	244



## Introduction

### **Meeting Aliens**

I was thirty years old when I first met someone who had been deported. Or at least that was the first time I was aware of such an encounter. How could I possibly have avoided contact with deportees while growing up and living in Southern California during the 1990s and early-2000s? Immigrants were a fixture of my schooling years: my high school was one-third Hispanic, my college had student migrants and immigrants from all over the world, and my seminary prided itself on being a Christian witness in a diverse world. I had lived in Southern California cities where white people were barely the demographic majority and I had spoken (broken) Spanish with coworkers at a restaurant and a car dealership. Even stranger than the amount of time it took me to meet a deportee is that I met this man in rural Guatemala, his place of birth. Why did it take me thirty years and thousands of miles of travel to hear the story of someone who had been deported?

And yet his deportation story was not new to me, and it would not be new to most American citizens. I had heard such stories in the media, on the lips of family and friends, and in books and newspaper articles. We all know the story. He had been pulled over by a police officer for drunk driving. The officer soon found out that he was also driving without a license. He was swiftly taken into custody, detained, tried, and sent back to Guatemala. So clinical, so typical. His response to the incident was equally clinical: he understood why he had been deported, given that he had broken the law and that the

government had a right to punish lawbreakers. He felt that he should not have done what he had done. I was unsurprised when he said he was planning to return to the U.S. and that he should therefore prepare by speaking English, for we are told that migrants are opportunistic birds in flight, wandering to and fro and learning the languages they must in order to survive. I knew everything about this man. Or at least men like this man.

But in reality I didn't know him. I had shut my eyes to the undocumented non-citizens living and working and worshipping next to me. To be sure, non-citizens like him often avoid contact with people who could get them in trouble with the police and sent to a country they haven't seen in years, often decades. It is no wonder that undocumented non-citizens try to remain out of sight. But why do people like me avoid people like them? It is as if I had willfully tried not to be bothered by the questions that so haunt people like this man. Will I again have to keep quiet when my boss pays me less than I deserve? Will *la migra* pound on my door today? Will I be stuffed into a filthy detention center, humiliated in court, dragged to a country that I have not lived in for years? Will this be the last day I see my family? I had never asked these questions or suffered the anxieties of friends or family members who do. I had smelled and tasted the food of people with these anxieties, heard their music, seen their clothing, even touched their bodies—but never had I feared their fears or rejoiced in their joys. I didn't know this man. Nor even people like him.

This encounter shocked me, not only because I recognized how close to and far from non-citizens I had always lived my life, but all the more because this man and I are Christians. Before he told his story, we had been reading the same words from scripture, singing the same songs, eating meals, sharing stories, praying, making jokes. Upon

meeting we had hugged and greeted each other with words like *hermano* and *amigo*, and before leaving we would do the same. If I truly believed in our identity as family, part of the same people, why then did it take me thirty years and thousands of miles of travel to meet a brother and friend who had been deported? Why had I never heard firsthand the stories of fellow Christians who have suffered or fear they will suffer the same fate? Why didn't we worship together?

These questions cut deep and expose the core of Christian faith and the struggles of God's people to live what we preach and earnestly believe: that in Jesus Christ this man and I are *hermanos* because our great *padre y hermano* have invited us to their great *fiesta*. We belong with each other because we belong with the Triune God. Yet the reality on the ground is distance, fear, and willed ignorance. We may say we belong with and to each other, but our lives do not show this. We are told, and we tell ourselves, that we are not of the same people, that we do not belong with each other. We are told, and we tell ourselves, that it is okay to prefer to be with "our own." And these stories are reinforced all around us. Borders and their agents, media representations and legal statuses, work and educational differences, geographic distances between the neighborhoods of non-citizens and those of citizens, even such pedestrian markers as the classes we take in school and the grocery stores we shop at—in these and innumerable other ways we enact, internalize, and naturalize distance, even as we touch and see and hear each other on a daily basis. I learned early on that people like me do not belong with those people, the ones who get deported, that we are not part of the same "people." It did not matter how much contact, recognized or not, we may have had with each other.

These realities—citizenship and alienage, proximity and distance, peoplehood and

identity—prompt this work. What does it mean to be a citizen and its opposite, an alien, in the United States? Theologians have long reflected on the nature and obligations of citizenship.<sup>1</sup> But this work differs from many others in that, first, I deal explicitly with the opposite of citizenship, that is, alienage. Although theologians continue to inquire into the nature of citizenship, none has done so in explicit conversation with the vast literature on modern alienage, deportation, and deportability. There may be much to learn from those who discuss citizenship apart from alienage, but ultimately such discussions remain abstract. There are, after all, approximately eleven million undocumented migrants living in the United States—and that doesn't even include the aliens who are here *with* proper documentation! If we are to ask what it means to be a citizen and belong, we must also ask what it means to be an alien and *not* belong.

This work also differs from other theological discussions of citizenship because it highlights the racial dynamics of citizenship and alienage by drawing on recent research on racial identities in the modern world. To speak of racial dynamics certainly requires recognition of skin color, but racial identity is far more than skin color: it includes one's language and vocal inflection, one's religious identity, one's occupation and income, where one lives, what one wears, and so on. Crucially, it includes the implicit or explicit definition of quintessential insiders and outsiders, citizens and non- or second-class citizens. Innumerable such outsiders populate the tales of American history, above all Black and Indigenous Americans. But I am not focusing on racial dynamics “in general,”

---

<sup>1</sup>See, for example, the classically informed and currently relevant works by Charles Mathewes, *A Theology of Public Life* (New York: Cambridge University Press, 2007); Eric Gregory, *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship* (Chicago: University of Chicago Press, 2008); and Oliver O'Donovan, *Common Objects of Love: Moral Reflection and the Shaping of Community: The 2001 Stob Lectures* (Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2002). None of these texts reflects on alienage.

as if there were even such things as “race” and “racism” *in general*.<sup>2</sup> Rather, I narrow the scope to a discussion of the policies and discourses related to the outsiders who most often come to mind when Americans hear the term “illegal alien,” namely, “poor people from Mexico.” This is the “iconic illegal alien,” in the unforgettable words of socio-legal historian Mae Ngai.<sup>3</sup> She argues that shortly after the implementation of the border and border patrol in the 1920s, “poor Mexicans” came to be racialized as illegal aliens: “Illegal status became constitutive of a racialized Mexican identity and of Mexicans’ exclusion from the national community and polity.”<sup>4</sup> Or, as Linda Martín Alcoff says, “The actual effective meaning of the term ‘illegal immigrant’ or ‘illegal alien,’ then, is illegal Mexican. And thus the arsenal of attacks on immigrants is largely aimed at Latinos, especially those who look like Mexicans.”<sup>5</sup> The terms “Mexican” and “illegal alien” are virtually synonymous in racialized American society, and both terms indicate exclusion from “the people.”<sup>6</sup> I have chosen to highlight the importance of racial identity in this work because, again, if we are to ask what it means to be the quintessential citizen who belongs, then we must also ask what it means to be the quintessential *anti*-citizen who does *not* belong.

---

<sup>2</sup>On the shifting meanings of “race” and “whiteness” throughout history, see the expansive and elegant work of Nell Irvin Painter, *The History of White People* (New York: W. W. Norton, 2010).

<sup>3</sup>See the magisterial text, Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004), 58. Henceforth I will not put the term “iconic illegal alien” in quotation marks. On this decision, see below.

<sup>4</sup>Ngai, *Impossible Subjects*, 58.

<sup>5</sup>Linda Martín Alcoff, “Anti-Latino Racism” in *Decolonizing Spiritualities: Latina/o Theology and Philosophy*, ed. Ada María Isasi-Díaz and Eduardo Mendieta (Bronx, NY: Fordham University Press, 2012), 108.

<sup>6</sup>Only the most recent racist anecdote: a college friend of my younger sister has parents from Mexico. When one of their classmates heard that he is of Mexican descent, my sister’s classmate asked, “So you’re an illegal alien?” Associations born in the 1920s are alive and well today.

For this reason, the U.S.-Mexico border looms large in this work. Border practices and discourses reveal and enact our imagination of who belongs and who does not belong. They are boundaries between “us” and “them.” But my question is not the abstract one about the justice or injustice of borders, the question whether or not the United States should have them. Rather, my goal is to clear away the dross that gets in the way of a concrete, honest discussion of these matters. To this end I investigate the pervasive *assumption* that nations must have borders, the concrete *effects* of U.S. border policies on iconic illegal aliens, and some *alternative possibilities* of belonging in our highly bordered world. There are thus two key questions in this work, one analytical, the other constructive.<sup>7</sup> First, what do we believe about God, ourselves, and the people around us when we assume that we must have national borders?<sup>8</sup> Second, how should the church live in a world in which borders, far from declining, are expanding in sophistication and staff and extending deeper into the internal workings of the nation? Or to put these questions differently: in light of the gospel, how should Christians name and respond to the nation’s *actual* border practices? Or to put it in personal terms: how should we think theologically about the fact that I had to live thirty years and travel thousands of miles to meet someone who had been deported?

These two questions—the analytical and the constructive—make up the two parts of this work. Part One attempts to help us imagine citizenship and alienage in a way that

---

<sup>7</sup>I acknowledge that the distinction between “analysis” and “construction” is simplistic. One’s analysis is always informed by constructive proposals, and one’s constructive proposals are always informed by analysis. In other words, how we name reality frames how we act—and is itself a way of acting—even as how we act frames how we speak. These tasks are neither neutral nor separable. Still, I use the distinction to indicate what I *emphasize* in each part.

<sup>8</sup>Notice that the first question is not *why* we believe what we believe, but rather *what* we believe. That is, I am looking at what we believe now, not how we came to believe it.

is truer to how non-citizens experience life in the United States. The first chapter offers a critical-*theoretical* reading of non-theological arguments for the necessity of migration restrictions. There I draw on Michel Foucault and decolonial intellectuals to theorize the three most important reasons offered for migration restrictions (security, economics, and culture). The second chapter interrogates theological arguments for the necessity of national borders, while the third chapter offers a critical-*theological* reading of the concrete effects of border practices. The central argument of the first part is that in our border discourses and practices we enact a “preferential option for our own.”<sup>9</sup> National borders will continue to exist as long as we continue to assume that “our people” means “fellow citizens,” and that we may and must prefer and prioritize them and their needs over others.<sup>10</sup> I demonstrate that the first assumption cannot bear the weight of critical scrutiny, that at an “empirical” level we should not equate “our people” with “fellow citizens.” The central argument of the second, constructive part of this work is that we should not prefer or prioritize fellow citizens over non-citizens. To make this argument I discuss the nature and task of citizenship in light of the parable of the Merciful Samaritan in Luke’s Gospel (chapter 4) and draw on Hispanic theologians to make my alternative account of faithful citizenship with undocumented Latina/o migrants more concrete (chapter 5). The goal is to encourage citizen Christians to put into practice our conviction that the man I met in Guatemala is *un hermano*.

I make these analytical and constructive moves by drawing on the doctrine of

---

<sup>9</sup>I do not remember whether I coined this term myself or learned it from my mentor and friend, Edgardo Colón-Emeric. Either way, my confident use of the term indicates one of my many debts to him.

<sup>10</sup>The term “preference” comes from Peter C. Meilaender, *Toward a Theory of Immigration* (New York: Palgrave, 2000). The term “prioritize” comes from Luke Bretherton, *Christianity and Politics in Contemporary Society: The Conditions and Possibilities of Faithful Witness* (Malden, MA: Wiley-Blackwell Publishing, 2010), 126-174.

election. The first part demonstrates that questions of peoplehood *always* involve questions of (“religious” or “secular”) election; the second attempts to show that a Christian account of peoplehood rooted in the doctrine of election can be good news to citizens and non-citizens alike. This will sound strange to those familiar with Christian immigration ethics, classical debates about divine election and predestination, and postcolonial theory. Most immigration ethicists focus on human dignity in light of basic convictions in theological anthropology, thinking that from there they can derive an ethic of citizenship and belonging to human communities.<sup>11</sup> When confronted with stories like the one that began this introduction, most immigration ethicists will ask whether the man I met in Guatemala was treated with dignity. Was he treated justly? Did he have a right to be here? Were other of his rights violated? Such questions seem to have nothing to do with the doctrine of election, which, in popular imagination, focuses on which individuals are saved and damned, the relationship of divine and human agency, the nature of grace and sin, and so forth. To read border discourses and practices from this vantage point seems counterintuitive theologically. It also seems counterproductive politically because, as postcolonial theorists rightly show, this teaching has been put to violent, genocidal uses since the dawn of colonial modernity. How can election possibly be useful for a

---

<sup>11</sup>The foundational text from this perspective is U.S. Conference of Catholic Bishops and Conferencia del Episcopado Mexicano, *Strangers No Longer: Together on the Journey of Hope* (Washington, D.C.: United States Conference of Catholic Bishops, 2003). Positioned to the political right of *Strangers No Longer* is the Augustinian liberal perspective of Meilaender, *Toward a Theory of Immigration*; toward the political left is the liberationist-leaning Kristin E. Heyer, *Kinship across Borders: A Christian Ethic of Immigration* (Washington, D.C.: Georgetown University Press, 2012). See also the recent edited volumes: Todd Scribner and J. Kevin Appleby, ed., *On “Strangers No Longer”: Perspectives on the Historic U.S.-Mexican Catholic Bishops’ Pastoral Letter on Migration* (New York: Paulist Press, 2013); Donald Kerwin and Jill Marie Gerschutz, ed., *And You Welcomed Me: Migration and Catholic Social Teaching* (Lanham, MD: Lexington Books, 2009); Daniel G. Groody and Gioacchino Campese, ed., *A Promised Land, a Perilous Journey* (Notre Dame, IN: University of Notre Dame Press, 2008). There are innumerable other texts on the subject, but these are representative of (1) the wider concern to do justice to the dignity of individuals and nation-states, and (2) the assumption that states have a right to restrict migration. See the following chapters for discussion of other authors.



discussion of borders and belonging that takes iconic illegal alienage as its starting point?

There are two reasons, I contend, for allowing—indeed, *requiring*—the doctrine of election to guide discussions of migration, borders, and belonging. First, both migration policy and election theology are concerned with the identity of “our people.” Peoplehood is the key concern of migration policy, on the one hand, because all migration policies ask the basic question, what will become of “our people” if we allow outsiders to enter?<sup>12</sup> In other words, how will the presence of aliens affect the economic well-being, security, and culture of citizens? On the other hand, it may sound absurd to say that the fundamental concern of election theology is peoplehood because many of us were taught that the primary referent of the doctrine of election is either the *individual* who may or may not be saved or the *church* that is always a mixed body of the saved and the damned. Yet both of these theological assumptions are unwarranted. The primary referent of election is neither the individual who may or may not be saved, nor the church composed of the saved and the damned, but the people of Israel whom God has chosen as God’s own. “I will take you as my people, and I will be your God” (Exodus 6:7a)—that is the key text of election theology. And if that is the key text of election theology, then *to speak of election is to speak the language of peoplehood*. This is now well-established in the theological fields.<sup>13</sup>

But in these pages I will attempt to establish the opposite, namely, that *to speak of*

---

<sup>12</sup>Meilaender, *Toward a Theory of Immigration*.

<sup>13</sup>On the essentially communal nature of election, see the following articles in standard theological encyclopedias in Jewish and Christian biblical studies: Dale Patrick and Gary S. Shogren, “Election,” in *The Anchor Bible Dictionary*, ed. David Noel Freedman (New York: Doubleday, 1992), 2:434-444; J. W. Wright, “Election,” in *The Dictionary of the Old Testament: Pentateuch*, ed. David Baker and T. Desmond Alexander (Downers Grove, IL: InterVarsity Press, 2003), 216-219; and Svante Lundgren, “Election of Israel,” in *The Encyclopaedia of Judaism*, 2<sup>nd</sup> edn., ed. Jacob Neusner, Alan J. Avery-Peck and William Scott Green (Boston: Brill, 2005), 1:718-729. Chapters 4 and 5 below detail the communal nature of election.

*peoplehood is to speak the language of election.* In other words, whenever we talk about “our people,” we are talking about the people we have elected as our own. This is the second reason for allowing the doctrine of election to guide any discussion of peoplehood, and it flows from two convictions. First, “peoplehood” is not nature but decision. We may define “our people” in a number of ways; “our people” could be those who speak our language (e.g., “Hispanics” or “Anglos”), whose skin color resembles our own (e.g., “whites” or “Black people”), who have the same citizenship status as us (e.g., “illegal aliens” or “my fellow Americans”), who live near us (e.g., “Londoners” or “New Yorkers”), and so on. Every person belongs to a people defined in some way or another, indeed to many peoples defined in multiple ways. The question then is, how do you define your people, how do you decide which people is “your people”? To call a group of people “my people” is not to have accepted one’s created identity but to have made an imaginative decision about where and with whom one belongs.

Such decisions, second, are profoundly religious, concerned as they are with the heart and soul and body. Our decisions about the identity of “our people” reveal which bodies and practices and spaces deserve our loyalty and commitment. In deciding whom to call “our people,” we ascribe worth to—that is, we worship—particular bodies and practices and spaces.<sup>14</sup> And if we perform acts of “worship” when we decide who are our people, then we are dealing with matters that merit careful theological scrutiny. One of my goals in this work is to convince the reader that the “inner logic”<sup>15</sup> of migration policies and border practices is one of election because they reveal what we worship in

---

<sup>14</sup>Phillip Kenneson, “Gathering: Worship, Imagination, and Formation,” in *The Blackwell Companion to Christian Ethics*, ed. Samuel Wells and Stanley Hauerwas (Malden, MA: Blackwell Publishing, 2004), 53-67.

<sup>15</sup>I thank my colleague and friend Matt Elia for helping me put it this way.

making our imaginative decisions about the identity of “our people.” In other words, I aim to convince the reader that talk of peoplehood, identity, and belonging is always theological talk about who is elect.

If all of this is the case, then the question is not *whether* we elect a people to call our own, but the analytical question of *whom* we actually elect and the constructive question of whom we *should* elect to call our own. The man I met in Guatemala had made such decisions, as displayed when he called me *hermano*: he was convinced that by God’s grace we belong together with those who have been brought near to God and God’s people. I agree with *mi hermano*, but in this work I explore the other beliefs we have that make it difficult to put our common, deeply held theological belief into practice.

Taken as a whole, then, this is a work in Christian political theology by way of immigration ethics, a work moreover that aims to influence how non-theologians think about migration, borders, and belonging. It is political theology in that it is an “analysis and criticism of political arrangements ... from the perspective of differing interpretations of God’s ways with the world.”<sup>16</sup> The particular political arrangement with which I am concerned is the implementation of migration policies, specifically in border practices. But I do not approach these arrangements from the dominant perspective in Christian immigration ethics, namely, the concern to balance the rights of individuals with the needs of states. The conviction in this literature is that we must avoid both the individualism that does not take seriously the mutual responsibilities of citizens and the collectivism that tramples people’s rights in the name of sustaining a community. Which

---

<sup>16</sup>Peter Scott and William T. Cavanaugh, “Introduction,” in *Blackwell Companion to Political Theology*, ed. Peter Scott and William T. Cavanaugh (Malden, MA: Blackwell Publishing, 2004), 1.

migration policies honor both the presumptively legitimate legal function of the nation-state and the rights of even undocumented non-citizens to be treated with dignity? This is the basic question driving most Christian immigration ethics. While this question rightly aims to have a public impact, it assumes that “our people” are fellow citizens who have a choice about how we treat those who are *not* our people. The doctrine of election helps me explore the contours of this assumption and ask whether it is worth retaining.

This is the importance of this work for theologians. By drawing on Jewish and Christian teaching on election—as well as sketching my own non-supersessionist account that incorporates contributions from liberation theologians<sup>17</sup>—I fill a surprising gap, for

---

<sup>17</sup>While the fourth and fifth chapters expand on these themes and show what they mean for migration ethics, a few words are necessary here. First, Jewish theologian David Novak describes supersessionism as the assertion “that God has rejected the Jews and replaced them with the church” (Novak, “From Supersessionism to Parallelism in Jewish-Christian Dialogue,” in *Jews and Christians: People of God*, ed. Carl E. Braaten and Robert W. Jenson [Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2003], 96). A good, brief account of the long tradition of Christian supersessionism is Bruce D. Marshall, “Christ and the Cultures: The Jewish People and Christian Theology,” in *The Cambridge Companion to Christian Doctrine*, ed. Colin E. Gunton (New York: Cambridge University Press, 1997), 81-100. My account of election avoids supersessionism because I claim that God has not abandoned the Jews in response to the skepticism of the vast majority of Jews towards Christian claims that Jesus of Nazareth is their Messiah and the world’s savior. Whether or not Jews accept Christian claims, they are still the elect people.

Second, by “Israel” or “the Jews” I do not mean the nation-state that has existed since the middle of the twentieth century. I mean “the ethnic-religious community” that is identified by *descent* from Sarah and Abraham and *faithfulness* to their scriptures (Robert W. Jenson, “Toward a Christian Theology of Judaism,” in *Jews and Christians: People of God*, ed. Robert W. Jenson and Carl E. Braaten [Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2003], 3). Much of Israel (the people) lives outside Israel (the nation-state). Against those who would say this definition of Israel is an abstraction, I argue that it is rather a *simplification*, not an abstraction, as are definitions of the church. In other words, most theologians would say the church is not an “ethnic” community because it grows through evangelism rather than rearing children. Yet the historically pervasive reality of Christendom attests that very often the church has indeed grown through rearing children and not evangelism. With respect to Israel and the Jews, many Jews call themselves Jews even though they do not often attend synagogues. Hence the counterintuitive term “secular Jew” as applied to towering intellects like Theodor Adorno and Ernst Bloch. In short, it is hard to say much more about the theological identity of Israel than that it is the ethnic-religious community descended from Sarah and Abraham and faithful to the Torah.

Finally, I follow Jewish theologian Michael Wyschogrod in seeing the church’s existence as an “express[ion of] the longing of those not included in the Covenant with Israel [gentiles] for election by the God of Israel” (Wyschogrod, “Israel, the Church, and Election,” in *Abraham’s Promise: Judaism and Jewish-Christian Relations*, ed. R. Kendall Soulen [Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2004], 185). The church is the people that has heard in the voice of Jesus Christ of God’s great love for

neither political theologians nor immigration ethicists have analyzed contemporary arrangements of citizenship and alienage from the theological theme indicated by such key biblical texts as Ephesians 2:12: “remember that at that time you were without Christ, being aliens to the commonwealth of Israel and strangers to the covenants of promise.” This oversight in Christian immigration ethics is made all the more surprising given the U.S.’s self-identification as both a nation of immigrants and the city on a hill. Surely, in this nation of immigrants, citizenship and alienage have something to do with the election of some and the non-election or damnation of others? This work shows that this is the case.

I also hope to demonstrate the relevance of this work of political theology for those non-theologians who, for varying reasons, are also disturbed by the story with which I began this introduction. I believe this work is relevant to them because it *exposes* death-dealing beliefs held by people with and without so-called “religious” convictions (Part One) and *proposes* an alternative practice of belonging that some non-Christians, I hope, will find attractive (Part Two). Let me say a few words about these goals.

First, this work enters the conversation of many non-religious scholars regarding the continued salience of theology and religious faith for political life. For example, political theorist Mark Lilla has demonstrated the inextricability of Christian theology and politics in western modernity,<sup>18</sup> while anthropologists Talal Asad and Saba Mahmood have undertaken similar projects with respect to the European and Arab

---

Israel and now desires to be part of it.

<sup>18</sup>Mark Lilla, *Stillborn God: Religion, Politics, and the Modern West* (New York: Knopf, 2007). A slightly different approach is taken in Jen Bethke Elshaintain, *Sovereignty: God, State, and Self* (New York: Basic Books, 2008).

worlds.<sup>19</sup> Moreover, thinkers like Giorgio Agamben and Paul Kahn have drawn on some of the fundamental insights of the infamous German jurist Carl Schmitt in order to uncover the deep religiosity of purportedly secular political practices.<sup>20</sup> A basic thread woven throughout these discourses is that the modern separation of religion and politics is artificial, not natural. Put differently, people do not stop worshipping even when they stop attending houses of worship. Indeed, as noted above, the etymology of the word “worship” demands its extension beyond the walls of such houses: to worship is to ascribe worth to something. My investigation of what we believe about God (or the gods), ourselves, and the world when we believe we must have borders *exposes* beliefs that religious and non-religious people should question. My concern here, then, is not the fear of atheism, secularism, or the loss of Christendom, but the fear that death-dealing idols will vanquish those who have always suffered most at the hands of the powerful, namely, the poor.<sup>21</sup> I agree with liberation theologian Iván Petrella, when he says, “our modern world is not secular, it is idolatrous.”<sup>22</sup> To do political theology with alienage in mind is to probe the contours and effects of death-dealing beliefs that religious and non-religious people can probably agree to call “idolatrous.”<sup>23</sup>

---

<sup>19</sup>Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford, CA: Stanford University Press, 2003); Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press, 2005).

<sup>20</sup>The basic text of Carl Schmitt is *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2006). See Giorgio Agamben, *The Church and the Kingdom*, trans. Leland de la Durantaye (New York: Seagull Books, 2012); and Paul W. Kahn, *Political Theology: Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011).

<sup>21</sup>This discussion of idolatry is influenced by Jon Sobrino, *Jesus the Liberator: A Historical-Theological View*, trans. Paul Burns and Francis McDonagh (Maryknoll, NY: Orbis Books, 1993), 180-192.

<sup>22</sup>Iván Petrella, *Beyond Liberation Theology: A Polemic* (London: SCM Press, 2008), 2.

<sup>23</sup>As should be clear, this mention of “idolatry” is the exact opposite of the concern of the white

Second, while I am not concerned with whether the United States is post-Christian or becoming more secular, this does not mean I think the church has no missionary task. The words of Argentinian-Mexican intellectual Enrique Dussel guide me here: “Today it is impossible for the Church to continue to attempt to function as a Church of Christendom. It must now assume the attitude of a missionary Church.”<sup>24</sup> This quote may shock the reader for a number of reasons, not least because Latin America has suffered incalculable damage at the hands of missionaries *and* is often considered the most thoroughly Christian continent. Dussel and those who read him know all this, of course. Why then should he speak of the need for a missionary, even “exilic” church in Latin America?<sup>25</sup> His conviction is not that Latin America is a post-Christian society but that it has an inadequate grasp of the truth of the gospel, which for him is fundamentally about the liberation of the oppressed, the desire of God to fulfill the desires of the hungry for food and of the violated for justice.<sup>26</sup> The mission of the church in Latin America, for Dussel, is to make this good news known through conscientizing discourse and liberating praxis. I believe that this vision of Christian mission is necessary for the church in the U.S. Death, exploitation, exclusion, fear, and racism are constant marks of the lives of undocumented Latina/os in the United States. A church on mission in this context cannot

---

Spaniards and Portuguese when they encountered the New World. On this generally, see Luis Rivera Pagán, *A Violent Evangelism: The Political and Religious Conquest of the Americas* (Louisville: Westminster John Knox, 1992). Mexican-American theologian Virgilio Elizondo puts it well: “The human sacrifices offered to ‘nature gods’ scandalized Europeans, but they would not hesitate to offer Indians and blacks to the gods of profit and greed” (*Galilean Journey: The Mexican-American Promise* [1983; rev. ed., Maryknoll, NY: Orbis Books, 2000], 8).

<sup>24</sup>Dussel, *A History of the Church in Latin America: Colonialism to Liberation (1492-1979)*, trans. Alan Neely (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1981), 255.

<sup>25</sup>Dussel, *History of the Church*, 324-329.

<sup>26</sup>Dussel, *History of the Church*, 306-307.

but be concerned with the healing, restoring, uniting, and liberating news of the gospel. I hope that my account of how people can embody this news is attractive to people outside the church.

### **Three Words on Words**

Three final words about language are in order. First, in my experience, those who use the term “illegal alien” almost always do so in a pejorative way, in order to identify the lawlessness and non-belonging of people who are nevertheless present among them. With fear and trembling, I use the term—and without quotation marks—in order to highlight the brutality of several aspects of illegal alienage. While there is much more to iconic illegal alienage than status before the law, it is exactly the law that makes non-citizens vulnerable to exploitation, exclusion, and violence. To use this offensive term is to highlight the brutality of the law and thus of the society that wills to keep these laws in effect. Moreover, the term indicates far more concretely who we are talking about when we talk about those whom we do not prefer or prioritize. It is easier to talk abstractly about preferring or prioritizing citizens over non-citizens if we conceal both the vulnerability of non-citizens before law and the highly pejorative representations of them in popular media. While I prefer and often use the terms “undocumented” and “unauthorized migrant,” I fear that these terms are euphemisms that conceal the violence of migration law and practice. If part of my task is to expose idols, I cannot shy away from using words that make people uncomfortable. My hope is to make the right people uncomfortable.

Also, as noted, this work is focused on the *iconic* illegal alien, that is, Latina/o



non-citizens who work in low-paying, so-called “unskilled” jobs. I acknowledge, first, that there are many racial outsiders in American history, especially those who have long achieved formal-legal citizenship status; second, that there are many illegal non-Latina/o aliens in the United States; and third, that not all Latina/o aliens are here illegally—many are here on legal work or student visas. I focus on iconic illegal alienage in an attempt to correct the abstraction of so much citizenship discourse without producing a work that, because of its unwieldiness, would sit unread on shelves.

Finally, I employ the terms “Hispanic” and “Latina/o” interchangeably. I recognize that there are people from Spain who are therefore Hispanic, and I recognize that there are people from Latin America whose first language is not Spanish, like Brazilians and people from Indigenous areas of Central and South America. Yet the terms “Latina/o” and “Hispanic” are often interchangeable in American society, and more importantly, the quintessential illegal alien—the one who comes to mind when Americans hear the term—speaks Spanish (hence Hispanic) and is from somewhere in Latin America (hence Latina/o).

PART ONE: BORDERING BELONGING

## Chapter 1: Choose Life: The Architecture of Migration Restriction

### Introduction

Very few Americans challenge the nation's right to restrict migration.<sup>1</sup> There are proponents of more and less open policies, of spending more and less on deportation and detention, of extending more and less visas and green cards. But even Joseph H. Carens, the once "idealistic champion of open borders,"<sup>2</sup> now peers over the precipice of open borders, only to turn back in the name of the commonsense realism required of moral theorists. Intellectuals, Carens now argues, must not espouse views that the populace cannot accept or put into practice, no matter how morally coherent or compelling such arguments may be.<sup>3</sup> Thus although Carens thinks "the moral right of states to apprehend and deport irregular migrants erodes with the passage of time," he still assumes nation-states *have* this "moral right" of restriction in the name of the people's sovereignty and

---

<sup>1</sup>A brief word is necessary on the term "migration." There are various ways of distinguishing migrants, including the distinction between forced and free migrants; political and economic migrants; temporary and permanent migrants; internal and external migrants. On these and other distinctions, see Khalid Koser, *International Migration: A Very Short Introduction* (New York: Oxford University Press, 2007), 16-27. When I use the term migrant, I mean the non-citizen who is present, that is, in legal terms "the alien." Such a person may be here for political or economic reasons; she may have been more or less forced into migration; she may have intended to migrate temporarily or permanently. In my usage, the "migrant" is a person who meets two criteria: (1) this person was born outside the United States (external); and (2) this person now lives in the United States (alien). This minimalist term thus includes all people who migrate to the United States after having been born in another country. It does not imply anything about legal status, motivation for migration, plans for the duration of migration, etc.

<sup>2</sup>This appreciative designation of Joseph H. Carens comes from Linda Bosniak, "Forum" in Joseph H. Carens, *Immigrants and the Right to Stay* (Cambridge, MA: MIT Press, 2010), 92.

<sup>3</sup>See Joseph H. Carens, "Realistic and Idealistic Approaches to the Ethics of Migration," *International Migration Review* 30, no. 1 (1996): 156-170. There Carens argues that "whatever we might want to say about migration should accept as a starting point the division of the world into states that are, at least formally, sovereign and independent ... [W]e should start with a recognition that every state has the authority to admit or exclude aliens as it chooses since that authority is widely acknowledged to be one of the essential elements of sovereignty" (158).

well-being.<sup>4</sup> It may be true that recent ethicists have argued for more open immigration policies,<sup>5</sup> but it is equally true that even those who lean towards open borders assume the legitimacy of at least some migration restriction for the sake of meeting various types of human needs.<sup>6</sup>

This chapter displays the logic of this assumption. The question is, what do we believe when we believe nations must restrict migration, and what are the consequences of this belief for those who are considered iconic illegal aliens? It is important that the arguments I analyze here are non-theological, for the lips of religious and non-religious people alike profess these beliefs. To interrogate these beliefs is to insist that the distinction between religious belief and secular knowledge is not as clear as we often think. The next chapter explores the secularity of these beliefs in more detail. Here, I make three claims about them. Migration restriction is, first, a crucial element in American biopolitics, and second, the practical product of the assumption that migrants threaten the life of the nation. I call this assumption “the insecurity hypothesis.” My third argument is that American migration restrictions depend on and reproduce the racialization of Latina/o migrants as iconic illegal aliens. In short, the bases of migration restriction—and especially the focus on the U.S.-Mexico border—are the insecurity

---

<sup>4</sup>Carens, “The Case for Amnesty,” in Joseph H. Carens, *Immigrants and the Right to Stay* (Cambridge, MA: MIT Press, 2010), 18. The earlier, classical-liberal argument for open borders is Joseph H. Carens, “Aliens and Citizens: The Case for Open Borders,” in *Theorizing Citizenship*, ed. Ronald Beiner (Albany: State University of New York Press, 1995), 229-253. The essay was originally published in 1987.

<sup>5</sup>Peter C. Meilaender makes this argument in *Towards a Theory of Immigration* (New York: Palgrave, 2001), 1-3.

<sup>6</sup>Rogers M. Smith, “Introduction” in *Citizenship, Borders, and Human Needs*, ed. Rogers M. Smith (Philadelphia: University of Pennsylvania Press, 2010), 1-12. Smith notes that although the chapters on “normative principles” in that edited volume are less restrictive than the views of most people in immigrant-receiving countries, they still assume the legitimacy of borders for the sake of meeting human needs (11-12).

hypothesis, biopower, and racialization.<sup>7</sup>

The chapter begins by outlining the three main non-theological justifications for immigration restriction—national security, economic well-being, and cultural integrity. It then draws on Foucault in order to display the beliefs upon which any form of immigration restriction is predicated, namely, that migrants threaten the life of the nation (the insecurity hypothesis) and that state politics serves the life of the people (biopolitics). In addition, Foucault helps us see *that* race matters for the insecurity hypothesis and biopolitics, but he does not help us elaborate in detail the depth of modern racialization. The final section draws on decolonial thinkers to outline the racializing bases and consequences, especially for Latina/os, of implementing restrictions. This chapter is thus heavy on critical theory. I draw on Foucault for an analysis of the logic of modern state power, but I draw on decolonial theory to flesh out the racial realities that Foucault left underdeveloped. Decolonial theorists are more successful than Foucault in theorizing race because they place state practices like migration restriction in a wider geopolitical and historical perspective that requires more attention to global racial realities.

### **Arguments for Restriction: Security, Economics, and Culture**

There are three main arguments for any form of migration restriction. Nations must limit the number of immigrants allowed to enter in order, first, to ensure physical security from external threats; second, to encourage the economic well-being of citizens;

---

<sup>7</sup>The term “racialization” is complex. Below I explain in detail what I mean. For now I simply quote Howard Winant, “Racial Dualism at Century’s End,” in *The House that Race Built*, ed. Wahneema Lubiano (New York: Vintage Books, 1998), 88-89: “We live in a racialized society, a society in which racial meaning is engraved upon all our experiences. Racial identity shapes not only ‘life-chances,’ but social life, taste, place of residence. Indeed, the meaning of race, the racial interpretation of everyday life and of the larger culture, polity, and economy, has been so finely tuned for so long, and has become so ingrained, that it is now ‘second-nature,’ a ‘common sense’ that rarely requires acknowledgement.”

and third, to preserve the culture of the people. These arguments so pervade scholarly and non-scholarly public discourse that they must be familiar to anyone who has read the news in the last fifteen years. I present the views of scholars because they exhibit the most nuance, beginning with the argument from security because this has become the most disconcerting issue for Americans since the September 11, 2001, attacks on key U.S. sites.

### Physical Security

The basic thesis underlying the escalated attention on the U.S.-Mexico border in public discourse and practice is that the border is under siege on a number of fronts. In the 1990s, when the border became the major concern of politicians and citizens alike, the two things people wanted to keep out were illegal migrants and drugs. The American architects of NAFTA (North American Free Trade Agreement; 1994) had to convince the public that if they passed this bill, which proposed to expand economic relations between Canada, the United States, and Mexico, the resultant increase in flows of economic “goods” like commodities and capital would not be accompanied by an increase in flows of economic “bads” like drugs and migrants. Hence the typical assurance of politicians at the time: NAFTA will allow Mexico “to export goods and not people.”<sup>8</sup> Now, after September 11, 2001, Americans want to keep out a third “bad”: terrorism. This concern for safety from violent anti-American threats seems to have taken migration politics hostage, making it difficult for politicians to say the state already spends too much on border policing. Anyone who might call into question the enormity of America’s border

---

<sup>8</sup>Douglas S. Massey, Jorge Durand, and Nolan J. Malone, *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration* (New York: Russell Sage Foundation, 2002), 49.

control spending must answer those who are convinced that the September 11 attacks are *prima facie* evidence of the lack of control over the nation's borders.<sup>9</sup>

To be sure, it is not only those who are anxious about national security who advocate border buildup; proponents of restriction on the basis of socio-economic justice or cultural integrity agree that the border is an important means of achieving their goals. But the concern for physical safety from foreign threats is closely related to the dramatically expanded border apparatus because the latter has become so intertwined with the military. The "border surge" appended to the Senate bill of summer 2013 (S 744) attests the continuing salience of the war America imagines itself to be waging, even at home, on drugs and terror, as well as its connection to immigrants.<sup>10</sup> The very language of "surge" is the language of war. The proposal would have doubled funding and staffing at the border, increased the sophistication and scope of the technologies used, and continued the process of deeper connections between national security institutions and law enforcement. Border expenditures were growing before September 11, 2001, but now

---

<sup>9</sup>Contrary indications from the title aside, a subtler, though no less protectionist, argument for increased border expenditure comes in Stephen Flynn, *America the Vulnerable: How Our Government Is Failing to Protect Us from Terrorism* (New York: HarperCollins Publishers, 2004), 64-67. Flynn argues that Americans must be realistic about the *fact* that illegal border crossings will happen, given widespread anti-American sentiment abroad, the ease of obtaining weapons, and the increased flows of goods and capital associated with globalization (3-4). The U.S., says Flynn, cannot focus solely on the thin approach to border protection provided by walls and guards on land, instead requiring not only a more coordinated effort between local law enforcement agencies and federal border protections, but also the willingness of the populace to make some sacrifices in the name of security. Flynn is aware of the economic inefficiency of the simplistic approach of border buildup; he notes that this method encourages organized crime; and he thinks it blocks cooperation between the U.S. and Mexico. Flynn thus displays the biopolitics of governmental intervention, so well analyzed by Foucault and discussed below, in the natural processes of society in order to manage risk on the basis of a statistical analysis of social processes and inevitabilities that cannot be controlled.

<sup>10</sup>On the border surge, see Molly Hennessy-Fiske and Cindy Carcamo, "Border Surge Proposal Has Many Skeptics," *Los Angeles Times*, June 21, 2013, <http://articles.latimes.com/2013/jun/21/nation/la-na-0622-border-surge-20130622> (accessed June 18, 2014). On the association of young Mexican migrants with drugs, see Sandra Hernandez, "Rep. King's Cantaloupe Problem," *Los Angeles Times*, July 25, 2013, <http://www.latimes.com/opinion/opinion-la/la-ol-steve-king-immigration-cantaloupe-20130725-story.html> (accessed June 18, 2014).

there can be no doubt that the discourses and practices of the border have everything to do with national security.

There are, of course, a number of reasons to contest this shift in focus to national security. One could argue that the policy of border build up cannot ensure American safety because it focuses only on the foreign supply of drugs and migrants, not on the demand for them at home; or that it assumes that drugs and anti-American violence are supplied primarily from abroad—as if there were no homegrown drugs, drug violence, or terrorism; or that the massive border build up is too high a price to pay for the minimal effectiveness in which it results.<sup>11</sup> But I am not interested in whether or not these criticisms are convincing. Rather, I am interested in what proponents of and dissenters from this policy share in common. Political scientist Peter Andreas notes that the story of the “‘loss of control’ is the dominant border narrative” in the United States.<sup>12</sup> Whereas proponents of escalation view this as a justification for their policy proposals, the dissenters view the narrative as an indication of “the severe limits and even futility of such escalation.”<sup>13</sup> Yet both, says Andreas, assume that the escalation of attention and spending at the border is a natural *reaction* to the threats to security increasingly posed by the smuggling of irregular migrants, drugs, and terror. Proponents and dissenters thus fail to see that border policies have a *productive* role: “the state has actually structured, conditioned, and even enabled (often unintentionally) clandestine border crossings.” The view that border escalation is merely a response to the increased likelihood of threat

---

<sup>11</sup>Peter Andreas notes these arguments in *Border Games: Policing the U.S.-Mexico Divide* (Ithaca, NY: Cornell University Press, 2000), 6.

<sup>12</sup>Andreas, *Border Games*, 7.

<sup>13</sup>Andreas, *Border Games*, 7.



“obscures the ways in which the state itself has helped to create the very conditions that generate calls for more policing.”<sup>14</sup>

The third chapter says much more about the actual products of border buildup. For now it is enough to note (1) that many people think America has lost control of the border; (2) that this produces, among other things, constant calls for renewed commitment to border policing; and (3) that the key concern in these discussions is the security threat posed to the nation by outsiders who want to enter. Cocaine in a backpack, a bomb strapped to the chest, and a wallet without any authorization for entry—this is the image of the threat Americans face at the border. The concern for the physical (and biochemical) security of the nation is a prominent justification for migration restriction.<sup>15</sup>

### Economic Well-Being

The second major argument for migration restriction is that from socio-economic well-being. This type of argument can cut in conservative and progressive directions. Some argue that although migrants pay more in taxes than they receive in welfare benefits, they do not contribute enough to cover all the benefits they receive, including access to public goods like roads, parks, schools and hospitals. Moreover, migrants who stay long term are more likely to be on welfare than citizens, and on average they receive

---

<sup>14</sup>Andreas, *Border Games*, 7.

<sup>15</sup>It is worth noting in passing that policies have also targeted foreigners suspected of having radical or anti-American ideologies. See especially David Cole, *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terror* (New York: New Press, 2003). From the Palmer Raids, Japanese internment, and the Red Scare to the contemporary concerns with a Mexican *reconquista* and (more prominently) Islamic jihad, Americans have feared the dangers of “radical” ideologies and used their threat as a justification for immigration restrictions.

more in benefits. In this view, migrants are underpaying and over-receiving.<sup>16</sup> But more important than “these accounting exercises,” thinks one economist, is the way that “welfare slowly saps a recipient’s work incentives, encourages the breakdown of the family unit, and transmits welfare dependency across generations.”<sup>17</sup> The fact that so many of these migrants are here unlawfully only adds insult to the purported injury so often pointed out by opponents of welfare. Such thinkers add that most migrants from Latin America are less likely to have education and skills than native-born citizens, making them more likely to have low-paying jobs and thus to be on welfare. Finally, the probability of welfare dependency does not go away but rather increases the longer migrants live in the States. The words of conservative economist George Borjas convey the message of this line of thought: “assimilation involves learning not only about labor-market opportunities, but also about the programs that make up the welfare state.”<sup>18</sup> Becoming American, for these anti-citizens, involves learning how to take advantage of the system.

A recent essay by political theorist Stephen Macedo succinctly articulates the progressive version of the argument for restriction from economics.<sup>19</sup> Because recent arrivals tend to be low-skilled workers, he reasons, migrants drive down wages in low- or un-skilled sectors of the labor market.<sup>20</sup> This disproportionately affects African

---

<sup>16</sup>George Borjas, “Tired, Poor, on Welfare,” in *Arguing Immigration: The Debate over the Changing Face of America*, ed. Nicolaus Mills (New York: Touchstone, 1994), 76-80.

<sup>17</sup>Borjas, “Tired, Poor, on Welfare,” 78.

<sup>18</sup>Borjas, “Tired, Poor, on Welfare,” 79.

<sup>19</sup>Stephen Macedo, “When and Why Should Liberal Democracies Restrict Immigration?” in *Citizenship, Borders, and Human Needs*, ed. Rogers M. Smith (Philadelphia: University of Pennsylvania Press, 2011), 301-323.

<sup>20</sup>Macedo, “Should Liberal Democracies Restrict Immigration?” 303.

Americans who, he notes, tend to have less education than other Americans.<sup>21</sup>

Additionally, as migrants become citizens, their wealth tends to increase, and wealth is correlated with opposition to social welfare and redistributive programs aimed at bettering the lot of the poor. In other words, migrants tend to assimilate economically as they gain citizenship, and economic gains encourage them to drift away from programs aimed at helping the poor.<sup>22</sup> Offering citizenship status to unauthorized migrants may seem progressive, but ultimately it undermines the redistributive aim of social programs. Finally, massive immigration from Latin America and Asia increases racial diversity and thereby, says Macedo, “reduce[s] social solidarity and undermine[s] support for the provision of public goods, including programs aimed at helping the poor.”<sup>23</sup> Low-skilled migration should be restricted, therefore, because such migrants drive down wages, undermine feelings of national identity, and encourage the political conservatism that has been cutting up America’s social welfare safety net.

Economic arguments for migration restriction thus come from the perspectives characterized by the American public as “right” and “left.” These views have a long history.<sup>24</sup> One might question the accuracy of the numbers put forth, the causal

---

<sup>21</sup>Macedo, “Should Liberal Democracies Restrict Immigration?” 304-305. A broader tradition of immigration restrictionism from left-leaning thinkers in the African American community argues that the influx of immigrants threatens the well-being of African Americans. See Orlando Patterson, *The Ordeal of Integration: Progress and Resentment in America’s “Racial” Crisis* (New York: Basic Civitas, 1998), 185-186; Carol M. Swain’s contribution to the “Forum” in Joseph H. Carens, *Immigrants and the Right to Stay* (Cambridge, MA: MIT Press, 2010), 65-72; and Toni Morrison, “On the Backs of Blacks,” in *Arguing Immigration: The Debate over the Changing Face of America*, ed. Nicolaus Mills (New York: Touchstone, 1994), 97-100.

<sup>22</sup>Macedo, “Should Liberal Democracies Restrict Immigration?” 306.

<sup>23</sup>Macedo, “Should Liberal Democracies Restrict Immigration?” 307.

<sup>24</sup>On labor competition in the progressive era, see Matthew Frye Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917* (New York: Hill and Wang, 2000), 73-88; on the attempt to discern which immigrants were “liable to become a public charge” see Mae Ngai, *Impossible Subjects: Illegal Aliens and the making of Modern America* (Princeton, NJ: Princeton

connections they make between citizenship status, economics, use of public resources, and later political affiliations. But the key point here is that for these thinkers economic well-being justifies exclusion. There are only so many resources to go around. Americans must keep at least some migrants out for the sake of the people, that is, fellow citizens.

### Cultural Integrity

The association of migrants with otherness, even when this otherness is not described as inferior, is a final reason for keeping some out. The argument comes in many forms: they do not value capitalism or democracy; they have too many children; their religion is backwards and superstitious; or perhaps they simply differ from us. The point in all of these arguments is that the otherness of some migrants compels us to restrict the number of entrants for the sake of maintaining the culture we value. Although this argument is popular in American culture, the same is not true among academics. It is noteworthy, then, that scholars like the late Harvard professor Samuel P. Huntington and Christian political theorist Peter C. Meilaender have backed the argument from inside the walls of the academy.<sup>25</sup> Meilaender notes the unpopularity of this view among scholars and in his book sets himself the relatively minor task of giving common people a more rigorous intellectual justification for their belief that their countries have a right to restrict the entry of at least some potential migrants. Meilaender is careful to distinguish the desire for the protection of a common culture from the not-“particularly high-minded” rationale of racism. It may be that it is simply “natural and understandable” for us to

---

University Press, 2004), 77-80. The issue of welfare dependency is the contemporary equivalent of the LPC label of the progressive era.

<sup>25</sup>Samuel P. Huntington, *Who Are We? The Challenges to America's National Identity* (New York: Simon and Schuster, 2004); and Meilaender, *Theory of Immigration*.

resist people different from ourselves. “Indeed,” he continues, “a country may object to the introduction of a different way of life not because of any derogatory opinions about it, but simply out of a conscious desire to maintain the particular way of life that it already has.”<sup>26</sup> There is nothing wrong with seeing others as different. This is not “selfish” or “nativist.”<sup>27</sup> It is legitimate, he thinks, “to sympathize with those who find their neighborhoods transformed by an influx of immigrants” and to desire to “bequeath to future generations both a political order that has nurtured liberty across generations and the cultural heritage that has sustained it.”<sup>28</sup> For Meilaender, this means that countries have a right to restrict migrations:<sup>29</sup> “Immigration restrictions [are] ... valuable as a way of preserving distinct ways of life that would otherwise be threatened with disintegration.”<sup>30</sup>

Three pieces in Meilaender’s view merit attention. There is an important relationship, thinks Meilaender, between a nation’s political system, the political culture that sustains this system, and the wider cultural milieu.<sup>31</sup> We may (very loosely, very briefly) characterize the American political system as a capitalist representative democracy, the political culture as one that values self-governance and individual responsibility, and the wider culture as organized by a number of factors like the English

---

<sup>26</sup>Meilaender, *Theory of Immigration*, 23.

<sup>27</sup>Peter C. Meilaender, “Immigration: Citizens and Strangers,” *First Things*, 173 (May 2007), <http://www.firstthings.com/article/2007/05/immigration-citizens-strangers> (accessed 6/17/2014).

<sup>28</sup>Meilaender, “Immigration.”

<sup>29</sup>Meilaender, *Theory of Immigration*, 8.

<sup>30</sup>Meilaender, *Theory of Immigration*, 75. One should not miss the “conservative”—in the literal sense of the term—use to which Meilaender is putting the idea commonly associated with more progressive thinkers, namely, that diversity is good: because diversity is good, we must stay apart from each other in order to conserve particularity.

<sup>31</sup>Meilaender, *Theory of Immigration*, 89-91.

language, knowledge of common cultural references like Bruce Springsteen and Martin Luther King, Jr., and identification with some activities that are particular to America—say, “baseball, hot dogs, and apple pie,” as Meilaender contends!<sup>32</sup> A nation’s identity is composed of a political system, a political culture, and a wider culture; and although my brief description of these elements is incomplete and debatable, on Meilaender’s view this combination identifies something peculiar to the United States. The U.S. may restrict migrations in order to preserve this set of cultural elements from dissolution.

Again, we can ask such basic questions as whether there is indeed a thing called American culture or whether the trio of “baseball, hot dogs, and apple pie” suffices to describe that culture. We may wonder about the extent to which change is inherent in culture or whether particular cultures or cultured peoples change it for better or worse. We can also ask whether migrants become more American as they assimilate, or whether they change society more than they are changed by society. But my main point here is that people like Meilaender conceive of cultural identity as a central element in discussions of migration restriction. A people should restrict migration, Meilaender thinks, in order to maintain the aspects of their culture that they recognize as their own.

### Summary

These arguments reveal the crucial belief that justifies migration restrictions: *migrants are potential threats*. They have the potential to make the nation insecure, to derail the attainment of its economic goals, and to degrade its culture. Because of this potential threat, we must protect ourselves. Yet Meilaender, in particular, helpfully

---

<sup>32</sup>Meilaender, *Theory of Immigration*, 87.

highlights two other aspects of migration restriction that lead into the next section. First, migration restriction aims at nurturing the life of the nation. Migrations are biopolitical: they hold out the promise of helping a people's life to flourish. Second, one can make the nation's life the goal of politics only by drawing distinctions between an "us" composed of fellow citizens and a "them" composed of all outside of that "us." Of course, the otherness of migrants is assumed in the description of them as potential threats: those threatening outsiders are not part of us, they are not "our people." But it is important to highlight this otherness because it in turn highlights the racial logic of migration restrictions. Migration restrictions draw on and perpetuate the racialization of non-citizens in the name of the life of fellow citizens.<sup>33</sup>

### **The Biopolitical Logic of the Arguments: Liberation, Life, and Race**

French philosopher Michel Foucault helps to make these points and thereby gives us a subtler lens through which to analyze the logic of migration restriction. Such policies enact what I call the "insecurity hypothesis": we believe that migrants threaten the security of the nation and that migration restrictions will liberate us from this threat. Those familiar with Foucault will rightly hear in this thesis an echo of his famous discussion of "the repressive hypothesis" in *The History of Sexuality*.<sup>34</sup> The insecurity hypothesis is similar to the repressive hypothesis in three ways: first, both "amount ... to *a kind of liberation theology*, which couch ... [themselves] in the various secularized institutional mechanisms of classification, surveillance, examination, training, and so

---

<sup>33</sup>The third crucial point Meilaender brings to this discussion is his explicit endorsement of what I call the "preferential option for our own." I interrogate this argument in the next chapter.

<sup>34</sup>Michel Foucault, *The History of Sexuality: An Introduction*, vol. 1, trans. Robert Hurley (New York: Vintage, 1980).

forth.”<sup>35</sup> We hear and believe the promise: migration restrictions will free us from insecurity! Our means of liberation are legal classifications, surveying the border, examining people’s citizenship status, training border patrol agents to recognize, detain, and deport irregular non-citizens, and so forth. These practices are the means of enacting the second similarity between the repressive and insecurity hypotheses, namely, the underlying politics of life, which Foucault calls “biopolitics.” The goal of biopolitics is to ensure that the population is free from threats to its ability to stay alive and thrive. Third, like the repressive hypothesis, state discourses and practices of insecurity draw on the people’s racializing distinctions in order to justify the use of coercive, violent force in the name of the positive goal of the flourishing of the people; the people’s racism helps to justify inflicting physical and social death on some (non-citizens) so that others may have life (citizens). Taking these points—the desire for liberation, the politics of life, and the uses of race—in turn will help us frame discussions of migration restriction in ways that highlight their assumptions and consequences.

### Liberation from Repression and Insecurity

It would be easy to argue that migration restrictions are the state’s repressive response to the presumed insecurity caused by migrants. The nation’s increases in border expenditures, detentions and deportations could be seen as an indication that the state is using the sovereign power of the sword against a new set of targets.<sup>36</sup> This view of power as fundamentally repressive would then allow one to praise or criticize the state for using

---

<sup>35</sup>Rey Chow, *The Protestant Ethic and the Spirit of Capitalism* (New York: Columbia University Press, 2002), 5; emphasis added.

<sup>36</sup>Meilaender is direct in saying this in *Theory of Immigration*, 3, 95.



too much, too little, or just the right amount of coercion. But conceiving the question in this way assumes the basic tenets of the repressive and insecurity hypotheses, tenets that need to undergo critical scrutiny.

The repressive hypothesis is the widespread belief, in Foucault's time, that we are living in an age characterized by the suppression, censoring, and prohibition of discussions about sex. We are convinced that there are powers arrayed against speaking of sex. Sex-talk can have no place in polite or mixed company.<sup>37</sup> Moreover, those who call upon this hypothesis fashion themselves possessors of elite knowledge and moral superiority.<sup>38</sup> Those who know that their sexuality has been repressed are ahead of the curve, obliging them as the vanguard to lead the masses into freedom.<sup>39</sup> They become preachers of liberation: "Tomorrow sex will be good again."<sup>40</sup>

The insecurity hypothesis regarding the necessity of migration restrictions is similar. It goes without saying that many people think the state has become more insecure. The most common argument for this view is that flows of all sorts—of capital and laborers, of ideologies and cultural productions, of weapons and terror—have increased drastically in recent years, thus making nations less stable than they were in the past. We can relate this insecurity hypothesis directly to the three basic arguments for restriction: terror is more likely to make it to US shores;<sup>41</sup> it is easier for American

---

<sup>37</sup>Foucault, *History of Sexuality*, 4.

<sup>38</sup>Foucault, *History of Sexuality*, 6.

<sup>39</sup>Foucault, *History of Sexuality*, 6-7.

<sup>40</sup>Foucault, *History of Sexuality*, 7.

<sup>41</sup>Stephen Flynn, *America the Vulnerable*, 4-5: "Over the past decade, drug smugglers, human traffickers, and gunrunners have found fewer barriers to their nefarious activities."

laborers to lose their jobs to foreign laborers through competition with migrants;<sup>42</sup> and it is hard for American culture to retain its distinctness when such an enormous wave of people with different values, worldviews and longings continues to pound its shores.<sup>43</sup> For many, data indicating increased flows of goods and people suggest that, now more than ever, Americans are vulnerable to terror, poverty, and cultural dissolution.

There are basic oversights and problems with this view. One is that since the early-1990s, the United States has undertaken the most expansive border buildup in the world. If the existence of the border is any indication of national security, then the nation is more secure than it has ever been. Another oversight is that global mobility is not as recent as people think. Our technologies may speed up these flows of capital, goods, and bodies, but these flows started half a millennium ago in the colonial era. Yet if we see similarities between the repressive and insecurity hypotheses, the more important aspect of the latter is the imperative it issues to us. You must liberate yourselves from threats that have come near: defend yourselves from terror, poverty, and identity loss. Migration restrictions promise to liberate us from these social maladies by defending ourselves from outsiders who have entered, or threaten to enter, our ranks.<sup>44</sup> The repressive and

---

<sup>42</sup>On the more “conservative” side, Steven A. Camarota notes that “[t]he number of natives holding jobs in March 2004 was half a million lower than in March 2000, and the number unemployed was 2.3 million higher” (“Immigrant Employment Gains and Native Losses, 2000-2004,” in *Debating Immigration*, ed. Carol M. Swain [New York: Cambridge University Press, 2007], 155). On the more “progressive” side, Stephen Macedo, citing another author, says that “immigration undermines support for social insurance programs, perhaps by undercutting feelings of identification and solidarity with benefit recipients” (“Should Liberal Democracies Restrict Immigration?” 302). See also Carol M. Swain, “Forum,” 67-70.

<sup>43</sup>Meilaender, *Theory of Immigration*, 98-99.

<sup>44</sup>Foucault’s discussion of the defense of society in “*Society Must Be Defended*”: *Lectures at the Collège de France, 1975-1976*, trans. David Macey (New York: Picador, 2003), concerns threats *internal* to modern societies. Thus racist genocide is an intrastate affair. Yet in that volume Foucault also mentions colonial war (257), and we should add that today the threat posed by migrants is not their existence in their own countries but the fact that they might make it to *our* country and threaten *our* well-being. All would be fine if they kept their contagion elsewhere. In other words, society must be defended against the threat of

insecurity hypotheses urge us to secure ourselves from external threats.

### The Politics of Sustaining and Cultivating Life

The assumption that modern power is primarily negative is the second crucial aspect of the repressive hypothesis. Foucault argues that, on the contrary, modern power is more complicated than the zero-sum game implied by this term “repression”; it is both negative *and positive*.<sup>45</sup> It does not silence conversation but incites it. The repressive and insecurity hypotheses generate discourses and practices of security for the sake of the nation’s life (biopolitics). As Foucault constantly reiterates, far from having his sexuality silenced by those in power, “Western man has been drawn for three centuries to the task of telling everything concerning his sex.”<sup>46</sup> Naming sexual repression and national insecurity encourage us to talk about sex and national identity.

Similarly, modern power does not seek to negate life but to cultivate it, nurturing, sustaining, and optimizing it.<sup>47</sup> This is Foucault’s way of distinguishing modern productive power from what he calls sovereign power. Sovereign power thrives on the right of a political authority to take someone’s life or let that person live, and its

---

migrants from outside who make it to our inside. *Migrants break down the distinction between inside and outside*. In “Ambiguous Identities,” in *Politics and the Other Scene*, trans. Chris Turner (New York: Verso Books, 2002), 72, Étienne Balibar sums up this thought: “There are no longer any *external* exclusions; the trend is solely towards *internal* exclusions.” To the extent that modern life is unavoidably mobile, there is a crisis in the distinction between inside and outside. This is especially true, I would argue, for states that have legacies of conquering other nations, sending capital abroad, and importing labor from nearby countries. Each of these components (war, capital flight, and state-sponsored labor importing) is true of the U.S.’s relationship with Mexico.

<sup>45</sup>In *Entanglements, or Transmedial Thinking about Capture* (Durham, NC: Duke University Press, 2012), Rey Chow argues that the productive nature of modern power is Foucault’s key insight: “Foucault’s major intervention has been to shift this traditional understanding of power to the positive, indeed enabling and progressive capacities in which power thrives in modernity” (83).

<sup>46</sup>Foucault, *History of Sexuality*, 23; cf. 10-13, 20-22.

<sup>47</sup>Foucault, *History of Sexuality*, 24-25.

characteristic means are the law and the sword.<sup>48</sup> This is power as negation and repression, focused on a central figure who possesses power as if it were a commodity.<sup>49</sup> By contrast, Foucault calls modern power “biopower,” which takes the reinforcing forms of discipline and regulation, both tailored to the task of the “ordered maximization of collective and individual forces.”<sup>50</sup> Discipline aims to shape individual bodies towards the goal of maximized life.<sup>51</sup> The practice of confessing one’s sex life to a priest or psychiatrist is characteristically disciplinary, aimed less at curtailing discussion of sex than at forming desires appropriately in order to avoid deviant practices.<sup>52</sup> On the other hand, regulation works at a collective level, seeking to shape the natural features of a population with consistencies and variables like birthrates, habitation patterns, and frequencies of illnesses.<sup>53</sup> A characteristically regulatory practice is state intervention in the life of a population on the basis of demography and statistics, with an eye toward its survival and flourishing.<sup>54</sup> Together, these two forms of biopower “brought [individual and collective] life and its mechanisms into the realm of explicit calculations and made

---

<sup>48</sup>Foucault, *History of Sexuality*, 144.

<sup>49</sup>See Foucault’s discussion in “*Society Must Be Defended*,” 13-14, 27-34.

<sup>50</sup>Foucault, *History of Sexuality*, 4. For more on the power of “police,” see Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*, trans. Graham Burchell (New York: Palgrave Macmillan, 2007), 311-361.

<sup>51</sup>Foucault, *History of Sexuality*, 139.

<sup>52</sup>Foucault, *History of Sexuality*, 30. The architecture of schools is also disciplinary, for Foucault, because, far from silencing sexuality, the individualizing attempts to separate males and females is the result of speech and itself *performs* a type of speech about how children’s sexuality should be shaped—boys and girls must be kept apart from each other lest they have inappropriate relations. See *History of Sexuality*, 27-28.

<sup>53</sup>Foucault, *History of Sexuality*, 25.

<sup>54</sup>Foucault, *History of Sexuality*, 137, 143, 145.

knowledge-power an agent of transformation of human life.”<sup>55</sup>

Migration restrictions and the insecurity hypothesis that ground them are part of this larger scheme of biopolitical governance, which targets individual and collective life as the object and subject of governance. It is worth noting three aspects of this statement: first, they are concerned with both “the problem of living and doing a bit better than just living”<sup>56</sup>—that is, with “the naked question of survival”<sup>57</sup> and with “optimiz[ing]” life.<sup>58</sup> Restrictions have the dual role of ensuring continued life and cultivating the good life for the people. Recall that Meilaender assumed that migrants threaten the nation’s life. All arguments for restriction assume what Meilaender does, even if they are not as forthright about it as he is. We need freedom from physical, economic, and cultural instability in order to survive and *flourish*.

That migration restrictions are biopolitical means, second, that life is both the object and subject of governance.<sup>59</sup> Life is the *object* of governance by the state and a network of other apparatuses. In our day many of these other apparatuses are private corporations or individuals funding hospitals, universities, and the manufacture of weapons and prisons. Thus the various “industrial complexes,” such as the prison-industrial complex and the immigration-industrial complex, ostensibly seek to cultivate

---

<sup>55</sup>Foucault, *History of Sexuality*, 143. At some points Foucault distinguishes biopower from disciplinary power and equates biopower with regulation (and security). But at other times he seems to conceive discipline and regulation as the two forms that biopower takes. Discipline and regulation are different, in his account, because the one targets the individual and the other targets the population. But they are similar because they are forms of nurturing life, rather than negating it. That is, both discipline and regulation differ from sovereign power to the extent that they produce rather than suppress or destroy subjects.

<sup>56</sup>Foucault, *Security, Territory, Population*, 326.

<sup>57</sup>Foucault, *History of Sexuality*, 137.

<sup>58</sup>Foucault, *History of Sexuality*, 136; cf. 139, 141, 142.

<sup>59</sup>See Foucault, *Security, Territory, Population*, 42-44.

individual and collective well-being—the one through the disciplinary shaping of criminals, the other through pacifying threats and freeing the people to live.<sup>60</sup> But life is also the *subject* of governance because these governmental ensembles do not oppress people but encourage them to live and take hold of their lives. These complexes, we are told, free good citizens to be the subjects of their own governance. We come to believe that we can manage and nurture our life, not repress it, through biopolitical techniques like migration restrictions.

Third, because biopower takes the two forms of discipline and regulation, the one focused on the individual body and the other focused on the natural processes of populations,<sup>61</sup> migration restriction is primarily biopolitical regulation, not discipline.<sup>62</sup> To be sure, discipline is important for restrictions, especially their concrete applications in networks of border surveillance and assimilation practices.<sup>63</sup> But from the perspective of restriction *as such*, the main form of power exercised is regulation, because regulation operates at the level of the population, understood as a living organism with certain relatively predictable continuities and equilibria.<sup>64</sup> The modern scholarly discipline of statistics calculates these continuities, and regulatory controls aim to achieve these states of normalness when fluctuations and unexpected events arise.<sup>65</sup> This is what Foucault

---

<sup>60</sup>See, for example, Angela Y. Davis, *The Meaning of Freedom* (San Francisco: City Lights Books, 2012), 35-54; and Karen Manges Douglas and Rogelio Sáenz, “The Criminalization of Immigrants & the Immigration-Industrial Complex,” *Daedalus* 142, no. 3 (summer 2013): 199–227.

<sup>61</sup>Foucault, *History of Sexuality*, 139.

<sup>62</sup>Foucault, *History of Sexuality*, 139-140; cf. Foucault, “*Society Must Be Defended*,” 245-246.

<sup>63</sup>I say more about this in the third chapter in relation to border practices.

<sup>64</sup>Foucault, *History of Sexuality*, 140: the classical age witnessed “the emergence, in the field of political practices and economic observation, of the problems of the birthrate, longevity, public health, housing, and migration.”

<sup>65</sup>Foucault, *Security, Territory, Population*, 1-114.

called “bioregulation by the state.”<sup>66</sup>

That haunting phrase, “bioregulation by the state,” could suggest that biopolitics is totalitarian repression, but this is not what Foucault intended. After all, the social sciences came to understand the population itself as a mass that could never be entirely tamed or controlled,<sup>67</sup> since unexpected (“aleatory”) events can always erupt in such diverse forms as bad weather conditions producing poor agricultural yields or, more germane to this context, an influx of migrants from countries experiencing violence or poverty. Biopolitics does not aim to suppress unexpected events but to plan for them and manage them once they occur.<sup>68</sup> Moreover, the governmental rationality correlative with biopolitics is liberalism, not such despotic ideologies as fascism or communism. Life is managed and cultivated by “acting so that reality develops, goes its way, and follows its own course according to the laws, principles, and mechanisms of reality itself.”<sup>69</sup> Thus bioregulation occurs when the state gives the population room to breathe, so to speak, when the state acts so as to “let things take their course.”<sup>70</sup>

This may sound quite different from migration restriction given that migration

---

<sup>66</sup>Foucault, “*Society Must Be Defended*,” 250.

<sup>67</sup>Foucault, *Security, Territory, Population*, 366: “The population ... is analyzed as a set of elements that, on the one hand, form part of the general system of living beings ... and, on the other hand, may provide a hold for concerted interventions.” The former indicates the way that the population is part of the human species with its “mechanics of life” and “biological processes” (*History of Sexuality*, 139). The latter includes laws and changes in attitudes. Thus although states shape the population, they do not control it in a total, repressive sense.

<sup>68</sup>Foucault, *Security, Territory, Population*, 37: the “apparatus of security”—basically synonymous with “regulation” for Foucault—tries to work “within the reality of fluctuations between abundance/scarcity, dearness/cheapness,” rather than “trying to prevent it in advance.” Again: “the essential function of security ... is to respond to a reality in such a way that this response cancels out the reality to which it responds—nullifies it, or limits, checks, or regulates it” (47).

<sup>69</sup>Foucault, *Security, Territory, Population*, 48.

<sup>70</sup>Foucault, *Security, Territory, Population*, 41.

restriction is often thought to be the limiting of market rule through the imposition of state force. But migration restriction presupposes that unwanted migrations will not stop completely. The question is how to create laws that will facilitate the maintenance of normal migration rates given the impossibility of entirely avoiding unexpected events. The three arguments for restriction demonstrate this. No one denies that cultures change; but the insecurity hypothesis urges us to craft migration policies that allow us to remain “America” even through these changes. Similarly, Americans have always used foreign labor at home, and many now say that the shortage of native-born doctors requires that the United States seek well-educated medical professionals abroad. The question here is not whether to accept any labor migrants at all, but how many and which types of migrants to accept so that labor markets stay close to their equilibrium. Finally, although most Americans will not tolerate foreign terrorism at all, clear-eyed thinkers acknowledge that there is no way to ensure that potential attackers never make their way onto airplanes bound for the United States. The question for these people, then, is not how to eliminate terrorist threats completely, but what balance of surveillance and individual freedom will cultivate Americans feelings of trust, both that they are safe from attack and that their government’s surveillance systems are not too invasive (at least for citizens). Biopolitical regulation does not aim at perfection but rather seeks the best outcome for a living organism—called the population—with the knowledge that unplanned events will happen. This is the management of the uncertainties of life for the sake of survival and flourishing. This is the biopolitical logic of migration restrictions.



## The Uses of Race

But the question arises: whose life must be cultivated? In Foucault's view, states become racist when they need to make this distinction in order to know how to use negative, coercive force in the name of generating life.<sup>71</sup> Modern racism arises, he says, when biopower needs to justify its use of the sovereign sword against some for the life of others. This means that "the modern State can scarcely function without becoming involved with racism at some point."<sup>72</sup> Foucault mentions genocide as a characteristically biopolitical use of sovereign power.<sup>73</sup> The only way to determine who *must* live and who *may* die is by drawing a distinction between two peoples in such a way that people on one side of the line view those on the other side as threats to its life. Societies governed by the will-to-live can justify killing only by saying who is part of the population whose life must carry on. This is why "wars are waged on behalf of everyone ... [M]assacres have become vital."<sup>74</sup> For Foucault, then, race is "our" justification for either allowing "them" to die or actively killing "them"—that is, those who threaten "our" life.

In addition to physical killing, "death" also includes, for Foucault, expulsion and censoring.<sup>75</sup> When Foucault mentions the biopolitical racism of eugenics discourses and

---

<sup>71</sup>I follow Rey Chow and others in seeing both a significant lack in Foucault's analysis of race, as well as important, if subtle, contributions (*The Protestant Ethic and the Spirit of Capitalism*, 8-10). The two pieces missing, in my view, are (1) a more detailed analysis of the colonial origins of modern racism, and (2) the function of race in contemporary forms of power. In short, I think Foucault's lectures from 1975-1979 should have traced in more detail the racial terrain beginning in early modernity. His discussions of race war, biopower, governmentality, discipline and regulation would be even richer had he done so.

<sup>72</sup>Foucault, "*Society Must Be Defended*," 254.

<sup>73</sup>Foucault, *History of Sexuality*, 137.

<sup>74</sup>Foucault, *History of Sexuality*, 137.

<sup>75</sup>Foucault, "*Society Must Be Defended*," 256.

Nazism,<sup>76</sup> he calls to mind American slavery, laws proscribing interracial marriages, Jim Crow segregation, and continued distances between where some types of people live and where other types of people live. All of these practices are attempts to avoid racial contamination. The fear of cultural degradation and the response of expulsion or suppression are biopolitical because the life of the nation is threatened by those who are not “us,” whether or not they are actually here with “us.” Thus in Foucault’s view, race discourses step in to justify the use of the law and the sword against some (negative power) and for the life of others (positive, generative power). Racism enables people to claim that life will flow to some from the use of life-negating powers against others. Because this point is especially pertinent to the militarized border and the policy of prevention through deterrence, I will return to it in the third chapter when discussing border policies.

### **The Racial Logic of the Arguments: Division, Subordination, and Norming**

Foucault thus helps us see the biopolitical logic of migration restrictions: we must use migration restrictions to free ourselves from insecurity so that our life may flourish. He also hinted at modern racial operations, though without spelling them out sufficiently. In particular, his discussion of Nazism and anti-Semitism is of great interest, but it does not account adequately for the complexities of more pervasive racializations of peoples in the New World. Having unearthed the rationale guiding exhortations to migration restriction, we are now in a position to display their concrete racial contours. Here we must draw on decolonial theorists in order to correct and go beyond Foucault’s helpful

---

<sup>76</sup>Foucault, *History of Sexuality*, 118-119, 148-150.

but limited discussions of race, for decolonial theorists trace the genealogy of modern racism back to the dawn of colonial modernity. Their work is especially important for those concerned with undocumented Latina/o migrants who reside in the United States but are in many ways considered outsiders. I break up this discussion into three aspects of modern racialization: consolidating division, subordination, and norming.<sup>77</sup>

### The Geopolitics of National Distinctions

The first racial operation is *consolidating division*: we come to believe that we share with some people some things that we do not share with others, and they share with each other some things that they do not share with us. Modern consolidations and divisions were formed in the crucible of the encounter of Europeans with the peoples of the New World and Africa (which Foucault failed to see). Crucial for the continued racialization of the iconic illegal alien is the way state policies reinforce the distinction between the United States and those to its south. We have come to believe that the distinction between the United States and other nations, not least Mexico, is as obvious

---

<sup>77</sup>The relations between these three aspects of racialization are complex, and I have no interest in attempting to discern causal relations among them, if any even exist. It could be the case, for example, that when European colonists entered the new world, they encountered many peoples who seemed to look and sound more similar to each other than they did to the Europeans themselves, and that soon the Europeans destroyed, enslaved, or plundered these other peoples—all before determining that in fact the white European simply *is* “man,” the norm of humanness. Eric Williams has made this argument regarding early anti-Black racism in *Capitalism and Slavery* (Chapel Hill, NC: University of North Carolina Press, 1944). It could also be the other way around, namely that some—like the Nazis—felt economically subordinate to a specific group of people and out of resentment opposed that group even to the point of extreme violence. Amy Chua argues for this type of relation in *World on Fire*; and Étienne Balibar has argued along similar lines regarding more recent surges of neo-fascism among European youth. See his “Is there a European Racism?” in *Politics and the Other Scene*, trans. Chris Turner (New York: Verso Books, 2002), 40-55. In these instances, racism arises only after *the socioeconomic subordination of some to others*. Yet it may also be true that the scientific “establishment” of the Aryan as the human norm prompted racism against another type of people that, though diverse, could be grouped together on the basis of certain shared characteristics before subjecting them to deportation, repression, exploitation, and extermination. In short, there may be any number of ways to relate these three aspects of racialization to each other in terms of causality. But that type of argument would be a historical-theoretical argument that I have neither the skills nor the interest to make.

and benign as migration restriction. Yet two important moments in this history—1848 and 1965—suggest that this distinction is neither obvious nor benign.<sup>78</sup> The U.S.-Mexico War of 1846-1848 signals the beginning of America's longstanding and uneven relationship with its southern neighbor. On the one hand, the life of these nations has been deeply interwoven ever since then, while on the other, this is the beginning of the geographical consolidation of and distinction between the United States and Mexico. In the 1920s, less than eighty years later, the border patrol and the actual border would be implemented as a way of further reinforcing this distinction, a distinction that has only grown ever since.

The Immigration and Nationality Act of 1965 continued this trajectory of division in that it wrote into law the distinction between people who can come here from south of the border and those who cannot. For Latina/os, the most important aspect of the Immigration and Nationality Act was its introduction of numerical restrictions for immigrants from the western hemisphere. Before 1965, there had been no such restrictions. Indeed, for at least 75 years after the U.S.-Mexico war, Mexicans were considered legally “white” and thereby allowed to become citizens. This was not out of any kind feelings towards Mexicans; it was commonly believed that Mexicans were not in fact white. But the law ascribed whiteness to them because after the U.S.-Mexico War,

---

<sup>78</sup>Walter D. Mignolo argues for the importance of 1898 in the history of U.S.-Latin American relations. See his “The Larger Picture: Hispanics / Latinos (and Latino Studies) in the Colonial Horizon of Modernity,” in *Hispanics / Latinos in the United States: Ethnicity, Race, and Rights*, ed. Jorge J. E. Garcia and Pablo De Greiff (New York: Routledge, 2000), 99-124, esp. 100, 103-109. It was then that America defeated the Spanish in the Caribbean (Cuba) and subsequently in the Pacific (Philippines), thereby signaling the retreat of the Spanish empire and the emergence of the Anglo-Saxon one. Thus Latin America was no longer distinguished primarily from Europe to its east but from the United States to its north. Hence the claim that Latin America is the U.S.'s backyard or sphere of influence. The geography of the difference between modern nations and colonized nations also shifted from the east-west binary to the north-south binary. The United States came into its own as a competitor with European nations, the one using its power in the Pacific and Latin America, the other continuing its colonial and imperial relations in Africa and Asia.

Mexicans living in the southwestern United States had a “new status as a conquered population” amid an expanding imperial power.<sup>79</sup> The elimination of white-preferring racial quotas in 1965 may have granted formal equality to all nations, but it was accompanied by the imposition of numerical restrictions allowing only 20,000 people to immigrate legally from every nation—regardless of how close or far away that nation was.<sup>80</sup>

In these ways, the U.S.-Mexico War of 1848 and the Immigration and Nationality Act of 1965 indicate how Americans wrote into law their conviction that Hispanics are as distinct from Americans as people from every other country.<sup>81</sup> Again, the common social perception of difference preexisted the spatial and legal differentiation of these two “peoples,”<sup>82</sup> but American laws numbering who can come in and the geographical delineation of its territory helped to reinforce this prior definition of “us” and “them.”

There is nothing to indicate, however, that such distinctions are as natural or neutral as most of us have come to believe. Indeed, given our proximity, deep economic connections, and long history of violence and cultural interaction, it is hard to justify

---

<sup>79</sup>Ngai, *Impossible Subjects*, 51.

<sup>80</sup>There is obviously much more to the history of United States and Mexican relations than these two dates. A fantastic history of immigration politics in general is Daniel J. Tichenor, *Dividing Lines: The Politics of Immigration Control in America* (Princeton, NJ: Princeton University Press, 2002). On America’s particular relationship with Mexico, see Massey, et. al., *Beyond Smoke and Mirrors*, 24-51; and Nicholas De Genova, “The Legal Production of Mexican / Migrant ‘Illegality,’” in *Governing Immigration through Crime: A Reader*, ed. Julie A. Dowling and Jonathan Xavier Inda (Stanford, CA: Stanford University Press, 2013), 41-58.

<sup>81</sup>On the problems of formal equality in immigration policy, see Mae Ngai, *Impossible Subjects*, 258-264. On the problems of formal equality in general, see Kimberlé Williams Crenshaw, “Color Blindness, History, and the Law,” in *The House that Race Built*, ed. Wahneema Lubiano (New York: Vintage Books, 1998), 280-288.

<sup>82</sup>See Ngai, *Impossible Subjects*, 53-55. Ngai elegantly displays the contradictions of the whiteness attributed to Ricardo Rodríguez because of the U.S.’s decision to allow Mexicans to naturalize—and thus be declared white—while the court declared that his skin color, language skills, and knowledge of the Constitution would have pronounced him otherwise.

conceiving Latina/os as a “them.” Eminent migration scholar Douglas S. Massey has highlighted the strangeness of this situation of “treat[ing] Mexico like any other nation, allocating to it the same number of visas as to Botswana or Nepal.”<sup>83</sup> Because of greater distance and less interactions, America is more obviously distinct from Botswana and Nepal than it is from Mexico and the rest of Latin America. Why should Mexicans receive the same number of visas as Botswanans? How can we justify *not* treating Mexicans differently from Botswana? Mexicans are far nearer to us, not only in the obvious geographical sense, but also in the metaphorical sense of having far more history with us. This suggests that the formal equality of admitting the same number of people from every country requires justification.

Recent theories of “neo-racism” help to explain this. Theorists like Étienne Balibar have shown that the contemporary racial imaginary does not emphasize notions of “biological heredity” and racial superiority but “the insurmountability of cultural differences.”<sup>84</sup> The “American ideology” of colorblindness and formal equality disallows explicit recourse to biological notions of racial inferiority, but it still insists on distinctness and results in subordination.<sup>85</sup> In this racial paradigm nations must keep foreigners at a distance lest they affect the nation too much. Their ways are not—and should not become—our ways. Latina/os are thereby rendered another people, despite the fact that it is often difficult to tell where “American culture” stops and “Latina/o culture”

---

<sup>83</sup>His contribution to the “Forum” in Carens, *Immigrants and the Right to Stay*, 78.

<sup>84</sup>Étienne Balibar, “Is There a ‘Neo-Racism’?” in Étienne Balibar and Immanuel Wallerstein, *Race, Nation, Class: Ambiguous Identities* (New York: Verso Books, 1991), 21.

<sup>85</sup>See Vijay Prashad, “The American Ideology” in *Everybody Was Kung Fu Fighting: Afro-Asian Connections and the Myth of Cultural Purity* (Boston: Beacon Press, 2001), 37-69.

begins—not to mention what those terms mean.<sup>86</sup> Racism *always* insists on and exaggerates differences, and one can make an educated guess that where such distinctions are assumed, racism is not far behind.<sup>87</sup> America can restrict the entry of Latina/os only because it has denied their long history of interaction and conceived of Latina/os as an alien race from whom it is supposedly so different.

Below I return to more concrete descriptions of how Latina/os are racialized as other. For now it is worth noting another of Balibar's arguments, namely, that distinctions between peoples are never *mere* distinctions—despite our colorblind ideology and formal equality before the law. Rather, borders are “overdetermined” by larger geopolitical relations.<sup>88</sup> One obvious way of verifying this is by recognizing that many migrants come from poorer countries. This is the assumption of neoclassical theories of migration as well as part of the American conceit that assures us of our superiority as a wealthy “receiving” country in opposition to most Latin American countries as poor, backwards “sending” countries. Although migration theorists tend to find this model inadequate as a total explanation of migration patterns, it remains true that migrants very often leave poorer countries for richer ones.<sup>89</sup> Another obvious verification of the symbolic density of borders is the fact that America's treatment of its border with the mostly-white nation

---

<sup>86</sup>For example, Leo R. Chavez notes how Spanish words have become a part of the English language in *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford, CA: Stanford University Press, 2008), 180-184.

<sup>87</sup>See the discussion of minute distinctions across races in genetic makeup in Nell Irvin Painter, *The History of White People* (New York: W.W. Norton & Company, 2010) 392-393. Racial thinking “wildly exaggerates differences while omitting the overwhelming degree of similarity. True to racial thinking, differences [are] stressed and similarities played down” (393).

<sup>88</sup>Étienne Balibar, “What is a Border?” in *Politics and the Other Scene*, trans. Chris Turner (New York: Verso Books, 2002), 79-81.

<sup>89</sup>On theories of migration, see Massey, et. al., *Beyond Smoke and Mirrors*, 7-23.

of Canada differs from its treatment of its border with the mostly-non-white nation of Mexico. These differences are significant not only because Mexico is poorer than Canada but also because Americans view Mexicans as racially different from themselves and Canadians. Although the Immigration and Nationality Act of 1965 aimed to treat all migrants equally, some foreigners are still more foreign than others.

Recent theorists of the relationship of modern societies to colonialism would agree that race is an important aspect of the differences in America's treatment of its two land borders, but they would give such arguments a bit more texture.<sup>90</sup> They highlight the economic differences between countries and racial identifications within countries as part of the wider legacy of western colonialism and imperialism, especially in Africa and Latin America. For instance, Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar argue that the United States is not a "neutral space of migrant incorporation," but rather one deeply influenced by colonial relations. This demands that we give less-colorblind, more-politicized classifications for migrants.<sup>91</sup> They classify migrants under three categories: "colonial / racial subjects of empire" (which I abbreviate "CRS's"), "colonial immigrants," and "immigrants." A brief discussion demonstrates the

---

<sup>90</sup>For example, in "Eurocentrism and Modernity (Introduction to the Frankfurt Lectures)," *boundary 2* 20, no. 3 (Autumn, 1993): 67, Enrique Dussel argues that Latin America was "the first periphery of modern Europe; that is, we suffered globally from our moment of origin on a constitutive process of modernization ... that afterward would be applied in Africa and Asia ... [The] process of discovery and conquest ... is not simply of anecdotal or historical interest: It is part of the process of the constitution of modern subjectivity itself." See also Anibal Quijano and Immanuel Wallerstein, "Americanness as a Concept, or the Americas in the Modern World-System," *International Social Science Journal* 44, no. 4 (November 1992): 549-557; and Walter D. Mignolo, *The Idea of Latin America* (Malden, MA: Blackwell Publishing, 2005).

<sup>91</sup>Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar, "Latin@s and the 'Euro-American Menace': The Decolonization of the U.S. Empire in the Twenty-First Century," in *Latin@s in the World-System: Decolonization Struggles in the Twenty-First Century U.S. Empire*, ed. Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar (Boulder, CO: Paradigm Publishers, 2005), 8.



density of national distinctions.

First, “CRS’s” migrate to the United States from a position on the underside of the empire, coming from nations that have a long history of explicit colonial or imperial interaction with the United States; Mexico and the Philippines are prime examples. As has always been the case in modernity, the racial hierarchies created in the colonizing countries are imposed upon the colonized. Thus CRS’s “arrived to the United States or the United States ‘arrived’ to them as part of a colonization process that gave wealth and privileges to Euro-Americans.”<sup>92</sup> This helps to explain why “[c]olonial subjects are frequently at the bottom of the racial / ethnic hierarchy.”<sup>93</sup> Colonial habits die hard.

Second, “immigrants” are those who come from Europe or countries deeply influenced by Europe, such as South Africa, and are recognized as racially white. They expect upward mobility and assimilation within a generation or two, aided of course by language acquisition and any number of social benefits accrued through the social capital associated with whiteness. We may add to this group other people whom Eduardo Bonilla-Silva calls “honorary whites” because of their rapid assimilation into American society. The majority of honorary whites, according to Bonilla-Silva, are from Asia.<sup>94</sup>

Finally, “colonial immigrants” are people who come from countries that were not directly colonized by the United States, but who still take on CRS racial designations once they arrive in the United States. Thus Argentinian and Peruvian immigrants are lumped into the “Latina/o” category with migrants from places that suffered explicit

---

<sup>92</sup>Grosfoguel, Maldonado-Torres, and Saldivar, “Latin@s and the ‘Euro-American Menace,’” 8-9.

<sup>93</sup>Grosfoguel, Maldonado-Torres, and Saldivar, “Latin@s and the ‘Euro-American Menace,’” 9.

<sup>94</sup>See Eduardo Bonilla-Silva, *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*, 3<sup>rd</sup> edn. (New York: Rowman & Littlefield Publishers, 2010), 177-205.

colonization or imperialism, like Mexico and Puerto Rico, while immigrants from Nigeria become simply “Black.” Recently several scholars have shown that “Latina/o” migrants do not characterize themselves as such until they come to America; in their home country they considered themselves in accordance with that society’s designation.<sup>95</sup> But they end up being racialized as Latina/o because they share some things with CRS’s from Latin America, especially language and often religious affiliation.<sup>96</sup>

To highlight geopolitical distinctions is to shed light on why those who come to the U.S. from nations identified as white are more likely to end up near the top, whereas those from nations identified as non-white are more likely to end up near the bottom. The racial hierarchies and racist ideologies created in the early-colonial world are reproduced in ostensibly colorblind, non-colonial societies like the United States.<sup>97</sup> The formation of modern racial identities allows Americans to imagine that people from Mexico are just as “distant” as people from Botswana and Nepal—even though the U.S. and Mexico share a 2,000 mile border and over 170 years of intimate, though uneven, interaction.

### Subordination and Norming

The geopolitical significance of distinctions between peoples points to two other aspects of racialization. The first of these is *subordination*: in a number of ways Latina/os find themselves subordinate to the dominant groups in the United States, groups who, not

---

<sup>95</sup>In *Brokered Boundaries: Creating Immigrant Identity in Anti-Immigrant Times* (New York: Russell Sage Foundation, 2010), 184, Douglas S. Massey and Magaly Sánchez R. argue that migrants embrace a Latina/o identity only *after* arriving to the United States. This embrace comes from the fact that migrants from all over Latin America and the Caribbean share feelings of exploitation and hostility from wider U.S. society, as well as cultural commonalities like language.

<sup>96</sup>Grosfoguel, Maldonado-Torres, and Saldivar, “Latin@s and the ‘Euro-American Menace,’” 9.

<sup>97</sup>Grosfoguel, Maldonado-Torres, and Saldivar, “Latin@s and the ‘Euro-American Menace,’” 11.

surprisingly, come from (or look like people who come from) the nations that colonized Africa and the New World. I highlight only three aspects, namely, poverty, segregation, and imprisonment. First, people “coming from colonial or neocolonial experiences are the ones with the highest poverty rates.”<sup>98</sup> According to some estimates, Latina/os are nearly twice as likely as whites to be in poverty (though about 15% less likely than Black Americans to be in poverty).<sup>99</sup> Second, Latina/os, like Black Americans, are far more likely to live in segregated neighborhoods and attend segregated schools. We consider it normal that Latina/o and Black Americans live in neighborhoods and attend public schools separated from the material benefits of white privilege; it is natural, we think, for people to prefer those who look and sound like them. The stubborn fact of segregation persists, and a hands-off approach to desegregation ensures that white preferences for white neighborhoods will continue to win out.<sup>100</sup> Finally, although contemporary racial formation in America tends to be *laissez-faire* with respect to social programs that aim to alleviate racialized poverty and to desegregate schools and housing developments, this is not the case with imprisonment and its dark technology, racial profiling.<sup>101</sup> Latina/o and

---

<sup>98</sup>Grosfoguel, Maldonado-Torres, and Saldívar, “Latin@s and the ‘Euro-American Menace,’” 12.

<sup>99</sup>Grosfoguel, Maldonado-Torres, and Saldívar, “Latin@s and the ‘Euro-American Menace,’” 5; see also Douglas S. Massey and Karen A. Pren, “The Origins of the Latino Underclass,” *Race and Social Problems* 4 (2012): 14-15; Nancy Foner, “Immigration Past and Present,” *Daedalus* 142, no. 3 (summer 2013): 19; and David R. Roediger, *How Race Survived History: From Settlement and Slavery to the Obama Phenomenon* (New York: Verso, 2008), 212.

<sup>100</sup>So David Theo Goldberg, “Racial Americanization,” in *Racialization: Studies in Theory and Practice*, ed. Karim Murji and John Solomos (New York: Oxford University Press, 2005), 90: “If what we have come to recognize as standard American racism took the cruel form of a constitutionalized segregation . . . , contemporary racial Americanization has informalized apartness, rendering it the effect of privatized preference schemes rather than explicitly institutionalized legalities.” Cf. Bonilla-Silva, *Racism without Racists*, 28: “‘segregation’ is natural because people from all backgrounds ‘gravitate toward likeness.’” See also Lawrence Bobo, “Somewhere between Jim Crow and Post-Racialism: Reflections on the Racial Divide in America Today,” *Daedalus* 140, no. 2 (Spring 2011): 11-36.

<sup>101</sup>In *Targeting Immigrants: Government, Technology, and Ethics* (Malden, MA: Blackwell Publishing, 2006), 60, Jonathan Xavier Inda makes this point regarding what he, following such thinkers as

Black Americans are far more likely than whites to end up in prison, especially for drug-related crimes.<sup>102</sup> And given that it is hard to discern who looks like a criminal and who does not, police officers inevitably use (race-informed) discretion in order to enforce the law.<sup>103</sup> The result, as David Theo Goldberg has argued, is that racial preferences are denied legitimacy “with the exception of racial profiling for the purported purposes of crime and terror control.”<sup>104</sup> American racial ideology may proclaim the advent of a colorblind, post-racial society, but the very real facts of material subordination—such as poverty, segregation, and imprisonment—make such pronouncements ring hollow.

The less obvious aspect of the geopolitics of distinctions between peoples is that there are “norms” for migrant identity tied to the geography of colonialism and race. One may look at recent immigration reform proposals to see the way that many Americans want to change policies in order to reflect more accurately their vision of this their nation of immigrants. For example, in the summer of 2013, the Senate passed a reform proposal (called S 744) that experts touted “the most comprehensive ... bill since the Immigration

---

Nikolas Rose, calls “the post-social state”—which corresponds, basically, to what others call the neoliberal, post-welfare state: “while post-social government might generally work through promoting the self-managing capacities of individuals, it does not hesitate to take despotic steps against those subjects—namely, racialized minorities—deemed to threaten the well-being and safety of the population.”

<sup>102</sup>Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010), 95-101. See also Rose M. Brewer and Nancy A. Heitzeg, “The Racialization of Crime and Punishment: Criminal Justice, Color-Blind Racism, and the Political Economy of the Prison Industrial Complex,” *American Behavioral Scientist* 51, no. 5 (January 2008): 628. In a more popular vein, see Davis, *The Meaning of Freedom*, 35-70, 135-151, esp. 141-144; and Kevin R. Johnson and Bernard Trujillo, *Immigration Law and the US-Mexico Border* (Tucson, AZ: University of Arizona Press, 2011), 172.

<sup>103</sup>Kelly Lytle Hernandez has traced the origins of the racial profiling of Mexicans at the U.S.-Mexico border in *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010). It is crucial to recognize that local police officers are given mandates that are very difficult to fulfill without racial profiling. We need a deeper critique of the very structure of law enforcement, therefore, not moralistic tirades against racist police officers (though certainly there are plenty of those).

<sup>104</sup>Goldberg, “Racial Americanization,” 96.

Reform and Control Act of 1986.”<sup>105</sup> The conservative House of Representatives vowed early on to block the passage of a bill like it because it did not represent the opinions of most representatives and their constituencies.<sup>106</sup> The crux of the matter for conservatives was the pathway to citizenship, one of the three major components of the Senate bill. The proposal to increase border expenditures was slightly less controversial—ultimately being approved by the addition of the so-called “border surge”—but very little was said about the proposals to revamp the system of legal immigration. Changes to admissions preferences and guestworker programs flew under many people’s radar.<sup>107</sup> Yet three aspects of these numerical changes suggest something important about pervasive desires for American self-creation.

First, S 744 would have limited how many immigrants can enter through family exemptions (reducing the total by 40,000) and would have eliminated entirely the 55,000 spots allocated to diversity visas. Most migrants who enter under these provisions come from non-western, darker-skinned, poorer countries. Latina/os are especially likely to enter through the first provision because they have such strong family networks here.<sup>108</sup> Second, the bill would have supplemented these two changes with an increase in the number of guestworker visas for educated, highly-skilled, and wealthy migrants; and it

---

<sup>105</sup>Migration News, “Senate Approves S 744,” *Migration News* 20, no 3 (July 2013), [http://migration.ucdavis.edu/mn/more.php?id=3838\\_0\\_2\\_0](http://migration.ucdavis.edu/mn/more.php?id=3838_0_2_0) (accessed June 18, 2014).

<sup>106</sup>See the “most optimistic” statement of House Speaker John Boehner (R-OH) in Ashley Parker, “Boehner Optimistic About Immigration Bill,” *New York Times*, July 18, 2013, [http://thecaucus.blogs.nytimes.com/2013/07/18/boehner-optimistic-about-immigration-bill/?\\_r=0](http://thecaucus.blogs.nytimes.com/2013/07/18/boehner-optimistic-about-immigration-bill/?_r=0) (accessed June 18, 2014).

<sup>107</sup>See Bill Keller’s critical discussion of liberal dissent in “Liberals vs. Immigration Reform,” *New York Times*, July 7, 2013, <http://www.nytimes.com/2013/07/08/opinion/keller-liberals-vs-immigration-reform.html?emc=eta1> (accessed June 18, 2014). From the opposite end, see Pete Spiliakos, “A Compassionate Case against the Immigration Bill,” *First Things*, June 20, 2013, <http://www.firstthings.com/onthesquare/2013/06/a-compassionate-case-against-the-immigration-bill>.

<sup>108</sup>Migration News, “Senate Approves S 744.”

included a new merit-based program that could increase admissions by as much as 250,000. Merit-based applicants would be assessed on such factors as education, job experience, family connections, and nationality. These two changes signal a desire to reduce the number of poorer migrants entering the United States and to increase the number of wealthier, more educated migrants.<sup>109</sup> Third, conspicuously absent from this bill was a proposal to raise the numerical ceiling on yearly admissions from any country. The per-country entry limit enacted in the Immigration and Nationality Act of 1965 still holds: the U.S. is willing to accept 20,000 people from every country in the world, no matter how near or distant the country may be. America ostensibly treats every nation as formally equal: no one gets more visas than anyone else. Thus the only preferences indicated by bills like S 744 are for skilled and wealthy migrants from countries with western-style higher education and against groups with large family networks already here, like Hispanics. The immigrant norm is *not* a non-western, darker-skinned, poorer migrant. The norm is the white Euro-American who tamed and claimed the New World and Africa.

We can also see this immigrant norm in popular culture. Recent uses of the Ellis Island immigrant experience demonstrate as much. American historian Matthew Frye Jacobson has analyzed what he calls the “immigrant bootstraps” myth and its effects in current discourse. The narrative runs like this. Although in the late-nineteenth and early-twentieth centuries Irish, Italian, Polish and other European immigrants came poor, they worked their way up the social ladder; they became hardworking citizens who did not

---

<sup>109</sup>One organization noted that ultimately the program prefers the able-bodied, educated and experienced formal labor market worker from a country that does not send many migrants to the U.S. See American Immigration Council, “Defining ‘Desirable’ Immigrants: What Lies Beneath the Proposed Merit-Based Point System?” <http://www.immigrationpolicy.org/just-facts/defining-desirable-immigrants-what-lies-beneath-proposed-merit-based-point-system> (June 18, 2014).

receive handouts and surmounted the racism they faced. They wanted to become Americans, so they learned English, attended school, obeyed the law and entered the professions that made America great. They were the epitome of the nation of responsible, self-making immigrants that we call the United States of America.<sup>110</sup> This bootstraps myth is the contemporary immigrant’s measuring stick.

This is as good a definition of the neoliberal subject as one can find—who also happens to be evidently white. When Foucault dedicated some lectures to neoliberal governance in *The Birth of Biopolitics*, he argued that its American form (especially the Chicago School) reintroduced the notion of “economic man” (*homo oeconomicus*).<sup>111</sup> But whereas the classical notion of the economical human involved exchanging scarce resources for the sake of survival, this neoliberal economic man “is an entrepreneur ... of himself.”<sup>112</sup> This self-making involves what Foucault calls “innate” and “acquired” elements, that is, one’s genetic endowment and the “educational investments” a person makes for him- or herself, including parental involvement, cultural habituation, hygiene and movement for the sake of development.<sup>113</sup> The neoliberal norm, then, like the bootstraps immigrant, is a self-governing person. In terms of the three arguments for migration restriction discussed throughout this chapter, these immigrants would be ideal. They entered lawfully, coming to American shores through the legal—indeed

---

<sup>110</sup>Matthew Frye Jacobson, *Roots Too: White Ethnic Revival in Post-Civil Rights America* (Cambridge, MA: Harvard University Press, 2006), 177-205.

<sup>111</sup>Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège de France, 1978-1979*, trans. Graham Burchell (New York: Palgrave Macmillan, 2008), 225-226, 267-289.

<sup>112</sup>Foucault, *Birth of Biopolitics*, 226.

<sup>113</sup>Foucault, *Birth of Biopolitics*, 229-230. Foucault underplayed the racial aspect of the genetic component, but he is surely right that the neoliberal subject is the self-reliant self-maker who does not need government handouts and makes rational choices on the basis of how best to cultivate the self. Jacobson is a helpful supplement on the racial dynamics at work in this discursive construction.

mythologically hallowed—channel of Ellis Island. They were economically responsible, either taking care of themselves or seeking social justice for others.<sup>114</sup> And they came to appreciate and contribute to American culture, taking on American customs and embracing its self-identification as a nation of immigrants, even as they influenced and helped to change mainstream American culture. This white ethnic immigrant is morally responsible and thus the norm by which subsequent groups of immigrants are measured.

Many fear that today's migrants, who may or may want to become good American citizens, do not measure up to the prior wave of morally responsible immigrants, who came seeking and finding refuge.<sup>115</sup> Those suspicious of such contrasts may attempt to deny its empirical basis and tell the “true” stories of similarities and differences. Some attempt myth-busting about past and present migrants, arguing that it is not true that the “immigrant giants of an earlier golden age of immigration” make “present-day arrivals seem like a pale imitation.”<sup>116</sup> A similar way of attempting to defeat such negative contrasts is through demonstrating that one actually can be a good American citizen. For example, in the massive immigrant marches of 2006, many Latina/os waved American flags and insisted that they were hard workers, even as they reminded American citizens of their self-identification as a nation of immigrants.<sup>117</sup>

---

<sup>114</sup>See Jacobson, *Roots Too*, 177-245, on the right- and left-leaning versions of white ethnic politics in post-Civil Rights America.

<sup>115</sup>On the distinction between immigration as normal and migration as abnormal—that is, between migration for the sake of settlement and citizenship and migration for the sake of labor and with no intention of staying and becoming a citizen—see Nicholas De Genova, *Working the Boundaries: Race, Space, and “Illegality” in Mexican Chicago* (Durham, NC: 2005), 81: among other things, “it is the freedom of movement that makes the immigrant suspect. The question of assimilation, then, is the expression of the native’s suspicion: Do they come to join us, or are they just passing through?”

<sup>116</sup>Foner, “Immigration Past and Present,” 24.

<sup>117</sup>Chavez, *Latino Threat*, 152-176 (esp. 174-176); De Genova, *Working the Boundaries*, 189-196; Massey and Sánchez, *Brokered Boundaries*, 137.



While such attempts at dispelling myths may be important ways for individuals to assert their dignity, they still play by the rules of American migrant norms, thereby failing to question these norms sufficiently. A better approach would be to note the many blindspots of the narrative and make explicit the consequences of its proliferation in American culture.

The immigrant bootstraps narrative is blind, for example, not only to the fact that earlier immigrants' legal whiteness gave them access to social resources unavailable to non-whites,<sup>118</sup> but also to the fact that by the 1960s, and with the help of these resources, white ethnics had secured the political clout necessary to place themselves at the center of America's immigrant narrative of progress and development. Their retelling of immigrant history eclipsed white privilege in two ways. They incorporated themselves into the community of "others" that has experienced racism in America, eliding the profound differences between white and other ethnics;<sup>119</sup> and with their newfound sociopolitical influence they described an idealized developmental path (purportedly their own) that every person, white or otherwise, should follow.<sup>120</sup> A crucial blindspot in this narrative, therefore, is that it was *only after* white ethnics had received preferential treatment from

---

<sup>118</sup>David Roediger has noted that whereas the question driving discussions of legal segregation (Jim Crow) was whether one was black, the question of legal belonging, that is, naturalization, was whether one was white. See *Towards the Abolition of Whiteness: Essays on Race, Politics, and Working Class History* (New York: Verso Books, 1994), 182. I am arguing here that this immigrant question persists today. See also Roediger's *Working towards Whiteness*, pp. 72-92 and 169-177 on access to labor unions and housing covenants, respectively.

<sup>119</sup>The enormous differences between the journey of African Americans and white immigrants explains why the "deeply personal" immigrant narratives politicians tell are often as mystifying as they are helpful. See for example Lisa Mascaró, "For These Senators, Immigration Is a Personal Story," *Los Angeles Times*, June 23, 2013 <http://articles.latimes.com/2013/jun/23/nation/la-na-immigration-senators-20130624> (accessed June 18, 2014).

<sup>120</sup>Jacobson, *Roots Too*, 145. On the colonial roots of this narrative, see Enrique Dussel, "Eurocentrism and Modernity," 74-76.

the U.S. government that they gained the social, political and cultural capital necessary to describe themselves as the ideal immigrants. The white neoliberal norm of the late-twentieth and early-twenty-first centuries was fashioned out of the benefits of the mid-century welfare state.

One of the problems of the proliferation of this immigrant narrative is its colorblindness. The norm isn't a white subject, such storytellers insist, but simply one who is responsible; the anti-immigrant isn't a person of color, but simply one who is irresponsible, here illegally, or culturally different. Yet cultural anthropologist Leo Chavez has made explicit the racializing flipside of the immigrant bootstraps narrative, demonstrating that American society conceives of Latina/os as threats to the American way of life. Although it goes without saying that not all Americans dislike Latina/o immigrants and their descendants, and although not all Americans agree with the following perceptions, negative stereotypes of Latina/os are both pervasive and powerful, held by enough Americans to make it easy to refer to them publicly without evoking much resistance. Thus "what might appear as random or idiosyncratic comments, characterizations, tirades, images, and other representations about Latinos ... are actually part of a more cohesive set of ideas," which Chavez calls "the Latino Threat Narrative."<sup>121</sup> I will mention three aspects of the Latino Threat Narrative, corresponding to the three arguments for restrictions discussed above: their arrival (crime), their use of public services (economics), and their assimilation (culture).

Soon after the institution of the border patrol in the 1920s, Mexicans became the iconic illegal alien—because undocumented and to most citizens obviously foreign—

---

<sup>121</sup>Chavez, *Latino Threat*, 177.

despite the fact that western hemisphere admissions were not yet limited and the lands they came to occupy had been their own just a few generations before.<sup>122</sup> Since the 1920s, unauthorized entry has been equated with criminality;<sup>123</sup> this has only increased over time, first with the deportations of Operation Wetback (1954), then later when numerical restrictions were applied to the western hemisphere (INA; 1965). More recently, the identification of “illegal immigrant” with “Mexican” has been solidified through the widespread association of Latin America with drugs and the spectacle of a militarized border.<sup>124</sup> The Minutemen Project that “guarded” the as-yet-un-militarized parts of the Arizona-Mexico border has contributed to these assumptions as well.<sup>125</sup> Mexicans—and those who look or sound like them—are thereby racialized as intruders who defy the nation’s laws. They are illegal from the moment they step foot on American soil.<sup>126</sup>

Chavez also shows that the portrayal of Latinas as hypersexually “hot” threatens the U.S. with Latina promiscuity; and paradoxically that their enslavement to traditional Catholic teaching on contraception ensures that they will have many more children than non-Latinas.<sup>127</sup> Such high reproductive expectations might alter America’s ethnic makeup

---

<sup>122</sup>Ngai, *Impossible Subjects*, 58.

<sup>123</sup>Chavez, *Latino Threat*, 25.

<sup>124</sup>See Kathleen A. Arnold, *American Immigration after 1996: The Shifting Ground of Political Inclusion* (University Park, PA: The Pennsylvania State University Press, 2011), 51 and 54 on drugs and terror, respectively; and Massey, Durand, and Malone, *Beyond Smoke and Mirrors*, 83-104.

<sup>125</sup>Chavez, *Latino Threat*, 132-151.

<sup>126</sup>See De Genova, *Working the Boundaries*, 229: “An ever-growing, already significant and effectively indispensable segment of the working class within the space of the U.S. nation-state, Mexican / migrant labor is ubiquitously stigmatized as ‘illegal,’ subjected to excessive and extraordinary forms of policing, denied fundamental human rights, and thus consigned to an always uncertain social predicament, often with little or no recourse to any semblance of protection from the law.”

<sup>127</sup>Chavez, *Latino Threat*, 70-95, esp. 73-78.

and drain public services. Latinas are thereby construed as “LPCs,” that is, as people who are “liable” to become a “public charge”—which we now call “dependents.”<sup>128</sup> The good neoliberal subject knows how to use economic calculations in realms that previously were not considered economic, like childrearing, in order to make good lifestyle choices.<sup>129</sup> Just to the extent that Latinas are presumed not to depart from this backwards way of life, they are portrayed as mothers of an irresponsible race of people who have more children than they or the U.S. can afford.<sup>130</sup>

The Latino Threat Narrative posits Latina/os as criminals unlawfully entering the United States and as a drain on the resources of more responsible and chaste Americans. But it also, finally, conceives of Latina/os as separatists who either cannot or will not assimilate. At one end of the spectrum are those who consider Latina/os incapable of becoming American. At the other end is the fantastical myth of a Mexican reconquest and of Mexicans as warriors seeking to take back the land taken from them by the U.S. in 1848. Chavez shows that a few distinguished professors were most vociferous in propagating these laughable and lamentable tales—though of course they were not the only ones to make such outlandish claims. Samuel Huntington infamously epitomized and articulated both views.<sup>131</sup>

---

<sup>128</sup>For more on the history of LPCs, see Tichenor, *Dividing Lines*, 155-156.

<sup>129</sup>Foucault, *Birth of Biopolitics*, 243-246. See also Inda, *Targeting Immigrants*, 27-60, on the “post-social” political strategy of cultivating ethical subjects.

<sup>130</sup>On the complex relationship of the representations of Latina/o and Black American “irresponsibility,” see De Genova, *Working the Boundaries*, 189-196. Many Latina/os recognize that they share much in common with many African Americans, including poverty and marginalization (and I would add subjection to racial profiling). And yet, like prior immigrant groups, many Latina/os want to distance themselves from Black Americans in order to avoid the scourge of Blackness. They therefore posit themselves as neither white nor black. David Roediger discussed a similar “inbetweenness” experienced by the prior wave of (white) immigrants in *Working toward Whiteness*, 57-92.

<sup>131</sup>On Huntington, see Chavez, *Latino Threat*, 26-36; and Walter D. Mignolo, “Huntington’s

The Latino Threat Narrative thus ties together the three main threads of the argument of this chapter. Arguments for migration restriction are not colorblind, but rather stand in opposition to those outsiders (of color) who will make the nation physically, economically, and culturally insecure. These arguments assume that the life of the people may be threatened by iconic illegal aliens who bring physical insecurity because of their criminality, economic insecurity because of their dependency, and cultural insecurity because of their refusal or inability to assimilate. Those who assume the legitimacy of restrictions must be clearer about the biopolitical and racial-geopolitical logic, underpinnings, and consequences of their views. To use purportedly objective facts to assert that migrants do or do not threaten the life of the nation is to fail to grasp the biopolitical and racialized dimensions of migration restrictions.

### **Conclusion**

This chapter has focused on the complex internal logic of migration restrictions in order to unearth *what* we believe *when* we believe we must have migration restrictions. It is important to use the term “beliefs” in order to describe this logic because the insecurity hypothesis and its biopolitical and racialized bases “amount ... to a kind of liberation theology,” as critical theorist Rey Chow has said about Foucault’s repressive hypothesis.<sup>132</sup> In other words, although this chapter has not been explicitly theological, it has hinted at the theologies implied in our discourses and practices. Foucault said that “[t]he irony” of modern uses of the repressive hypothesis “is in having us believe that our

---

Fears: ‘Latinidad’ in the Horizon of the Modern / Colonial World,” in *Latin@s in the World-System: Decolonization Struggles in the Twenty-First Century U.S. Empire*, ed. Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar (Boulder, CO: Paradigm Publishers, 2005), 57-73.

<sup>132</sup>Chow, *The Protestant Ethnic*, 5.

‘liberation’ is in the balance.”<sup>133</sup> The same is true of the insecurity hypothesis: we believe that we (the nation of citizens) will be freed from insecurity by keeping some people (illegal aliens) out. Whether or not such liberation is possible is up for debate. More important for this work, however, is what such a theology of liberation assumes about the identity of “our people” and the relation of this people to God (*theos* in “theology”). The next chapter explores the theological dimensions of migration restriction in more detail, using the biopolitical and racial-geopolitical framework outlined here to probe what Christian theologians and ethicists say about migration policies. I am not the first to reflect theologically on migration policies. Many theologians have provided Christians with language and concepts that enable them to criticize the injustices they see and to call for new, more humane policies. The next chapter engages the dominant, humanitarian perspective in Christian immigration ethics in order to ask whether it can avoid, or sufficiently question, the racializing assumptions and consequences of the insecurity hypothesis and the correlative politics of life that are inherent in migration restrictions. At stake here are our definitions of “our people,” that is, those who must live and those who are permitted to die. Life and death, belonging and identity—this is the stuff of the gospel as much as migration policy. Surely the church has a good word to speak regarding migration policies. The question is whether Christian immigration ethicists are plumbing the depths of the gospel or skimming its surface.

---

<sup>133</sup>Foucault, *History of Sexuality*, 159.

## Chapter 2: Electing One's Own:

### Sovereignty, Preference, and the Theology of Migration Restriction

#### Introduction

The last chapter demonstrated that arguments for restricting flows of migrants assume that the goal of politics is to ensure and cultivate the physical security, economic well-being, and cultural integrity—in short, the life—of the nation (biopolitics), and that migrants call that life into question (insecurity hypothesis). I also showed the extent to which migration restrictions reflect and fuel the racialization of migrants, especially “iconic illegal aliens,”<sup>1</sup> as outsiders who are judged by, and compelled to define themselves in relation to, the migrant norm of neoliberal whiteness. People need not voice obviously racist views of Arabs as terrorists, of Latina/os as dependent criminals, or of both as culturally backwards—scholars are subtler than that—but *all* proponents of restriction assume migrants may harm the nation. The not-explicitly theological basis of every proposal for migration restrictions is the conviction that in order to regulate and cultivate the life of the nation, citizens must keep some migrants out.

This chapter continues the previous chapter's analysis of the politics of restriction, but it shifts the focus toward theological arguments for the legitimacy of sovereign power. This shift is not surprising, however, given that migration restrictions are one way

---

<sup>1</sup>On my use of the term “iconic illegal alien,” see the final pages of the Introduction to this work.

of asserting sovereign state power,<sup>2</sup> and that the first chapter was concerned with the quasi-theology of liberation that I called the insecurity hypothesis. The overarching question of this chapter is thus similar to that of the first chapter: what do we believe when we believe nations have a right to exercise sovereign power through migration restrictions and defending their territorial borders? The most fruitful theological language and logic to use in this discussion, I argue, is that of election: in restricting migration and defending national-territorial borders, we express our belief that we may and must prefer—that is, elect—fellow citizens as our own people. Restrictions and borders depend on our belief that this people must endure (eternally) and that we can save ourselves from dissolution only by keeping some out.

Yet I do not begin with the doctrine of election, but rather with the groundbreaking pastoral letter *Strangers No Longer* (henceforth SNL), written by the United States Conference of Catholic Bishops (henceforth USCCB) and the Conferencia del Episcopado Mexicano (henceforth CEM).<sup>3</sup> Like the authors discussed in the early sections of the last chapter, SNL reflects the assumptions of Christians and non-Christians that nations have the right to sovereignty over their territories. The Mexican and U.S. bishops who authored the document are in no sense “restrictionist,” but they nevertheless assume and assert, rather than argue for, the right of nations to employ their sovereignty by restricting migrations. I demonstrate that it is not clear, however, that their

---

<sup>2</sup>See the discussions of migration restriction and national sovereignty in Wayne A. Cornelius and Takeyuki Tsuda, “Controlling Immigration: The Limits of Government Intervention,” in *Controlling Immigration: A Global Perspective*, ed. Wayne A. Cornelius, Philip L. Martin, and James F. Hollifield (Stanford, CA: Stanford University Press, 1994), 27-32.

<sup>3</sup>U.S. Conference of Catholic Bishops and Conferencia del Episcopado Mexicano, *Strangers No Longer: Together on the Journey of Hope* (Washington, D.C.: United States Conference of Catholic Bishops, 2003).



implicit views of sovereignty and peoplehood are theologically warranted. The natural limitations of SNL as a pastoral document made it impossible for them to deal with these questions in any detail.

The next section of this chapter discusses three authors (Donald Kerwin, Esther D. Reed, and Peter C. Meilaender) who attempt to justify national sovereignty theologically. I end with Meilaender because he indicates what I consider the actual basis of migration restriction, namely, the preferential option for one's own people. His realist account of sovereignty and restriction will not appeal to many, but it underlines the way all of these authors assume both a modern notion of peoplehood and the need to love one's own people over others.

Meilaender thus moves us toward the doctrine of election, but in a secularized key. In Christian theology, divine election is God's decision about who will be God's people. Some theologians conceive election as God's predestination of individuals for heavenly bliss or eternal damnation,<sup>4</sup> others as God's unending commitment to the peculiar people Israel,<sup>5</sup> still others as God's decision to be for all people.<sup>6</sup> In any of these views—or others<sup>7</sup>—two convictions are central, namely, that divine sovereignty is just

---

<sup>4</sup>This is the dominant way of imagining election, a way that stems from Augustine and is perhaps perfected in John Calvin. On Augustine, see Saint Augustine, Bishop of Hippo, *Selected Writings on Grace and Pelagianism*, ed. Boniface Ramsey, trans. Roland Teske, S.J. (Hyde Park, NY: New City Press, 2011). On Calvin, see John Calvin, *Institutes of the Christian Religion*, 2 vols., ed. John T. McNeill, trans. Ford Lewis Battles (Louisville: The Westminster Press, 1960), III.xxi-xxiv.

<sup>5</sup>The best recent articulation of this view is Joel S. Kaminsky, *Yet I Loved Jacob: Reclaiming the Biblical Concept of Election* (Nashville: Abingdon Press, 2007). A collection of essays written by Jews and Christians that views election in this way is Carl E. Braaten and Robert W. Jenson, ed., *Jews and Christians: People of God* (Grand Rapids, MI: William B. Eerdmans Publishing, 2003).

<sup>6</sup>See Karl Barth, *The Doctrine of God*, vol. II/2 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. G. W. Bromiley, J. C. Campbell, Iain Wilson, J. Strathearn McNab, Harold Knight, and R. A. Stewart (1957; repr., Peabody, MA: Hendrickson Publishers, 2010), 94-194.

<sup>7</sup>An excellent survey of other views of election is Katherine Sonderegger, "Election," in *The Oxford Handbook to Systematic Theology*, ed. John Webster, Kathryn Tanner, and Iain Torrance (New

and that God loves a particular people (or peoples). Meilaender's discussion of the need to prefer and love fellow citizens more than non-citizens secularizes these concepts by asserting that a group of citizens has the sovereign right to love and choose themselves as the people whose life and well-being must be ensured and cultivated.<sup>8</sup> By demonstrating that one can understand national sovereignty and the preferential option for one's own only in the context of the doctrine of election, this chapter urges us to ask two questions before we articulate a theological ethic of migration, borders and belonging: who are our people, and should we opt for them over others?

### **Asserting Sovereignty: *Strangers No Longer***

SNL may be the most important document on the theological ethics of migration in North America. An excellent example of the strivings of Catholic Social Teaching (CST) for conceptual clarity, pastoral sensitivity, and sociopolitical relevance, SNL outlined the bases for addressing migration questions from a Christian perspective and generated considerable debate among American Catholics. Most importantly, because it is a product of collaborations between the conferences of bishops in the United States and Mexico, it embodies catholicity above all in working across a national boundary that has been the site of political and social contestation.

The overwhelming emphasis of SNL is on God's love for all human beings, especially the poor and vulnerable: "many persons who seek to migrate are suffering, and, in some cases, tragically dying; human rights are abused; families are kept apart; and

---

York: Oxford University Press, 2007), 105-120.

<sup>8</sup>See the final pages of this chapter for my discussion of secularity.

racist and xenophobic attitudes remain.”<sup>9</sup> The moral imperative is clear: “We judge ourselves as a community of faith by the way we treat the most vulnerable among us.”<sup>10</sup> A key aspect of the bishops’ expression of their care for all human beings and especially for the poor is their use of CST’s “long and rich tradition in defending the right to migrate.”<sup>11</sup> The bishops suggest that this right is rooted biblically in the migratory lives of Abraham and Jesus,<sup>12</sup> the mission of the church to all peoples,<sup>13</sup> and the ethic of hospitality to which God calls Israel and the church.<sup>14</sup> The bishops draw on these convictions as well as insights from CST in order to state five principles, the importance and brevity of which justify quoting them in full:

- 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.<sup>15</sup>

This profoundly humanitarian set of principles is funded by the bishops’ acceptance of God’s preferential option for the poor.<sup>16</sup> The vulnerable deserve special attention, and the bishops incorporate this conviction into every one of their principles.

---

<sup>9</sup>USCCB and CEM, *Strangers No Longer*, 2.

<sup>10</sup>USCCB and CEM, *Strangers No Longer*, 6.

<sup>11</sup>USCCB and CEM, *Strangers No Longer*, 28.

<sup>12</sup>USCCB and CEM, *Strangers No Longer*, 24, 26.

<sup>13</sup>USCCB and CEM, *Strangers No Longer*, 27.

<sup>14</sup>USCCB and CEM, *Strangers No Longer*, 24-27.

<sup>15</sup>USCCB and CEM, *Strangers No Longer*, 34-38.

<sup>16</sup>There is too much literature on the preferential option for the poor to list it here. A good recent compilation of texts addressing the issue is the volume edited by Daniel G. Groody, *The Option for the Poor in Christian Theology* (Notre Dame, IN: University of Notre Dame Press, 2007). The book includes essays from liberationist luminaries like Gustavo Gutiérrez, Jon Sobrino, Elsa Tamez, Aloysius Pieris, Virgilio Elizondo, María Pilar Aquino and M. Shawn Copeland.

The first principle is concerned with “work that provides a just, living wage,”<sup>17</sup> the second with those who cannot “support themselves and their families” in their home countries. Such people “have a right to find work elsewhere in order to survive.”<sup>18</sup> The option for the poor likewise supports the fourth and fifth principles. There are no qualifications in the fourth principle: the poor who are unable to migrate may die a slow death from exploitation, but refugees have left their countries because death was imminent.<sup>19</sup> Hence also the unequivocal pronouncement of the fifth principle that the dignity of undocumented migrants and God’s decision for the poor demand fair treatment of the most vulnerable, even if they have broken laws.<sup>20</sup> In all of these ways, “poverty” thus remains concrete, but it includes vulnerability to violence and death in addition to economic distress.<sup>21</sup>

The third principle seems the least concerned with those in need in its assertion of “the right of sovereign nations to control their territories.”<sup>22</sup> But even here one sees the bishops looking out for the vulnerable. Nations are not permitted to justify restriction on the basis of a greedy search for national wealth, and richer nations “have a stronger

---

<sup>17</sup>USCCB and CEM, *Strangers No Longer*, 34.

<sup>18</sup>USCCB and CEM, *Strangers No Longer*, 35.

<sup>19</sup>USCCB and CEM, *Strangers No Longer*, 37: “Those who flee wars and persecution should be protected by the global community. This requires, at a minimum, that migrants have a right to claim refugee status without incarceration and to have their claims fully considered by a competent authority.”

<sup>20</sup>USCCB and CEM, *Strangers No Longer*, 38: “[r]egardless of their legal status, migrants, like all persons, possess inherent human dignity that should be respected.” The bishops cite “punitive laws and harsh treatment from enforcement officers” as some of the dangers faced by undocumented migrants.

<sup>21</sup>Gustavo Gutiérrez discusses the nature of poverty succinctly in a number of places. The consistent theme is that “poverty means death: unjust death, the premature death of the poor, physical death.” It also means “cultural death” and social insignificance (Gustavo Gutiérrez, *Essential Writings*, ed. James B. Nickoloff [Maryknoll, NY: Orbis Books, 1996], 144).

<sup>22</sup>USCCB and CEM, *Strangers No Longer*, 36; cf. no. 39.

obligation to accommodate migration flows.”<sup>23</sup> God’s profound care for the vulnerable demands that the rich recognize their special obligations to the poor. Thus each of SNL’s five principles reflects the bishops’ view that God takes special care of the poor. This aspect of SNL has received much praise from those who think the bishops put the best insights of CST to use in a situation that demands the attention of Christians and all people of good will.<sup>24</sup>

Critics, on the other hand, worry that the document places all the emphasis on the rights of individuals and families to migrate, thereby limiting the scope of national sovereignty and unnecessarily placing proponents of migration restrictions on the defensive.<sup>25</sup> Peter Meilaender, for example, says the bishops are “unremittingly critical” of border control efforts and give nothing “more than lip service to the right of nations to control their borders.”<sup>26</sup> Another author states that SNL makes a “‘preferential option’ for free migration” that will overwhelm U.S. governmental agencies that “are plainly incapable of caring for tens of millions of poor immigrants while also fulfilling their ordinary duties to the rest of us, not to mention their special duties to America’s own

---

<sup>23</sup>USCCB and CEM, *Strangers No Longer*, 36. We should also note that for the bishops nations never have the unrestrained right to sovereignty over their territory. The “common faith” of Americans and Mexicans presses these peoples toward “a spirit of solidarity”; this faith “transcends borders and bids us to overcome all forms of discrimination and violence so that we may build relationships that are just and loving” (no. 19).

<sup>24</sup>See the appreciative responses to the document in the compilation edited by Todd Scribner and J. Kevin Appleby, *On “Strangers No Longer”: Perspectives on the Historic U.S.-Mexican Catholic Bishops’ Pastoral Letter on Migration* (Mahwah, NJ: Paulist Press, 2013).

<sup>25</sup>See, for example, Peter C. Meilaender’s “Immigration: Citizens and Strangers,” *First Things* 173 (May 2007): 10-12; and “Loving Our Neighbors, Both Far and Near,” *Christian Reflection: A Series in Faith and Ethics* (2008): 11-19, <http://www.baylor.edu/content/services/document.php/66496.pdf> (accessed August 26, 2014). See also William W. Chip and Michael A. Scaperlanda, “The Ethics of Immigration: An Exchange,” *First Things* 183 (May 2008): 40-46; and William W. Chip and Michael A. Scaperlanda, “More on the Ethics of Immigration,” *First Things* 184 (June 2008): 16-19.

<sup>26</sup>Meilaender, “Immigration,” 11.

underprivileged citizens.”<sup>27</sup>

While it is absurd to claim that SNL makes a “‘preferential option’ for free migration,” the critics of SNL are right to find tensions in the document, in particular between the bishops’ concern for the poor and their conviction that nations have the right to exercise sovereignty over their territories. An analysis of SNL’s use of the terms “common good,” “people,” and “solidarity” highlights these tensions. “Common good” has national and international valences in this document. The international valence is apparent in the mention of the globalization of solidarity: “Now is the time for both the United States and Mexico to confront the reality of globalization and to work toward a globalization of solidarity. We call upon both governments to cooperate and to jointly enact policies that will create a generous, legal flow of migrants between both nations.”<sup>28</sup> This welcome word from the bishops speaks directly to the United States with its penchant for unilateral policymaking. The multilateral nature of the process leading to this document performs the type of cooperation the bishops seek. And this call for solidarity opposes the restrictionist attempt to focus on our own state: our concern ought to be for the well-being of all people.

But in the four places in which the phrase “the common good” is used, the term clearly refers to the good of the nation-state. The most pertinent examples are in the summary of the five principles: “The Church recognizes the right of a sovereign state to control its borders in furtherance of the common good.”<sup>29</sup> The tension between this principle and the claim that CST supports the right to migrate is palpable two sentences

---

<sup>27</sup>See William Chip’s contribution to Chip and Scaperlanda, “Ethics of Immigration,” 40.

<sup>28</sup>USCCB and CEM, *Strangers No Longer*, 57; cf. nos. 19, 101.

<sup>29</sup>USCCB and CEM, *Strangers No Longer*, 39.

later: “While the sovereign state may impose reasonable limits on immigration, the common good is not served when the basic human rights of the individual are violated.”<sup>30</sup> Here the common good is the national good. Even though the bishops urge international solidarity, they assume that the global good begins within the national good. The bishops’ use of the term “people” as synonymous with “nation,” “country” and “government”<sup>31</sup> suggests that “our people” are “fellow citizens,” those with whom we share a *patria*, those who govern and are governed with us. By equating people with nation and state, and by asserting the state’s right to limit migration flows in the name of the good of the people, the bishops justify a preferential option for our fellow citizens.

This assumption—that one’s people is one’s nation—complicates the bishops’ concern for the global poor. For despite their declaration to the contrary, there *is* tension between the rights of states to control their borders and the rights of people in need to migrate. The critics of SNL are right that the well-meaning bishops are insufficiently rigorous in asserting the rights of individuals and of states, for these two sets of rights are in conflict. If people have the right to migrate, then states are obligated to accept them. On the other hand, if states have the right to control their borders, then migrants who cross illegally—no matter how desperate they are—must submit to deportation as an expression of state sovereignty.<sup>32</sup> The bishops can denounce racist enforcement tactics,<sup>33</sup>

---

<sup>30</sup>USCCB and CEM, *Strangers No Longer*, 39. The other unambiguous use of the phrase refers to Mexico’s common good (no. 84); the final use of the phrase suggests the national good: “We observe the struggles of landowners and enforcement personnel who seek to preserve the common good” (no. 4). The mention of enforcement officers in this sentence, and of civil law in the next, suggests that the nation is the locus of the common good.

<sup>31</sup>See the uses of the term “nation” in USCCB and CEM, *Strangers No Longer*, 2-3, 7, 10, 12; of “country” in nos. 5, 11; and “government” in nos. 8, 11.

<sup>32</sup>USCCB and CEM, *Strangers No Longer*, 78: because “the Catholic Church recognizes the right and responsibility of sovereign nations to control their borders and to ensure the security interests of their citizens,” it also “accept[s] the legitimate role of . . . intercepting undocumented migrants who attempt to

question whether states are as generous towards the poor as they should be,<sup>34</sup> and even urge more powerful nations to give aid to underdeveloped nations.<sup>35</sup> But as long as they assume that “our people” are “fellow citizens,” and as long as they assert the right of sovereign states to control their borders, they underwrite the perennial human temptation to circumscribe belonging and the scope of moral concern. We are left with a preferential option for the poor who are our fellow citizens—not the poor in general.

The irony is that now everyone has reason to use the language of the option for the poor in justifying their position. Such a coopting of a liberating idea for basically conservative purposes contradicts the humane spirit of the bishops. But one can easily retain the concrete, biblical emphasis of the option for the poor in order to bolster the restrictionist arguments discussed in chapter one above: the physical security of the United States makes migration policy a matter of life and death; American culture may disintegrate if we do not control our borders; and poor Americans—perhaps especially poor Black Americans—will get poorer if we do not restrict migration. Peter Meilaender has used exactly this kind of logic in arguing that the vulnerable neighbors who need our love are fellow citizens who would compete with migrants for jobs, the children of citizens stuck in overcrowded schools, those who just want stability in a chaotic world, and “indeed our own grandchildren, to whom we hope to pass on a cultural and political

---

travel through or cross into one of the two countries.” The unfortunate word “intercept,” far from softening the harsh realities of deportation, actually highlights its martial nature. Interception occurs on football fields and battlefields.

<sup>33</sup>USCCB and CEM, *Strangers No Longer*, 2, 78, 80.

<sup>34</sup>USCCB and CEM, *Strangers No Longer*, 63-77.

<sup>35</sup>USCCB and CEM, *Strangers No Longer*, 32, 59-62.



heritage.”<sup>36</sup> Arguments about restrictions will end in utilitarian calculations about who suffers more from this or that policy. That this arithmetic contradicts the spirit of SNL says nothing about whether or not it conforms to its principles.

The bishops nobly aimed to affect national policies and international relations through their work. But they cannot have desired to facilitate the theological anemia that characterizes many discussions of immigration policy. Two of their assumptions are responsible for this. First, the bishops assume the modern equation of peoplehood with nation-state, bounded territory and governmental bureaucracy. But the bishops do not perform the theological work they need to perform in order to equate these terms. Moreover, they do not argue for, but rather assert, the legitimacy of states’ sovereignty over their borders. Their third principle is accompanied by little argumentation; the scriptures they briefly discuss are irrelevant to this principle; and the texts they cite from CST make no theological arguments in favor of state sovereignty. They proffer no theological warrant for their third principle. The result is that, having equated our people with fellow citizens, the bishops underwrite the use of sovereignty for the sake of fellow citizens. In short, even these champions of the poor do not challenge the preferential option for one’s own people but rather support it.

We should not be too harsh in our judgments of the bishops, however, limited as such official documents must be. But we can certainly ask for more from those who are sympathetic with their cause and, perhaps, have more time on their hands. Inflexible borders between nation-states may delineate the boundaries of citizenship, but that does not mean we should allow them to limit how we understand those to and with whom we

---

<sup>36</sup>Meilaender, “Loving our Neighbor,” 16-17.

belong. If the church is to accept that the bounded nation-state defines “our people,” it must ask for a more rigorous argument for sovereignty and borders than the bishops offered.

### **Grounding Sovereignty: Three Views**

One prominent Catholic migration scholar who sympathizes with the bishops’ cause, Donald Kerwin, has attempted to offer just such an argument. Kerwin follows Pope Paul VI in emphatically subordinating state sovereignty to the common good: “Since the state’s purpose is to provide for the ‘common welfare’ or ‘good,’ it would ‘transgress the limits set to its power’ for a state to violate human rights.”<sup>37</sup> Included in communal well-being are the political, economic, filial, civil, and cultural relationships that make human flourishing possible.<sup>38</sup> The common good consists, in short, in well-ordered, properly-directed relationships.

This rich understanding of social welfare seems to be an adequate basis for criticizing unjust migration policies. But as with the bishops’ declarations, it is not clear that in Kerwin’s discussions the national good is indeed subordinate to the international good. Indeed, by asserting that “states remain the primary vehicle for vindicating the universal rights of their own residents,” Kerwin suggests that our concerns for the

---

<sup>37</sup>Donald Kerwin, “Rights, the Common Good, and Sovereignty in Service of the Human Person,” in *And You Welcomed Me: Migration and Catholic Social Teaching*, ed. Donald Kerwin and Jill Marie Gerschutz (Lanham, MD: Lexington Books, 2009), 107. Kerwin has written extensively on this topic. See also his “The Natural Rights of Migrants and Newcomers: A Challenge to U.S. Law and Policy,” in *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, ed. Daniel G. Groody, and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 192-209; and Donald M. Kerwin, Jr., “‘Illegal’ People and the Rule of Law,” in *Constructing Immigrant ‘Illegality’: Critiques, Experiences, and Responses*, ed. Cecilia Menjivar and Daniel Kanstroom (New York: Cambridge University Press, 2014), 327-352.

<sup>38</sup>Kerwin, “Rights, the Common Good, and Sovereignty,” 101.

common good begin with our nation-state.<sup>39</sup> Good states are both the means to and the end of the international good. In other words, the international good depends on and is constituted by a collection of national goods. Kerwin's discussion of sovereignty has the same weakness. Sovereignty, he says, is "the authority of a nation-state to constitute itself, to repel intrusions by other states, and to govern those within the territory."<sup>40</sup> He recognizes various forms of the abuse of sovereignty and national security, including nativism, totalitarianism, war, persecution, and other violations of human rights norms. And he hedges the claims of sovereignty by saying states must serve human rights at home and the common good abroad. But like the bishops, he attempts to hold in tension the rights of people to migrate and of states to control their borders.<sup>41</sup> Our state should not be the *final* site of moral concern, according to Kerwin, but it is the *initial* site of such concern. People, state, nation and even government are again virtually synonymous. Authorities exercise sovereignty over a people defined by territory and citizenship status. "Our own" are those with whom we share space and status.

Yet it is not apparent that we should equate the good for which God appointed the authorities, according to Romans 13, with the good of discrete nation-states. There are stark differences between modern and premodern conceptions and practices of sovereignty and peoplehood. For example, although the sovereigns Paul knew, like those of our day, claimed territories for themselves through violent geopolitical expansion and deterrence, they ruled over spaces with few strict boundaries; the languages, religious customs, and cultural identities of their peoples were diverse; and they often operated at

---

<sup>39</sup>Kerwin, "Rights, the Common Good, and Sovereignty," 106.

<sup>40</sup>Kerwin, "Rights, the Common Good, and Sovereignty," 105.

<sup>41</sup>Kerwin, "Rights, the Common Good, and Sovereignty," 105.

the supranational level by relating to either sovereigns in other realms or other authorities that also transcended boundaries (eventually ecclesiastical, for instance). Put differently, the political authorities of Paul's day ruled over fluid territories populated by people with diverse identities. Something similar held with regard to the identification of foreigners. The alien was simply someone distant from oneself, whereas today the foreigner is a non-citizen. In other words, modern foreignness is no longer a personal and geographical category, but a classification doled out by government bureaucracy. The novelty of defining peoplehood on the basis of citizenship status makes it unclear why "our people" should be those with whom we share citizenship status in a bounded territory.<sup>42</sup> Other definitions of a "people" have existed, including more rigorously biblical and theological definitions.<sup>43</sup>

We should also wonder at the proximity of Kerwin's definition of sovereignty to that of Max Weber. The key difference is that Weber was clear that states are constituted, repel threats, and govern themselves (as Kerwin said) by their "monopoly [on] the legitimate use of physical force within a given territory."<sup>44</sup> Violence is ingredient in the sovereignty of modern nation-states, in both their internal governance (police) and their external deterrence and aggression (military), and it is legitimated through the

---

<sup>42</sup>This paragraph is indebted to John Lie, *Modern Peoplehood* (Cambridge, MA: Harvard University Press, 2004), 98-143.

<sup>43</sup>One such definition—though again there are others—is Oliver O'Donovan's Augustinian view that "common objects of love" are "what unif[y] a multitude of human agents into a community of action and experience sustained over time" (*Common Objects of Love: Moral Reflection and the Shaping of Community: The 2001 Stob Lecture* [Grand Rapids, MI: William B. Eerdmans Publishing, 2002], 1). Clearly, this definition undermines the focus on formal-legal citizenship status given that, in the context of this work, many iconic illegal aliens share with citizen Christians a love for the Triune God. I discuss the nature of peoplehood in chapters 4 and 5, but for now it is worth simply noting this other, more obviously theological definition.

<sup>44</sup>Max Weber, "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, ed. Hans H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), 78.

weight of tradition, the rhetorical power of charismatic figures, and the force of law.<sup>45</sup> In acknowledging “the duty and responsibility of sovereign states to regulate their borders in furtherance of the common good,” Kerwin approves of the nation-state’s use of coercion, physical force, or violence “in furtherance of the common good.”<sup>46</sup> In this way, Kerwin offers a theological justification for Weberian-style state violence—morally limited, perhaps, but no less real.

Not surprisingly, then, Kerwin also argues that states are responsible for using sovereign force to ensure national security. He expands the concept of national security to include the promotion of “the civic values, economic interests, and democratic institutions that allow [the nation’s] members to flourish.”<sup>47</sup> When we recall that the three main justifications of migration restriction are economics, culture, and national security, we see that Kerwin has given us reason to reclassify poor and culturally different migrants as threats to national security. Kerwin attempted to define national security in a morally richer fashion, but the result is a renaming of a nation’s economic and cultural life in terms of national security. The poor and those who look different from mainstream Americans are threats to national security. Citizens are thus left to their own devices in

---

<sup>45</sup>Weber, “Politics as a Vocation,” 78-79. The next chapter will discuss this violence as well as the problems of a strong distinction between internal policing and external deterrence through the military. The threat of violence and the weapons of war are crucial to both. Anthony Giddens makes this point well in *The Nation-State and Violence*, vol. 2 of *A Contemporary Critique of Historical Materialism* (Berkeley and Los Angeles, CA: University of California Press, 1987).

<sup>46</sup>Kerwin, “Rights, the Common Good, and Sovereignty,” 105. For an alternative view, also Catholic, see Paul J. Griffiths, “Religious Allegiance and Political Sovereignty: An Irreconcilable Tension?” in *The Sacred and the Sovereign: Religion and International Politics*, ed. John D. Carlson and Erik C. Owens (Washington, D.C.: Georgetown University Press, 2003), 247-255. Griffiths makes no grand claims about Catholic tradition but argues, rather, that arguments like Kerwin’s—namely, that promoting state sovereignty, even in limited form, is part of a Christian’s responsibility—“leads, almost inevitably and certainly in practice in the United States, to the transmutation of God into a servant of the democratic state and of God’s word into the constitution of that state” (253).

<sup>47</sup>Kerwin, “Rights, the Common Good, and Sovereignty,” 109.

deciding who constitutes such threats. It is telling that at the end of his article on sovereignty, Kerwin worries that Catholic Social Teaching leaves too much open to people's consciences and then asserts that Catholic faith demands a pathway to citizenship for good, hardworking people who value their families.<sup>48</sup> A thin theological argument, accompanied by unexamined notions of sovereignty and peoplehood, finally devolves into assertion and counter-assertion regarding who will suffer more from this or that policy. We are left wondering whether there are theological justifications for these accounts of sovereign violence, modern peoplehood, and policy negotiations. Or does theology come along simply to provide moral guidelines for a world of sovereignty and peoplehood defined in basically secular terms? We seem to lack theological definitions of sovereignty and peoplehood.

Noting exactly this deficiency, Esther D. Reed has attempted to fill the gap. She draws on Matthew 25:31-35 to argue for a "peaceable plurality and functioning polit[ies]."<sup>49</sup> She states: "the answerability of the nations before God implies something provisionally significant about territorial borders."<sup>50</sup> This provisional significance derives from two theological themes, namely, providence and final judgment. Pointing to several biblical passages (Psalms 74:17; Ezekiel 47:13; Acts 17:24-26; Deuteronomy 32:8-9), she argues that in scripture "nations enjoy territorial identity at least in part because of divine decision."<sup>51</sup> God has providentially set the limits to the peoples of the world. More

---

<sup>48</sup>Kerwin, "Rights, the Common Good, and Sovereignty," 114.

<sup>49</sup>Esther D. Reed, "Refugee Rights and State Sovereignty: Theological Perspectives on the Ethics of Territorial Borders," *Journal of the Society of Christian Ethics* 30, no. 2 (2010): 60.

<sup>50</sup>Reed, "Refugee Rights and State Sovereignty," 60.

<sup>51</sup>Reed, "Refugee Rights and State Sovereignty," 63.

important to her purposes, however, is her view of the logic of answerability: “some kind of borders belong to divine providence because *divine judgment presupposes some kind of delineation between peoples.*”<sup>52</sup> If the nations will be judged, Reed reasons, then there must be specific nations that can receive specific judgment. The judgment that awaits the peoples of the earth assumes that there are (bordered) peoples of the earth.

Both claims have serious problems. The argument from providence does not consider the fact that God’s action does not negate human agency. The bloodiness of national histories attests that the borders between peoples are at least partly the result of human agency, no matter how sovereign God is over them. God may providentially overcome human failures or bring life out of death, but providence does not cancel out human culpability for corrupt actions. Christians can never take a morally positivist stance towards borders. Moreover, Reed stretches the text from Matthew’s gospel beyond its boundaries by misconstruing the concept of “nations” as bordered states. But the *ethne* (“nations” or “gentiles” in Greek) are not “nations” in the modern sense of the term. Rather, if the *ethne* are understood as the gentiles, Jesus’ point would be that judgment will be exacted on gentiles, not only on Israel. This exegesis is debatable, of course, but less debatable is that Matthew 25:31-35 concerns the judgment Jesus will execute upon individuals in relation to how they treat the vulnerable people listed in the subsequent verses. If there is any point about non-Jews in this passage, it is similar to that of Matthew 12:48-50: those who do the will of God are Jesus’ family, the people who belong to him and his Father. Because national borders make no appearance in this text, Reed’s argument from implication is an argument from silence.

---

<sup>52</sup>Reed, “Refugee Rights and State Sovereignty,” 66.

Most crippling for Reed's purposes is that her ethic of answerability cannot escape Westphalian conceptions of the nation-state. She is not naïve about such conceptions, expressing concern that many Christians in established western states assume the legitimacy of borders and never question their origins or continuing significance.<sup>53</sup> She also faults Westphalian conceptions for their inability to reckon with today's world of increased international traffic of goods and bodies and the growing significance of human rights norms.<sup>54</sup> The problem is that because she does not offer an alternative account of peoplehood, it is unclear how to avoid Westphalian conceptions of peoplehood.<sup>55</sup> Again, then, we are left with basically non-theological accounts of sovereignty and peoplehood that, though hedged by moral concerns and the promise of future judgment, cannot help but facilitate the basically non-theological arguments discussed in the first chapter. Reed does not help us understand state violence and peoplehood in a theological fashion.

A third thinker, Peter Meilaender, offers what I consider the most compelling argument for the need for national borders and helps us see the extent to which a specific theology underwrites every one of these views of sovereignty and peoplehood.<sup>56</sup> He seems an unlikely figure to discuss, not only because he is neither a theologian by trade nor particularly well known, but also because he too assumes the modern equation of people with the nation-state and even takes a positivist stance towards such boundaries.

---

<sup>53</sup>Reed, "Refugee Rights and State Sovereignty," 64-65.

<sup>54</sup>Reed, "Refugee Rights and State Sovereignty," 61-62, 69.

<sup>55</sup>Reed, "Refugee Rights and State Sovereignty," 69.

<sup>56</sup>Peter C. Meilaender, *Toward a Theory of Immigration* (New York: Palgrave, 2001); see also the references cited above.



But the central question driving his inquiry pushes my own forward. Are people in general, and Christians in particular, permitted and obligated to use coercive force in order to enact a preference for their own people?<sup>57</sup> According to Meilaender, we owe our near neighbors (= fellow citizens) “preferential love” because “our lot has been cast” with them.<sup>58</sup> Fellow citizens deserve more of our moral energies than non-citizens because, quite simply, we share citizenship status with them. For Meilaender, this indicates God’s decision to create us as this person rather than that, in these relationships rather than those. The fact that our lot is cast with this state is a result of divine providence. We are to be faithful to our people simply because God made us members of this people.

Clearly there are major problems with the theological aspect of this argument. Specifically, he makes the same positivistic mistake that Reed does in equating national boundaries with divine providence. But the real importance of Meilaender is twofold. First, he explicitly demonstrates that migration restrictions assume—or require that we assume, that is, take up—the modern identification of one’s people with one’s nation-state. Kerwin and Reed tried to avoid stating this outright, but they could not get away from it. Meilaender’s argument for amnesty for unauthorized migrants who have been in

---

<sup>57</sup>In *Toward a Theory*, 95-101, he asks four not-explicitly theological questions that together argue his case most extensively (though still a bit obliquely, given that they are in the form of questions). I assume that he answers his questions in the affirmative, so I put them in terms of arguments as follows: (1) A global diversity of cultures is desirable; preserving this diversity against monolithic uniformity is thus desirable. Presumably Meilaender would oppose the world empire to the extent that it entailed the suppression of differences. (2) Some ways of life are superior to others; the superiority of these ways of life merits their preservation. (3) Stability is necessary for human flourishing; migration causes instability; some people must be excluded in order to ensure stability for others. This is a reiteration of the insecurity hypothesis discussed in the previous chapter. (4) Community is integral to human nature; a failure to preserve community goes against human nature; the nation-state is our political community, in Meilaender’s words “our national family” (see his “Loving Our Neighbors,” 16); we contradict our nature by not ensuring its survival. For Meilaender, then, diversity, stability, and community are good, and some of these diverse communities are better than others. Obviously there are several dubious assumptions and logical leaps here. I will let the reader determine those for her- or himself.

<sup>58</sup>Meilaender, “Loving Our Neighbors,” 15.

the States for five years confirms his identification of fellow citizens with one's own people: we should legally recognize those who have become one of us through their presence. Conferring citizenship upon such long-term unauthorized migrants will assuage any anxiety we may have towards treating them the same as we treat fellow citizens, for now they are one of us.<sup>59</sup> Meilaender is clear that our own are our fellow citizens. Migration restrictions depend on this formal-legal definition of peoplehood.

Second, Meilaender shows that even if we are created Americans, we must still decide whether we owe fellow citizens more of our moral energies than we owe non-citizens. We must make a preferential option for our own: this is decision, not nature. Meilaender considers this a faithful Christian response to divine providence, simply part of our faithfulness to God in the finite conditions in which God has placed us.<sup>60</sup> His explicit use of the term "preference" demonstrates that, natural or not, we must *decide* for fellow citizens. We must elect them. This preference, as I show in the next sections, is secular election.

### **Defining Sovereignty: Imagining Our Own**

The building blocks for migration restriction are in place: (1) migrants threaten the economic, national security, and cultural life of our nation (see chapter 1); (2) fellow

---

<sup>59</sup>Meilaender, "Loving Our Neighbors," 17-18.

<sup>60</sup>In this respect he is in line with a long tradition of reflection, beginning with Augustine and articulated most clearly in Thomas, on an "order of love." We must first love those nearest to us, with whom we share the most. We must love them, says Thomas, even more than we love the saints. Thomas Aquinas, *The Summa Theologica of St. Thomas Aquinas* (New York: Benzinger Bros., 1948), II.2, q. 26 aa. 4-8. In a. 7, Thomas says: "some neighbors are connected with us by their natural origin, a connection which cannot be severed, since that origin makes them what they are. But the goodness of virtue, wherein some are close to God, can come and go, increase and decrease." Natural origin—and thus a common, stable identity—is thus part of Thomas's justification for loving those near to us more than those who are holy.

citizens are our people; and (3) we must opt for them over non-citizens. To this point I have noted that because SNL, Kerwin, Reed and Meilaender assume definitions of peoplehood and sovereignty that are derived from non-theological sources, it is not clear whether there are ways of naming such realities theologically. The remainder of this chapter offers just such a naming by displaying the theological imagination at play in the building blocks of migration restriction. The question again is, what do we believe when we believe that fellow citizens are our people and that we must opt for them? In order to answer this question, I draw on the twentieth century German jurist Carl Schmitt, as well as other theorists of modern sovereignty, in order to argue that the option for our own is a secularized doctrine of election.<sup>61</sup>

Popular sovereignty is the key concept here, and political and legal theorist Paul Kahn gives us an initial definition of this distinctly modern concept in theological terms: “the people as sovereign create themselves.”<sup>62</sup> According to Kahn, it is through revolution on the one hand and law on the other that the people sovereignly create and recreate themselves.<sup>63</sup> In other words, in the modern nation-state, the people believe they

---

<sup>61</sup>As Katherine Sonderegger has noted, the preferential option for the poor, articulated with such prophetic ferocity by late-twentieth century liberation theologians, is at bottom a doctrine of election (“Election,” 118). God has chosen to be on the side of, and present with, the poor. She also notes that modern nationalism is a “secular version of the doctrine of corporate election” (119). I have no interest in equating the option for one’s own with nationalism and thereby arguing that Christian immigration ethicists are nationalists. But the option for one’s own is the basis for the love of one’s country or people (patriotism), and it is difficult to distinguish patriotism and nationalism in theory or practice. Alasdair MacIntyre makes this point in “Is Patriotism a Virtue?” in *Theorizing Nationalism*, ed. Ronald Beiner (Albany, NY: State University of New York, 1995), 210-211. Charles Taylor likewise discusses how patriotism are related in “Nationalism and Modernity,” in *Theorizing Nationalism*, ed. Ronald Beiner (Albany, NY: State University of New York, 1999), 219-246. See also the exchange between Arjun Appadurai and Partha Chatterjee: Appadurai, *Modernity at Large: The Cultural Dimensions of Globalization* (Minneapolis: University of Minnesota Press, 1996), 158-177; and Chatterjee, *Empire and Nation: Selected Essays*, ed. Nivedita Menon (New York: Columbia University Press, 2010), 164-179.

<sup>62</sup>Paul W. Kahn, “Political Theology: Response,” *Political Theology* 13, no. 6 (2012): 753.

<sup>63</sup>Kahn, *Political Theology: Four New Chapters on the Concept of Sovereignty* (New York: Columbia University Press, 2011), 47: “Law and revolution together constitute the frame of our political

have constituted and continue to govern themselves.<sup>64</sup> This is the nature of the popular sovereignty that has become a crucial component of modern social imaginaries.<sup>65</sup> And this belief that we constitute and keep ourselves alive affects how we understand belonging. According to Charles Taylor, modern forms of belonging are both wider and less personal than premodern forms. Today we do not imagine that we belong to particular individuals who govern us and whose names and stories we know, but rather to an enormous, faceless, nameless mass of people that ostensibly governs itself.<sup>66</sup> People as disconnected from and anonymous to each other as a schoolteacher in a Los Angeles suburb, a salesman in Minneapolis, a bus driver in New York, and a mother in the rural South believe in their communion with each other as members of their nation-state.<sup>67</sup> As diverse and dispersed as self-governing citizens may be, they believe they are part of a common people. But in order to name the building blocks of migration restriction in theological terms, we must explore two questions related to this aspect of modern social imaginaries. The first question is how popular sovereignty embedded itself in our social

---

imaginary. Revolution tells us that the entire legal order arises from a moment of sovereign decision.” Charles Taylor puts it slightly differently in *Modern Social Imaginaries* (Durham, NC: Duke University Press, 2004), 110: the earlier “idea of [the] foundation [of the state] is taken out of the mythical early time and seen as something that people can do today ... [I]t becomes something that can be brought about by collective action in contemporary, purely secular time.”

<sup>64</sup>See Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World* (New York: Columbia University Press, 2004), 27: “the identity of the people with the nation and, in turn, the identity of the nation with the state” is one of the crucial ingredients in contemporary political consciousness.

<sup>65</sup>Taylor is not the only one to make this point (*Modern Social Imaginaries*, 143-154). Nor is it only westerners who make the point; rather, Partha Chatterjee has noted that “[t]here is no question that the legitimacy of the modern state is now clearly and firmly grounded in a concept of popular sovereignty” (*Politics of the Governed*, 27). He notes that this concept has developed and been employed unevenly; it is hardly a homogeneous concept, especially when one looks at the non-western world. But this does not negate the fact that now the idea is spread throughout the world.

<sup>66</sup>Taylor, *Modern Social Imaginaries*, 155-161.

<sup>67</sup>Benedict R. O’G. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (1983; New York: Verso, 2006), 6.

imaginary; the second is whether Kahn's language of "creation" is the most adequate way of describing the theological contours of this imaginary.

We should begin by noting the importance of governmental practices in consolidating our belief that self-governing citizens separated by thousands of miles are part of the same people. The experiences of revolution and constitution stand at the origin of our imagination of popular sovereignty. It was through revolution that we threw off our shackles and proclaimed our rights; it was in the constitution that we declared our ideals.<sup>68</sup> Our continued action of voting representatives into office and expressing public opinion about proposed laws is a lesser, but still significant, practice that helps us imagine ourselves as a people. In addition, practices of governmental classification and enumeration have linked individuals to specific populations within the national people. This type of governmentality differs from other acts of popular sovereignty in that whereas the people can assert their sovereignty in a revolutionary fashion only by eliding differences in an imaginative act of universalization, governmentality aims to administer different medical, educational, and residential "benefits" on the basis of discrete classifications within these peoples.<sup>69</sup> Governmentality is the political administration of life to distinct groups within the population. Nevertheless, both popular sovereignty and governmentality yoke individuals to groups of people too large to be known on any significant level, making both types of belonging impersonal. We may think it obvious to be categorized in the ways we are, but the connections made through classifications must

---

<sup>68</sup>Kahn, *Political Theology*, 137-147; Taylor, *Modern Social Imaginaries*, 109-141.

<sup>69</sup>Chatterjee, *Politics of the Governed*, 34-36. Chatterjee notes that there are differences in when popular sovereignty and governmentality came to predominate. In the west, for example, bureaucratic governance came to predominate politics only after the people asserted themselves as collective subjects. In parts of the world colonized by western nations, however, "[t]echnologies of governmentality often predate the nation-state" (36).

be imagined. Our belief that we belong to this nation, race or class is not natural but artificial, an accomplishment of history. So successful is this accomplishment, however, that the theologians discussed above assumed the naturalness of national communion.

Geopolitical struggles are as important as internal politics in acquiring territories and forging national identities. The colonization of the new world brought new lands under the authority of European powers and facilitated the consolidation of the very concept of Europe. It was, in part, by interacting with peoples outside Europe that Europe came to recognize itself as Europe.<sup>70</sup> It was also through military and diplomatic contests that the approximately two hundred territories of premodern Europe became the approximately fifty countries we know today. And it was through imperial and geopolitical strife that the United States extended itself from New England to what is now its southwest. Needless to say, none of this could have occurred without vast expansions in military force.<sup>71</sup> The *Realpolitik* of world struggle is inherent in contemporary conceptions of belonging.

Capitalism likewise aided in disseminating and constructing imagined connections between discrete peoples. Print and electronic capitalism have helped us imagine, for example, that we are part of one big conversation discussing all manner of events at the same time.<sup>72</sup> National print markets helped to construct national public spheres. Equally important is the ability of people to move from one part of a nation to

---

<sup>70</sup>See Walter D. Mignolo, *The Idea of Latin America* (Malden, MA: Blackwell Publishing, 2005); and Enrique Dussel, *The Invention of the Americas: Eclipse of the "Other" and the Myth of Modernity* (New York: Continuum, 1995).

<sup>71</sup>This is well highlighted in Lie, *Modern Peoplehood*.

<sup>72</sup>On print capitalism see Anderson, *Imagined Communities*, 9-46; on electronic capitalism see Appadurai, *Modernity at Large*, 8; on the "public sphere" as a large conversation see Taylor, *Modern Social Imaginaries*, 83-109.

another: industrialized transportation enabled people in New York to travel to California, for example, thereby shortening the time it took to traverse the enormous land mass now called the United States of America. But the Manifest Destiny of the United States to incorporate the west coast of the continent into the union was nothing new, but rather merely the intensification of the global mobility of bodies and ideas that was underway already in the early colonial era.<sup>73</sup>

Our visions of belonging to “we the people” have thus been facilitated not least by projects of self-governance, geopolitical struggle, and the movement of people and ideas characteristic of capitalism. Because it was the theologically dubious means inherent in finite, fallen history that enabled us to imagine our nation as a people whose enduring life we must ensure, any discussion of belonging that fails to reckon with these realities will ring hollow to those who suffer national belonging—and alienage. Those who think we are permitted and obligated to call this nation and this group of fellow citizens “our own” must acknowledge how this people came into existence and stays in existence.

### **Secularizing Sovereignty: Electing Our Own**

In addition to believing there is a national “we” that constitutes “our people,” what else do we believe when we believe we belong to this “people”? Paul Kahn’s definition of popular sovereignty is again useful: “the people as sovereign create themselves.” This is the language of political theology under the influence of Carl Schmitt. The ever-controversial Schmitt is well-known not only for his Nazi politics but

---

<sup>73</sup>See Anderson, *Imagined Communities*, 47-140. Anderson is surely right to focus on non-western nationalisms, but as Chatterjee notes, he retains a Eurocentrism—against his own convictions—by seeing Europe as the site for the creation of models of national belonging that were then transported around the world. See Chatterjee, “Whose Imagined Community?” in *Empire and Nation: Selected Essays*, ed. Nivedita Menon (New York: Columbia University Press, 2010), 23-36.

also for his contention that all modern political concepts are secularized theological ones.<sup>74</sup> He meant by this, first, that political concepts can be traced historically to theological ones, and second that there are analogies between these two types of concepts.<sup>75</sup> Like Schmitt, Kahn has focused on finding analogues between political and theological concepts.<sup>76</sup> But Kahn moves beyond Schmitt in a number of ways. First, he finds Schmitt's discussion of unitary, individual sovereignty inappropriate to modern liberal democracies like our own; he transfers much of what Schmitt says about the *single* sovereign over to the *collective* sovereign, the people.<sup>77</sup> Throughout Kahn's *Political Theology*, he discusses *the people* as the entity that decides and thereby demonstrates its sovereignty. This begs the question who exactly is included in "we the people" since, as Partha Chatterjee notes, there is an enormous gap between "the lofty political imaginary of popular sovereignty and the mundane reality of governmentality"<sup>78</sup>—that is, between collective agency as an aspiration and actually being governed through technologies of classification and administration. But because most western states are no longer governed

---

<sup>74</sup>Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: University of Chicago Press, 2006), 36.

<sup>75</sup>Jean Bethke Elshtain has made the former argument recently, in essence blaming nominalists for many of the problems of totalitarian, unitary conceptions and enactments of sovereignty. See her *Sovereignty: God, State, and Self* (New York: Basic Books, 2008). A similar argument and genealogy can be found in John Milbank's *Theology and Social Theory*, 2<sup>nd</sup> ed. (1991; Malden, MA: Blackwell Publishing, 2006), 9-25. Paul Kahn's, *Political Theology* can be seen as an attempt at the latter.

<sup>76</sup>Schmitt gave the particular example of the miracle in theology as analogous to the exception in jurisprudence (Schmitt, *Political Theology*, 36). The exception is an interruption of the typical state of affairs, an irregular situation marked by a threat to a state's existence (*Political Theology*, 5-6). The sovereign is the one "who decides on the exception" (Schmitt, *Political Theology*, 5). Just as God shows God's sovereignty in performing miracles, suspending God's typical providential action of preserving, accompanying and ruling creation, so the sovereign demonstrates her or his sovereignty by declaring a state of emergency, by discerning what must be done to remedy the situation, and by determining when normalcy has returned. The modern, earthly sovereign is an analogy of the heavenly sovereign.

<sup>77</sup>Kahn, *Political Theology*, 9.

<sup>78</sup>Chatterjee, *Politics of the Governed*, 36.



by an individual sovereign after the manner of the prince,<sup>79</sup> Kahn's move to include the concept of popular sovereignty improves upon Schmitt's discussion, even if it too has its limitations.<sup>80</sup>

Kahn also expands on Schmitt's discussion of analogy, describing the contemporary task of political theology as displaying "the social imaginary of the political" in an attempt to "discover ... the persistence of forms of the sacred in a world that no longer relies upon God."<sup>81</sup> Kahn is convinced that there is no world free from worship and sacrifice. The question of political theology is not the Constantinian question of how religious folks can gain back power in a world in which the secularists have won; nor is it the Schmittian question of which theological concepts are analogous to contemporary political concepts. Both questions assume that we do indeed live in a secular era, whereas Kahn believes that we continue to offer ourselves in worship and sacrifice. We can therefore say with liberation theologian Iván Petrella that "our modern world is not secular, it is idolatrous."<sup>82</sup> The question then is what type of religiosity we perform in our politics. To what do we ascribe worth when we act as a collective political

---

<sup>79</sup>Indeed, despite the gap between those who govern and those who are governed, those excluded from "we the people" continually draw on the ideal of popular sovereignty in order to insist on their rights to be part of the governing community, rather than simply being governed. Taylor, *Modern Social Imaginaries*, 143-154; Chatterjee, *Politics of the Governed*, 53-78.

<sup>80</sup>Two other discussions of sovereignty extend a critique of Schmitt's view of sovereignty. First, Michel Foucault argues that power is seen in the fact that we discipline our individual selves and govern our collective life towards well-being. This makes power even more immanent than the notion of popular sovereignty. See Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*, ed. Michel Sennellart (New York: Picador, 2009). Second, in *Empire* (Cambridge, MA: Harvard University Press, 2000), Michael Hardt and Antonio Negri argue that capitalism is globalized across the whole world as well as across areas previously considered immune to its influence. Power is not only immanent but also pervaded by capitalist logics of commodification and exploitation.

<sup>81</sup>Kahn, *Political Theology*, 26.

<sup>82</sup>Iván Petrella, *Beyond Liberation Theology: A Polemic* (London: SCM Press, 2008), 2.

agent?<sup>83</sup> What do we believe in when we believe we must continue to exist as a people? By asking these types of questions, Kahn helpfully exposes the religiosity of secular politics.

We may put this in slightly different terms: what, from a theological perspective, is the “inner logic” of the operations of sovereignty?<sup>84</sup> How can we name what we are doing if everything we do is done before the face of the Triune God? As noted, Kahn followed Schmitt in seeing the sovereign decision as analogous to creation: “Creation ex nihilo is the pure moment of decision.”<sup>85</sup> From this perspective, political theology would begin by judging popular sovereignty on the basis of the extent to which it conforms to or conflicts with the type of practices coherent with Christian teaching on creation. But it may be that popular sovereignty and especially America’s view of itself as an exceptional people make it better to speak of sovereign self-*election* than of sovereign self-*creation*. No one doubts that Americans have seen themselves as the city on the hill or the guardian of civilized principles and assumed their unique role in world history.<sup>86</sup> One may say more generally that nationalism is “the secular version of the doctrine of corporate election.”<sup>87</sup> From this perspective, popular sovereignty would be self-election, not self-creation. A brief look at the election theology of John Calvin helps to make the point

---

<sup>83</sup>Phillip Kenneson makes the important point that the etymology of the word “worship” allows, perhaps even demands, that we extend the term beyond the walls of houses of worship. To worship is to ascribe worth to something. See Kenneson, “Gathering: Worship, Imagination, and Formation” in *The Blackwell Companion to Christian Ethics*, ed. Samuel Wells and Stanley Hauerwas (Malden, MA: Blackwell Publishing, 2004), 53-67.

<sup>84</sup>I thank Matt Elia for helping me put it this way.

<sup>85</sup>Kahn, *Political Theology*, 50.

<sup>86</sup>Conrad Cherry, ed., *God’s New Israel: Religious Interpretations of American Destiny*, 2<sup>nd</sup> edn. (Chapel Hill, NC: University of North Carolina Press, 1998), 20.

<sup>87</sup>Sonderegger, “Election,” 119.

more deeply.

Here I highlight four crucial aspects of Calvin's doctrine of election to indicate key elements of any teaching on election, beginning with Calvin's first definition of predestination in the *Institutes*: predestination is "God's eternal decree, by which he compacted with himself what he willed to become of each man. For all are not created in equal condition," he continues; "rather, eternal life is foreordained for some, eternal damnation for others."<sup>88</sup> The first move in any doctrine of election is to distinguish two groups of people. God scandalously calls one group of people God's own. In the act of choosing, God makes a distinction between at least two groups of people, and for Calvin, these groups are the elect and the reprobate. This indicates the second element of election theology, namely, that it concerns salvation. For Calvin, the salvation of the elect consists in nothing less than resurrection from the dead and eternal fellowship with God.<sup>89</sup> Calvin is reticent about damnation because scripture speaks most often of the resurrection of "the children of God alone."<sup>90</sup> For Calvin hell is ultimately expulsion from the presence of God and an eternal experience of death.<sup>91</sup> Yet third, the God who elects and damns is just and merciful, no matter how scandalous it may seem that God decides in favor of some and not others, for all are created from the same corrupt lump and therefore guilty of sin. Because all have sinned and therefore deserve punishment, it makes little sense to ask why God chose *only some*. The better question is why God chose *any at all*, and the

---

<sup>88</sup>Calvin, *Institutes*, III.xxi.5, p. 926; see also *Institutes*, III.xxi.5, p. 929; III.xxii.2, p. 934; III.xxii.5, p.937.

<sup>89</sup>Calvin, *Institutes*, III.xxv.3, 991.

<sup>90</sup>Calvin, *Institutes*, III.xxxv.9, 1004.

<sup>91</sup>Calvin, *Institutes*, III.xxv.12, 1008.

answer is that God is gracious. Finally, election is difficult for human beings to discern, which should move us to renounce foolish attempts to determine who is elect and who is not: “we are not bidden to distinguish between reprobate and elect,” he says. “[T]hat is for God alone, not for us, to do.”<sup>92</sup> Our task is to look to the cross to learn of God’s grace. Only Jesus Christ can save the elect, but Jesus Christ truly saves them.

A doctrine of election under the influence of Calvin can be summed up as follows: God would be just in condemning the whole corrupt lump of humanity to eternal damnation, but God shows divine mercy in choosing some for everlasting life. It is only God’s free, gracious decision that effects the salvation of some. The elect are separated from the damned, and it is difficult to discern who is among the elect and who is among the damned. Only God’s eternal decree can bring eternal life to the elect, and only God knows for certain who will receive this life. More broadly, the doctrine of election has four components: first, the scandalous, if provisional, separation of one people from another; second, the conviction that God saves the elect; third, the insistence upon the irreproachable justice and mercy of God; finally, the indiscernibility of the divine decision.

In this way the doctrine of election is fundamental to soteriology. And if I was right in the prior chapter that migration restrictions are the attempts of the people to save themselves from impending death in the face of threatening migrants, then it is not surprising that *secularized* election is also fundamental in the imagination of nation-state salvation. The question is not the Calvinist (and biblical) question how people are saved, but rather the question how the nation can save itself from the insecurity migrants bring

---

<sup>92</sup>Calvin, *Institutes*, IV.i.3, p. 1015.

with them when they enter our national space. SNL, Kerwin, Reed, and Meilaender answered that the state's right to sovereignty over its borders allows it to protect itself from threats. It is through electing our own life over the life of others that we will save "our people," understood as fellow citizens. We ensure the perpetual endurance of our people by preferring them over others. We assume that we are just in deciding to save ourselves, even if it comes at the expense of others. We can endure throughout time only if we make a preferential option for fellow citizens.

And endurance throughout time, "the perpetuation of the state's own existence," is the goal of the nation-state.<sup>93</sup> Citizens who claim popular sovereignty must ensure the perseverance of the saints, that is, themselves. To put it this way is to point to the religiosity of the popular imagination of the nation's time.<sup>94</sup> The revolution through which we created our nation took place in a mythical time of heroic self-assertion and sacrifice, during which intrepid men of valor fought, not for themselves, but for their ideals and the generations to come. These ideals, self-evident to reason and eternal in their justice, found expression in the constitution. The revolution was incomplete without a corresponding declaration of how the people would live and what they would pass on to their children and their children's children. Having inherited the spoils of victory and enshrined the eternal truths of reason and justice in the constitution obligates the nation forever to defend what it struggled to gain. Our national life must endure, even when the lives of individuals will not. Indeed, some citizens will need to present their bodies as a living sacrifice for the sake of the nation's perseverance. Citizens must be willing to

---

<sup>93</sup>Paul W. Kahn, "American Exceptionalism, Popular Sovereignty, and the Rule of Law," in *American Exceptionalism and Human Rights*, ed. Michael Ignatieff (Princeton, NJ: Princeton University Press, 2005), 214.

<sup>94</sup>The rest of this paragraph is indebted to Kahn, *Political Theology*, 155-156.

become soldiers—to die and to kill in order that others might live on. Today’s citizens stand between a national past that we must remember and a national future that we must secure, even if it means death for some. If migrants threaten our future, then they must be kept out. The perseverance of the elect is simply too important.

This analysis of the time of the elect nation is not merely a set of analogous concepts, but rather a practice-embedded discourse capable of mobilizing citizens’ willingness to die and kill—or, using the language of migration restrictions, to deter migrants, deport them, or leave them for dead along the border. The American postage stamp boasting the liberty bell and the word “FOREVER” succinctly states American desires and reminds us of our fantasies every time we drop a letter in the mail. But it also relies on the conviction that we are just in choosing ourselves and not others for endurance, that we have a right and obligation to choose life for ourselves. The people assert their omnipotence over their territory and assume their justice in electing some migrants for national belonging and others for the rejection of deportation or the death that the border apparatus deals. Thus what we believe when we believe we have a sovereign right over our borders is that we are permitted and obligated to separate ourselves from others for the sake of our own salvation. This is secular self-election.

### **Conclusion: Assessing Sovereignty**

In the beginning of this chapter, I mentioned that an ethic of migration must wrestle with two questions: who are our people, and should we prefer them? I have shown that those who assert or assume the legitimacy of national sovereignty and migration restrictions identify fellow citizens as “our people” and urge us to make a

preferential option for them. And I have argued that this is a form of election, as the term “preference” suggests. I close this chapter by clarifying what I mean when I call this self-election “secular.” Secularity is our imagining that politics is free “from its ontic dependence on religion.”<sup>95</sup> Note well: *imagining* the freedom of politics from religion. Modern secularists believe that there ought to be a “great separation” between immanent politics and transcendent religion,<sup>96</sup> but as I have argued, “secular” politics and “religious” practice are impossible to delineate clearly. State politics does not negate religion but displaces it from something transcendent (“God”) to something immanent (“the people”). Thus as Charles Taylor says regarding the longer process of secularization, “the disappearance of an ontic dependence on something higher can be replaced by a strong presence of God in our political identity.”<sup>97</sup> This “strong presence of God in our political identity” is exactly the type of civil religion that early proponents of secularization considered the best way properly to channel the religious longings of human beings.<sup>98</sup> To say that the decision of the people for themselves is secular self-election, then, is to name the people’s devotion to themselves, not to God—or rather, as the theologians discussed above would have it, the people’s devotion to themselves *because of* their devotion to God.

And this joining of a god and a people is election, as the covenant formula of the Hebrew scriptures makes clear. But the bible’s covenant formula differs from secular

---

<sup>95</sup>Taylor, *Modern Social Imaginaries*, 187.

<sup>96</sup>Mark Lilla, *The Stillborn God: Religion, Politics, and the Modern West* (New York: Knopf, 2007).

<sup>97</sup>Taylor, *Modern Social Imaginaries*, 193.

<sup>98</sup>See Lilla’s discussion of Rousseau and Hegel in *Stillborn God*, 163-215.

self-election. In Exodus 6:7-8, God says to Moses: “I will take you as my people, and I will be your God. You shall know that I am the Lord your God, who has freed you from the burdens of the Egyptians. I will bring you into the land that I swore to give to Abraham, Isaac, and Jacob.” A people is chosen, but it is God, not the people themselves, who does the choosing. This people receives a promise, but it is the descendants of Abraham, Isaac, and Jacob, not those of any other nation, who receive the promise. And liberation is at stake, but it is the liberation of slaves from an imperial power, not the liberation of an imperial power from migrant “threats,” that must be won. The preferential option for one’s own people, which we enact by restricting migrations, opposes God’s preferential option for Israel and the poor.<sup>99</sup>

In the end, we can offer only two descriptions of the preferential option for one’s own people, namely, supersessionism and idolatry. The preferential option for one’s own is supersessionist, first, because the nation-state—in this case the United States of America, produced and reproduced through violence and exploitation—takes the place of Israel as the chosen people.<sup>100</sup> The people believe that they may find a kind of eternity within time by restricting the entry of outsiders. We believe we may liberate ourselves from threatening outsiders if we keep them out. But because God is and always will be the God of Israel, the only saints whose perseverance is assured are the people of Israel. Paul claimed that God’s promises to Abraham are eternal (Rom 11:29), while later the Swiss theologian Karl Barth argued that the Jews are the only people who are as eternal as the God who called them into being in the womb of Sarah.<sup>101</sup> This is why God laughs

---

<sup>99</sup>I elaborate this view of the doctrine of election in chapters 4 and 5.

<sup>100</sup>See the introduction to this work on the definition of supersessionism in theology.

<sup>101</sup>Karl Barth, *The Doctrine of Creation*, vol. III/3 of *Church Dogmatics*, ed. G. W. Bromiley and



at all our imperialisms and pretensions to survival.<sup>102</sup> The point of insisting on the election and perseverance of Israel is not that God desires other peoples to come into and out of existence, least of all through violence, but rather that no other people has been promised eternal endurance. Peoples come and go, but the promises of God to be faithful to Israel and to deliver the poor from oppression remain forever.

Second, I have shown that American-style popular sovereignty is an idolatrous replacement of the God of Israel as the worthy object of our devotion with the national people. The bishops and other authors discussed above did not intend to divinize the state, but they failed to question whether national and Christian belonging might conflict with each other. Instead, they agreed with a long tradition that we owe our nation something special as part of our life of faith.<sup>103</sup> By insisting that states may and must prefer their own, and by equating “our own” with “fellow citizens,” these theologians not only limited our obligations to non-citizens, but also made the life of the nation an end in itself. For nations to enact a coercive politics whose goal is to ensure survival is to take the place of God in making their own life their god. Yet nations are not the center of God’s drama but rather merely the stage upon which God fulfills God’s promises to Israel and the poor.

In order to enact migration restrictions, therefore, we must believe that we, and not others, are the people who must endure until the end of time. This is not simply a natural inclination to self-preservation writ large; it is a supersessionist and idolatrous

---

T. F. Torrance, trans. G. W. Bromiley and R. J. Ehrlich (1960; Peabody, MA: Hendrickson Publishers, 2010), 211-227. Henceforth abbreviated *CD*.

<sup>102</sup>Barth, *CD*, III/3, 161.

<sup>103</sup>Griffiths, “Religious Allegiance,” 250.

decision to resist insecurity: threats to our way of life must be excluded, assimilated, pacified, or allowed to die. The preferential option for our own people underwrites the insecurity hypothesis, biopolitics and racialization discussed in the first chapter. The idolatry of this decision is made clearer yet when we consider that the key marker of idolatry is death for people considered insignificant in society: “An idol is a god to whom lives are sacrificed.”<sup>104</sup> The next chapter discusses the allowance of the death of some for the life of others by discussing the lives that are lost at the U.S.-Mexico border and that are devastated through the extension of the border apparatus into the daily life of unauthorized Latina/o non-citizens.

---

<sup>104</sup>Petrella, *Beyond Liberation Theology*, 16.

## Chapter 3: The Dividing Wall of Hostility: Damning the Undocumented

### Introduction

The prior chapters demonstrated that very few thinkers question the legitimacy of national sovereignty and its concrete implementation in borders between nation-states. Some thinkers have noted the political tendency among contemporary scholars towards more open borders,<sup>1</sup> but even political theorist Joseph H. Carens—the champion of open borders in the late-1980s—has more recently curtailed his once unrelenting critique of borders.<sup>2</sup> A presumption against borders may be developing among migration scholars, but this presumption does not lead even the most classically liberal among them to call into question the very institution of the border.<sup>3</sup> Nor is this scholarly trend indicative of wider cultural trends, as evidenced by popular rhetoric against open borders and for a sort of “Fortress America,” as well as recent Congressional debates over immigration policy that likewise display the widespread conviction that America’s borders are still

---

<sup>1</sup>See, for instance, Peter Meilaender, *Toward a Theory of Immigration* (New York: Palgrave, 2000), 2-3.

<sup>2</sup>Compare his essay from 1987, “Aliens and Citizens: The Case for Open Borders” in *Theorizing Citizenship*, ed. Ronald Beiner (Albany, NY: State University of New York Press, 1995), 229-254; and his more recent *Immigrants and the Right to Stay* (Cambridge, MA: The MIT Press, 2010).

<sup>3</sup>I use the term “presumption against borders” intentionally. It should remind the theologically trained reader of the “presumption against violence” that just war theorists and pacifists share with each other (over against realists). See Thomas Kennedy, “Can War Be Just?” in *From Christ to the World: Introductory Readings in Christian Ethics*, ed. Wayne G. Boulton, Thomas D. Kennedy, and Allen Verhey (Grand Rapids, MI: Wm. B. Eerdmans Publishing, 1994), 437. This conviction is crucial for just war theorists in attempting to *limit* the use of lethal force. Yet the presumption against violence is not a disavowal of violence. To the extent that borders may inherently conflict with basic Christian convictions, Christians may have a “presumption against borders,” even if very few are willing to go the way analogous to that of pacifism, that is, towards their disavowal. The fact that death is so pervasive in border realities draws together the ethics of war and of borders.

insufficiently “secure.”<sup>4</sup> In these ways, if a presumption against borders is indeed developing among scholars, they are the only ones so to presume, and even they hesitate to criticize borders *as such*. It seems better, therefore, to speak of a presumption against *open* borders because those who mention open borders “tend to be dismissed as utopian eccentrics,”<sup>5</sup> idealistic hacks who know nothing about real politics.

This chapter focuses on the presumption against open borders among theological ethicists and on the impact of implementing this presumption on deportable non-citizens.<sup>6</sup> The aim is to change the theological conversation about the problems of borders from a humanitarian discourse about dignity and the injustice of certain border practices to a discourse about the consequences of decisions about belonging and alienage. The central questions are, first, what is wrong with borders; and second, what do we actually believe when we believe that at least some deportation practices are just? The dominant approach to the problems of borders uses the broad framework of theological anthropology to criticize some of its dehumanizing effects. The trouble with borders, from this

---

<sup>4</sup>Witness, for example, the utter refusal of the House of Representatives in the summer of 2013 to consider implementing a pathway to citizenship before completely fortifying the U.S.-Mexico border. The U.S. Senate passed S 744 after committing to a border surge that would double the number of Border Patrol officers, and drastically increase spending on fencing and technologies at the border. See Molly Hennessy-Fiske and Cindy Carcamo, “Border Surge Proposal Has Many Skeptics,” *Los Angeles Times*, June 21, 2013, <http://articles.latimes.com/2013/jun/21/nation/la-na-0622-border-surge-20130622> (accessed June 18, 2014). This bill is discussed in greater detail in Migration News, “Senate Approves S 744,” *Migration News* 20, no 3 (July 2013), [http://migration.ucdavis.edu/mn/more.php?id=3838\\_0\\_2\\_0](http://migration.ucdavis.edu/mn/more.php?id=3838_0_2_0) (accessed June 18, 2014).

<sup>5</sup>Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (Princeton, NJ: Princeton University Press, 2006), 205n5.

<sup>6</sup>I should note that I am focused on those who have strong critiques of the border apparatus, so that whereas the first chapter focused on “restrictionist” thinkers and the second on “moderate” thinkers, this third chapter focuses on thinkers often categorized as “expansionist”—that is, on those who think more humane policies must be more open. For a similar analytical delimitation, see Cecilia Menjivar, “Serving Christ in the Borderlands: Faith Workers Respond to Border Violence,” in *Religion and Social Justice for Immigrants*, ed. Pierrette Hondagneu-Sotelo (New Brunswick, NJ: Rutgers University Press, 2007), 104-121.

humanitarian perspective, is that they sometimes fail to abide by the theological truth that all persons are endowed with dignity because they are created in God's image. These thinkers offer strong critiques of aspects of the border apparatus, but they do not criticize this apparatus as such. Rather, for them the border is a relatively morally neutral structure that can be directed towards good or bad ends. The problem is not the structure itself but the bad purposes to which it can be directed because of its conditioning by structural injustices. In this way, the humanitarians believe that although there should not be absolute limits on migration, nations do have a right to limit the entry of at least some migrants because they, like individuals, have a right to secure themselves against threats. The result is that even the expansionist thinkers analyzed here underwrite the border practices that make the lives of migrants and those near to them miserable.

At first, it may seem strange that none of the thinkers I analyze here calls into question the very structure of the border. Yet calls for the enforcement of human rights and justifications of sovereignty and borders are correlative because, as is often noted, human rights are enforced *only* by nation-states.<sup>7</sup> There are no extranational institutions with the power to hold nations responsible when they violate human rights. Moreover, nation-states are often considered analogous to individuals in that both purportedly possess inalienable rights and responsibilities.<sup>8</sup> Hence the longstanding analogy of the

---

<sup>7</sup>See, for example, Seyla Benhabib, *The Rights of Others: Aliens, Residents, and Citizens* (New York: Cambridge University Press, 2004).

<sup>8</sup>A few words are in order here. I thank Professor J. Kameron Carter for pointing out to me that this is likely based on two key assumptions that I cannot explore here: first, that the "body" of the nation-state is analogous to the body of individuals who are endowed with inalienable human rights; second, that these rights are fundamentally *property*. I also thank Professor Stanley Hauerwas for directing me to the work done by C. B. Macpherson on this theme in early-modern political philosophy. I would add—as would Professor Carter—that these conceptions of property and identity are deeply embedded in Euro-American colonial relations such that the very categories of property and national identity were conceived in comparison to and contrast with peoples in Africa and the New World. I look forward to the work of Professor Carter on these themes, not least because I cannot follow up on these convictions here.

nation-state as a political *body*. The result of this conception is that individual and national selves have a right to protect their basic needs because this sustenance—this continued life of economic well-being, physical security, and cultural integrity (as discussed in chapter 1)—is an end in itself. The biopolitical imperative to survive and thrive (chapter 1) joins with the preferential option for one’s own people (chapter 2) to create a solid basis for securing the life of oneself and one’s community against the threats that outsiders might pose. The humanitarians underwrite this basic framework by endowing individuals and communities with rights that must be protected, violently if necessary.

The failure to see the connection between human rights, nation-states, and the necessity of coercive force is the major blindspot of Catholic Social Teaching (CST) and those who are sympathetic to it.<sup>9</sup> I propose to analyze borders and their problems on the basis of the doctrine of reprobation because doing so affords us (1) a more realistic picture of Americans’ imagination of “iconic illegal aliens”<sup>10</sup> as the reprobate whose death and exclusion are simply the result of their refusal to obey the dictates of the sovereign nation; and (2) a subtler theorization of the invisible death and visible anxiety that iconic illegal aliens will continue to suffer as long as borders exist. This approach to the question of the theological status of the border and deportability aims to incorporate the positive aspects of the humanitarian perspective while avoiding its blindspots. I begin by outlining the theological lens for analysis, then move into a discussion of border

---

<sup>9</sup>This chapter, like the prior one, is in consistent conversation with U.S. Conference of Catholic Bishops and Conferencia del Episcopado Mexicano, *Strangers No Longer: Together on the Journey of Hope* (Washington, D.C.: United States Conference of Catholic Bishops, 2003), 86-87. Henceforth I abbreviate the document SNL and the collective author “USCCB and CEM.”

<sup>10</sup>On my use of the term “iconic illegal alien,” see the final pages of the introduction.

practices, in conversation with the humanitarians, before finally considering the humanitarians' fundamental mistake in seeing and judging the border apparatus.

### **The Damnation of Border Practices**

The doctrine of reprobation can be conceived in a number of ways, but central to any conception are three realities, namely, “punishment, destruction and exclusion.”<sup>11</sup> We can see these realities in the views of Christian reformer John Calvin and contemporary Jewish theologian Joel S. Kaminsky. Beginning with Calvin, I outline these themes in order to offer us a lens through which to understand the inner logic of border practices from a theological perspective.

As noted in the previous chapter, Calvin's election theology in the *Institutes* focuses more on salvation than on reprobation. But at least three themes are common to both: reprobation is God's punishment for sin;<sup>12</sup> God is just in so punishing sinners;<sup>13</sup> and it is God alone who decides and knows who is destined for hell.<sup>14</sup> Calvin makes two more points regarding damnation in his discussion of the resurrection of the ungodly in the *Institutes*. First, damnation is exclusion from “all fellowship with God.”<sup>15</sup> Elsewhere, Calvin says that the reprobate are also excluded “from the inheritance which [God]

---

<sup>11</sup>Terrance L. Tiessen, “Hell,” in *Global Dictionary of Theology: A Resource for the Worldwide Church*, eds. William A. Dyrness and Veli-Matti Kärkkäinen (Downers Grove, IL: InterVarsity Press, 2008), 373.

<sup>12</sup>See, for example, John Calvin, *Institutes of the Christian Religion*, 2 vols., ed. John T. McNeill, trans. Ford Lewis Battles (Louisville: The Westminster Press, 1960), III.xxiv.12, p. 979.

<sup>13</sup>See, for example, Calvin, *Institutes*, III.xxiii.2-3, 949-951.

<sup>14</sup>See, for example, Calvin, *Institutes*, III.xxiii.5, 952-953.

<sup>15</sup>Calvin, *Institutes*, III.xxv.12, pp. 1007-1008.

predestines for his own children.”<sup>16</sup> Exclusion from the presence of God and God’s people is thus a central facet of reprobation. Second, damnation is eternal destruction. The “lot of the wretched” is “so to feel [God’s] sovereign power against you that you cannot escape being pressed by it.” The prophets and Jesus may not have been speaking literally when they used “physical metaphors” to describe damnation, but “they employ no exaggeration” in their fear-instilling depictions of the impending divine judgment.<sup>17</sup>

Calvin’s view of reprobation may therefore be summarized as follows: God’s ordination of exclusion, death and destruction for some may scandalize us, but we must trust that God is just in all God’s ways, even those ways that confuse us. God does not act contrary to God’s good, trustworthy character. The death of the reprobate is no fault of God’s, but rather due to their own sin against God. Moreover, although all are created from the same corrupt mass of humanity, God does the reprobate no injustice by excluding them from eternal blessings and condemning them to eternal destruction. For this is the just punishment that sinners deserve, and God has the sovereign right to decide on the life and death of people.

This view of reprobation is the one with which most Americans are familiar, etched as it is into their minds by having read the fire and brimstone sermon “Sinners in the Hands of an Angry God,” by American Calvinist theologian Jonathan Edwards. The visceral reaction of most of our contemporaries is to bristle at the view of divine sovereignty, vindictiveness and caprice that such doctrines seem to ascribe to God. A subtler account of election and its opposites can be seen in the work of Jewish theologian

---

<sup>16</sup>Calvin, *Institutes*, III.xxi.1, 947.

<sup>17</sup>Calvin, *Institutes*, III.xxv.12, pp. 1007-1008.



Joel Kaminsky. He articulates the concept of anti-election—essentially a this-worldly counterpart to Calvinist damnation—but he argues that not all people outside the elect community are anti-elect. There are, rather, three categories of election in the Hebrew scriptures, not two: the elect, the anti-elect, and the non-elect.<sup>18</sup> The non-elect, in Kaminsky’s words, “are neither members of the people of Israel, God’s elect, nor are they counted among those who are utterly beyond the pale of divine and human mercy in the Israelite imagination, the anti-elect.”<sup>19</sup> Christian theologians have never had the category of non-election, according to Kaminsky, because Christian theology sprouted in the soil of Jewish apocalypticism with its justifiably stark contrasts between the threatened people of God and the unholy imperial powers who did with them whatever they wanted.<sup>20</sup>

By adding this third category of non-election, Kaminsky softens the harsh edges of some election theology. But he still feels obliged to speak of anti-election because of its presence in scripture and its repugnance to contemporary thinkers. Kaminsky argues that the Canaanites and Amalekites are those most easily identified as the anti-elect.<sup>21</sup> Although anti-election is first of all exclusion from fellowship with the people of God,<sup>22</sup>

---

<sup>18</sup>The entirety of Joel S. Kaminsky, *Yet I Loved Jacob: Reclaiming the Biblical Concept of Election* (Nashville: Abingdon Press, 2007), is devoted to this theme, but he puts the point succinctly in his essay, “Did Election Imply the Mistreatment of Non-Israelites,” *Harvard Theological Review* 96, no. 4 (October 2003): 397-425.

<sup>19</sup>Kaminsky, *Yet I Loved Jacob*, 121.

<sup>20</sup>See Kaminsky, *Yet I Loved Jacob*, 135. I would add only that the Christian tendency to equate election and predestination moved theologians to speak of these two themes in terms of eschatological realities such that election has to do with one’s eternal state after death. Calvin continued this stream.

<sup>21</sup>Kaminsky, *Yet I Loved Jacob*, 112.

<sup>22</sup>The anti-elect are not the only people to be excluded. While there are more “inclusive” passages relating to non-Israelite foreigners, there are also the more “exclusive” passages found in particular in the post-exilic works of Ezra-Nehemiah. Yet even here we must distinguish between the simple exclusion of foreigners who occupied Israel during their exile (Ezra 10:3-19; Nehemiah 13:1-3, 23-31) and the

many of the Amalekites and Canaanites are excluded by being destroyed.<sup>23</sup> And they are destroyed, in part, because of their sinfulness: the anti-elect are “so evil or dangerous that warfare against them may include a call for their annihilation, as well as either the destruction of their livestock and other possessions or the dedication of these items to the Deity.”<sup>24</sup> Anti-election is thus similar to Calvinistic reprobation in that it is at least partly God’s just punishment for their sin. Yet in these conquest narratives, the destruction of the Canaanites also serves the larger purposes of God fulfilling God’s promise to Abraham and his descendants that they would have a land of their own. God gives the lands of other peoples to Israel in order to bless the world through God’s special people.<sup>25</sup> The Hebrew scriptures assume that God is just in doing this because this is how God would fulfill the promise to bless all nations through the descendants of Sarah and Abraham. Thus we see also in Kaminsky’s theology of anti-election the three categories of reprobation discussed above, namely, death or destruction, exclusion, and punishment.

We may therefore summarize the logic of anti-election as follows: God ordains death for some, but we should not be scandalized by this because it was by dispossessing and destroying the Canaanites and Amalekites that God began to fulfill God’s promises to bless all nations through the particular people Israel. Again, God does not act contrary

---

exclusion-through-destruction of the Canaanites and Amalekites. This is the distinction between non-elect foreigners who must be expelled and foreigners who must die for the elect to live. Two other caveats are crucial as well: first, the Israelites “were not trying to eliminate a threatened minority. They were trying to preserve a threatened minority” (Kaminsky, *Yet I Loved Jacob*, 130); second, this was the command of God to the people of God—not the command of human beings to other human beings. See below on ways of mitigating the moral problems of such “exclusivistic” texts.

<sup>23</sup>Kaminsky, *Yet I Loved Jacob*, 111-112.

<sup>24</sup>Kaminsky, *Yet I Loved Jacob*, 111, 113.

<sup>25</sup>Kaminsky, *Yet I Loved Jacob*, 157. See also the crucial piece by Jewish theologian Jon D. Levenson, *The Universal Horizon of Biblical Particularism* (New York: American Jewish Committee, Institute of Human Relations, 1985).

to God's good, trustworthy character. Some had to be excluded from fellowship, subject to death, and punished for their sins in order for God to fulfill God's ultimately-universal promises. This was one way that God began to fulfill the divine mission in the world.

Reprobation and anti-election are, of course, not much in vogue among contemporary thinkers, Christian and otherwise. But they have never been joyous doctrines, for even people like Calvin and Kaminsky felt great horror when articulating such doctrines.<sup>26</sup> Before moving on, then, it is worth noting several points regarding the moral problems that these difficult texts pose to Jewish and Christian theologians who want to retain some doctrine of election. When considering anti-election and death, it is crucial to remember, first, that it is *God* who condemns, not human beings. In both theologies, no human being is entitled to determine who may die and who must live. The right over life and death is God's and God's alone. Some, like Christian theologians John Howard Yoder and Miroslav Volf, take this to imply a contemporary ethic of peaceableness: because God alone has the right to use violence, human beings must pursue peaceful relationships.<sup>27</sup> The point is not that we should never question why God would use violence but that *we* should never use violence because we are far less trustworthy wielders of the sword than God. This is because, second, it is no abstract god, but rather the Lord of Israel—who liberated them from slavery, preserved them in the

---

<sup>26</sup>Of God's decree that humanity would fall into sin, Calvin says, "The decree is dreadful indeed, I confess" (*Institutes*, III.xxiii.7, 955). Kaminsky calls these texts "deeply troubling," despite his attempts to "ameliorate some of the problematic aspects of these texts" (*Yet I Loved Jacob*, 111).

<sup>27</sup>See John Howard Yoder, *The Original Revolution: Essays on Christian Pacifism* (Scottsdale, PA: Herald Press, 2003), 85-104; and Miroslav Volf, *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (Nashville: Abingdon Press, 1996), 301-303. Volf says, "[t]here is a duty prior to the duty of imitating God, and that is the duty of *not wanting to be God*, of letting God be God and humans be humans" (301). Volf calls this claim—that God alone has the monopoly on violence—"the theologization of violence." God takes the right of the sword out of the hands of human beings and decides who may and must die. "The 'theologization' of violence," says Volf, "is a pre-condition for the politics of nonviolence" (303).

land, scattered them abroad, and promises them final salvation—who elects and damns. The story of this God is told in the Hebrew scriptures and, Christians believe, the New Testament. Both Christians and Jews believe that somehow God is just and that a crucial aspect of this justice will be the vindication of the poor from every tribe and nation. Third, because it is God’s decision and not human decision, humanity cannot ultimately know who must die. God’s decision is inscrutable, and it is not for humans to determine who should and should not die. Like the first point, this third one tends towards a peaceable politics.

While these points do not take away from the horror we must feel when considering God as the font of deadly damnation, they do give us a vantage point from which to assess the secularized reprobation that we see in America’s border apparatus. The inner logic of border practices, I will now show, is secularized reprobation, for the three aspects of reprobation are apparent *and* there is no way to conceive the realities of exclusion, death, and punishment as irreligious. The logic, in brief, is as follows: non-citizens are not and should not be allowed to become one of us (*exclusion*); they are likely to suffer *death and destruction*; and their exclusion and death are not the responsibility of citizens because the state is just in *punishing* non-citizens for their illegal entry. Because the sovereign people has a right to protect its borders against threatening non-citizens, it is just in excluding some and allowing others to die. As long as the humanitarians believe that nations have this right, the depth of their criticisms of borders is severely limited.

## The Unseen Deadliness of the Border Apparatus

I begin this analysis of the border with destruction because it is the most extreme and obvious way to see that through it we perform our belief that unauthorized Latina/o non-citizens, iconic illegal aliens, are the reprobate. The next section discusses exclusion in order to lift up the troubling racialized dimensions of the border apparatus, and the penultimate section of this chapter discusses punishment in order to remind us that the deportation regime that excludes and kills is one of the tools of self-protection to which the sovereign people has a right. In other words, if peoples are permitted and obliged to protect what is their own, then they are allowed to punish those who disobey their laws. As long as there are borders, migrants will suffer death and exclusion, and in the racialized context of the United States we should not be surprised that death and exclusion will affect some more than others.

### Deterrence, Death, and Violence

We should immediately note that the humanitarians are aware of the death and violence at the border, and they are appalled by it. They alert us to the fact that in the period 2000-2014, U.S. Customs and Border Patrol (USCBP) agents found the remains of 2,775 people in the Southern Arizona desert alone.<sup>28</sup> The number of human remains found near the entire U.S.-Mexico border is far higher: 5,517 bodies were found in the period 2000-2013, amounting to 394 bodies per year, more than one person per day.<sup>29</sup>

---

<sup>28</sup>Ananda Rose, *Showdown in the Sonoran Desert: Religion, Law, and the Immigration Controversy* (New York: Oxford University Press, 2012), 3; and Coalición de Derechos Humanos, "Missing Migrant Project," <http://derechoshumanosaz.net/projects/arizona-recovered-bodies-project/>. (accessed October 15, 2014).

<sup>29</sup>U.S. Customs and Border Patrol, "Southwest Border Deaths by Fiscal Year," United States Border Patrol,

Scholars add that the number of actual deaths, including the bodies that were not found, may be as much as twice that number.<sup>30</sup> Especially troubling is the U.S.'s duplicity in demanding migrant labor, on the one hand, while on the other intentionally placing border walls and fences in areas that push migrants into remote areas that make them more vulnerable.<sup>31</sup> The result is that the American demand for, and the Latin American supply of, migrant labor continue relatively unabated while death tolls from dangerous border-crossing attempts skyrocket.

Among theologians, the U.S. and Mexican Catholic bishops who co-authored *Strangers No Longer* (henceforth “SNL”) not only lament the tragedy of death from environmental causes like heat or drowning but also denounce the violence inflicted upon people through the increased organization of smuggling operations.<sup>32</sup> Similarly, Reverend Robin Hoover of the nonprofit organization Humane Borders says the goal of his work “is to take death out of the immigration equation.”<sup>33</sup> In addition to the general violence of the *coyotes* (smugglers), Catholic moral theologian Kristin Heyer highlights the sexual

---

<http://www.cbp.gov/sites/default/files/documents/U.S.%20Border%20Patrol%20Fiscal%20Year%20Statistics%20SWB%20Sector%20Deaths%20FY1998%20-%20FY2013.pdf> (accessed 10/15/2014).

<sup>30</sup>Kristin E. Heyer, *Kinship across Borders: A Christian Ethic of Immigration* (Washington, D.C.: Georgetown University Press, 2012), 8.

<sup>31</sup>Roxanne Lynn Doty speaks of the geography of border placement as a way of giving American consciences a “moral alibi” with respect to migrant deaths. Migrants would stop dying if they would just stop trying to cross—so goes the simplistic argument. Doty helpfully exposes the complexities in “Bare Life: Border-Crossing Deaths and Spaces of Moral Alibi,” in *Governing Immigration through Crime: A Reader*, eds. Julie A. Dowling and Jonathan Xavier Inda (Stanford, CA: Stanford University Press, 2013), 129-143.

<sup>32</sup>USCCB and CEM, *Strangers No Longer*, 86-87. Peter Andreas demonstrates that increased criminal organization is one of the major “unintended consequences” of border policies since the 1990s. See his *Border Games: Policing the U.S.-Mexico Divide* (Ithaca, NY: Cornell University Press, 2001).

<sup>33</sup>Robin Hoover, “The Story of Humane Borders,” in *A Promised Land, a Perilous Journey*, ed. Daniel G. Groody and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 160-175 (quotation 160).

violence inflicted upon women in the forms of harassment and rape.<sup>34</sup> While these thinkers object to border death and violence for a number of reasons—including undue focus on the supply of Latina/o migrant labor without addressing American demand for that labor<sup>35</sup>—the basic moral framework for assessing death and violence is that of human dignity and rights. Violence and death are the tragic consequences of a structure that, in its current practices, sins against the dignity of human beings. Because human rights derive from the convictions that all people belong to one big family and that human beings are sacred,<sup>36</sup> “[i]n every discussion of border issues,” says Reverend Hoover, “the value of human life must be brought to the forefront.”<sup>37</sup>

While we should applaud the humanitarians for attempting to humanize migrants by acknowledging the death and violence that are invisible to most citizens—after all, how many citizens know that at least one person dies each day attempting to cross the border?—we should also point out their failure to see that the deadliness of deterrence derives from the fact that immigration policy is an adjunct of foreign policy. We can see this in popular invocations of the themes of “crisis, time bombs, invasion, reconquest, floods, war, and border breakdown,” which contribute to the wider popular belief that the U.S. is under attack at its border with Mexico.<sup>38</sup> But immigration policy is an adjunct of

---

<sup>34</sup>Heyer, *Kinship across Borders*, 64. See also Olivia Ruiz Marrujo, “The Gender of Risk: Sexual Violence against Undocumented Women” in *A Promised Land, a Perilous Journey*, eds. Daniel G. Groody and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 228.

<sup>35</sup>Heyer, *Kinship across Borders*, 47.

<sup>36</sup>Graziano Battistella, “Migration and Human Dignity: From Policies of Exclusion to Policies Based on Human Rights,” in *A Promised Land, a Perilous Journey*, ed. Daniel G. Groody and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 177.

<sup>37</sup>Hoover, “Humane Borders,” 171.

<sup>38</sup>Leo R. Chavez, “Spectacle in the Desert: The Minuteman Project on the U.S.-Mexico Border,” in *Governing Immigration through Crime: A Reader*, ed. Julie A. Dowling and Jonathan Xavier Inda

foreign policy in the legal sense that “the Supreme Court of the United States [has] relied upon the notion that immigration regulation [is] an inherent power of a sovereign nation ... [T]he power to regulate immigration [is] a necessary part of the power of a sovereign state to defend itself.”<sup>39</sup> Because outsiders who have drawn near may threaten the nation just as much as outsiders who are distant, in the eyes of the sovereign state all foreigners, near or distant, are simply foreigners. This is simply the logic of making immigration policy part of foreign policy. Moreover, the militarization of the border only adds to its integration into foreign policy. The number of border patrol agents increased fivefold during the period 1992-2014 (from 4,139 to 20,863),<sup>40</sup> and in 2014 the Customs and Border Patrol (CBP), Immigration and Customs Enforcement (ICE) and Citizenship and Immigration Services (USCIS) constituted approximately 36% of the budget for the Department of Homeland Security (DHS).<sup>41</sup> That is, immigration enforcement now uses up more than one-third of the budget of the department whose primary responsibilities are “to counter terrorism and enhance security.”<sup>42</sup> If recent debates about pathways to citizenship for unauthorized non-citizens and about completely sealing the border are any indication, we should expect these personnel and budgetary numbers to grow. We see

---

(Stanford, CA: Stanford University Press, 2013), 117. See also Leo R. Chavez, *Covering Immigration: Popular Images and the Politics of the Nation* (Berkeley and Los Angeles, CA: University of California Press, 2001).

<sup>39</sup>Jennifer Chacón, “The Security Myth: Punishing Immigrants in the Name of National Security,” in *Governing Immigration through Crime: A Reader*, ed. Julie A. Dowling and Jonathan Xavier Inda (Stanford, CA: Stanford University Press, 2013), 79.

<sup>40</sup>United States Border Patrol, “Border Patrol Agent Staffing by Fiscal Year,” U.S. Customs and Border Patrol, [http://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2014\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2014_0.pdf) (accessed 12/20/2014).

<sup>41</sup>Homeland Security, “Budget-in-Brief,” U.S. Department of Homeland Security, <http://www.dhs.gov/sites/default/files/publications/MGMT/FY%202014%20BIB%20-%20FINAL%20-508%20Formatted%20%284%29.pdf>, pp. 5-6 (accessed 12/20/2014).

<sup>42</sup>Department of Homeland Security, “Office of the Secretary,” Official website of the Department of Homeland Security, <http://www.dhs.gov/office-secretary> (accessed 12/20/2014).



then that popular imagination, law, and military institutions help us conceive immigration policy as a means of protecting the nation from the threat of outsiders. All of this is consistent with the conviction that nations are permitted and obligated to protect their sovereignty.

One of the common criticisms of the border—voiced also by the humanitarians—is that it has not achieved the desired effect of preventing migration through militarized deterrence because, say most scholars, American demand for cheap migrant labor is too high, and migrants have too many connections in America. The supply-side focus on preventing migration was always destined to fail. The most important actual result of the militarization of the border is that migrants have been intentionally redirected away from visible areas of interchange between the United States and Mexico and towards more dangerous and remote areas where migrants are more likely to die from extreme temperatures, starvation, dehydration, and drowning.<sup>43</sup> The key point to note about these deaths is that citizens now have a “moral alibi” that allows them to avoid seeing them.<sup>44</sup> Americans can say that migrants would stop dying in the wilderness if they would stop crossing the border illegally, take their place in the back of the line, and obey the laws like the (white) immigrants of yesteryear. The deaths of iconic illegal aliens can be

---

<sup>43</sup>Two other “unintended consequences” of the border buildup are, first, the rapid increase in organized crime in the borderlands as gangs and *coyotes* have taken advantage of the difficulty of crossing by charging migrants exorbitant prices to get them across the border (see Andreas, *Border Games*); and second, the opportunity given to politicians anxious to show that they are for American citizens by being tough on illegal immigrants. A good example of the latter is when, in the 2005 primary election in Orange County, California, Jim Gilchrist, the leader of the nativist Minutemen Project, made a further spectacle of illegal immigration through his organization of armed citizens ready to guard the U.S.-Mexico border. Upon returning to Orange County after his well-publicized stint in the Arizona desert, Gilchrist ran for public office against the popular Republican candidate John Campbell. Gilchrist accused Campbell of being soft on immigration, pointing to two votes Campbell had cast regarding identification cards and in-state tuition for undocumented students hoping to attend college. Campbell eventually recanted his votes as a way to demonstrate that “he too was tough on immigration” (Chavez, “Spectacle in the Desert,” 123).

<sup>44</sup>The term “moral alibi” comes from Doty, “Bare Life.”

invisible to citizens because, human or not, these migrants are breaking the law that the sovereign state has a right to enforce. The humanitarians have no interest in justifying migrant deaths in these ways, but they fail to see that legitimating borders as a way of maintaining national sovereignty implies accepting that “[f]or the citizen to live, the undocumented must be permitted to die.”<sup>45</sup>

### Deportation, Detention, Exploitation, and Family Separation

While the humanitarians are most appalled by the deaths and violence that occur at the border, out of the purview of most citizens, they are also deeply influenced by the type of Catholic Social Teaching that seeks to nurture the holistic well-being of people within nations. For this reason, they criticize the injustice of detention policies in themselves, as well as their exploitative and divisive effects. Contemporary practices of detention are unjust in themselves, according to humanitarians, because they are too influenced by the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, which increased the number of offenses for which migrants can be detained or deported and increased the penalties for major and minor crimes. The law is highly (and intentionally) punitive<sup>46</sup> and it resulted, as the episcopal authors of *Strangers No Longer* noted, in “the unjust separation of untold numbers of immigrant families.”<sup>47</sup> Catholic moral theologian Kristin Heyer notes these problems and adds that policies like IIRIRA are part of a “burgeoning immigration-industrial complex [that] conflates not only national security with immigration law enforcement, but also public and private

---

<sup>45</sup>Doty, “Bare Life,” 133.

<sup>46</sup>USCCB and CEM, *Strangers No Longer*, 92.

<sup>47</sup>USCCB and CEM, *Strangers No Longer*, 92.

sector interests with the criminalization of undocumented migration.”<sup>48</sup> Such policies rely for their implementation on private corporations, like Corrections Corporation of America (CCA), that have a financial stake in the government continuing to employ punitive measures.<sup>49</sup> The “economic idolatry”<sup>50</sup> of the privatization of imprisonment supports the coming together of the sovereign state and big business in a way that inflicts suffering on migrants and their families.

Another economic aspect of detention to which many people point is the exploitation of detainable and deportable migrants’ labor. According to SNL,<sup>51</sup> migrants need protection from low wages and the lack of job portability, both of which have traditionally been part of temporary worker programs,<sup>52</sup> because their inability to switch jobs keeps them from confronting exploitative employers. Kristin Heyer highlights the added trauma of sexual assault that many migrant women suffer. Whether in farms, borderland *maquilas*, domestic work, or trafficking, women’s bodies are exploited by male “employers,” and because these “women frequently fear ... that reporting abuses will risk job loss and deportation, leading to separation from their children,” they are often viewed as “perfect victims: they remain isolated, uninformed about their rights, and are presumed to lack credibility.”<sup>53</sup> Other thinkers protest the exclusion of migrants from

---

<sup>48</sup>Heyer, *Kinship across Borders*, 141. USCCB and CEM also note that these facilities are often overcrowded and filthy (*Strangers No Longer*, 94).

<sup>49</sup>Heyer, *Kinship across Borders*, 140.

<sup>50</sup>Heyer, *Kinship across Borders*, 140.

<sup>51</sup>USCCB and CEM, *Strangers No Longer*, 72-77.

<sup>52</sup>See Patricia Zamudio, “Migrant Abuses and Migrant Worker Programs in the Context of Catholic Teaching,” in *On “Strangers No Longer”: Perspectives on the Historic U.S.-Mexican Catholic Bishops’ Pastoral Letter on Migration*, ed. Todd Scribner and J. Kevin Appleby (New York: Paulist Press, 2013), 116-119.

<sup>53</sup>Heyer, *Kinship across Borders*, 64. See also Ruiz Marrujo, “Gender of Risk.”

mainstream markets and their subsequent need to resort to either a segregated ethnic economy or an informal economy.<sup>54</sup> The extraction of labor power, the violation of women's bodies, and the limitation of migrants' employment opportunities offend their dignity as human beings who have a right to just wages.<sup>55</sup>

Finally, these theologians protest the long waiting period that many transnational families applying for reunification often face since such limits on which families can become permanent residents press those who do not or cannot wait in this line to cross illegally. Moreover, the threat of deportation and detention only compounds the problem of family separation by tearing undocumented parents from citizen children. For example, recently I spoke with a man in Mexico who had just been deported and thus separated from his wife and children. His choices now are either to attempt illegal reentry to reunite with his family or to stay separated from them. SNL calls this "an unacceptable choice ... that *encourages* undocumented migration."<sup>56</sup> Donald Kerwin summarizes the humanitarian perspective when he says that current laws "frustrate the natural right to live with one's family."<sup>57</sup>

We may summarize some of the effects of current deportation practices that the humanitarians so strongly criticize by drawing on the recent literature on deportability.<sup>58</sup>

---

<sup>54</sup>Battistella, "Migration and Human Dignity," 178-179; Kerwin, "Natural Rights of Migrants and Newcomers," 197-199, 204.

<sup>55</sup>Kerwin, "Natural Rights of Migrants and Newcomers," 204; and Heyer, *Kinship across Borders*, 82-83.

<sup>56</sup>USCCB and CEM, *Strangers No Longer*, 66. See also Donald Kerwin, "The Natural Rights of Migrants and Newcomers: A Challenge to U.S. Law and Policy," in *A Promised Land, a Perilous Journey*, ed. Daniel G. Groody and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 195-197, 203-204; and Heyer, *Kinship across Borders*, 65-71.

<sup>57</sup>Kerwin, "Natural Rights of Migrants and Newcomers," 203-204.

<sup>58</sup>Much of this summarizes Cecilia Menjivar and Leisy Abrego, "Legal Violence in the Lives of

The practices of deportation and detention press unauthorized non-citizens and those near to them into a state of *abjection*, that is, the state of having “been expelled from the body, discharged as excrement, literally rendered ‘Other.’ This appears as an expulsion of alien elements.”<sup>59</sup> It is clear how unauthorized non-citizens are made invisible, for they are either deported or detained out of the sight of citizens. But their *families* are also encouraged not to avail themselves of some of the public services to which they are entitled in order to avoid separation;<sup>60</sup> parents stay away from schools because there they might face immigration enforcement officers; and their student children often underperform because they feel they have no reason to apply themselves academically given the lack of opportunities to attend institutions of higher education upon graduating from high school.<sup>61</sup> Moreover, the *citizen coworkers* of non-citizens are limited in their ability to address unjust employers because non-citizens have fewer opportunities to speak out in the workplace.<sup>62</sup> The inability to form a coalition of citizens and non-citizens

---

Immigrants: How Immigration Enforcement Affects Families, Schools, and Workplaces,” <http://cdn.americanprogress.org/wp-content/uploads/2012/12/MenjivarLegalViolenceReport.pdf> (accessed October 12, 2014). I cannot do justice in this short space to the vast recent literature on deportability as epitomized in the following edited volumes: Julie A. Dowling and Jonathan Xavier Inda, ed., *Governing Immigration through Crime: A Reader* (Stanford, CA: Stanford University Press, 2013); Nicholas De Genova and Nathalie Peutz, ed., *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement* (Durham, NC: Duke University Press, 2010); and Cecilia Menjivar, Daniel Kanstroom, ed., *Constructing Immigrant “Illegality”: Critiques, Experiences, and Responses* (New York: Cambridge University Press, 2014). Along the way I will point to specific articles that have influenced my thought.

<sup>59</sup>Roberto G. Gonzales and Leo R. Chavez, “Awakening to a Nightmare: Abjectivity and Illegality in the Lives of Undocumented 1.5-Generation Latino Immigrants in the United States,” *Current Anthropology* 53, no. 3 (June 2012): 256. Here they are quoting Judith Butler, *Gender Trouble: Gender and the Subversion of Identity* (New York: Routledge, 1999), 169.

<sup>60</sup>See also Victor Talavera, Guillermina Gina Núñez-Mchiri, and Josiah Heyman, “Deportation in the U.S.-Mexico Borderlands: Anticipation, Experience, and Memory,” in *Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, ed. Nicholas De Genova and Nathalie Peutz (Durham, NC: Duke University Press, 2010), 172.

<sup>61</sup>Gonzales and Chavez discuss the educational trap for 1.5 generation undocumented immigrants in “Awakening to a Nightmare.”

<sup>62</sup>Nicholas De Genova’s work, incorporating insights from Foucault, Agamben and Marx, makes

against unjust employers allows the latter to overlook low wages and unsafe working conditions for all of their employees. Finally, because all of this occurs in a context of the racialized imagination of “Mexicans” (and other Hispanics) as “illegal aliens,”<sup>63</sup> racial profiling affects *Hispanic citizens* who might be stopped by police officers simply because they “look like” illegal aliens.<sup>64</sup>

Again, the humanitarians do well to raise awareness of racial issues, but they fail to recognize that these effects are simply part of the regime of deportation that accompanies assertions of national sovereignty. There is no way to enforce the state’s right to sovereignty without a border apparatus that detains and deports, and there is no way to detain or deport people without separating them from families or making them vulnerable to exploitation. Border practices, as means of exercising sovereignty, aim to bring economic well-being, physical security, and cultural flourishing—in short, *life* (chapter 1)—to citizens. The state’s sovereign power of deterrence, detention, and deportation deals invisible death for deportable migrants and those who are close to them. Iconic illegal aliens are allowed to die outside of citizens’ purview, stuffed away in prisons and detention centers, expelled from our territory, and pressed to hide from public scrutiny. Citizens regulate their well-being through relations to outsiders who are drawing

---

constant reference to how deportability makes unauthorized aliens exploitable. See, for example, De Genova, “The Deportation Regime: Sovereignty, Space, and the Freedom of Movement,” in *Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, ed. Nicholas De Genova and Nathalie Peutz (Durham, NC: Duke University Press, 2010), 33-65. Whereas De Genova focuses on urban labor, an excellent discussion of migrant farm labor is found in Seth Holmes, *Fresh Fruit, Broken Bodies: Migrant Farmworkers in the United States* (Berkeley and Los Angeles, CA: University of California Press, 2013). The labor of undocumented women is discussed in Bosniak, *The Citizen and the Alien*, 102-121.

<sup>63</sup>David Manuel Hernández, “Pursuant to Deportation: Latinos and Immigrant Detention,” in *Governing Immigration through Crime: A Reader*, ed. Julie A. Dowling and Jonathan Xavier Inda (Stanford, CA: Stanford University Press, 2013), 201, 212; Chacón, “The Security Myth,” 90.

<sup>64</sup>On the historical construction of the Mexican as the “iconic illegal alien,” see Mae Ngai, *Impossible Subjects*, 58.

or have drawn near; these relations of force make aliens, their death, their imprisonment, their silencing, and their exploitation invisible.

Needless to say, this complex of unseen death is highly racialized. The U.S.-Mexico border is more regulated than the U.S.-Canada border, an unsurprising fact given the belief in a sort of “brown tide rising” from the south.<sup>65</sup> Such “brown” people are far more likely to die in the wilderness and be deported than American citizens of any color. But these brown bodies share with black bodies the relatively high likelihood of being behind bars in detention centers and prisons. And hiddenness is racialized in the widespread exploitation of Latina/o labor, as well as in the desire of Latina/os to stay out of the spotlight because of racial profiling. Again, all of this occurs in the context of America’s imperially-initiated and unevenly-perpetuated relationship with Latin America and Mexico in particular. *Those who justify national sovereignty and borders must come to terms with the racialized, unseen violence that the sovereign people inflicts upon migrants and those to whom they are related.* The problem with the border apparatus is not that some of its practices are unjust, but rather that it inherently separates those who must live from those who may die—citizens from illegal aliens—and lets nature take its course. Failing to see this connection, the humanitarians fail to see the reprobating work of the border apparatus.

### **Racialized Anxiety over Exclusion**

The humanitarians are not unaware of some of these issues of racialization. For example, SNL denounces the “[m]isperceptions and xenophobic and racist attitudes” of

---

<sup>65</sup>See Chavez, *Covering Immigration*.

some civil enforcement authorities like Border Patrol officers,<sup>66</sup> and Heyer argues that the border apparatus is the most racist institution “since the days of Jane and Jim Crow South” because it explicitly targets Latina/o migrants.<sup>67</sup> The humanitarians also object to the widespread xenophobia that supports unjust border practices, degrading stereotypes of Latina/os as criminal lawbreakers,<sup>68</sup> and the type of racial profiling that has become so controversial of late. Whether legal or merely tolerated, law enforcement officers often use race-formed vision to detect who might be a “terrorist” or an “illegal alien.”<sup>69</sup> In addition, the humanitarians criticize the denigration of migrants’ cultures and the pressures placed upon them to strip off the ways of their old country when they enter the new country. Because the dignity of individuals cannot be separated from the dignity of their cultural heritage, they argue, migrants should not be coerced into denying or hiding their “spiritual and cultural dimension.”<sup>70</sup> SNL notes that Americans must undertake the tasks of “confronting attitudes of cultural superiority, indifference, and racism; accepting migrants not as foreboding aliens, terrorists, or economic threats, but rather as persons with dignity and rights, revealing the presence of Christ; and recognizing migrants as

---

<sup>66</sup>USCCB and CEM, *Strangers No Longer*, 80.

<sup>67</sup>Heyer, *Kinship across Borders*, 17-18.

<sup>68</sup>Raúl Fornet-Betancourt, “Hermeneutics and Politics of Strangers: A Philosophical Contribution on the Challenge of *Convivencia* in Multicultural Societies,” in *A Promised Land, a Perilous Journey*, ed. Daniel G. Groody and Gioacchino Campese (Notre Dame, IN: University of Notre Dame Press, 2008), 222; Heyer, *Kinship across Borders*, 19.

<sup>69</sup>Regarding Muslim American immigrants see Pierrette Hondagneu-Sotelo, *God’s Heart Has No Borders: How Religious Activists Are Working for Immigrant Rights* (Berkeley and Los Angeles, CA: University of California Press, 2008), 13, 189; and Rose, *Showdown in the Sonoran Desert*, 127-129, which mentions the controversial Arizona bill SB1070, which, many claimed, explicitly allowed and demanded the use of racial profiling by police officers and would have affected the Latina/o community most.

<sup>70</sup>Battistella, “Migration and Human Dignity,” 181.



bearers of deep cultural values and rich faith traditions.”<sup>71</sup> Again, it is the dignity of human life and one’s right to live without unnecessary and unjust suffering that theologians assert when arguing against racist nativism and coercive assimilationism. Raúl Fornet-Betancourt puts this point well: “the acknowledgement of dignity implies the acknowledgement of the cultural differences in which the human dignity is concretely realized. Therefore, a politics of recognition of the strangers must be a politics of acknowledgement of the strangers as subjects who have the right to difference, or better, the right to live their culture.”<sup>72</sup> The dignity of all human beings, that is, requires recognition and acknowledgment, an acceptance of the other as other.

Yet there is far more to racialization than injustices done to individuals by police officers and to cultures through non-recognition. At the heart of modern racial identity is seeing and visibility, not only the racist vision of law enforcement, but also how people come to see themselves and want to be seen. In this context, we should note how border practices can be enforced only if we distinguish petty law offenders from people who are delinquent to their very core—and vision is crucial in such distinctions. Michel Foucault’s discussion of the “carceral system” helps us see the subject-forming effects of the border apparatus.<sup>73</sup> This apparatus makes three things visible: first, a distinction

---

<sup>71</sup>USCCB and CEM, *Strangers No Longer*, 40.

<sup>72</sup>Fornet-Betancourt, “Hermeneutics and Politics of Strangers,” 220. The same logic holds among Protestant thinkers. In a discussion of the way American citizens often perceive Hispanic migrants, biblical scholar M. Daniel Carroll-R. draws on the parable of the Good Samaritan to say that “Jesus lays aside the exclusivistic mores and negative feelings of his cultural heritage toward Samaritans for more important things: their value as persons and the potential of their faith” (*Christians at the Border: Immigration, the Church, and the Bible* [Grand Rapids, MI: Baker Books, 2008], 125). In a similar vein, biblical scholar Ched Myers conceives of Pentecost not primarily, as I do, as the joining of all peoples in Jesus Christ, but rather as “a profound affirmation of ethnic distinctiveness and rootedness in defiance of imperial assimilation” (Myers and Matthew Colwell, *Our God Is Undocumented: Biblical Faith and Immigrant Justice* [Maryknoll, NY: Orbis Books, 2012], 32).

<sup>73</sup>Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan ()New York:

between illegalities and delinquency,<sup>74</sup> that is, between the *illegal actions* of offenders and *delinquent people* who, because they are corrupt in their very being, must be punished for the sake of their reform.<sup>75</sup> Because there is no statute of limitations on unauthorized entry, once one becomes an illegal alien, one always remains an illegal alien—that is, a delinquent who can be deported. More important, second, is the racial element of this complex. Foucault gestures toward this racial element when he says that “it is not crime that alienates an individual from society, but ... crime is itself due rather to the fact that one is in society as an alien, that one belongs to that ‘bastardized race.’”<sup>76</sup> In the context of immigration, “poor Mexicans” are this bastardized race of iconic illegal aliens because their unauthorized border crossing confirms their status as outsiders in their bones. The border practices of exclusion reproduce the modern association of Latin Americans as excluded from civilized U.S. society.<sup>77</sup> Finally, this apparatus encourages racialized groups to prove that they are not delinquents, that they *do* belong, that they are or can be “good Americans.” Border practices press those who do not want to remain invisible to a certain kind of visibility. Many desire to come out of a state of abjection and to be acknowledged in wider society. They want their belonging recognized. But very often this takes shape as an attempt to *prove* that they belong. Racialized migrants

---

Vintage Books, 1977, 271-285.

<sup>74</sup>Foucault, *Discipline and Punish*, 272: “penalty does not simply ‘check’ illegalities; it ‘differentiates’ them.”

<sup>75</sup>Foucault, *Discipline and Punish*, 277.

<sup>76</sup>Foucault, *Discipline and Punish*, 276; Foucault is quoting G. Target.

<sup>77</sup>On Latin Americans as a crucial “other” for Euro-Americans, see Aníbal Quijano and Immanuel Wallerstein, “Americanness as a Concept, or the Americas in the Modern World-System,” *International Social Science Journal* 44, no. 4 (November 1992): 549-557; and Mignolo, *The Idea of Latin America* (Malden, MA: Blackwell Publishing, 2005).

must prove their fitness for citizenship. So then while the humanitarians rightly criticize racist law enforcement officers and cultural denigration, they do not see that the visible border helps to form racialized delinquents who must attempt to display their belonging. Two stories demonstrate some of the tragic ways in which iconic illegal aliens are pressured to make their belonging visible.

### Two Stories of Belonging

The immigrant marches of 2006 are often hailed as moments when people came out in droves to resist unjust immigration laws. Migrants and their supporters expressed both their resistance to harsh punitive measures directed at undocumented migrants and their desire to be legally part of the nation-state.<sup>78</sup> Migrants, their loved ones and their supporters expressed loyalty to the nation-state by displaying national symbols like the American flag, reciting the pledge allegiance, and singing the national anthem.<sup>79</sup> They did not deny pluralism, however, but argued that pluralism is a distinctly American commitment. The waving of Mexican flags, mostly by Mexican youths, was no threat to American sovereignty, they suggested, just as painting towns green on St. Patrick's Day was no declaration of an Irish attempt to conquer America.<sup>80</sup> In this discourse, immigrants and their children who have transnational ties and "ethnic" loyalties are the

---

<sup>78</sup>Leo R. Chavez, *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford, CA: Stanford University Press, 2008), 152.

<sup>79</sup>Chavez notes that this last caused some problems because many Latina/os used a Spanish version of the anthem. He points out the hypocrisy involved in condemnations of such translations, especially the condemnation of then-President George W. Bush: "At the time President Bush commented that the national anthem should be sung only in English, there were four Spanish versions on the State Department's website. There were even reports of candidate George W. Bush singing the anthem in Spanish at campaign functions in Texas, as well as at Hispanic festivals and parties after he assumed the presidency" (*Latino Threat*, 171).

<sup>80</sup>Chavez, *Latino Threat*, 158-159.

epitome of Americanness.<sup>81</sup> These non-citizen migrants took Americans at their word: they thought this was a nation of immigrants.

The protesters also asserted their economic contribution to and belonging in American society. Many proclaimed that they work hard jobs and do not use up as many resources as they could. The student movement may have been the most strident in declaring their commitment to hard work, for they expressed their desire to learn in American colleges and universities and to obtain jobs typically reserved for American citizens. For many of these youths, most of their childhood education was in public schools in the United States. “Their lives [were] profoundly shaped by parallel processes of growing into adolescence and adulthood and acculturating to the norms and standards of U.S. culture.”<sup>82</sup> Because they were already here, went their argument, they should have the same access to financial support for education that citizens have, and there should not be a glass ceiling on the types of work they can do once they complete their education.<sup>83</sup>

While it is important to see, as many commentators do, that the migrant demonstrations of 2006 made visible their desire to be included, we must also ask why they made this desire known. The obvious answer is certainly correct: they took to the streets to protest the violence of anti-immigrant sentiment and deportability. But equally crucial is that by living in the United States, often for a long period of time, they

---

<sup>81</sup>Rey Chow’s discussion of “coercive mimeticism,” the process by which society calls “ethnic subjects” into being and elicits their response of faith, is important for the constitution of ethnic pluralism as constitutive of American society. See Chow, *The Protestant Ethnic and the Spirit of Capitalism* (New York: Columbia University Press, 2002), 103-115. Never mind, of course, the elisions of the typical connection of America’s pluralism with its self-identification as a nation of immigrants: “Black” holidays like Martin Luther King Day and Black History Month and the highly dubious Native American holiday Thanksgiving should remind us that America may be a nation of migrants, including forced migrants like imported African slaves and dispossessed indigenous peoples, but it is exactly *not* a nation of immigrants.

<sup>82</sup>Gonzales and Chavez, “Left Out but Not Shut Down,” 274.

<sup>83</sup>Gonzales and Chavez, “Left Out but Not Shut Down,” 277.

eventually internalized what good Americanness is. They learned that hard work, the waving of flags, and pluralism are part of the American way of life. The next story makes the darker elements of the American way of life more apparent. Anthropologist Nicholas De Genova tells of his conversations with several undocumented migrants from Mexico living and working in Chicago.<sup>84</sup> De Genova discusses at length the friendship between two undocumented Mexican Chicagoans, Gonzalo and Osvaldo. Gonzalo, notes De Genova, calls his longtime friend and coworker Osvaldo his “*negro*” (“black” in Spanish). As De Genova explains, *negro* is not the same as the English word “nigger,” a word that these migrants knew how to use. Rather, in this context, *negro* is roughly synonymous with “slave,” presumably because slavery is associated with racial blackness in both Latin America and the U.S. When Gonzalo calls Osvaldo *negro*, then, he is saying Osvaldo works too hard, suggesting at times that Gonzalo is superior to Osvaldo because he does not have to work like *un esclavo negro* (a black slave).

Gonzalo describes their relationship in other terms as well. They have been “married” for over a decade, he says, indicating how long they have known each other as friends and coworkers. Gonzalo and Osvaldo clearly care for each other, but Gonzalo playfully asserts that Osvaldo is the woman in their relationship because he is the one forced to work. When Gonzalo calls him his *negro* and wife because he cannot avoid extremely hard labor, he connects femininity and slavery with blackness. Osvaldo is “black,” according to Gonzalo, because like a woman, he cannot choose *not* to work—like a docile woman and slave, he is forced to work by people who are more powerful than he is.

---

<sup>84</sup>This story comes from Nicholas De Genova, *Working the Boundaries: Race, Space, and “Illegality” in Mexican Chicago* (Durham, NC: Duke University Press, 2005), 174-206.

De Genova summarizes the complex racial dynamics and limitations at play in the stories of Gonzalo and Osvaldo in these words: “If Mexican migrants in Chicago did in fact very commonly understand their nemesis to be African Americans and were actively complicit with larger social forces pressing Blacks to the lowest level of the racial hierarchy, this was not sufficient for Mexican migrants to secure any kind of future as ‘Americans,’ nor was it a conclusive indication that any kind of ‘assimilation’ was under way or even plausible. In short, ... there was no act of racial contempt that would accomplish their transformation into entitled whites. They remained the captives of that space between ‘Americans’ [= whites] and Blacks.”<sup>85</sup> This analysis of racial realities in Mexican Chicago reveals that one of the most important tasks of the immigrant is to learn that full belonging to American society is granted only to whites, meaning that in many ways they will remain similar to other residents and citizens who consistently have less than they need. American racial realities involve ways of seeing whiteness, blackness, and one’s relationship to them, not simply the racist law enforcement practices and cultural marginalization that the humanitarians rightly criticized.

These stories highlight four crucial aspects of migrant racialization. First, they are stories of attempts to show some sort of loyalty. Second, the migrants in these stories attempt to demonstrate that they do not drain the system, but in fact contribute economically to society. Third, education is an important way for immigrants to improve themselves and thereby reach self-sufficiency. Finally, migrants learn to belong in part by learning their place in America’s racial hierarchy—they learn who is at the bottom and often attempt to distance themselves from them. Iconic illegal aliens are pressed into the

---

<sup>85</sup>De Genova, *Working the Boundaries*, 209.

anxious attempt to prove that they belong by displaying their loyalty, hard work, desire for education, and knowledge of their place in America's racial hierarchy.

### Anxiety and Reprobation

These racializing processes are related to reprobation in two ways. First, migrants' anxious visibility is the speaking up and the crying out of a people who are excluded and under the threat of death, a people who, as theologian Orlando Espín says, share the common feeling of having been "vanquished."<sup>86</sup> For as Tunisian intellectual Albert Memmi says, "[o]ne never asserts one's identity so much as when it's threatened."<sup>87</sup> From this perspective, iconic illegal aliens assert their Americanness because it is being denied despite their living here, working and paying taxes, attending schools, involvement in their communities, building relationships, political participation, and entering into the racial struggles so determinative in American society; and they assert their *Latinidad* (their "Latina/o" identity) because they feel it is under the threat of elimination and exclusion. The waving of flags, the attempts to demonstrate hard work and education, the desire to learn American society—even its ugly aspects—are the understandable response of people who feel anxious that they will be rejected or destroyed.

At a deeper level, second, for these migrants to assert their belonging is for them to attempt to demonstrate their secular election. Critical theorist Rey Chow helps us see this when she lifts up Max Weber's seminal analysis of "the effective structural

---

<sup>86</sup>Orlando O. Espín, *The Faith of the People: Theological Reflections on Popular Catholicism* (Maryknoll, NY: Orbis Books, 1997) 11-31.

<sup>87</sup>Albert Memmi, *Decolonization and the Decolonized*, trans. Robert Bononno (Minneapolis: University of Minnesota Press, 2006), 86.

collaboration ... between the power of subjective belief (*in salvation*) as found in modern, secularized society and capitalist economism's ways of hailing, disciplining, and rewarding identities constituted by certain forms of labor."<sup>88</sup> Racialized capitalist society harnesses people's belief in a better life towards creating and rewarding social agents who look and act a certain way. As I demonstrated in the first chapter, the ideal immigrant demonstrates her or his salvation by conforming to the norms of neoliberal whiteness and showing loyalty to the nation by learning its ways of hard work and racialization. In other words, there is an "inner affinity" (in Weber's terms)<sup>89</sup> between the spirit of racialized capitalism and the anxious attempt to make one's belonging visible. Iconic illegal aliens are pressed into anxiety to prove that they should not be excluded, that they are not the reprobate. They want to know, as Weber might argue, that they are numbered among the elect and belong with those predestined for glory,<sup>90</sup> and it is by making their bodies appear acceptable in racialized capitalist society that they demonstrate their election. The reprobate may earn their belonging if they can educate themselves, work hard, display their loyalty to the nation, and learn where diverse peoples fit in our racial hierarchies. True citizens—the elect who elect themselves and damn the undocumented—know these commandments and obey them, whereas iconic illegal aliens either do not know these commandments or cannot obey them.

---

<sup>88</sup>Chow, *Protestant Ethnic*, viii; emphasis added.

<sup>89</sup>On the notion of "inner affinity," see Max Weber, *The Protestant Ethic and the "Spirit" of Capitalism and Other Writings*, eds. and trans. Peter Baehr and Gordon C. Wells (New York: Penguin Books, 2002), 6, 7, 30, 36.

<sup>90</sup>Weber, *Protestant Ethic*, 69-87.



## The Moralism of Attempts to Make Borders More Humane

The humanitarians do well to highlight the problems of death and violence, exploitation, family separation, racist law enforcement tactics, and cultural denigration that migrants and their communities face on a daily basis. They thoroughly—at times painstakingly—detail the crimes against migrants perpetrated by a public hell-bent on restricting their entry. These Christian immigration ethicists *humanize* migrants, even unauthorized migrants, by underscoring the manifold ways in which migrants are *dehumanized*. They also offer a Christian response that will appeal to people of good will outside the church since, as Elie Wiesel has noted, the language of human rights is the world’s secular religion.<sup>91</sup> Speaking in terms of human rights and dignity makes sense to many of our contemporaries, and these thinkers draw on a long heritage of Christian reflection that remains accessible to people outside the church.

Yet it is exactly the focus on human rights that weakens the humanitarians’ arguments, for this discourse is both colorblind and abstract. It is *colorblind* in the sense that it does not wrestle with the multiple meanings of international borders. All states may equally have a right to borders, but not all borders are equal. All borders are “*overdetermined* and, in that sense, sanctioned, reduplicated and relativized by other geopolitical divisions.”<sup>92</sup> This is self-evident in the case of the borders of the United States: the U.S.-Canada border gets less attention from the government and media than the U.S.-Mexico border, almost certainly because Canada is a wealthy, mostly white

---

<sup>91</sup>Quoted in Donald Kerwin, “Rights, the Common Good, and Sovereignty in Service of the Human Person,” in *And You Welcomed Me: Migration and Catholic Social Teaching*, ed. Donald Kerwin and Jill Marie Gerschutz (Lanham, MD: Lexington Books, 2009), 93.

<sup>92</sup>Étienne Balibar, *Politics and the Other Scene*, trans. Christine Jones, James Swenson, Chris Turner (New York: Verso, 2002), 79.

nation, whereas most Americans perceive Mexico as a teeming mass of poor brown bodies. This racialized distinction is the legacy of the various instances of concrete violence—wars of conquest by Iberians, imperial wars of Anglo-Americans—and the economic and ideological violence that have accompanied them since the dawn of colonial modernity.<sup>93</sup> The U.S.-Mexico border was won through the imperialist project of Manifest Destiny, and it continues to be won through military technologies, exploitative trade policies, and racist ideologies. By saying nations have a right to sovereignty over their territory, the humanitarians fail to acknowledge the racialized violence through which the United States was constituted and is sustained.

Moreover, the humanitarian discourse of border ethics is *abstract* in the sense that there is in reality little room for philosophical distinctions between the *exclusive* prerogatives of migration restriction, which human rights discourses assume,<sup>94</sup> and the *inclusive* imperatives of much citizenship and humanitarian discourse. When the humanitarians assert the right of nations to restrict migration flows, they permit states to discriminate between people who may cross the border and those who may not. Yet in general, they articulate a strong view of substantive citizenship that includes economic, cultural, and political rights. This is why their criticisms of the border apparatus include mentions of exploitation, family separation, and racism. In this way, they imagine that there should and can be a “separation” between the norms that hold at the border and those that hold on the interior; they believe, in other words, that although it is legitimate

---

<sup>93</sup>See Mignolo, *The Idea of Latin America*.

<sup>94</sup>Saskia Sassen, *Losing Control? Sovereignty in an Age of Globalization* (New York: Columbia University Press, 1996), 70. According to Sassen, although “current international law [including human rights norms] imposes important limitations on the exercise of the sovereign power to control entry, overall there is little disagreement as to the state’s authority in this matter.”

to exclude some at the border, such exclusion is illegitimate on the national interior.<sup>95</sup> All people, regardless of citizenship status, should be treated fairly when they are territorially present, but not all people should be allowed to become present.

But this separation of norms does not play out in real life because borders have multiple meanings that do not go away when people come into contact with each other. The imperial relations that constituted the border continue to affect people who make it past the border.<sup>96</sup> The exclusionary norms that govern at the border “converge” upon the non-citizen (especially the undocumented non-citizen) on the interior.<sup>97</sup> And this is not because of some injustices committed in crafting and implementing border policies, but because of border practices *as such*. The border patrol has the authority to police national boundaries, as well as “pursue, arrest, and expel aliens who reside here,”<sup>98</sup> reaching deep into the interior of the nation through law enforcement, employer sanctions, and naturalization procedures. All of this further ensconces border realities in the daily lives of migrants on the interior<sup>99</sup> and ensures that those who feel the border as they cross it will continue to feel it as they move away from it. Those who may be excluded to the point of death *at* the border face exclusion and death once they cross it. And because citizens are just in setting at least some limits on who may enter the nation, they bear

---

<sup>95</sup>Linda Bosniak uses the term “separation” to describe this type of analysis of the privileges of citizenship. See Bosniak, *The Citizen and the Alien*, 122-140.

<sup>96</sup>See Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar, “Latin@s and the ‘Euro-American Menace’: The Decolonization of the U.S. Empire in the Twenty-First Century,” in *Latin@s in the World-System: Decolonization Struggles in the Twenty-First Century U.S. Empire*, ed. Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar (Boulder, CO: Paradigm Publishers, 2005), 3-27.

<sup>97</sup>The term “convergence” is also Bosniak’s in *The Citizen and the Alien*.

<sup>98</sup>Bosniak, *The Citizen and the Alien*, 50.

<sup>99</sup>Bosniak, *The Citizen and the Alien*, 50.

little if any responsibility because death and exclusion would cease if aliens would stop violating national sovereignty.

### Conclusion

The upshot of this analysis is that as long as nations are given the right to sovereignty over their borders, they—*like God*—also have the right to punish lawbreakers. The humanitarians’ failure to see this limits their criticisms of the border to “proclamations of eternal, metajudicial values binding the legislator (in fact, *without much success*) to respect eternal ethical principles.”<sup>100</sup> This type of moralism will not suffice in the face of the complexities of the powers that traverse the bodies of deportable migrants.<sup>101</sup> In response to the inadequacy of the humanitarian perspective, I have sketched an alternative theological framework for assessing border practices. The “inner logic” of the border apparatus, I have shown, is one of damnation, not simply dehumanization. Citizens claim the right to decide whom to exclude, an exclusion that reflects and reproduces numerous types of death for which citizens deem themselves not ultimately accountable. Citizens can claim that because it was non-citizens who decided to enter the country illegally, they would stop dying and needing to prove themselves if they would simply stop entering the country illegally. I have shown, finally, that these

---

<sup>100</sup>Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998), 127; emphasis added.

<sup>101</sup>Balibar makes a similar point in discussing different ways of understanding humanitarianism. One sees humanitarian actions as ruses of power—ideological coverings for imperialist projects; another sees them as a Platonic ideal that, objective in itself, must be applied concretely to specific contexts. He says: “either there is a *right use of the right* taking place or there is a *wrong, perverse, use of the right*, between which we must choose, exercising judgment. This is a Platonic view of politics, which sees it as a continuous (but also essentially desperate) attempt at reaching the harmony of ideas and realities and bridging the gap between them.” Étienne Balibar, “On the Politics of Human Rights,” *Constellations* 20, no. 1 (March 2013): 20.

deaths and anxieties are highly racialized, afflicting undocumented Latina/o migrants and those who are close to, or “look like,” them far more than anyone else. For these reasons, we must name the border dividing the U.S. from Mexico a secularized “dividing wall of hostility” (Ephesians 2:15-16; New International Version).

Yet some may find this analysis too harsh. Is it really the case that in the border Americans enact their view that unauthorized migrants are the anti-elect? Might it not be, rather, that unauthorized non-citizens are the non-elect whom the sovereign people have neither chosen nor damned? Death is the determining factor here because unlike the non-elect, the anti-elect die. In Calvin’s theology, there is no third category of non-election; the only category other than election is reprobation, the contours of which are exclusion and eternal death. We may not hear the government declare explicit war on undocumented migrants, but the pervasive realities of death, anxiety, and exclusion in the life of such migrants make it better for us to speak of anti-election than of non-election. Citizens do not simply *not* elect illegal aliens—citizens damn them to death and anxiety.

And this damning is at once “secular” and deeply “religious.” It is secular in the sense that the deaths that the border apparatus inflicts or allows, and the anxieties it provokes, are this-worldly. Yet as I showed in the prior chapter, this secularity does not mean “irreligious,” but rather a different kind of religious. In other words, because in the border we put into practice our decisions about life and death, belonging and exclusion, justice and punishment, we cannot conceive of the deaths and anxieties of undocumented non-citizens as non-religious. Rather, border deaths concern the questions, who must be excluded and allowed to die; and who *decides* who must be excluded? Border deaths, then, are not *solely*, perhaps not even *fundamentally*, about dehumanization. Citizens

decide that it is just for them to exclude aliens and make them potentially subject to death. This is simply the nature of exercising sovereignty through the border apparatus. The problem, then, is less the *dehumanization* of migrants and more the *idolatrous usurping of God's authority* to determine life and death and the *supersessionist usurping of Israel's special role as God's elect people*. Put differently, although the border apparatus is dehumanizing and unjust in that it fails to give human beings their due as bearers of the image of God, it also fails to give God and God's people their due. God alone determines life and death, and the Jews alone are promised endurance until the end of the ages. Like the popular sovereignty that grounds migration restrictions, border practices are idolatrous and supersessionist.

The border apparatus that citizens deem so necessary for their economic, cultural, and physical life must be countered, I am convinced, by a more faithful understanding and performance of the doctrine of election. Christians must live in relation to the border in the same way that we live in relation to the hostile wall that once divided Jews from gentiles, remembering above all that most of us were once alienated from God's promises to Israel and were brought near only because of the Messiah who gave his life for us. Such a memory leads not only to perpetual gratitude that God has invited us into God's people, but also to the recognition that we are always, as Swiss theologian Karl Barth once said, on "the way from near to distant neighbours."<sup>102</sup> For gentiles to draw near to the Jew from Nazareth is to draw near to people we do not know or love, near even to people we once hated. Moreover, because Jesus' good news is especially good to the

---

<sup>102</sup>Karl Barth, *The Doctrine of Creation*, vol. III/4 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. A. T. Mackay, T. H. L. Parker, Harold Knight, H. A. Kennedy, and J. Marks (1961; repr., Peabody, MA: Hendrickson Publishers, 2010), 299.

world's victims, as we are gathered to him we will also be drawn near to those victims to whom Jesus is drawing near. Jesus' invitation and command to follow him brings us into life with his people Israel, with other peoples who speak other languages and tell different stories, and with those who suffer under the principalities and powers of this world. How can people who hold such convictions possibly accept—let alone justify—national borders? The next two chapters attempt to articulate an alternative politics of borders and belonging rooted in God's decision and the world's destiny in Jesus Christ.

## PART TWO: LIBERATING BELONGING



## Chapter 4: Samaritan Citizenship: A Political Theology of Neighbor-Love

*Do not even the tax collectors do the same?*  
Matthew 5:47

*If you belong to Christ, you are Abraham's offspring, heirs according to the promise.*  
Galatians 3:29

*[T]he concepts home, motherland and people ... [are] capable of extension.*  
Karl Barth<sup>1</sup>

*[S]olidarity [is] the appropriate present-day expression of the gospel mandate that we  
love our neighbor.*  
Ada María Isasi-Díaz<sup>2</sup>

### Introduction

When writing his ethics of creation after the Second World War, Karl Barth used the concepts of “near and distant neighbors” to address the question whether there is any moral import in the fact that we are born into particular places at particular times. The concept of the “people” (*Volk* in German) needed rethinking after its sinister uses in Nazi Germany. Barth began by defining the near neighbor as someone with whom one shares language, land and history; the distant neighbor is someone with whom one does not have such things in common. Barth then argued that the most moral guidance one could derive from the sheer facts of geographical proximity and linguistic and cultural heritage was the imperative to show relative loyalty to fellow citizens and relative openness to

---

<sup>1</sup>Karl Barth, *The Doctrine of Creation*, vol. III/4 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. A. T. Mackay, T. H. L. Parker, Harold Knight, H. A. Kennedy, and J. Marks (1961; repr., Peabody, MA: Hendrickson Publishers, 2010), 293. Henceforth abbreviated *CD*.

<sup>2</sup>Ada María Isasi-Díaz, *Mujerista Theology: A Theology for the Twenty-First Century* (Maryknoll, NY: Orbis Books, 1996), 88.

outsiders.<sup>3</sup> The result, for Barth, was that the near neighbor is someone with whom one shares much and to whom one owes relative loyalty; the distant neighbor is someone with whom one shares less and to whom one owes relative openness.<sup>4</sup>

Barth's discussion of near and distant neighbors frames the questions of this chapter: how should we understand the concept of neighbor, and what do we owe our neighbors? Although Barth makes no mention of the parable of the Merciful Samaritan (Luke 10:25-37) when discussing near and distant neighbors, anyone remotely familiar with Christian theology would think he might have done well to allow this biblical story to influence his understanding of our moral obligations to neighbors. Recently two Augustinian liberals, Eric Gregory and Luke Bretherton, have cited both Barth's text and the parable of the Merciful Samaritan in their reflections on this theme, finding in them a justification for continuing the Augustinian tradition ordering of one's finite loves.<sup>5</sup> Barth and, perhaps surprisingly, the parable of the Merciful Samaritan are allies, they think, in

---

<sup>3</sup>Barth, *CD III/4*, 296-302.

<sup>4</sup>Barth's reflections on scripture in the excursus (*CD III/4*, 309-323) complicate this account by more explicitly orienting a Christian ethic of citizenship around election and mission, thereby heightening his already strong sense of historical contingency. I cannot address these issues here, but anyone familiar with that excursus will recognize the influence it has had on my thinking; that material is the key to interpreting the larger-print material on the identity of and obligations to one's near neighbor. My main interlocutors here do not engage the exegetical material and to that extent read Barth primarily in terms of the obligation of relative loyalty and openness.

<sup>5</sup>Eric Gregory, "Agape and Special Relations in a Global Economy: Theological Sources," in *Global Neighbors: Christian Faith and Moral Obligation in Today's Economy*, ed. Douglas Hicks and Mark Valeri (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2008), 16-42 (citation on 23); and Luke Bretherton, *Christianity and Contemporary Politics: The Conditions and Possibilities of Faithful Witness* (Malden, MA: Wiley-Blackwell, 2010), 131-132. Here I focus on Bretherton's third chapter, titled "National: Christian Cosmopolitanism, Refugees, and the Politics of Proximity" (126-174). In this essay Gregory cites Martin Luther King, Jr., whom he elsewhere describes as "the great Augustinian liberal of modernity." See Eric Gregory, *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship* (Chicago: University of Chicago Press, 2010), 18-19. Bretherton and Gregory identify Thomas Aquinas and Barth as people continuing this tradition, though Bretherton adds John Calvin. See Gregory, "Agape and Special Relations," 31; and Bretherton, *Christianity and Contemporary Politics*, 131-132.

their project of prioritizing our love of near neighbors over our love of distant neighbors.<sup>6</sup> Because Barth's discussion frames the concern of this chapter and because I believe, with Gregory and Bretherton, that the parable has something to contribute to this discussion, it is fitting to probe the common strengths and weaknesses in these theologians' interpretations of the parable. Does this well-known parable of Jesus require that we make a preferential option for our near neighbors, as Gregory and Bretherton believe? Does it suggest that we owe more to "our people" simply because we are near to them?<sup>7</sup> The answer, I will show, is a resounding "no."

To make this argument, I begin with a brief summary of Gregory and Bretherton's accounts of the moral significance of nearness before rereading the parable of the Merciful Samaritan in light of the wider purposes of the Gospel of Luke. This rereading will demonstrate that a better reading of the parable demands that we reject the uses to which Augustinian liberals put it by raising three questions concerning the nature of nearness: the role of human and divine agency, the importance of segregation, and the very definition of proximity. The parable and non-theological scholarship demonstrate

---

<sup>6</sup>Gregory, "Agape and Special Relations," 31-42; Bretherton, *Christianity and Contemporary Politics*, 147-148. I use the term "Merciful Samaritan" because the text describes him as merciful, not good. Oliver O'Donovan refers to the text in the same fashion in "The Loss of a Sense of Place," in Oliver O'Donovan and Joan Lockwood O'Donovan, *Bonds of Imperfection: Christian Politics, Past and Present* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2004), 296-320. This essay is important for Gregory and Bretherton.

<sup>7</sup>I have chosen to engage Bretherton and Gregory because they represent one of the three major streams in contemporary political theology outlined by Daniel M. Bell, Jr., in "State and Civil Society," in *The Blackwell Companion to Political Theology*, ed. Peter Scott and William T. Cavanaugh (Malden, MA: Blackwell Publishing, 2004), 423-438. According to Bell, there is a liberal political theology that seeks overlaps and consensus between Christian and non-Christian or secular political convictions. This position need not be theologically anemic, as is demonstrated by the richness of the work of Augustinian liberals like Bretherton and Gregory, as well as Charles Mathewes and the sophisticated, and uneasily-classifiable, Oliver O'Donovan. But as much as these thinkers have attempted to learn from postliberal thinkers like Stanley Hauerwas, John Howard Yoder, and John Milbank, they are all fundamentally committed to liberal polities. I directly engage only Augustinian liberal political theology because (1) they have explicitly addressed the questions I pose in this chapter, and (2) my own project fits somewhere between the other two streams Bell identifies, namely liberationist and postliberal political theology.

that the Augustinian liberals' identification of the neighbor is *analytically dubious*. The chapter then weaves these strands together in a sketch of a doctrine of election influenced by Luke's Gospel and the parable of the Merciful Samaritan. I close with a construal of Samaritan love as boundary-crossing solidarity. These sections argue that Augustinian liberals offer a *morally suspect* account of Christian obligations to neighbors. The parable does not help Christians recover a sense of rootedness and loyalty to fellow citizens in a globalizing world, as Augustinian liberals would have it; it cannot abide the nationally-bounded conceptions of nearness and obligation that they put forward. Rather, it expands our notions of Christian belonging and calls us to solidarity across racial and class boundaries, all while avoiding the abstractions of universalism that the Augustinian liberals detest.

### **The Ethics of Proximity in Augustinian Liberalism**

Eric Gregory and Luke Bretherton are two of the most important voices championing an Augustinian cause in contemporary political theology, representing the particular tradition of Augustinianism that finds resonances between the patristic father and contemporary liberalism.<sup>8</sup> According to these thinkers, Augustine's thought supports,

---

<sup>8</sup>According to Gregory there are three strands of Augustinian liberalism (*Politics and the Order of Love*, 23-24). Reinhold Niebuhr is the great representative of Augustinian *realism*, the distinguishing virtue of which according to Gregory is hope in God's eschatological future. This strand emphasizes the limits of politics, the constant need to critique ideologies, and yet the possibility and even necessity of using coercive force to achieve more just social conditions. Another strand, which Gregory calls Augustinian *proceduralism*, attempts to embody the virtue of justice, understood as fairness towards persons and religiously non-committed governments; John Rawls best represents this stream. The final position, which Gregory advocates and calls Augustinian *civic liberalism*, emphasizes love of God and neighbor as the key to a Christian political theology. Another account of Augustine's influence on political theology is Gregory W. Lee, "Republics and Their Loves: Rereading *City of God* 19," *Modern Theology* 27, no. 4 (October 2011): 553-581.

enriches, and norms the theories and practices of liberal politics.<sup>9</sup> As noted above, they also draw on Augustine's discussion of the identities of and our duties towards near and distant neighbors, setting out to avoid both rootless liberalism and fetishized nationalism. Bretherton, for example, outlines a "Christian cosmopolitanism" in which "a common teleology ... orders the good of a particular community as being fulfilled in the good of humanity which is itself fulfilled in communion with God."<sup>10</sup> He opposes the rationalist cosmopolitanism of people like Montaigne, Jean Bodin, Locke, and others because their view of neighbor-love "is not teleologically ordered to the love of humanity, but is subsumed with it."<sup>11</sup> As opposed to Bretherton's Christian cosmopolitanism, rationalist cosmopolitanism is rootless, disavowing any moral import for one's particularity. He likewise opposes the communitarianism of people like Michael Walzer because it conceives the nation as an end in itself, thereby turning such communities into idols.<sup>12</sup> Bretherton uses the problem of refugees as an opportunity to articulate this vision.

According to Bretherton, Christian ethics demands prioritizing (1) the needs of refugees over the needs of economic migrants, and (2) the needs of fellow citizens over the needs of refugees. Bretherton makes three theological moves to justify this hierarchy of obligations: first, he affirms the dignity of particular human relations and differentiation. It is good, in other words, that God has not made us all the same. Second, he argues that these created relations are ordered towards God's final purpose of the

---

<sup>9</sup>As Gregory says: "Augustinian Christians ... should establish political friendships necessary to sustain liberal democracy threatened by entrenched elite interests" (*Politics and the Order of Love*, 9).

<sup>10</sup>Bretherton, *Christianity and Contemporary Politics*, 131.

<sup>11</sup>Bretherton, *Christianity and Contemporary Politics*, 132-133.

<sup>12</sup>Bretherton, *Christianity and Contemporary Politics*, 131.

communion of all people with God. The goal of creaturely existence is to glorify God and enjoy God forever, not to ensure the permanence of any people. Finally, he defines the purpose of the nation-state primarily in terms of providing a stable arena of law and order within which the church can preach the gospel because if the earthly city is marked by relative peace, then the church has the opportunity to bear witness to the heavenly city while it sojourns through time. Bretherton argues that bounded nation-states are necessary in order to avoid a totalizing homogeneity that makes communion and gift-giving impossible.<sup>13</sup>

The crux of the argument is that refugees' primary need is for a stable state ruled by law and order. Bretherton calculates that although economic migrants may be destitute, refugees are in direr straits. Because universal human rights can be enforced only by particular nation-states, stateless refugees are "bare life," in Giorgio Agamben's terms; they "exist ... in a zone of indistinction, ... exposed to death, ... excluded or banned from participation in both the divine and human community."<sup>14</sup> For Bretherton, refugees need exactly what modern nation-states can provide and what Christian theology desires of political authority, namely, an "arena of law and order."<sup>15</sup> To this extent his Augustinian theology overlaps with liberal politics. Moreover, he believes his position is

---

<sup>13</sup>On communion, see Bretherton, *Christianity and Contemporary Politics*, 134; on gift-giving, see *Christianity and Contemporary Politics*, 147. We need differences of identity for communion, argues Bretherton, because communion implies the coming together of differentiated persons; he also thinks difference is necessary for gift-giving because gifts cannot be exchanged between people who are exactly alike.

<sup>14</sup>Bretherton, *Christianity and Contemporary Politics*, 139. Bretherton's use of Agamben is counterintuitive at best, downright contradictory at worst. He squeezes an exhortation to law and order out of this contemporary anarchist. More concretely, Bretherton fails to see that borders—the realm of law and order that he so elevates—are the very means by which people are rendered bare life.

<sup>15</sup>On Christian theology, see Bretherton, *Christianity and Contemporary Politics*, 135; on modern nation-states, see *Christianity and Contemporary Politics*, 140.

*cosmopolitan* because it demands that nations be open to refugees (see below) and *Christian* because it takes seriously the goodness of the relations in which we were created and orders them in concentric circles outward toward God. We are to be open to loving all people, but we have special obligations to those nearest to us because God endowed us with the individual and communal identities that we experience as given.

Gregory's approach is similar. His primary concern is whether the global economy's increasing interdependence alters the duties of Americans toward needy foreigners in faraway lands, in his words "distant 'strangers.'"<sup>16</sup> Gregory agrees with Peter Singer that affluent people, and Christians in particular, should spend more on foreign aid than they do.<sup>17</sup> We *should* give more than we do to the distant destitute. But he also highlights the limits of what we can do. "A Christian," he says, "[can]not love every neighbor but should love any neighbor who happens across her way."<sup>18</sup> *Agape* is no abstract, universalistic love, for it begins, in his view, with the people we encounter. We are finite human beings with needs of our own, born into particular places at particular times. God does not begrudge the contingencies of our created identities since, after all, God gave us these identities.<sup>19</sup> Gregory draws on Augustine, Aquinas, and a few modern interpreters of the parable of the Merciful Samaritan to argue that our created identities order and limit our loves. The upshot is that we can love only by beginning where we are.<sup>20</sup>

---

<sup>16</sup>Gregory, "Agape and Special Relations," 16.

<sup>17</sup>Gregory, "Agape and Special Relations," 42. Gregory is citing Peter Singer, "Famine, Affluence, and Morality," *Philosophy and Public Affairs* 1, no. 3 (Spring 1972): 229-243.

<sup>18</sup>Gregory, "Agape and Special Relations," 35.

<sup>19</sup>Gregory, "Agape and Special Relations," 36.

<sup>20</sup>Gregory, "Agape and Special Relations," 33-39.

Both Gregory and Bretherton find the parable of the Merciful Samaritan useful. For them the parable obviously demonstrates that there are no boundaries to neighbor-love,<sup>21</sup> but equally important to them is that we are not to be surprised when someone different from us extends love to the needy. The most shocking part of the story is not that someone showed mercy but that *a Samaritan* did. The needy deserve neighbor-love, and anyone can extend that love. Moreover, the parable imagines the religious leaders' avoidance as sin. The priest and Levite who cross the road to dodge the needy man are complicit in his sufferings.<sup>22</sup> But finally, both Bretherton and Gregory reject the universalistic ethic of love that some have seen in this passage, instead emphasizing that the parable envisions love beginning with particular relationships, in Bretherton's case our relations with fellow citizens.<sup>23</sup> For him, the parable exhorts us to love the neediest—refugees, in his calculation—but without compromising the stable arena of law and order that fellow citizens and refugees need. Gregory adds that although Christians should send money abroad, the parable does not explicitly implore its hearers to seek out the needy. For Gregory, “go and do likewise” implores Jesus' followers to show mercy to the needy wherever they happen upon them.<sup>24</sup> In these ways, both authors surprisingly read this

---

<sup>21</sup>Gregory, “Agape and Special Relations,” 35; Bretherton, *Christianity and Contemporary Politics*, 148.

<sup>22</sup>Bretherton, *Christianity and Contemporary Politics*, 148.

<sup>23</sup>Bretherton does not explicitly equate the near neighbor with the fellow citizen, but surprisingly he asserts that this parable “is instructive” in demonstrating the need for a “sense of place and the existence of borders [in order to] resist the homogenizing collectivism and abstraction of a cosmopolitan egalitarianism ... that would make everyone the same and thereby eradicate the possibility of gift-exchange” (*Christianity and Contemporary Politics*, 147-148). Later Bretherton conceives “the moral licitness of borders” as correlative with “balanc[ing] the duty of care to existing citizens with the need to prevent migrants being rendered bare life,” all while “reestablish[ing] the rule of law” (*Christianity and Contemporary Politics*, 158-159). The identification of near neighbor with the fellow citizen is assumed rather than articulated. It is hard to see how this aids a theopolitical application of the parable.

<sup>24</sup>Some will disagree: see, for example, Justo L. González, *Luke* (Louisville: Westminster John Knox, 2010), 139-140: “Jesus' final injunction to the lawyer, ‘Go and do likewise,’ does not simply mean,



parable in order to justify the very preferential option for one's fellow citizens that I have discussed in prior chapters.

### **The Merciful Samaritan in Context**

The Augustinian liberals' use of this parable is surprising for several reasons. First, Jesus explicitly refuses to answer the question of the boundaries of neighbor-love. It is counterintuitive at best, categorically wrong at worst, to attempt to discern the limitations of love from a passage in which Jesus rejects this type of question from someone described as an accuser. Moreover, the passage has little to do with the created identities with which Gregory and Bretherton are concerned. The passage is about how to inherit eternal life from Israel's God. Their interpretations are surprising, finally, because they seem to conflict with what many people know of the Gospel of Luke. Putting the parable to theopolitical use requires that we see how it fits into Luke's larger purposes. A better understanding of the overall project of Luke's gospel will aid the critical analysis of Gregory and Bretherton in the following section as well as the constructive vision of the final two sections of this chapter. Even if Gregory and Bretherton interpret the parable from the wrong dogmatic locus (the doctrine of creation), they may be right to think it has something to teach Christians about faithful citizenship.

The parable points to five aspects of Luke's Gospel that require attention: first, the gospel story is about how Jesus of Nazareth is fulfilling the promises that Israel's God made long ago to Abraham, Sarah and their family; second, Jesus is inviting unusual

---

go and act in love to your neighbor, but rather, go and become a neighbor to those in need, no matter how alien they may be. It is not just a matter of loving and serving those who are near to us ... but also of drawing near to those who for whatever reason—racial, ethnic, theological, political—may seem to be alien to us.”

suspects into this family; third, some of these unusual suspects are responding faithfully to the good news; fourth, God is sending this strange, vulnerable community to all nations in order to preach the gospel and invite all peoples to become heirs of God's promises to Abraham and Sarah; finally, the good news is especially good for the poor and oppressed. After a brief description of the parable I will demonstrate these points in turn.<sup>25</sup> The end result is that Jesus redefines the family of God around himself, inviting gentiles and the poor to receive his good news in faith and to proclaim it among the nations. In this light, the parable does not demonstrate the goodness of proximity but the new definition of family and neighbor, demanding in this context a more flexible account of citizenship and a richer view of Christian solidarity than the Augustinian liberals offer.

Jesus tells the parable of the Merciful Samaritan in response to being questioned about eternal life (v. 25) and the boundaries of neighborhood (v. 29). The scribe began the exchange, Luke tells us, by testing Jesus with the difficult question of how one may inherit eternal life. In response Jesus asks how the scribe interprets the Law (v. 26). The scribe quotes two important texts from the Pentateuch, namely the *Shema* (Dt 6:5) and Leviticus 19:18. Jesus affirms the truth of the scribe's answer: one will live if one loves God wholeheartedly and loves one's neighbor as oneself (v. 28). The scribe presses further, demanding that Jesus clarify the boundaries of neighborhood: "who is my neighbor" (v. 29)? Jesus turns the question around and tells the scribe that the *actions* of neighborliness are more important than the *identity* of neighbors. He is concerned here

---

<sup>25</sup>By "demonstrate" I do not mean what might pass muster in a work in New Testament scholarship. While I hope such scholars will recognize extensive understanding of Luke's purposes, I make no claims to offering an exhaustive interpretation of Luke or of the parable of the Merciful Samaritan. My point here is much more limited: to show that we cannot interpret the parable of the Merciful Samaritan in the way (and for the purposes) that the Augustinian liberals have done. My interpretation is not the *final* word on the parable, but I hope it speaks a *better* word for a *better* political appropriation of the text.

with how to be neighborly. Jesus calls the hearers to imagine themselves as characters in the story.<sup>26</sup> They too, like the man headed from Jerusalem to Jericho (v. 30a), may suffer at the hands of robbers who might strip them, beat them, and leave them naked and half-dead (v. 30b). Religious leaders may pass by, but their authority may prove of no avail (vv. 31-32). On the other hand, an unusual suspect may draw near and embody the love of neighbor. The Samaritan, this unusual suspect, comes near to the man, sees him, and is moved with pity (v. 33); he offers healing and anointing, then gives him shelter and promises to pay for his recovery (vv. 34-35). When Jesus asks who acted like a neighbor in the story (v. 36), he implies the question: which interpreter of the Law would *you* want to pass by if you fell into the hands of robbers? The scribe answers correctly: “The one who showed mercy” (v. 37a). Neighborliness concerns actions, not static, supposedly “created” identities. Jesus inverts the scribe’s question about the boundaries of neighborhood with the final words in the pericope: “Go and do likewise” (v. 37b).

The parable seems straightforward enough. The Samaritan offers a paradigm for loving one’s neighbor as oneself.<sup>27</sup> But several aspects of the passage stand out when read in the context of Luke’s wider purposes. The parable concerns the proper reading and embodiment of the Law, the scriptures of Israel, in this case the levitical command of neighbor-love. This points to the first of Luke’s purposes, namely, to announce and

---

<sup>26</sup>New Testament scholar Brendan J. Byrne makes this point in *The Hospitality of God: A Reading of Luke’s Gospel* (Collegeville, MN: Liturgical Press, 2000), 101.

<sup>27</sup>Richard B. Hays, *The Moral Vision of the New Testament: A Contemporary Introduction to New Testament Ethics* (New York: HarperOne, 1996), 451. As will become clear later on, I am employing the parable in terms of what Hays earlier described as a “*symbolic world* that creates the perceptual categories through which we interpret reality” (p. 208; cf. 298-304); that is, the parable is an important element in a broader theological vision in which God’s election of Israel and predilection for the poor are central, and in which the most important ecclesial response is the extension of the family of God to people outside the boundaries of this community. I will refer to Hays and a few other biblical scholars throughout this chapter, but my exegetical work has been my own. I take full responsibility for the mistakes I may have made.

demonstrate that in Jesus of Nazareth Israel's God is fulfilling the promises made to Abraham and his descendants.<sup>28</sup> The scriptures play an important role in Luke's gospel. The early prophecies concerning John the Baptist and Jesus echo the Old Testament at various points. Like Sarah the matriarch of Israel, Elizabeth the mother of John the Baptist was once barren before being promised a child by the Lord (1:7). The Baptist's mission would be to "turn many of the people of Israel to the Lord their God" (1:16). John's father Zechariah saw in John the fulfillment of God's promises to Abraham (1:73), just as Jesus' mother Mary saw this fulfillment in her son (1:54-55). In the temple Simeon and Anna confirmed Mary's intimations about God's purposes in Jesus (1:28-35, 38). Luke also indicates that Jesus is a member of the family of Abraham (3:34) and a descendant of David (3:32), and he adds a messianic connection to David in various places: Jesus is the king, like David (e.g., 1:32; 20:41-44; 23:3, 37-38). Yet this son of David is also "a prophet mighty in word and deed" (24:19; cf. 4:18; 9:19, 28-36), one that some of his disciples thought had come "to redeem Israel" (24:21). Jesus does many of the things a good Jew must do, from circumcision (2:21) to study and teaching of the scriptures (2:43-49; 4:4-12, 17-19, 24-27; 24, 44-46). Indeed, Jesus begins his ministry in a synagogue telling his hearers that the prophecy of Isaiah about the coming of the Lord "has been fulfilled in [their] hearing" (4:21).<sup>29</sup> The one who tells the parable of the Merciful Samaritan, insists the whole gospel of Luke, is the prophet from the line of Abraham and David who is now bringing to fruition the promises in which God's people have long hoped. The God with whom Jesus identifies is Israel's Lord.

---

<sup>28</sup>Hays makes this point about Luke's purposes in *Moral Vision of the New Testament*, 114.

<sup>29</sup>Luke's use of the scriptures could be elaborated at much greater length. This brief survey suffices to make the point.

Jesus' Jewish hearers would not have been surprised that the hero in this parable rescued a vulnerable victim, but they might have been surprised to learn that it was a Samaritan who did the rescuing.<sup>30</sup> The second Lukan theme this passage highlights is that the gospel is coming to and being welcomed by people considered unusual suspects. One scholar has pointed out that some later rabbis thought of Samaritans as scrupulous in observing the Law,<sup>31</sup> yet he also notes that there is no evidence for this view in Jesus' day. Our surprise that the Samaritan is the example of neighbor love is warranted; a Samaritan was a foreigner at best (17:18), an enemy at worst,<sup>32</sup> not to mention a "heretic, one who did not serve God properly."<sup>33</sup> The more likely choice for the role of hospitable hero would have been an everyday Jew, in contrast to the often-corrupt religious leaders who "passed by on the other side" (10:31-32).<sup>34</sup> But Luke often surprises his readers with unexpected recipients of the gospel and unexpected exemplars of faithful response. Another Samaritan was the only person among a group of healed lepers who returned to praise Jesus after showing his healing to the priests (17:11-19; cf. 11:29-32; 14:12-14). The slave of a Roman Centurion is brought to health after being close to death because of his master's great faith (7:1-10). "Not even in Israel," says Jesus, "have I found such faith" as that of the Centurion (7:9; cf. 23:47). Moreover, unlike the people who hesitate

---

<sup>30</sup>M. Daniel Carroll-R. suggests that the lawyer's description of the Samaritan as "the one who showed mercy" is a hesitant circumlocution. See his *Christians at the Border: Immigration, the Church and the Bible* (Grand Rapids, MI: Baker Academic, 2008), 122. The text does not indicate that this is so; his argument is from silence.

<sup>31</sup>Peter J. Williamson, "Samaritans," in *Dictionary of Jesus and the Gospels*, ed. Joel B. Green, Scot McKnight, and I. Howard Marshall (Downers Grove, IL: InterVarsity Press, 1992), 728.

<sup>32</sup>There was strife between Judeans and Samaritans; Samaria made some alliances with pagan empires and were religiously more syncretistic, and the two groups even fought over each other's holy places (Jerusalem and Mount Gerizim, respectively). Williamson, "Samaritans," 726-727.

<sup>33</sup>González, *Luke*, 139.

<sup>34</sup>Byrne, *Hospitality of God*, 100.

to follow Jesus because of their daily business (9:57-62), the rich tax collector Zaccheus gives away great wealth in order to bear witness to the kingdom (19:2-10). And women are prominent recipients and proclaimers of the gospel; Elizabeth, Mary, and Anna stand out in the birth narratives (chs. 1-2), while Mary Magdalene and Jesus' mother bear witness to his resurrection (24:10-11, 22-24).<sup>35</sup> That the Samaritan in Jesus' parable demonstrates neighbor-love and is the type of person who will inherit eternal life may have surprised Jesus' hearers, but the attentive reader of Luke's gospel will see how this fits into the evangelist's vision.

The surprise of unusual suspects responding faithfully to the gospel does not conflict with the claim that the evangelist imagines Jesus in the role of a prophet who comes to fulfill God's promises to Israel. The beginning of Jesus' ministry holds these themes in tension: in Jesus of Nazareth God is fulfilling the words of the prophet Isaiah (4:17-21); it seems strange to the faithful that God would have chosen someone from Nazareth (v. 22b); Jesus reminds them that God has always crossed the boundaries of acceptability (vv. 25-27); and the faithful respond with violent rage (vv. 28-29). The God of Israel is bringing good news to the poor in Jesus of Nazareth; scripture attests that God has often done this, and is continuing to do this, by crossing boundaries; and the faithful do not always understand what God is doing. The third theme the parable of the Merciful Samaritan attests is God's renewal of God's people around Jesus of Nazareth, not least by adding unusual suspects to their number and calling them to renounce prior loyalties. The hint that the twelve disciples Jesus calls might be Israel renewed through faith (6:13-16)

---

<sup>35</sup>For more on women in Luke's gospel, see David M. Scholer, "Women," in *Dictionary of Jesus and the Gospels*, ed. Joel B. Green, Scot McKnight, and I. Howard Marshall (Downers Grove, IL: InterVarsity Press, 1992), 880-887.

is affirmed later on when Jesus announces that they will sit on twelve thrones and judge the house of Israel (22:28-30). Yet somehow this renewed Israel includes tax collectors and sinners (5:29-32; 15:2) and receiving love from a “sinful” woman in need of forgiveness (7:36-50). God’s people do not understand what is occurring, for they repeatedly reject Jesus and are castigated for not recognizing God’s visitation in Jesus (2:34-35; 3:8-9; 4:22-30; 7:31-35; 11:46-52; 13:33-34; 19:41-44). Jesus thus renews Israel as a family of faith by gathering a faithful people around himself. What matters to Jesus is not that they claim Abraham as father or Jesus as a near relative, but that they do the will of God by obeying the Son of God (3:8; 8:20-21; 9:59-62; 11:27-28; 12:49-53; 14:26; 18:28-30; 21:16). To remain faithful, the family of faith may need to realize what Karl Barth learned: “the concepts home, motherland and people ... [are] capable of extension.”<sup>36</sup>

Fourth, unless we read into the final statement of the parable of the Merciful Samaritan (“*go and do likewise*”), Jesus does not explicitly urge his followers to seek out people broken by robbers. Yet Luke has a great sense of Jesus’ gathering of the disciples to renew Israel for the sake of sending them out into the world. Jesus’ disciples are sent as a strange, vulnerable community (9:1-6; 10:1-9), just as Jesus himself was sent out (4:43; 9:52). Eventually his disciples will need to go to all nations in order to preach the gospel in word and deed, inviting all peoples into this community (24:44-49). But from the beginning the good news had to be preached to all nations (2:8-13, 32; 3:6). In the beginning of Luke’s second volume, the Book of Acts, Jesus reiterates the point that the disciples will be Jesus’ witnesses “in Jerusalem, in all Judea and Samaria, and to the ends

---

<sup>36</sup>CD III/4, 293.

of the earth” (Acts 1:8). The Acts of the Apostles is filled with stories of coming and going at the behest of the Spirit of Jesus Christ. The renewal of Israel in the calling of the disciples is inseparable from their being sent out for mission. This may make the parable of the Merciful Samaritan sound different. It does not command its hearers to go out of their way to find people in need, but Jesus does command his hearer to “go” (10:37), and the “going” of Jesus’ disciples finally takes shape as the church’s mission to all nations.

Finally, the Samaritan does not love and show mercy to a nondescript other but rather to a man broken by being robbed, stripped naked, beaten and left for dead. Luke continually highlights the good news Jesus brings to the poor in particular.<sup>37</sup> The good news is especially good for the vulnerable. Mary recognizes that in Jesus Israel’s God is bringing down the powerful and filling the hungry (1:52-53). Jesus’ first words in his public ministry announce that God is “bring[ing] good news to the poor, ... release to the captives and recovery of sight to the blind, ... let[ting] the oppressed go free, ... [and] proclaim[ing] the year of the Lord’s favor” (4:18-19). Luke’s version of the beatitudes, with its addition of the woes, proclaims the materially poor blessed while the materially wealthy “will mourn and weep” (6:20-26; 12:13-21; 14:33; 16:19-31). But Jesus is also concerned with those who are vulnerable for other reasons, including lepers (5:12-14; 17:11-19), paralytics (5:18-25), and people who are hungry (9:12-17), carrying unclean spirits, suffering from diseases, or possessed by demons (4:33-36, 40-41; 8:26-33). Jesus brings food and healing to these people and even raises some from the dead (7:12-15; 8:40-42, 49-55). He summarizes the authority of his mission for John’s messengers so: “the blind receive their sight, the lame walk, the lepers are cleansed, the deaf hear, the

---

<sup>37</sup>See Hays, *Moral Vision of the New Testament*, 116, 125, 464-465; Byrne, *Hospitality of God*, 195-196.



dead are raised, the poor have good news brought to them” (7:22). Such notes sound familiar to anyone who knows the parable of the Merciful Samaritan.

Luke may not have intended to hint at all these strands of his wider purposes in this parable. But when taken into consideration, they challenge the interpretation put forward by Gregory and Bretherton. The next section deals with three aspects of their definition of nearness. Here it is important simply to note, first, that when read in its Lukan context the parable has an expansive logic of communal belonging rooted in God’s purposes with Israel. God is drawing enemies into the people of God, even as many of the descendants of Sarah and Abraham reject their Messiah. The Samaritan of this parable hears and does the will of God, which, as Jesus says elsewhere, makes him a brother of Israel’s savior (8:21). Second, the parable norms our definitions of obligation by focusing on the vulnerable, those who have been robbed, exploited, beaten, and left for dead. Those who hear and do the will of God are attentive to the cries of the poor.

### **Defining Nearness**

The parable thus urges us to redefine nearness, which will be the subject of this section, as well as our obligations to neighbors. The next section sketches two themes in the doctrine of election and thereby leads to the final section on the tasks of communal belonging derived from the redefinition of nearness and the sketch of election. The new form of filial solidarity that Jesus brings into existence requires a more sophisticated account of the identity of our neighbors and far more attention to the God of the poor than the Augustinian liberals give.

## Proximity as Nature?

The first question this parable raises is whether neighborliness is a function of the doctrine of creation. Are we *naturally* near to some rather than others? Gregory and Bretherton are not wrong to affirm that our identities as members of this or that people confront us as facts given to us at birth and that the people as whom God created us are good. Gregory and Bretherton then argue that national identity is one of the concentric circles of human relations within which we are created. Like my own individual identity, my communal identity is good, even if flawed. Yet the identities of the key actors in the parable suggest that nearness is not (or not *solely*) a function of divine creation. The Jews are the elect people of God, not one “natural” community among others, and this passage pertains to the ethics of that people: a Jew tells a parable about someone outside the boundaries of God’s community in order to demonstrate one of the fundamental commands God gave them. Jesus uses the scriptures of the elect to say what God demands of those who would inherit eternal life. Moreover, many Jews saw Samaritans as derived from the mixed and conflicting desires, first, of *God* for God’s chosen people, of whom the Samaritans are, or initially were, a part; second, of *the Assyrian empire*, among whom this conquered community found itself; and third, of *the individuals* in that mixed community, as revealed in the “half-breed” children to whom they gave birth.<sup>38</sup> In short, human agency, not only divine agency, is involved in the formation of the Samaritan people. No matter how active God is in the process of creating people, human beings are active as well, so that conceiving the identity of the neighborly Samaritan as a function solely of divine creation is a failure to reckon with the implications of the

---

<sup>38</sup>Williamson, “Samaritans,” 726.

election of Israel and of human agency in the formation of people.

Though not commenting on the parable of the Merciful Samaritan, Barth did much better than the Augustinian liberals in defining the neighbor, for he rightly discerned that there is no filial basis for modern nation-states,<sup>39</sup> and he knew that the supposed unity of nation-states, which confronts us as given though fragile, is a unity won through force and imposition.<sup>40</sup> Two crucial insights follow from this and resonate with recent theories of national identity: national identities in land and cultural heritage are the achievements of force,<sup>41</sup> and yet the weak are not unilaterally forced into submission to the identities of the powerful. Collectively and individually, people are involved in the formation of national identities. Let us briefly take these points in turn.

National stability is always already imposed, and that in two ways. On the one hand, nations are born in blood. Borders between peoples are won through violence. The United States came into existence through colonialism, dispossession, slavery, labor exploitation, and imperialism. Borders, moreover, are perpetuated through the use of force, both against outsiders deterred by guards carrying guns, and internally through the constant threat of deportation (see chapter 3 above). The technologies and techniques of modern warfare are central to solidifying the modern nation's geographic parameters.<sup>42</sup>

---

<sup>39</sup>Barth, *CD III/4*, 294.

<sup>40</sup>Barth, *CD III/4*, 300.

<sup>41</sup>I use the categories of land and cultural identity almost randomly. Barth discusses peoples as those who share land, language, and history. I have employed the admittedly problematic term culture to replace language and history. For a sophisticated theological account of culture, see Kathryn Tanner, *Theories of Culture: A New Agenda for Theology* (Minneapolis: Augsburg Fortress, 1997), 3-60.

<sup>42</sup>Anthony Giddens, *A Contemporary Critique of Historical Materialism*, volume 2: *The Nation-State and Violence* (Berkeley and Los Angeles, CA: University of California Press, 1987), 3-5. Giddens distinguishes the "frontiers" of "traditional states" from the "boundaries" of "nation-states." Étienne Balibar makes a similar point in terms of colonialism in his "The Nation Form: History and Ideology," in Étienne Balibar and Immanuel Wallerstein, *Race, Nation, Class: Ambiguous Identities*, trans. Chris Turner

Blood has been and continues to be spilled at the U.S.-Mexico border, and this is part of what constitutes both nations.

On the other hand, national cultures are also forged through the relations of force inherent in institutions and forms of communication. The French Marxist philosopher Louis Althusser, for example, emphasized the role of schools in such formation. The public school, in his view, is one of the crucial sites in which people learn the national ideology, for the literature taught there, the histories told, the courses offered, the positioning of bodies before the flag—in these and other ways public schools coerce identification with nation-states that are brought into being through violence.<sup>43</sup> Others have noted the centrality of print, audio-visual, and electronic media for inculcating national solidarities (see chapter 2 above). Another French theorist, Roland Barthes, famously described the cover of a magazine in which a dark-skinned youth donned military garb. The image tells of the beneficent and universalist commitments of the French. Never mind, of course, that the young man became “French” only through colonialism.<sup>44</sup> This photo assured viewers and readers that they were all the same community. Such identities continue to be shaped through the proliferation of knowledge

---

(New York: Verso, 1991), 89: “every modern nation is a product of colonization: it has always been to some degree colonized or colonizing, and sometimes both at the same time.” One thinks immediately of the burgeoning nation-state of colonial America, colonized by the British while colonizing Africa and imperially dispossessing and robbing the indigenes.

<sup>43</sup>See Althusser, “Ideology and Ideological State Apparatuses (Notes towards an Investigation),” in *Lenin and Philosophy, and Other Essays*, trans. Ben Brewster (New York: Monthly Review Press, 1971), 152: “the ideological State apparatus which has been installed in the *dominant* position in mature capitalist social formations as a result of a violent political and ideological class struggle against the old dominant ideological State apparatus [the church], is the *educational ideological apparatus*.” Althusser’s Marxism is seen when he argues that this is fundamentally a *class* struggle and that these apparatuses come from and serve the purposes of “capitalist relations of exploitation” (154).

<sup>44</sup>Barthes, *Mythologies*, trans. Annette Lavers (New York: Farrar, Straus and Giroux, 1972), 116-117.

on the television, in (what remains of) print newspapers and magazines, and on the internet. The teacher, the journalist, the author, the blogger: these actors set the linguistic and cultural terms for the identities possible in a territory won through violence.

But learning does not imply complete submission. Human beings are also involved, second, in the selective, contentious appropriation and use of the cultural materials at hand. Collective identities are always already plural because they are never static givens but are instead projects in which several parties play a role and in which those who receive the stories told about them “consume” them in their own, sometimes subversive ways. There is no telling how exactly people will employ the cultural resources they have at their disposal.<sup>45</sup> Moreover, although self-understandings are hammered out through the dissemination of mass media, these media are always on the move. They may be constrained by various relations of force, but transnational migrations spread cultural resources abroad, refusing to be exhaustively bounded by nation-states.<sup>46</sup> Finally, ideas change in this movement from person to person and community to community.<sup>47</sup> The meaning of “liberty” in the mouth of a slave differs from its meaning in the mouth of a business owner. Thus in addition to the coercive

---

<sup>45</sup>Stuart Hall, “Subjects in History: Making Diasporic Identities” in *The House that Race Built*, ed. Wahneema Lubiano (New York: Vintage Books, 1998), 289-299; and Michel de Certeau, *The Practice of Everyday Life*, trans. Steven F. Rendall (Berkeley and Los Angeles, CA: University of California Press, 1984), xii-xiii. In de Certeau’s terms, consumption is a “way ... of using the products imposed by a dominant economic order” (xiii; cf. 29-34). He immediately specifies that consumption (in this sense) was a means for survival and subversion in the Spanish colonial order of education.

<sup>46</sup>Arjun Appadurai, *Modernity at Large: Cultural Dimensions of Globalization* (Minneapolis: University of Minnesota Press, 1996), 3-4: mass electronic media “offer new resources and new disciplines for the construction of imagined selves and imagined worlds”; and the connection of these media with mass migration “create diasporic public spheres, phenomena that confound theories that depend on the continued salience of the nation-state as the key arbiter of important change.”

<sup>47</sup>Edward Said, “Traveling Theory,” in his *The World, the Text, the Critic* (Cambridge, MA: Harvard University Press, 1983), 226-247.

element of human agency, there is also a personalist element in contemporary theories of identity: human beings are never totally determined by the stories told about them, and different people put the same stories to different uses. People are not wholly determined by their creation by God and their social formation. Rather, they participate in constituting their identities.

To be a member of this or that nation with this or that identity cannot, therefore, be a predetermined given over which people have no control. We cannot name these identities simply from the standpoint of the doctrine of divine creation. The histories of nations are histories of internal and external struggle, of collective and individual negotiation and appropriation. Nazi *Volk*-theology alerted people like Barth to the problems of associating such struggles with God's created and providential will. *People*—finite, sinful people at that—form national identities. And although we cannot make of ourselves whatever we want, neither are we entirely determined by the skin color, gender, sexuality or class upbringing that we experience as given—for good or ill—by God. If the parable of the Merciful Samaritan is foundational for a Christian ethic of citizenship, then we must take seriously the fact that a Jew from Nazareth was telling a story about someone from a people born of mixed desires, divine and human, who miraculously fulfills God's commands for Israel.

### Segregated Proximity

Two other aspects of the parable—the mobility of the Samaritan and his crossing of quasi-national boundaries—urge us to ask a second question: what are the moral consequences of not considering segregation when interpreting the parable? Gregory and

Bretherton may be right that the parable does not explicitly demand mobility, but the wider context of Luke's gospel makes it impossible to deny that mobility is fundamental to the life of discipleship. The *de facto* segregation of peoples in modern societies influences the practical embodiment of their interpretations of the parable. Consider Gregory's argument that we should not use the parable to urge affluent Christians to seek out the poor. The Samaritan only happened upon the man on the Jericho road. Christians should not avoid such victims, as the Levite and priest did, but according to Gregory the parable offers no basis for an ethic of searching for and rescuing the needy.<sup>48</sup> It is impractical and unnecessary to go out of our way in search of destitute neighbors. And it may even be a distraction from the more immediate needs in front of us. Gregory may be right to worry that people might send money all over the world while failing to see the vulnerable before their eyes as they go about daily life. But this last phrase is pregnant with significance: for many people daily life is so segregated that they rarely happen upon people like the man on the Jericho road.<sup>49</sup> And very often this segregation is intentional, not accidental.

Gregory's inattention to segregation thus calls into question his interpretation of the passage, but he moves in the right direction when discussing the collective aspects of sin and Christian responsibility. Agreeing with Martin Luther King, Jr., he briefly notes that the needs of beggars often result from larger systemic, even geopolitical issues. Poverty and violence do not happen in a vacuum of isolated individuals. They are endemic in somewhat predictable social settings constructed through relations of force.

---

<sup>48</sup>Gregory, "Agape and Special Relations," 40.

<sup>49</sup>See my discussion of *lo cotidiano* in the next chapter.

Poverty is communal as well as individual, and often it is the intentional result of exploitation, not the natural playing-out of the market.<sup>50</sup> The same is true of segregation. Poor people and people of color tend to live in *poorer communities* segregated from wealthier communities. And usually this segregation is the point: the wealthy rarely choose to live in poorer neighborhoods, despite the fact that their wealth would enable them to do so.<sup>51</sup> The wealthy could live with the poor if they wanted to do so, but for the most part they do not, as the phenomenon of white flight evinces.

The reality of segregation thus poses the following question to interpreters of the parable of the Merciful Samaritan: is *not* seeking out the vulnerable tantamount to crossing to the other side of the road? It is hard to see how the actions of the priest and Levite differ from the decision of affluent Christians to live in suburbs, gated communities, and monochromatic neighborhoods. I argued in the last chapter that America's border practices blur the distinction between letting unauthorized border-crossers die in the wilderness and actively killing them. Similarly, the patterns of *de facto* residential segregation blur the distinction between walking on a road that happens to be bereft of beggars and moving to the other side when one sees a beggar.

### The Nature of Proximity

The final question the parable poses to Gregory and Bretherton is the relation of status citizenship to the concept of neighbor. Is the near neighbor the fellow status

---

<sup>50</sup>Gregory, "Agape and Special Relations," 31-32.

<sup>51</sup>On the intentionality of white segregation, Eduardo Bonilla-Silva, *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*, 3rd edn. (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2010), 103-129. According to Bonilla-Silva, whites tend not to see themselves as "racial" (p.116), as well as to rationalize and normalize segregation by recourse to such tropes as, "It's just the way things were" (p. 113).



citizen? Modernizing Augustine and Thomas Aquinas, Eric Gregory and Luke Bretherton find it natural to identify the nation-state with one of the concentric circles surrounding more intimate circles of human relations like the family.<sup>52</sup> This is not surprising given that love for family and country are often understood to be structurally similar, the latter an extension of the former.<sup>53</sup> Yet perhaps sensing the increasing dissimilarities between family and citizenship relations, Gregory does not stop with the identification of citizens as an extension of the family. In particular, he asks whether globalization changes the very definitions of neighbor, pointing out that the speed of communication and the ease of travel make it less obvious now than it was in the past that people in India, for example, are distant foreigners.<sup>54</sup> More germane to this discussion are two aspects of globalization that Gregory does not mention: migration and economic interdependence.

---

<sup>52</sup>Gregory, "Agape and Special Relations," 36-38; Bretherton, *Christianity and Contemporary Politics*, 146-147. Karl Barth refused so to identify these concentric circles. See, for example, *CD III/4*, 294: "To-day, of course, there is no people ... which can boast that its present members derive from the same families or clans and therefore constitute a unity of blood and race ... [I]n practice the majority of peoples have for centuries been physical mongrels ... None of us has pure blood in any strict sense, nor does it seem helpful or necessary to have it." He then drew out the corollary imperative of this inherent impurity: to the question whether the spheres of near and distant neighbors are "two further circles of natural fellow-humanity beyond the relationship of man and woman and parents and children," Barth answers in the negative: "There is obviously no special form of the command of God in respect of the existence and relationships of peoples" (*CD III/4*, 303). Thus in the place of loves ordered from the most intimate family connections outward towards the nation and then the world, Barth places the way of discipleship and mission: we exist as a part of this or that people only in order that we may, from here, follow Jesus where he will lead us. Barth fills this out in the small-print exegetical material in *CD III/4*, 309-323, where he deals explicitly with Genesis 10-12 and Acts 2. Ched Myers has drawn on these texts as well in Myers and Matthew Colwell, *Our God Is Undocumented: Biblical Faith and Immigrant Justice* (Maryknoll, NY: Orbis Books, 2012), 17-36.

<sup>53</sup>"[P]atriotism," as Alasdair MacIntyre notes, "is one of a class of loyalty-exhibiting virtues (that is, if it is a virtue at all), other members of which are marital fidelity, the love of one's own family and kin, friendship, and loyalty to such institutions as schools and cricket or baseball clubs" (MacIntyre, "Is Patriotism A Virtue?" in *Theorizing Citizenship*, ed. Ronald Beiner [Albany, NY: State University of New York Press, 1995], 210-211). Political philosopher Samuel Scheffler calls the obligations to such relations "associative duties." See Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (New York: Oxford University Press, 2001), 4. He engages MacIntyre's essay at length. I am of course calling into question whether, in light of the parable of the Merciful Samaritan, such obligations exist.

<sup>54</sup>Gregory, "Agape and Special Relations," 40.

The United States has sponsored economic migration from Latin America, and often overlooked it when done illegally, as well as increased contact with Canada and Mexico through the North American Free Trade Agreement (NAFTA). These facts make one wonder how the designation “distant neighbors” could possibly apply to non-citizens from Latin America who reside in the United States—with or without authorization—as the Augustinian liberals’ legal definition of the neighbor would suggest.

Thus Gregory was right to attempt to clarify the nature of nearness in contemporary life, but he did not answer his own question. Two different ways of conceiving proximity yield different answers to the question. Joseph Carens argues for an understanding of nearness, and thus full access to the benefits of citizenship, in spatial and temporal terms.<sup>55</sup> Over time resident aliens build families and friendships, they work and consume, they go to church, send their kids to school, pay taxes, use public places, and enjoy at least some of the benefits afforded citizens. All of this, says Carens, requires that states recognize the right of territorially present unauthorized migrants to stay in the country. To be in a given space for a given amount of time is to become a *de facto* member of that community, whether or not one is a member before the law. This accords with a fundamental premise in any account of citizenship, namely, that a citizen (*polites* in Greek) is a member of a city or political community (*polis* in Greek). No political community has ever granted all residents access to the rights of citizens simply because of their residence—hence the age limits on driving, voting, conscription, and alcohol

---

<sup>55</sup>See most recently Carens, *Immigrants and the Right to Stay*. Bretherton is simply wrong, therefore, to say that for people like Carens “proximity has little or no moral bearing upon their conclusions” (*Christianity and Contemporary Politics*, 130). This indicates the extent to which Bretherton identifies nearness with status citizenship, rather than the more straightforward geographic sense employed by Carens. On Bretherton’s account, Carens’s space is not morally relevant because fellow citizens do not take priority over status non-citizens.

consumption in the United States—but the citizen has always had a concrete geographical relation to specific political communities.

By contrast, Bretherton assumes a different definition of citizenship. For him citizenship is primarily one's formal legal status (*de jure* citizenship). He is acutely aware of how statelessness affects refugees; and as I argued in chapter 3, undocumented migrants are subject to exploitation and other disadvantages because of their lack of legal status. Just as we should not lose sight of the geographic referent in citizenship, so it does no one any good to lose its political referent. Legal status matters. But Bretherton then identifies this concrete political referent with a metaphorical use of neighborliness: the neighbor is the person that one's state recognizes as a citizen, not the person who is simply "nigh." This allows him to argue that nations are required to admit only as many distant neighbors, that is, non-citizens, as they can without compromising national order. To admit too many outsiders would be to compromise exactly the law and order—the economic well-being, physical security, and cultural integrity discussed in chapter 1 above—that refugees purportedly need.<sup>56</sup>

Again, for analytical purposes Bretherton is right to maintain the political sense of citizen. But is the near neighbor the person whom one might see because she is close, or the one the state formally declares a member of the community? Almost entirely absent from Bretherton's argument is a discussion of what citizens owe non-citizens already among them, that is, people one might see because they live nearby; *entirely* absent is a discussion of whether and how such geographically near people might complicate an account of moral obligations to non-citizens.

---

<sup>56</sup>Bretherton, *Christianity and Contemporary Politics*, 135.

It is worth noting several aspects of the term “citizenship” from the perspective of non-theological scholarship. Legal theorist Linda Bosniak has noted that the recently surging citizenship scholarship employs the term in four basic senses.<sup>57</sup> The first is legal *status*: in this view, which Gregory and Bretherton share, a citizen is anyone whom state institutions recognize as citizens. Second, citizenship often describes the *substantive rights* that legal citizens enjoy—and often the rights which status citizens are more or less denied. On this account, even children born in the United States would be considered non- or second-class citizens in the sense that they cannot vote. Third, citizenship can also mean *active participation* in the self-governance of the political community; this is the republican sense of the term articulated by Aristotle and renewed in the last century by Hannah Arendt and others. To the extent that republican citizenship is defined as self-governance and linked to the franchise in representative democracies, children born in the United States are non-citizens. Finally, citizenship can also mean psychological and subjective *identification* with a particular political community. This would be roughly similar to claiming a particular racial or cultural heritage as one’s own.<sup>58</sup> American-born children may not be able either to receive some of the benefits of legal citizenship or to participate in political processes, but many have strong psychological identifications as Americans. Thus legal status is only one aspect of citizenship in contemporary life.

This complexity calls into question the attempt to distinguish near and distant neighbors on the basis of legal status. The concept of second-class citizenship is relevant

---

<sup>57</sup>Linda Bosniak, *The Citizen and the Alien: Dilemmas of Contemporary Membership* (Princeton, NJ: Princeton University Press, 2006), 18-20.

<sup>58</sup>In *Politics and the Other Scene*, trans. Christine Jones, James Swenson, and Chris Turner (New York: Verso, 2002), 57, Étienne Balibar notes that “the prototype of identity is . . . national—if not, indeed, ‘ethnic’—identity.” This does not mean that identity is ever obvious or stable. Rather, “*all identity is fundamentally ambiguous.*”

here. On the one hand, the concept of second-class citizenship assumes that only some people have access to the rights and privileges to which all legal citizens should have access. In America the classic referents of second-class citizenship have been women, African Americans, and more recently sexual minorities. The initial concern here was suffrage; later on it became chronic inequalities understood as systemically imposed and enforced injustice; now a major issue is the definition of marriage.<sup>59</sup> For theorists who use the concept of second-class citizenship, citizenship is more expansive than formal-legal status. But according to Bosniak, most theorists fail to recognize a second type of second-class citizenship, which she and others have called “alien citizenship” and “the citizenship of noncitizens.”<sup>60</sup> Bosniak focuses on how aliens are allowed freedom of expression, association and religion, as well as given due process in criminal proceedings. Aliens can claim these rights and protections simply because of their territorial presence and personhood. In both types of second-class citizenship, people who are near have access to some, but not all, the rights and privileges ostensibly offered citizens.

One could extend Bosniak’s analysis further by noting that aliens are *active participants* in society not least by influencing the economy and culture;<sup>61</sup> and they influence the political organizing of citizens, despite their inability to vote. Finally,

---

<sup>59</sup>See Richard Bellamy, *Citizenship: A Very Short Introduction* (New York: Oxford University Press, 2008), 53-75.

<sup>60</sup>Bosniak, *The Alien and the Citizen*, 2-4, 34-35.

<sup>61</sup>Bretherton falls into the trap of separating economics and politics by distinguishing “the primarily political cause of [refugees’] displacement” from the economic needs of “destitute economic migrants” (*Christianity and Contemporary Politics*, 126-129). The influence of such important cultural movements as the Religious Right and economically powerful lobbies give the lie to such distinctions. Unauthorized migrants in the United States affect state politics not least through their influence on the economy and culture.

virtually all non-citizens build concrete connections that influence their self-understanding here in the United States; and as the prominence of American flags at the immigrant rallies of 2006 demonstrated, at least some resident aliens feel they are genuinely “American.”<sup>62</sup> The designation “near neighbor” cannot, therefore, be limited to status fellow citizens. Geographical nearness and status citizenship often diverge. The very category “resident alien” demands recognition of the nearness of non-citizens, while the concrete rights, participation, and identification of aliens in the United States blur the distinction between citizen and alien. Ingredient in the Augustinian liberals’ distinction between duties to citizens and non-citizens is a simplistic, formal-legal definition that cannot withstand critical scrutiny.

#### Summary of Objections

It is worth summarizing this list of objections to Augustinian liberals’ uses of the parable of the Merciful Samaritan in defining the near neighbor. There are three crippling analytical problems: they fail to reckon with human agency in accounting for national and individual identities; the social fact of segregation does not influence their interpretations of the contours of faithful citizenship today; and they interpret nearness in formal-legal terms bounded by the nation-state to the exclusion of any other geographic term. Another way of putting this that approximates the parable is that they do not acknowledge that the neighbor is a national enemy (not a fellow citizen) who sees suffering, has pity, and draws near to bring healing (10:33), rather than staying far off like the religious leaders who are fellow citizens.

---

<sup>62</sup>See Leo R. Chavez’s analysis of these rallies in *The Latino Threat: Constructing Immigrants, Citizens, and the Nation* (Stanford, CA: Stanford University Press, 2008), 152-176.

The parable thus urges us to redefine nearness and our obligations to our neighbor. The Samaritan was outside the boundaries of faithful Jewish identity, yet he chose to draw near to the wounded man and aid him in his need. Moreover, the nearness addressed in the parable deals with something like national citizenship only in order to abolish any special loyalties one might owe to fellow citizens. When the Augustinian liberals ask whether we owe something peculiar to the people with whom we share legal status, they sound like the lawyer who attempted to limit the boundaries of the neighbor-love required by asking, “Who is my neighbor?” Jesus’ parable unexpectedly identifies a national enemy who draws near and brings healing as the epitome of neighborliness. The neighbor who draws near is not the half-dead man’s fellow citizen, but rather a national enemy who shows mercy. The parable and non-theological scholarship offer a better definition of nearness than the Augustinian liberals provide.<sup>63</sup>

### **Election and the Merciful Samaritan**

The parable and non-theological scholarship also offer a better account of our obligations to those who are near than do the Augustinian liberals. Linda Bosniak has called the ethic of bounded solidarity, typified here by the Augustinian liberals, “normative nationalism.”<sup>64</sup> She notes that normative nationalism “need not be motivated

---

<sup>63</sup>This discussion also reveals the extent to which their appeal to Karl Barth is unwarranted, for the Augustinian liberals make it possible to do exactly what Barth claimed was impossible in a doctrine of humanity. See Barth, *The Doctrine of Creation*, vol. III/2 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. H. Knight, G. W. Bromiley, J. K. S. Reid, and R. H. Fuller (1959; repr., Peabody, MA: Hendrickson Publishers, 2010), 251: “The expression: ‘That is no concern of mine,’ or: ‘That is no concern of yours,’ is almost always wrong because it almost always means that the being of this or that man is nothing to me and my being nothing to him; ... that my openness reaches its limit in him.” This comes in his account of encounter as the distinguishing mark of human being. Encounter involves the four moments of mutual seeing, mutual hearing, mutual helping, and mutual enjoyment. To the extent that the Augustinian liberals want to order and place limits on our loves, they disagree with Barth.

<sup>64</sup>Bosniak, *The Citizen and the Alien*, 5.

by hatred or xenophobia or hostility toward the other.” And this certainly holds for Bretherton and Gregory; there is no reason to judge them xenophobic or racist. But Bosniak adds that other justifications of bounded solidarity “might include selfishness, self-interestedness, or indifference.”<sup>65</sup> Augustinian liberals will not agree that they are acting out of self-interest; instead they will argue that Christian theology offers us a doctrine of good created identities worthy of love and defense. But the parable of the Merciful Samaritan is a question mark set against all attempts to defend the identity and moral relevance of one’s people. Subjecting the parable to a doctrine of creation in which normative nationalism plays a positive role contradicts the plain sense of the parable and the overarching goals of Luke’s gospel. A more productive dogmatic locus from which to appropriate this parable is the doctrine of election.

Yet it may not be clear how citizenship, proximity, and neighbor-love relate to election. Israel’s God may be fulfilling the promises to Abraham in Jesus Christ, bringing good news to the poor, renewing the people of God by including outsiders, and sending them out into the world to bear witness to the good news. But what has this to do with election? We may gloss two crucial aspects of the doctrine in conversation with this parable, namely, God’s election of the particular people of Israel for mission and God’s decision to be for the poor. Election is first of all about God’s identity and only subsequently about the identity of the people who have a special place in God’s designs.<sup>66</sup> It is important to identify the God described or assumed by our political

---

<sup>65</sup>Bosniak, *The Citizen and the Alien*, 206 n.11.

<sup>66</sup>Karl Barth’s immense innovation in the doctrine of election was to place the doctrine of election at the center of the doctrine of God. See Barth, *The Doctrine of God*, vol. II/2 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. G. W. Bromiley, J. C. Campbell, Iain Wilson, J. Strathearn McNab, Harold Knight, and R. A. Stewart (1957; repr., Peabody, MA: Hendrickson Publishers, 2010), 94-194. I would add only that the doctrine of election is central to one’s theology proper whether the theologian



theologies.

Biblical scholar Ched Myers's account of the beginning of Jesus' ministry in Luke's gospel moves in the right direction. He notes the "trialectic" with which the evangelist works: for Luke, God is the Creator of all, the Lord of Israel, and the Liberator of the oppressed. According to Myers, God's predilection for the poor "guarantees" God's love for all of creation: "only by attending to the excluded can we truly realize the enfranchisement of all."<sup>67</sup> And he thinks the task of the people of God is to bear witness to God's love for all of creation and preference for the poor. One could read the parable of the Merciful Samaritan in terms of this trialectic: the identity of the Samaritan as an outsider to the Jewish community—or as a dubious part of that community<sup>68</sup>—shows God's love for all of creation; the Samaritan performs the faithfulness of God's chosen people as those commanded to love God wholeheartedly and to love their neighbors as themselves; and like the man on the road, the vulnerable are special recipients of divine favor.

Myers is certainly right that the gospel is fundamentally about God's purpose, and that Luke weaves the themes of universality, chosenness, and partiality into a complex

---

recognizes it or not. To the extent that Gustavo Gutiérrez is right to locate the preferential option for the poor first in the doctrine of God, this distinctively liberationist teaching contributes to the church's understanding of election as well. See his *Gustavo Gutiérrez: Essential Writings*, ed. James B. Nickoloff (Maryknoll, NY: Orbis Books, 1996), 104-105: "the gospel proclaims to us the love of God for the poor for being just that—poor—and not necessarily, or even primarily, for being more believing, kinder, or better, morally speaking, than others. God loves them simply because they are poor, because they are hungry, because they are persecuted. Only on this basis is it possible to appreciate subsequent efforts to enrich or define precisely the evangelical meaning of the poor person." See also Gutiérrez, *Essential Writings*, 146. To my knowledge the South African theologian John de Gruchy is the only theologian to make this connection explicit. See his *Liberating Reformed Theology: A South African Contribution to an Ecumenical Task* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1991), 125-135.

<sup>67</sup>Myers and Colwell, *Our God Is Undocumented*, 91.

<sup>68</sup>Williamson, "Samaritans," 727: in his critical reconstruction, "Samaritanism [i]s a form of Judaism."

tapestry. But as I outlined the purposes of Luke's Gospel above, it may not be quite right to say he begins with God's identity as Creator and set "the enfranchisement of all" as the goal of divine and human action. There is no reason to deny Myers's claim that Luke's God is Creator, but the evangelist does not emphasize this theme in such a way that human dignity and enfranchisement become central organizing motifs. Rather, universality is a function of the facts that God calls *all people* to draw near to Jesus and that Jesus sends his disciples to *all nations*.<sup>69</sup> God elected Israel, in other words, in order to incorporate all peoples into the promises to Abraham. Universality is a function of God's decision to be for the world by being for the people Israel. God shows universal love by incorporating unusual suspects into God's promises to Israel through the mission of the renewed people of God.

### Predestined for Fellowship

Several Jewish scholars have noted the deep biblical roots of this vision of the relation of God's particular love for Israel and universal love for all of humanity.<sup>70</sup> For example, Jon D. Levenson argues that there is a "duality" in biblical teaching regarding election; he calls these "instrumentality" (universalism) and "self-sufficiency" (particularity).<sup>71</sup> God elects Israel in order to bless the whole world, but God does not

---

<sup>69</sup>It should be clear that for the most part I am not disagreeing with Myers; I intend to emphasize different themes and reorganize what he says. His use of the term "trialectic" is right. My point is that God's choice of Israel and partiality towards the poor precede (though they certainly do not negate) God's affirmation of human dignity. The one point I emphasize more than Myers is that the mission of the elect is a mobile mission, that is, one that begins in Jerusalem and heads out to all Judea, into Samaria and to the ends of the earth (Acts 1:8). God shows God's universal love by inviting all creatures to be part of the elect people of God. The people of God are to invite and summon the world to this form of repentance, of turning towards Jesus Christ.

<sup>70</sup>See the next chapter for a fuller discussion of this theme.

<sup>71</sup>Jon D. Levenson, *The Universal Horizon of Biblical Particularism* (New York: American Jewish

give up on the desire for this peculiar people when it fails to be faithful. God chooses Israel in order to bless the nations through them, but God also desires Israel simply because God desires Israel.<sup>72</sup> Pointing towards the third aspect of election noted in Myers's trialectic, we may say that God chose Israel and delivered them from Egypt, first, so that the Egyptians might know Israel's God (Exodus 14:4), and second, so that Israel may worship the Lord on the holy mountain as God's peculiar people (Exodus 3:12; 7:16).

Several Christian theologians now affirm the intrinsic aspect of Jewish election theology. Robert Jenson argues that in the time between the ascension of Jesus and the second coming God desires the continued existence of the Torah-observant family descended from Abraham and Sarah. There is thus no need for Christians to evangelize the Jews; indeed, because Judaism "does not long survive within the gentile-dominated church," Christian evangelism might even damage that strange family whose purpose is to be the object of God's great love and to be faithful to Torah.<sup>73</sup> The mission of the Jews, in Jewish and some Christian theology, is partly their sheer existence as a peculiar people loved by and devoted to God.

---

Committee, Institute of Human Relations, 1985), 12 (and generally pp. 8-14). Bretherton cites this text in *Christianity and Contemporary Politics*, 162n31. In his view the text offers "the deep Scriptural and doctrinal logic that" his Augustinian "teleology" of ordered loves "draws on." The problem is that the particular identity of which Levenson speaks is not the nation-state but the people of Israel. As noted below, for Bretherton the nation-state replaces Israel as the locus of particular identities. God's election of Israel demonstrates the more fundamental theological claim that God uses particular identities in order to bring about universal purposes.

<sup>72</sup>In different contexts, Michael Wyschogrod and Joel S. Kaminsky have made similar points. See Wyschogrod, *Abraham's Promise: Judaism and Jewish-Christian Relations*, ed. R. Kendall Soulen (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2004), 180-181; and most fulsomely Kaminsky, *Yet I Loved Jacob: Reclaiming the Biblical Concept of Election* (Nashville: Abingdon Press, 2007), 137-158.

<sup>73</sup>Robert Jenson, "Toward a Christian Theology of Judaism," in *Jews and Christians: People of God*, ed. Carl E. Braaten and Robert W. Jenson (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2003), 9.

Christian theology has generally emphasized the universalist aspect of election in its self-understanding.<sup>74</sup> The church is a people on mission. But it is necessary to acknowledge how this came to be. It is easy for the mostly-gentile church to forget that the parable of the Merciful Samaritan has become important to it only because the Holy Spirit pushed followers of Jesus into the gentile world. Luke's Gospel and his second volume, the Acts of the Apostles, make this very clear. All characters in Jesus' parable would have known the commands to love God wholeheartedly and to love one's neighbor as oneself. But these commands and their radical interpretation in Jesus' hands would have been foreign to the gentiles to whom his Jewish disciples told this story as they set out from Jerusalem to proclaim the gospel. This should remind the mostly-gentile church of several things. First, once it did not know the God who spoke these commands. It knows these commands now, second, because Jesus Christ has extended to all who draw near to him the promises God made to Abraham and Sarah; and third, because in obedience to the Holy Spirit Jewish disciples like those in the Book of Acts went to "the ends of the earth" (1:8) to bear witness to Jesus Christ. Finally, Jesus' Jewish disciples found warrant for this interpretation of its election and mission in Jewish scripture. In light of Jesus of Nazareth and the scriptures of his people, the early church discerned that from the beginning God had planned to unite all of creation.

---

<sup>74</sup>See, for instance, British missionary theologian Lesslie Newbigin on the relation of election and mission in *The Open Secret: An Introduction to the Theology of Mission* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company 1995), 66-90. The more recent missional church movement has likewise made this point. See especially the foundational text, *Missional Church: A Vision for the Sending of the Church in North America*, ed. Darrell L. Guder and Lois Barrett (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1998). In *Christian Mission: How Christianity Became A World Religion* (Malden, MA: Wiley-Blackwell), 10-21, Dana L Robert notes the very early historical roots of this ecclesial self-understanding. It is important to note that emphasizing the universalist element need not render the Jews obsolete. Rather it gives these two parts of the one people of God different tasks as witnesses of Jesus Christ. Whereas Jews rightly proclaim the not-yet of the kingdom of God, the church claims that the kingdom has been inaugurated in Jesus Christ even as we await the Messiah's return.

As a people on mission, then, the mostly-gentile church must be open to the possibility—indeed must expect or even *hope*—that the Spirit will move it out into the non-Christian, non-Jewish world. As the missionaries of the early church obeyed the Spirit in moving away from their homes in order to proclaim the gospel, so must Jesus’ contemporary disciples be willing to deny families and peoples in order to follow their Lord. The mobility inherent in following Jesus is more fundamental to Christian life than attachments to place.<sup>75</sup> People cannot avoid the fact that they form particular identities as they relate to others who form their own particular identities in such interactions; nor should people attempt a disavowal of such concrete identity formation—as if such disavowals were even practicable. But Jesus’ command to follow him draws together people from all the nations of the earth and incorporates into one body people who otherwise would not have related to each other. In Jesus Christ, gentiles are invited to become co-heirs of these promises with Israel (Galatians 3:29; Ephesians 3:6). God’s desire for the world has always been the fellowship of people across humanly- and even divinely-instituted borders. The mobility of the Samaritan and his identity as part insider, part outsider to Israel reminds us of that.

The next chapter details some contemporary implications of the church’s mostly-gentile identity in relation to Latina/o migrants in the United States. For now it is worth noting that the Augustinian liberals do not conceive of alienage in these terms. Again, for them the distant neighbor (alien) is the one without formal-legal status, aside from any

---

<sup>75</sup>This would seem to make Christianity inherently rootless and cosmopolitan. I do not intend to suggest that Christians have or ought to have no connections to the places in which they find themselves, either because of birth or where they have felt moved to go. Jesus does not demand the *abolition* of the identities we experience as given. Unless one were to understand Christianity as a fundamentally disembodied experience of God, there is no way for people to avoid inhabiting particular identities as they follow Jesus.

rights she may have, any political participation she may undertake, any identification with the nation-state she may feel. The binary operating in their work is legal citizen / legal non-citizen, compatriot / foreigner. Gregory and Bretherton think theologically about obligations to neighbors and strangers *within* nation-state categories. The location of political theology, for them, is the location of nationally-defined citizenship, and as citizens they ask what theology might say about foreigners nearby or far off. Law-abiding citizens, or the church of law-abiding citizens, have become the primary community to whom Christians are accountable. Christians must allow some non-citizens—in particular, undocumented economic migrants—to be rendered bare life for the sake of “the stable arena of law and order” that, on Bretherton’s account, both citizens and other non-citizens (refugees) need. Like Peter Meilaender, discussed in prior chapters, Gregory and Bretherton have elected the nation-state, not the people Israel, as the site from which to think the category of neighbor.

The term “alien,” however, should alert us to the identities of the basic theological distinction between peoples: Jews and gentiles (Ephesians 2:11-22). Far more fundamental than our creation as citizens of, or foreigners to, this or that nation-state is the status of most Christians as gentiles brought into the people of God through the blood of the cross, the mission of Jesus’ Jewish disciples, and the mission of other gentile Christians. A political theology that begins by recognizing that the church is a mostly-gentile people must acknowledge, first, that the states gentiles have brought into being are not elect peoples, and second, that God elected the Jews in order to gather all nations into the people of God. Divine election doubly relativizes notions of stable national identity, for modern nation-states are not God’s people and people from among these

states may inherit the promises God made to Israel only by drawing near to the Jew from Nazareth. Gentiles are in a position of unstable movement towards Jesus Christ and “the people represented in Him.”<sup>76</sup> God announced this beforehand through the prophets, God inaugurated it in the ministry of Jesus and the mission of his disciples, and God will bring it to fruition when God is all in all. It is hard to see how a desire for “a stable arena of law and order” coheres with the life of following after the one who “came not to be served but to serve, and to give his life a ransom for many” (Matthew 20:25-28). Jews and gentiles brought together in Jesus Christ are not called to stably ordered loves but to bearing with each other in love (Ephesians 4:2)—no matter who that “each other” is.

#### Decision for the Poor

Yet the claim that God chose a people for mission raises the problem of triumphalism. Jewish theologian Marc H. Ellis is aware of how modern nationalism, the conviction of Jewish election, and a “Constantinian” shift into power have combined to underwrite Zionism and its institutionalized injustice towards Palestinians.<sup>77</sup> The manifest destiny of the United States and nationalist projects the world over witness to a similar unity of election and mission, this time in secularized register discussed in chapters 2 and 3 above.<sup>78</sup> Similarly, the church’s election for mission was a major theological rationale

---

<sup>76</sup>Karl Barth, *CD II/2*, 7-8. God’s determination to be for the world in Jesus Christ is also God’s determination to be Israel’s God because the second person of the Trinity is always already the Messiah of the Jews. God’s eternal identity is to be the God of Abraham, Isaac, and Jacob.

<sup>77</sup>Marc H. Ellis, *Toward a Jewish Theology of Liberation: The Challenge of the 21<sup>st</sup> Century* (Waco, TX: Baylor University Press, 2004), 178, 206, 211. For Ellis, the new Israeli nationalism is “a Constantinian Judaism, not unlike . . . Constantinian Christianity,” in direct opposition to the prophetic, dissenting Judaism of diasporic solidarity (206).

<sup>78</sup>Although Étienne Balibar notes that “[e]very national community must have been represented at some point or another as a ‘chosen people’” (“The Nation Form,” 95), he then says nation-states “replace” their people’s religions, so that it is only partially true that nationalist myths are “religious.” Like most

for colonialism.<sup>79</sup> In short, the yoking of election and missionary zeal has often resulted in terrifying violence. It is thus crucial to highlight the second aspect of election we may gloss by reflecting on the Merciful Samaritan: the preferential option for the poor.

This term originated with Latin American liberation theologians, and since one of the most important of such theologians, Jon Sobrino, has explicated the parable of the Merciful Samaritan, he is the primary interlocutor here.<sup>80</sup> He defines mercy as “a basic attitude toward the suffering of another, whereby one reacts to eradicate that suffering for the sole reason that it exists, and in the conviction that, in this reaction to the ought-not-be of another’s suffering, one’s own being, without any possibility of subterfuge, hangs in the balance.”<sup>81</sup> Several aspects of this definition merit attention. The first three points are uncontroversial: the mercy mentioned in this pericope is the type of neighbor-love that upon seeing suffering “reacts to eradicate” it; “one’s own being”—indeed, eternal life (Lk 10:25; cf. Mt 25:46 in context)—“hangs in the balance”; and mercy cannot be sentimental, oblivious to or insufficiently critical of the causes of suffering, paternalistic and self-serving.<sup>82</sup> Rather, the parable uses the Greek verb *splanchnizomai*, meaning “to

---

people, including Christians, Balibar fails to see that the fundamental concern of Christianity and Judaism—perhaps even of religions in general—is belonging to a particular people. But Balibar leads us in the right direction when he notes that a “racial community has a tendency to represent itself as one big family or as the common envelope of family relations” (100). Israel, church, state, and race—these are membership categories. To that extent race and nation are “religious,” “mythological” categories as well.

<sup>79</sup>Jon Sobrino notes this in “Bearing with One Another in Faith: A Theological Analysis of Christian Solidarity,” in Jon Sobrino, *The Principle of Mercy: Taking the Crucified People from the Cross* (Maryknoll, NY: Orbis Books, 1994), 155. Apparently the essay was written in English; no translator is mentioned. On mission and colonialism more generally, see also Dana Robert, *Christian Mission*, 1-3, 38-44, 56-60.

<sup>80</sup>Sobrino, “The Samaritan Church and the Principle of Mercy,” in Jon Sobrino, *The Principle of Mercy: Taking the Crucified People from the Cross*, trans. Robert R. Barr (Maryknoll, NY: Orbis Books, 1994), 15-26.

<sup>81</sup>Sobrino, “Samaritan Church,” 18.

<sup>82</sup>Sobrino, “Samaritan Church,” 16.



have compassion or pity” (10:33), which is related to the word used for one’s intestines or viscera.<sup>83</sup> To have mercy is to feel the suffering of another deep within one’s being.<sup>84</sup> Mercy is *active* and serves others with no regard for one’s self-interest, with no purpose other than the healing of those in need. The merciful heal wounds; should one fail to extend mercy, one’s salvation would be in doubt.

Yet Sobrino’s final claim, which is connected directly with the doctrine of election, is more controversial. Sobrino says mercy is concerned with alleviating suffering “for the sole reason that it exists.” He comments as follows on the Exodus narrative of God’s merciful deliverance: “God hears the cries of a suffering people, and for that reason alone determines to undertake the liberative activity in question.”<sup>85</sup> In this view God rescues Israel not because this is how God will remain faithful to God’s promises to Israel, but because God is fundamentally the God of the poor. For Sobrino, the deliverance of Israel from bondage is the paradigmatic instance of a more basic quality in God, namely, mercy towards the poor. This verifies Katherine Sonderegger’s claim that some liberationists conceive the preferential option for the poor as a doctrine of corporate election.<sup>86</sup> The poor are the people about whom God cares the most.

---

<sup>83</sup>Sobrino, “Samaritan Church,” 20; see also Byrne, *Hospitality of God*, 101.

<sup>84</sup>Luke’s other uses of various forms of the word occur in passages that demonstrate that sympathy leads to action. In God’s tender mercy, God delivers Israel from their enemies (1:71, 74); after feeling pity toward the woman grieving her dead son, Jesus raises him from death (7:14-15); the merciful Samaritan brings concrete healing (10:34-35); and the father extends mercy to his prodigal son who “was dead and has come to life,” forgiving him and celebrating his return (15:20-24, 32). The noun form occurs in the *Benedictus* of Zechariah (1:78). Luke uses the verb form only in relation to Jesus or the God of Israel. Thus in the *Magnificat* of Mary God has “tender mercy” (1:78), while Jesus feels pity (7:13), and key characters in two of Jesus’ most memorable parables have pity (10:33; 15:20).

<sup>85</sup>Sobrino, “Samaritan Church,” 16.

<sup>86</sup>Katherine Sonderegger, “Election,” in *The Oxford Handbook of Systematic Theology*, ed. John Webster, Kathryn Tanner, and Iain Torrance (New York: Oxford University Press, 2007), 105-120 (citation 118). She is referring to Gutiérrez’s *The Power of the Poor in History*. Sobrino makes this argument explicitly and forcefully in his more recent work *No Salvation outside the Poor: Prophetic-Utopian Essays*

Such claims justifiably earn the ire of theologians like the otherwise sympathetic Jewish liberationist Marc Ellis, who worries about the absence of Jews in Christian liberation theology.<sup>87</sup> Luke's Gospel affirms the liberationist point that God sides with the poor, and it seems to imagine a connection between God's identity as Abraham's God and Liberator of the oppressed (1:46-55). But Sobrino construes God's predilection for the poor as the basis for God's choice of Israel in a way that makes the existence of the Jews merely demonstrative of the purportedly more fundamental fact that God is God of the poor. It is no wonder a Jewish theologian would take offense at this use of the Exodus narrative. The testimony of Jewish and Christian scriptures demands the affirmation that the electing God has chosen to be Israel's Lord and the Liberator of the oppressed. We must affirm both claims, but could it not be that the former claim precedes the latter, that God's decision to liberate the oppressed is consonant with—perhaps even demanded by—God's decision to be with the people who had to be brought into existence out of barrenness, who were delivered from slavery, suffered dispossession and alienage, and were promised liberation? Could it not be that God hears the cries of the poor because in them God hears *echoes* of Israel's cries in Egyptian slavery and diasporic exile, or that the Lord asserts the rights of the poor because God is the defender of the ever-persecuted people Israel? In this vision, God's decision for the poor is *analogous to*, an echo rather than the foundation of, God's election of Israel. But this avoids supersessionism while

---

(Maryknoll, NY: Orbis Books, 2008). We can see the similarities between Sobrino and his fellow liberation theologian Gustavo Gutiérrez in a similar statement from the latter: "Yahweh is the *go'el* or defender of Israel because Yahweh asserts the rights of the poor" (*The God of Life*, trans. Matthew J. O'Connell [Maryknoll, NY: Orbis Books, 1991], 23).

<sup>87</sup>Ellis, *Toward a Jewish Theology of Liberation*, 163. Ellis is disappointed that "*contemporary Jews are nowhere to be found*" (italics added); my primary concern is that Israel and the Jews serve as a cipher for God's identification with the poor. God could have chosen any other people, in this vision—just so long as they are poor.

lodging the preferential option for the poor in the doctrine of God, where election belongs.<sup>88</sup>

Thus although Sobrino misses the centrality of Israel in God's purposes in history, he is right that in mercy Jesus fulfills God's promises and heals the wounded. The doctrine of election is a suitable dogmatic locus within which to understand the mercy of God indicated by the parable of the Merciful Samaritan because mercy is how God takes sides. God has determined to be the Deliverer of the vulnerable because God is eternally the Lord of vulnerable Israel.

### **Samaritan Citizenship: Solidarity without Boundaries**

We are now in a place to offer answers to the questions this chapter posed: how should we understand the concept of neighbor, and what do we owe our neighbors? As noted, Barth answered these questions by saying one's near neighbor is someone with whom one shares land, language, and history and to whom one owes relative loyalty; the distant neighbor, to whom relative openness is due, shares no such commonalities. The discussion of alien citizenship above demonstrated the need for a primarily geographic, rather than formal-legal (Augustinians) or cultural (Barth), definition of one's neighbor. The parable of the Merciful Samaritan deepens the critique of these definitions of citizenship by defining the neighbor as the national enemy who draws near to a man in need in order to show mercy. It also urges us to critique Barth's terms "loyalty" and "openness" as underdetermined and absent from the parable. One could certainly argue that Bretherton and Gregory's projects aim to cultivate relative loyalty and openness.

---

<sup>88</sup>I thank my friend and mentor Willie J. Jennings for helping me to clarify this connection.

Neither of them wants to shut off their nations from all migrants or concern for distant peoples; nor do they think their countries deserve total obedience. They see critique of their nations and openness to outsiders as necessary, even if they begin by prioritizing fellow citizens over non-citizens. But this is hardly the mercy to which the followers of Jesus are called. The parable requires its hearers to extend filial solidarities across boundaries. Border-crossing solidarity does justice to the Lukan context of the parable and to the doctrine of election sketched in conversation with Luke's Gospel above.

### Solidarity with the Vulnerable

The parable imagines the obligations of neighbor-love of Jesus' disciples as the mercy of solidarity. At least two theologians, Jon Sobrino and Ada María Isasi-Díaz, have conceived of solidarity as the shape that neighbor-love should take today.<sup>89</sup> But solidarity requires careful definition so as not to be co-opted in either of two ways. First, it is not sympathy for someone or agreement with their cause. It is not mere "social sensitivity."<sup>90</sup> Yet second, it is not a doing-for, a philanthropic giving from a distance out of one's abundance.<sup>91</sup> Solidarity is more concrete, active, and vulnerable than the counterfeits of social sensitivity and philanthropy.

Constructively, solidarity is first of all an activity. Sobrino defines solidarity as the initiation of "an ongoing process."<sup>92</sup> And it is not "a one-way flow of aid but ...

---

<sup>89</sup>For Sobrino, "ecclesial solidarity with the poor ... is how bearing with one another is practiced today" ("Bearing with One Another," 154). See the epigraph of this chapter from Ada María Isasi-Díaz.

<sup>90</sup>Gustavo Gutiérrez, "The Church of the Poor," in *Born of the Poor: The Latin American Church since Medellín*, ed. Edward L. Cleary, O.P. (Notre Dame, IN: University of Notre Dame, 1990), 17.

<sup>91</sup>Isasi-Díaz makes these points in *Mujerista Theology*, 86-89.

<sup>92</sup>Sobrino, "Bearing with One Another," 146.

mutual giving and receiving.”<sup>93</sup> This may sound like a forced interpretation of the Samaritan’s mercy given that his aid is neither mutual nor prolonged through a process of relationship. But three aspects of the parable justify using the term solidarity to describe the politics of neighbor-love we may glean from it. First, the parable concerns the mutual love of self and neighbor: Jesus invited the lawyer to enter into his narrative world and imagine himself as the man in need. These types of situations confront us with the demand not only to give to someone in need but also when we are in need to receive from someone with plenty, even if that person is an enemy. God’s command of neighbor-love is mutual. God’s people must extend and receive mercy.

Second, the Samaritan not only brings healing, but also extends family-like relations. On the one hand, these types of actions were typical of family and friends. One could not reasonably expect strangers, and certainly not enemies, to heal and share in these ways.<sup>94</sup> The Samaritan’s sharing made a powerful statement about to and with whom he belonged—he and the half-dead, presumably Jewish man on the Jericho road belonged together. On the other hand, the lawyer’s question concerns the boundaries of the love required of the descendants of Abraham, as articulated in Leviticus 19:18. Commentators note that the Hebrew scriptures often allow God’s people to treat insiders and outsiders differently and that in Leviticus 19:18 the neighbor is the “(Israelite) neighbor.”<sup>95</sup> The lawyer’s question was not offensive; he simply wanted to know the

---

<sup>93</sup>Sobrino, “Bearing with One Another,” 146.

<sup>94</sup>In *Introducing the New Testament: Its Literature and Theology* (Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2001), 172-173, Paul J. Achtemeier, Joel B. Green, and Marianne Meye Thompson note that “[t]o share with someone without expectation of return was to treat them as kin, as family ... [G]iving to the poor signified friendship with the poor.”

<sup>95</sup>This comes from Joel S. Kaminsky, “Loving One’s (Israelite) Neighbor: Election and Commandment in Leviticus 19,” *Interpretation* 62, no. 2 (April 2008): 123-132. See also Levenson,

boundaries of moral responsibility, perhaps expecting this teacher to affirm the common interpretation of Leviticus in reference to the people of Israel. By explaining the levitical command with this parable, Jesus is expanding the definition of the family of God.

That Jesus expected his followers to go and do likewise is not surprising given his promise that those who risk their lives to follow him and obey the will of God will be compensated with family in this age and eternal life in the next (Lk 18:29-30; cf. 8:19-21). Just as the parable expands the imagination of who belongs to God's people, so following Jesus will expand one's circle of belonging, though often the new community will be composed of people who by all accounts do not belong together. Merciful encounters and following Jesus lead to ongoing, family-like relationships with people who are otherwise unrelated (or related negatively). The parable does not say whether the Samaritan and the man on the Jericho road became friends, but Jesus certainly did not imagine the priest and Levite had an ongoing relationship with the man.

So conceived, solidarity is the extension of family-like relations, a being-with and not (or not only) a doing-for vulnerable others. Solidarity is the coming together of rich and poor in Jesus Christ, their becoming friends and family who extend mercy to each other. The command to love one's neighbor as oneself is an invitation to cross the boundaries that alienate rich from poor. The being-with others ingredient in solidarity avoids paternalism while refusing to give up on the need to show mercy. Solidarity may begin with bearing another's burdens, but it culminates in a new form of belonging.

## Solidarity in Boundary-Crossing Fellowship

The second aspect of election discussed above—our predestination for fellowship—urges a return to the Pauline text Sobrino uses as the basis for his theology of solidarity, for that text moves more in the direction of our predestination for fellowship than towards the preferential option for the poor (Eph 4:2). In his Letter to the Ephesians Paul reminds the congregation of God’s purposes from the beginning: God’s mysterious will was to unite all things in Jesus Christ (1:3-14); Jesus Christ has brought together Jews and gentiles through the blood of his cross (2:11-20); and this fellowship across boundaries proclaims God’s mysterious will to the principalities and powers of the world (3:10). The fellowship of Jews and gentiles is one of the focal points of the unity about which Paul speaks in this letter. Among other things, bearing with one another in love must mean maintaining church unity (4:1-6) now that the wall dividing Jews and gentiles is broken down and a new people has been brought together in Jesus Christ (2:14). Paul’s words in Colossians 3:13-14 sound similar to those in Ephesians 4: “Bear with one another and, if anyone has a complaint against another, forgive each other; just as the Lord has forgiven you, so you also must forgive. Above all, clothe yourselves with love, which binds everything together in perfect harmony.” In the preceding verses, Paul had proclaimed that in Christ “there is no longer Jew or Greek, circumcised or uncircumcised” (3:11), and that this mostly-gentile congregation was composed of “God’s chosen ones, holy and beloved” (3:12).

In both passages and elsewhere, Paul attempted to maintain the unity of the people of God in Jesus Christ. Bearing with one another in love concerns negotiating something like cross-cultural relationships between Jews and gentiles in the body of

Christ. The apostle dealt with these conflicts throughout his entire ministry. Central to Christian love is the negotiation of difference in fellowship with each other, bearing with one another in love. In Jesus Christ, God opens up the heritage of Abraham and Sarah to the gentiles, making them his brothers and sisters and giving them more family and friends than they left behind in order to follow him. Barth is surely right that “where the command of God is sounded and heard the concepts home, motherland and people, while they must retain their original sense, will prove capable of extension.”<sup>96</sup>

### **Conclusion: Against the Preferential Option for One’s Own**

If the active being-with of rich and poor is the church’s response to God’s decision for the poor, then the church’s boundary-crossing is its response to God’s predestination of creation for fellowship. Whereas the alienation of rich and poor is a product of sin that will be overcome in the *eschaton*, to which the church must bear verbal and visual witness now, the alienation of gentiles from God’s promises to Israel was a result of God’s election of Abraham and Sarah. Yet Israel, the church believes, was always going to be the people through whom God would bless all nations. Cross-class solidarity bears witness to the preferential option for the poor that coheres with God’s decision to be the God of the small, weak, and enslaved people of Israel; cross-racial solidarity bears witness to the predestination of humanity for fellowship with each other because of their fellowship with Jesus Christ. The extension of the family to outsiders and the vulnerable contradicts the preferential option for one’s own people that only perpetuates the alienation characteristic of gentile existence and the racialization

---

<sup>96</sup>Barth, *CD* III/4, 293.



constitutive of bounded modern nation-states (see chapter 2 and 3 above).

The parable of the Merciful Samaritan repudiates our attempts to order our loves in favor of fellow citizens. Jesus' followers do not owe fellow citizens anything different from or more than they owe resident aliens. The only response the church can have to the presence of vulnerable non-citizens is to bear their burdens with them in solidarity. Faithful citizens will cross racial, class, and status borders in order to be with one another, knowing that God has promised to lift the poor out of distress and to unite all things in Jesus Christ. Non-citizens invite citizens into the joy of reflecting God's purposes for humanity in Jesus Christ. God is continuing to unite people across boundaries in witnessing to God's purposes for the world. American Christians must let their memory—though now a memory *long-forgotten*—of gentile estrangement from the people of God move them into solidarity with the “iconic illegal aliens” discussed in prior chapters. The church in America must become *una iglesia mezclada* in order to proclaim and embody divine election in the context of bordered belonging and unauthorized migration.

**Introduction: Toward a Fellowship of Co-Sufferers**

Fellowship in suffering is the most difficult task facing the church today, divided as we are along demographic and ideological lines of race, class, gender, and sexuality. We struggle to live in neighborhoods and worship with people who are not “our own people,” and we do not know how to reach across the boundaries we have created and continue to impose upon ourselves and others. While this may be a limitation inherent in fallen human nature, the task is made more difficult still by the fact that we have inherited a fragmented world in which all feel threatened. The preferential option for one’s own verifies Albert Memmi’s claim that “[o]ne never asserts one’s identity so much as when it’s threatened.”<sup>1</sup> Many feel that globalization and the migrations that partly constitute it endanger those who stay put; citizens fear foreigners because they represent cultural, economic, and security threats. The preferential option for our own people, aided and abetted by social-scientific data and ideologies philosophical and theological, soothes the consciences of those who feel so endangered: we not only may, we *must* love those who are nearest to and most like us more than we love those who are further away. A pervasive sense of fragmentation often leads to the inwardness of collective self-preference rather than border-crossing solidarity.

But a fellowship of co-sufferers is possible. Chicana theorist Chela Sandoval has articulated a theory and practice that she calls “the methodology of the oppressed,” which

---

<sup>1</sup>Albert Memmi, *Decolonization and the Decolonized*, trans. Robert Bononno (Minneapolis: University of Minnesota Press, 2006), 86.

aims at just this type of fellowship across boundaries in a shared struggle for more egalitarian social relations. Sandoval believes there is a “democratization of oppression”<sup>2</sup> in which “[a]ll citizen-subjects are becoming strangely permeated, transformed,—and marginalized”<sup>3</sup> by the neocolonial postmodernism that makes the preferential option for one’s own so attractive. Theorists of postmodernism like American Marxist Fredric Jameson often despair of this condition, thinking that contemporary capitalism so fragments society and commodifies opposition that radical political projects are no longer possible.<sup>4</sup> But while white-western citizens may not be familiar with this feeling of powerlessness in the face of a regime that divides and conquers, the colonized, Sandoval notes, have always existed in this state. This means that the “once centered, modernist, first world citizen-subject”<sup>5</sup> must sit at the feet of those who have traversed this way before. Says Sandoval: “The skills, perceptions, theories, and methods developed under previous and modernist conditions of dispossession and colonization are the most efficient and sophisticated means by which all peoples trapped as insiders-outsiders in the rationality of postmodern social order can confront and retextualize consciousness into new forms of citizenship/subjectivity.”<sup>6</sup> Sandoval draws deeply from feminist thought, especially that of women of color, arguing that the way forward is not consistently teasing out the insights of any single stream of opposition to hegemony (such as liberal,

---

<sup>2</sup>Chela Sandoval, *Methodology of the Oppressed* (Minneapolis: University of Minnesota Press, 2000), 34.

<sup>3</sup>Sandoval, *Methodology*, 36.

<sup>4</sup>A theological text that makes this point, though without total despair, is Vincent J. Miller, *Consuming Religion: Christian Faith and Practice in Consumer Culture* (New York: Continuum, 2004).

<sup>5</sup>Sandoval, *Methodology*, 34.

<sup>6</sup>Sandoval, *Methodology*, 37.

Marxist, supremacist, or separatist feminism),<sup>7</sup> but developing a “differential consciousness” that learns from all forms of opposition and discerns in the moment which mode of anti-hegemonic practice to employ. Differential consciousness aims to maximize the impact of one’s opposition to oppression by employing the tactics that seem most fitting in the moment. It is the ability to know when “strategic essentialism” is necessary, when one must elide certain differences for the sake of unity, when a group must separate for survival or coalesce more on one issue than on another, and so forth. The united oppositional front that Jameson seeks may not be possible, but that does not mean it is impossible to oppose neocolonial postmodernism and the shattered forms of belonging that we experience as normal and, indeed, normative.

In this chapter, I articulate a theology of belonging without borders that is consonant with both Sandoval’s differential oppositional consciousness and the account of Samaritan citizenship in the prior chapter. I argue that *mezcolanza* (Spanish for “hodgepodge” or “mixture”)<sup>8</sup> is the politics appropriate to the teaching on election sketched throughout this work, for it is how citizens and “iconic illegal aliens”<sup>9</sup> can suffer together the sorrows *and* joys of belonging and non-belonging. Or, put differently,

---

<sup>7</sup>Sandoval argues that feminists, and especially feminists of color in the United States, have developed four main approaches to opposing hegemony: the equal-rights approach that seeks equal legal status for women before the law; the revolutionary approach that aims at a complete reconstruction of gender relations; the supremacist form that insists on the differences between the sexes and the superiority of women’s differences over men’s; and the separatist approach “organized ... to protect and nurture the differences that define its practitioners through their complete separation from the dominant social order” (Sandoval, *Methodology*, 56-57). These four figures are different ways of opposing domination and dominant discourses. But it is Sandoval’s fifth figure, differential consciousness, that enlivens them in the contemporary moment (Sandoval, *Methodology*, 182-183).

<sup>8</sup>Fernando F. Segovia discusses his choice of *mezcolanza* over *mestizaje*, *mulatez*, and *mezcla* in “Toward a Hermeneutics of the Diaspora: A Hermeneutics of Otherness and Engagement,” in *Reading from This Place*, ed. Fernando F. Segovia and Mary Ann Tolbert (Minneapolis: Fortress Press, 1995), 66n14. He notes that *mezcolanza* is “highly indiscriminate—motley; unplanned; haphazard.”

<sup>9</sup>On my use of the term “iconic illegal alien,” see the Introduction above. I will not use quotation marks.

*mezcolanza* is the shape of our belonging with each other, as well as our means of promoting deeper belonging, in a way that disregards any supposed moral import of national borders, the statuses that they dole out, and the racialized identities that found and support them. *La iglesia mezclada* is de-bordered belonging in Jesus Christ, and it must lead to other, extra-ecclesial projects that abolish bordered practices and thinking.

But why *mezcolanza*? In short, learning from Latina/o theological reflections on *mestizaje* and *mezcolanza* helps us imagine ecclesial belonging across the border of citizenship status. This work has taken seriously the fact that the iconic illegal alien (the poor Mexican or Latina/o) is a counterpoint<sup>10</sup> to the ideal citizen (the neoliberal white man), that the poor person from Latin America is the first image that comes to the minds of many Americans when they hear the term “illegal alien.” *Mestizaje* has been the most important concept for Hispanic theologians in understanding how—and with whom—they belong in a society in which they are perpetually treated as outsiders. Why then would we begin with any other concept of belonging if we must sit at the feet of those who have long survived non-belonging and alienage?

I begin by discussing the architecture of *mestizaje* (Spanish for “miscegenation” or “mixture”) in the thought of Mexican-American theologian Virgilio Elizondo because he was the first to put this theme on the radar of theologians in the United States. But because his thought has not gone uncriticized, in the following section I highlight the troubling aspects of Elizondo’s thought, especially his limited recognition of the problems of *mestizaje* in Latin America, his optimism about solidarity, and his supersessionism. In the final sections, I argue that the way forward for those who are

---

<sup>10</sup>Note: a counterpoint, not *the* counterpoint.

seeking to de-border belonging is to cultivate *una iglesia mezclada*, a “mixed church,” rooted in the conviction that God continues to be faithful to God’s electing and predestining purposes with the world. In this gathering, God continues the work that God began long ago in bringing gentiles into fellowship with God and God’s people in Jesus Christ. This gathering also looks forward to the time when “a great multitude that no one could count, from every nation, from all tribes and peoples and languages, [will stand] before the Lamb, robed in white, with palm branches in their hands” (Revelation 7:9). *La iglesia mezclada* is how citizen Christians enact belonging with undocumented migrants today in a way that is faithful to God’s past and future gathering of diverse peoples around Jesus Christ.

But before discussing a theme that comes so self-consciously out of a particular social location, I should note my own social location. I am often asked what gives me the right to talk about this subject. My interlocutors note how apparent it is that as a well-educated white male citizen, I am an outsider to the iconic illegal alienage I have discussed in this work, even as I am an insider to the self-preferring community scrutinized here. Does not my status as a quintessential U.S. citizen preclude the possibility of speaking about quintessential alienage? Should I not be silent? I do not think so, and that for two reasons. First, exhortations to silence fail to recognize that citizens are always already connected with non-citizens. As I have shown throughout this work, it takes a tremendous act of racialized imagination to call people from Mexico and Latin America “illegal aliens.” The protecting of boundaries between who can speak about which topics aids and abets the delineations of where “my people” stops and “your people” begins—delineations, I have shown, that are both dubious and racialized.

Second, with God we traffic in trajectories, not static identities. I was born an insider to neoliberal white citizenship, but discipleship means movement towards Jesus Christ and thus into solidarity with people who are unlike me, a movement that might make me an outsider to “my people” and perhaps in some respects an insider to “another people.” Indeed, this is the true goal of this discussion of *mezcolanza*: my hope is that as we follow Jesus together we might learn each other’s languages and sing each other’s songs, pray each other’s prayers and tell each other’s stories, all because we have actually seen each other, listened to each other, helped each other, and even enjoyed each other.<sup>11</sup> Such speaking, singing, praying, and storytelling are ways of uniting that may set us at odds with the people who taught us how to speak and pray and sing in the first place. In short, then, I speak of a topic typically reserved for Hispanic theologians because of my established, though often unacknowledged, connections with undocumented migrants and my vision of God’s dealings with creation. This chapter aims to demonstrate the validity of this vision, beginning with and learning from theologian Virgilio Elizondo.

### **Virgilio Elizondo: The Election, Vocation, and Hope of *Mestiza/os***

*Mestiza/o* theologians began their work troubled by pervasive feelings of alienation and non-belonging, rooted, according to Elizondo, in the fact that *mestiza/os* were the product of two conquests: the conquest of the New World by the powers of the Iberian Peninsula beginning in 1492 and the conquest of Mexico by the United States in

---

<sup>11</sup>These four movements—mutual sight, speech, help, and delight—come from Karl Barth’s account of what it means to be human in *The Doctrine of Creation*, vol. III/2 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. H. Knight, G. W. Bromiley, J. K. S. Reid, and R. H. Fuller (1959; repr., Peabody, MA: Hendrickson Publishers, 2010), 250-274.

the U.S.-Mexico War of 1846-1848.<sup>12</sup> The term *mestiza/o* has its roots in the first conquest, when European men raped indigenous women and produced mixed-breed offspring. Crucial trajectories of colonialism traversed the body of these first *mestiza/os*: a violent encounter and uneven relationship (rape), a disgusted throwing off (marginalization), and a racist denigration of the impure (placing *mestiza/os* in a racial hierarchy). The second conquest continued these legacies, initiating an unequal relationship between the United States and Mexico that has involved attempts on the part of the U.S. to keep Mexican immigrants in their place and the persistent racialization of Mexicans as iconic illegal aliens who threaten our way of life. Thus Elizondo's reflections on the complexities of *mestiza/o* identity are rooted in his attempt to understand the identity of this *mestiza/o* people: are they simply the refuse left on the battlefield after the clash of two peoples and cultures? Or do *mestiza/os* have something more to offer the church and the world?

For Elizondo, *mestiz/os* have much to offer the church in the Americas and the rest of the world. The first contribution is the recognition of the goodness and inescapability of one's social location in doing theology. By beginning several of his works with extended reflections on his context, Elizondo rightly situates himself in time and space,<sup>13</sup> thereby affirming the goodness of his *mestiza/o* identity. Elizondo also argues that his social location is similar to that of Jesus of Nazareth. During his doctoral studies, Elizondo discovered—along with Black and Latin American liberation theologians—that “it was precisely the *marginated* of every socio-political group who

---

<sup>12</sup>Virgilio Elizondo, *Galilean Journey: The Mexican-American Promise* (1983; rev. ed., Maryknoll, NY: Orbis Books, 2000), 7-18.

<sup>13</sup>See Elizondo, *Galilean Journey*, 1-46; and Elizondo, *The Future Is Mestizo: Life Where Cultures Meet* (Boulder, CO: University of Colorado Press, 2000), 1-56.



were in the privileged position of being most closely similar to the poor at the time of Christ.”<sup>14</sup> Elizondo can say “Jesus is *mestizo!*” because the twofold marginalization of Mexican-Americans is similar to that of Galileans in the time of Jesus: “The image of the Galileans to the Jerusalem Jews is comparable to the image of Mexican-Americans to the Mexicans of Mexico. On the other hand, the image of the Galileans to the Greco-Romans is comparable to the image of the Mexican-American to the Anglo population of the United States. They were part of and despised by both.”<sup>15</sup> Whether or not Elizondo’s representation of Galilee is historically accurate—and several scholars doubt that it is<sup>16</sup>—the point is that *mestiza/os* can find in the Galilean Jesus experiences that resonate with their own. Neither Jesus nor *mestiza/os* truly belong with those who might be considered “their people(s).”

Yet Elizondo goes beyond telling his fellow *mestiza/os* that they can relate to Jesus because he too was doubly marginalized. The significance of studying Jesus’ ministry and Galilean identity is that it guides us in understanding God’s contemporary relationship with people living in the borderlands: “By discovering how [Jesus] functioned *then*, we will discover how he functions *today*.”<sup>17</sup> Elizondo’s theology is alive with trust that God is even now working in the world in the same manner that God was

---

<sup>14</sup>Elizondo, *Galilean Journey*, 3. Compare this with Jon Sobrino, *Jesus the Liberator: A Historical-Theological Reading of Jesus of Nazareth*, trans. Paul Burns and Francis McDonagh (Maryknoll, NY: Orbis Books, 1993), 61: the lives of those who suffer the extreme poverty and political violence of Latin America “have essentially the same structure as that claimed for the life of Jesus: proclamation of the Kingdom to the poor, defence of the oppressed and confrontation with their oppressors, the proclamation of the God of life and the condemnation of idols.”

<sup>15</sup>Elizondo, *Galilean Journey*, 52.

<sup>16</sup>On these criticisms see Michael E. Lee, “The Galilean Jesus as Faithful Dissenter: Latino/a Christology and the Dynamics of Exclusion,” in *Jesus in the Hispanic Community: Images of Christ from Theology to Popular Culture*, ed. Harold J. Recinos and Hugo Magallanes (Louisville, KY: Westminster John Knox Press, 2009), 16-37.

<sup>17</sup>Elizondo, *Galilean Journey*, 47.

working in the times and places recorded in scripture. God's presence is to be found in the places that it has always been found; God's actions have the same pattern they always have. God is with and for those whom God has always been with and for.

In situating his context in relation to Jesus of Nazareth and God's presence in Jesus in relation to his own context, Elizondo put key liberationist insights to work in an area that had yet to be explored. But the way that he articulates his affirmation of *mestizaje* is a creative product of his unique theological and pastoral mind. He presents his case most fully in *Galilean Journey* by outlining three principles: the Galilee, Jerusalem, and resurrection principles. Elizondo's Galilee principle is that God chooses what the world rejects.<sup>18</sup> Christology is crucial here, for in Elizondo's view it is important that the Son of God did not become any human, but rather the Jew from Nazareth: "God could have started anywhere, but de facto he became a Galilean Jew and Galilee was the starting point of his mission."<sup>19</sup> This places "marginality" at the heart of theology as "one of the key functional concepts of the inner dynamism of the gospel."<sup>20</sup> Yet the decision of the Son of God to become a Galilean Jew was not directed toward mere affirmation of Galileans. Elizondo's second principle is the Jerusalem principle that God chooses a

---

<sup>18</sup>Elizondo, *Galilean Journey*, 91.

<sup>19</sup>Elizondo, *Galilean Journey*, 92. The claim that the Son of God could have become anyone may be the central problem with Elizondo's theology. In my view, the fact that there is no *logos asarkos* (unfleshed Word), that is, that the Son of God is always already the Jew from Nazareth, implies that God *could not* "have started anywhere." The Triune God is always already the God of Israel because the second person of the Trinity is always already the Jew from Nazareth. I would add that this Jew from Nazareth also "had nowhere to lay his head" (Matthew 8:18-22), so that material poverty is also constitutive of his identity. This brings the preferential option for the poor into the orbit of christology and election. This way of conceiving christology and election is obviously indebted to Karl Barth, though I have made more concrete what it means to say that there is no *logos asarkos*, namely, that the eternal flesh of the Word of God is that of a poor, wandering Jew from Nazareth. See Karl Barth, *The Doctrine of Reconciliation*, vol. IV/1 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. G. W. Bromiley (1956; repr., Peabody, MA: Hendrickson Publishers, 2010), 51.

<sup>20</sup>Elizondo, *Galilean Journey*, 92.

marginalized people in order that they might confront those who marginalize them. The Father sends Jesus the Galilean to Jerusalem in order to confront the unholy alliance of Roman and Jewish power.<sup>21</sup> The resurrection principle, finally, is that the story does not stop with the violent death that Jesus suffered in Jerusalem because of his faithfulness to God's elective mission for him. Rather, God raises him from the dead, showing that God's healing and joining love will ultimately win.<sup>22</sup> God's end for creation is the loving fellowship and eternal life promised on Easter Sunday, not the marginalization and death suffered on Good Friday.

Elizondo applies these principles to his own context in order to think *mestizaje* as a theological reality, offering "a gospel rereading of our cultural life."<sup>23</sup> Believing that God is the same as God has always been, Elizondo argues that God's decision to become doubly marginalized in Jesus Christ implies God's continued presence with and action for those who are doubly marginalized today. In Elizondo's mind, the *mestiza/o* in the United States is similar to the Galilean: rejected by Mexicans for being insufficiently Mexican and by Americans for being insufficiently American. Just as God chose Galilee to be the womb of God's presence, so God has chosen the doubly marginalized borderlands to be the womb of the new creation. Yet the Jerusalem principle means that God chooses a

---

<sup>21</sup>Elizondo, *Galilean Journey*, 103.

<sup>22</sup>Elizondo, *Galilean Journey*, 115.

<sup>23</sup>Elizondo, *Galilean Journey*, 89. I call this project "theological *mestizaje*," rather than "*mestiza/o* theology." I consider the work of Brian Bantum to be along the latter lines in that although he does offer a theological account of *mulatez*—mulatto identity—his primary purpose is to show the fundamentally "mulattic" nature of Christian life *for all people*. The two projects should not be too strongly distinguished, but the key difference may be that Bantum does not seem to identify the mulatto as the continuation of the ministry of Jesus Christ. I cannot imagine him saying with Elizondo, "the mestizo [or mulatto] is the *gospel* in today's world" (*Galilean Journey*, 125). Thus while his work is one of *affirmation* of mulattos, it is also, in my view more importantly, one of *exhortation* for all people. See Bantum, *Redeeming Mulatto: A Theology of Race and Christian Hybridity* (Waco, TX: Baylor University Press, 2010).

people for the sake of confrontation, not comfort. God is sending *mestiza/o* peoples to confront the powerful who marginalize, oppress, and exploit them. And when God's *mestiza/o* people confront and are crushed by these forces, they can trust that God will raise them up. The resurrection of Jesus gives the *mestiza/o* people of God hope in their struggles.

Taken together, these principles result in the conviction that "Jesus continues his struggle for new life in our struggles, and it is in him and through him that we discover the ultimate purpose and goal of our struggles."<sup>24</sup> Two exhortations are derived from this conviction. First, because God has always been present in the struggles of God's *mestiza/o* people, according to Elizondo, they must plumb the depths of their experiences, especially their popular religious resources, for the sake of affirmation and action. Elizondo's extended reflections on the Virgin of Guadalupe and the Festival of San Antonio affirm the legitimacy of religious practices that are often denigrated as syncretistic, superstitious, and backwards.<sup>25</sup> He restores these practices to a place of honor in a manner that resonates both with the recent work of theologians on the importance of liturgy in Christian formation *and* with projects of decolonizing knowledge by retrieving the traditions of peoples who have been subjugated and marginalized throughout the modern/colonial era.<sup>26</sup> Elizondo encourages marginalized peoples to

---

<sup>24</sup>Elizondo, *Galilean Journey*, 89.

<sup>25</sup>See *Galilean Journey*, 43-45, 123-125; Elizondo, *The Future Is Mestizo*, 48-50; and, most fully, Elizondo, *Guadalupe: Mother of the New Creation* (Maryknoll, NY: Orbis Books, 1997).

<sup>26</sup>Elizondo's *Guadalupe*, is the most obvious example of his liberationist-leaning retrieval. For analogous projects of liberationist retrieval, see Michelle A. Gonzalez, *Sor Juana: Beauty and Justice in the Americas* (Maryknoll, NY: Orbis Books, 2003); and Alex García-Rivera, *St. Martín de Porres: "The Little Stories" and the Semiotics of Culture* (Maryknoll, NY: Orbis Books, 1995). On the importance of liturgy for Christian formation, see Stanley Hauerwas and Samuel Wells, *Blackwell Companion to Christian Ethics*, 2<sup>nd</sup> edn. (Malden, MA: Wiley-Blackwell, 2011). For a different perspective on how religiosity shapes Christian life, see any of the many works of Orlando Espín, for example, *Faith of the*

resuscitate and reinvigorate the resources that their peoples have used in order to survive.

This retrieval is no mere traditionalism, however, but serves the purpose of urging a politics of border-crossing. This is the second implicit exhortation of the *mestiza/o* project. To declare the *mestizaje* of the future is to urge people towards *mestizaje*. But what kind of *mestizaje*? The concept can be employed in a number of ways: it can refer to historical realities like the biological and cultural mixtures that occurred in the colonial era or the political use to which it was put in more recent Latin American nationalist discourses; it can also refer to the theological projects of describing the site from which one does theology, seeking to extend liberation theology to the realm of cultural identity, and naming God's destiny for the world.<sup>27</sup> While there are hints of the non-theological aspects of *mestizaje* in Elizondo's work, his overall purpose is to help Christians know where God is to be found and how God is at work in the world: "If the church is to be a faithful witness to the Master, it must be identified with the poor and oppressed of the world."<sup>28</sup> We must try to be with God and God's people in the ways in which God is with God's people and the world, and that means we must be present with and active among the *mestiza/o* people of God. We must cross borders.

### **The Promise and Problems of Elizondo's *Mestizaje***

Elizondo deserves credit for making five contributions to theology: affirmation,

---

*People: Theological Reflections on Popular Catholicism* (Maryknoll, NY: Orbis Books, 1997). Vincent Miller has attempted to combine some of these themes in his *Consuming Religion*, cited above.

<sup>27</sup>These five valences of *mestizaje* come from Andrew Irvine, "Mestizaje and the Problem of Authority," *Journal of Hispanic/Latino Theology* 8, no. 1 (August 2000): 5-37, as cited in Rosario-Rodriguez, *Racism and God-Talk: A Latino/a Perspective* (New York: New York University Press, 2008), 79.

<sup>28</sup>Elizondo, *Galilean Journey*, 93.

revelation, concreteness, continuity, and mixture. In terms of his wider purposes, he is to be praised above all for seeking to *affirm* people who have been marginalized since the dawn of modern colonialism. Moreover, by undertaking this project of affirmation, he *reveals* how the colonial and imperial legacies of the past continue in the injustices suffered by *mestiza/o* Americans today. Latina/os continue to be marginalized in the United States, and Elizondo explores this in detail. He also deserves praise for how he pursues these goals theologically, for he roots his affirmation of *mestiza/os* in a theology of the incarnation that inquires into the significance of the *concrete* social and geographical location of the enfleshed Son of God and thereby places Jesus on the ground of first century Palestine. And he puts this theology of the incarnation to contemporary use by attempting to see how God *continues* to do today what God has been doing since the incarnation. Finally, this leads Elizondo to discern that the future God desires for creation is not the eternal separation of the elect from the damned, but rather the *mixed* fellowship of all people in Jesus Christ. Thus, in short, Elizondo rightly affirms marginalized peoples and confronts those who marginalize them because he believes that God's work in the concrete body of Jesus of Nazareth continues today.

But as noted, several theologians have criticized Elizondo's theology. In general, critics note the problematic political implications of *mestizaje*. One way of characterizing two dominant concerns is by saying that *mestiza/o* theologians have focused too much on the project of affirming marginalized peoples and cultures and not enough on the project of liberating the materially oppressed. Iván Petrella and Benjamin Valentín, for instance, have said that hybridity discourse naïvely sidelines calls for justice since it is easier to respect cultures and affirm the goodness of their preservation than it is to seek the

liberation of those who are actually dying, made invisible, and being exploited.<sup>29</sup> This concern is especially pertinent for white Americans who want to celebrate diversity and eat Mexican food without recognizing the vast social, political, and cultural disparities that separate them from each other, even as white citizens are connected to iconic illegal aliens, most often through relations of service. Because celebrations of diversity can easily mask power, we are right to wonder whether affirmation and celebration are the same as liberation. Petrella and Valentín think not.

Another, subtler criticism is that *mestizaje* has surprisingly bolstered an inward focus among Latina/o theologians, a focus that Petrella calls “monochromatism.” He argues that “[w]hile this approach should undermine the focus on limited sources of identity, the focus on *mestizaje* has paradoxically led to a theology obsessed with the purity of mestizo sources.”<sup>30</sup> In other words, instead of seeking a differential consciousness that dissolves borders or reveals that they have never existed in the ways we imagine, people have employed the concept of *mestizaje* in order surprisingly to strengthen the border between Latina/os and others. People have used the border-crossing concept of *mestizaje*, according to Petrella, in order to affirm and preserve a denigrated heritage, but they have done so by creating a border around what qualifies as specifically *mestiza/o*, “Hispanic,” or “Latina/o.” Thus the social location of *mestiza/os* as mixed-race, mixed-culture people is affirmed, while the process of continuing to mix for the sake of justice with and for people on the brink of death is overlooked.<sup>31</sup>

---

<sup>29</sup>See Iván Petrella, *Beyond Liberation Theology: A Polemic* (London: SCM Press, 2008), 140-141; as well as Benjamín Valentín, *Mapping Public Theology: Beyond Culture, Identity, and Difference* (Harrisburg, PA: Trinity Press International, 2002), 4-5.

<sup>30</sup>Petrella, *Beyond Liberation Theology*, 140.

<sup>31</sup>A recent book that falls into both of these traps is Edwin David Aponte, *¡Santo! Varieties of*

These valid concerns relate to my own historical-political concerns. The first problem is that Elizondo assumes *mestiza/os* will naturally seek solidarity with other marginalized peoples because of their own suffering.<sup>32</sup> But this is hardly the case in practice, as is demonstrated by the history of Black Americans with other migrants in the United States.<sup>33</sup> Common suffering does not necessarily lead to common projects to alleviate suffering. Often self-assertion is our first response to suffering, and if Petrella is right that *mestiza/o* theology has “led to a theology obsessed with the purity of sources,” then we have further proof that suffering often leads to self-assertion. Second, Elizondo pays scant attention to the tortured history of race relations in Latin America,<sup>34</sup> part of which involves the *mestiza/o* gaining power over Black and Indigenous peoples once the Spanish *peninsulares* (elites who were born in Europe but came to the New World) were ousted and the *criollos* (children of European parents born in the New World) gained power. In early-nineteenth century Latin America, notes Enrique Dussel, although Black slaves were emancipated and people from Indigenous backgrounds gained more social access, “neither the emancipated Black nor the native American was permitted by the Creole elite to rise to any place of importance.” By contrast, *mestiza/os* were able to

---

*Latino/a Spirituality* (Maryknoll, NY: Orbis Books, 2012). Aponte seeks to affirm the existence of diverse religious traditions among Latina/os, a diversity that has often been denigrated and overlooked. Yet he suggests (1) that what unites these religious traditions is their specifically *Latina/o* search for “the holy”; and (2) that affirmation of this diversity is more important than crossing boundaries for the sake of justice for oppressed peoples. Is this liberation theology? We are right to wonder.

<sup>32</sup>Elizondo, *Galilean Journey*, 100: “Because *mestizo* groups have suffered at the deepest level of human existence, they can be compassionate with the suffering of others.”

<sup>33</sup>See David Roediger, *Working toward Whiteness: How America's Immigrants Became White: The Strange Journey from Ellis Island to the Suburbs* (New York: Basic Books, 2006). Also important is the analysis of race relations, especially between Mexican-Americans and Black Americans, in Nicholas De Genova, *Working the Boundaries: Race, Space, and “Illegality” in Mexican Chicago* (Durham, NC: Duke University Press, 2005), 174-206.

<sup>34</sup>On this see Magnus Mörner, *Race Mixture in the History of Latin America* (Boston: Little, Brown and Company, 1967).



achieve “rapid social advancement.” Latin American societies may have begun the process of “racial universalization,” but the process was uneven and favored those who more nearly approximated the whiteness of prior colonial masters.<sup>35</sup> This is why colonial Latin America has been described as a pigmentocratic society in which one’s “social status” was directly correlated with one’s ethno-racial identity, “with the white masters occupying the highest stratum.”<sup>36</sup> When we combine *mestiza/o* empowerment in Latin American history with Elizondo’s description of the *mestiza/o* as the “new creation,”<sup>37</sup> it is hard not to imagine the conflation of becoming the *mestiza/o* new creation with becoming whiter. Elizondo’s purpose is not to commend a journey toward whiteness, but it is difficult to extricate *mestizaje* from the social privileges of whiteness in Latin America and the United States. Is it a coincidence that such Hispanic-American celebrities and icons of sexiness as Jennifer Lopez and Ricky Martin have light skin, English first names, and Spanish last names?<sup>38</sup> The lighter skin and Anglo-European heritage of the *mestiza/o* make them problematic figures of history.

The best way forward, however, is not to abandon the notion of mixture. Rather,

---

<sup>35</sup>Enrique D. Dussel, *A History of the Church in Latin America: Colonialism to Liberation (1492-1979)*, trans. Alan Neely (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1981), 78. In *A Violent Evangelism: The Political and Religious Conquest of the Americas* (Louisville, KY: Westminster/John Knox Press, 1992), 152-153, Luis N. Rivera notes that in the Latin American church *mestizos* could become priests as early as the second half of the sixteenth century, whereas it took until the end of the eighteenth century for “pure-blooded” Indigenes to gain access to the priesthood. On the influence of *mestiza/o* elites on the development of a decidedly “Latin” consciousness and sense of superiority in the New World, see Walter D. Mignolo, *The Idea of Latin America* (Malden, MA: Wiley-Blackwell Publishing, 2005), 57-72.

<sup>36</sup>Mörner, *Race Mixture in the History of Latin America*, 54. See also Amy Chua, *World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability* (New York: Anchor Books, 2004), 49-76. Chua draws on Mörner to argue that pigmentocracy is alive and well in contemporary Latin America, with potentially dangerous consequences for the rich white elites in those countries.

<sup>37</sup>Elizondo, *Galilean Journey*, 43-45; *Guadalupe*, 103; and *Future Is Mestizo*, xiv-xv.

<sup>38</sup>This is what Nell Irvin Painter calls “the fourth enlargement of whiteness” in her *The History of White People* (New York: W. W. Norton and Company, Inc., 2010), 383-396.

we must rethink mixture in a way that avoids self-insulation and recognizes the troubled history of race relations in which the term is embedded. For these reasons, I follow biblical scholar Fernando F. Segovia in speaking of *mezcolanza* (again, Spanish for “mixture” and “hodgepodge”) rather than *mestizaje*.<sup>39</sup> I conceive *mezcolanza* as the process of forming a border-crossing community’s identity through life together, the shape of friendships and political action across the boundary of citizenship. The term has several advantages. First, because *mezcolanza* is more of a mish-mash than *una mezcla* (another Spanish word for “mixture”), it avoids essentialism. It implies radical diversity, movement, and even a lack of coherence—there is no essence and there are no boundaries in *mezcolanza*. Second, because *mezcolanza* is not a person, like the *mestiza/o*, the term also avoids racial connotations. Children may be born in *la iglesia mezclada*, but such children are not the new creation or cosmic race. Third, it is better to use the Spanish term *mezcolanza* than the English term “hybridity” because *mezcolanza* is in the supposed language of America’s iconic illegal alien. To speak of *mezcolanza* is to speak from the context of the relations of Hispanic non-citizens with citizens and, crucially, to let the language of the former guide that of the latter. If English-speaking citizens desire *mezcolanza*, they step into the painful world of learning a language, submitting to its grammatical rules, and being willing to fail and be humiliated along the way. This is the joy and cost of communion.

Thus we can avoid the historical and political problems of Elizondo’s thought by speaking of *mezcolanza* rather than *mestizaje*. But this does not solve the theological

---

<sup>39</sup>See Segovia, “Toward a Hermeneutics of the Diaspora”; and Fernando F. Segovia, “Two Places and No Place on Which to Stand: Mixture and Otherness in Hispanic American Theology,” *Listening: Journal of Religion and Culture* 27 (1992): 26-40.

problems posed by Elizondo's *mestizaje*. In particular, we must discuss his view of election and predestination.<sup>40</sup> As noted, for Elizondo, God chooses what the world rejects. Elizondo brings this biblical theme into the present by identifying *mestiza/os* as the people God has chosen for confrontation and resurrection: "the mestizo is the *gospel* in today's world: the proclamation in flesh and blood that the longed-for kingdom has in fact begun."<sup>41</sup> And: "Today, the borderlands between the U.S. and Mexico form the cradle of a new humanity."<sup>42</sup> The problem with these statements is neither Elizondo's conviction that God elects nor his assertion that in the Holy Spirit creatures can even now participate in God's future for humanity. The problem is whom Elizondo names the elect and how he understands our participation in humanity's future. Elizondo is right to discern God's plan to mix, but he fails to take seriously a central truth of Christian theology: that God has eternally elected Israel to be God's "chosen possession."<sup>43</sup> This is his supersessionism, that is, his belief that God has replaced the all too particularistic people Israel with the more universal *mestiza/o* people. The next section sketches a doctrine of election, in continuity with that of the previous chapter, that draws on

---

<sup>40</sup>By "election" I mean God's decision that this or that people should be God's people and that God should be their God; by "predestination" I mean God's decision before the foundation of the world about God's destiny for the world, a central piece of which is the people God has chosen to be the people of God. I will say more about this in the next section. For now it is worth noting that these definitions of election and predestination obviously differ from those of traditional western theologians like John Calvin. I have placed a much stronger accent on the way that election simply *is* corporate election—God may call individuals to certain tasks, but election is God's decision about a people. I have also separated election and predestination more than Calvin because God's *election* of Israel is distinguishable from God's *predestination* of the whole world for fellowship with God and Israel. The gathering of the gentiles into Israel is the breaking of God's eschatological future into the present. Gentiles are not God's elect, but they have always been predestined for incorporation into the people of God through Jesus Christ, as Ephesians 1-3 makes clear.

<sup>41</sup>Elizondo, *Galilean Journey*, 125.

<sup>42</sup>Elizondo, *The Future Is Mestizo*, xiv.

<sup>43</sup>See for example Deuteronomy 7:6-8; 2 Samuel 7:23-24; Psalm 135:4.

Elizondo's key insights while avoiding its problems.

### **Elected for *Mezcolanza***

A Christian theology of election must reflect on three themes of biblical faith: God's eternal love for and commitment to Israel, God's siding with the poor, and God's plan to draw all people into the blessings promised to Israel and the poor. I synthesize these elements as follows: God chose Israel and loves Israel eternally. But because God also elected Israel in order that they might bless all nations, part of Israel's task is to mediate blessing to the nations. And because God has a special concern for the poor and marginalized—a concern about which they learned when God chose to bring life and blessing out of a barren womb and a thriving people out of a group of oppressed slaves—the people of God are called to place themselves among the poor, care for them, and side with them over against those who violate, exploit, and alienate them. *La iglesia mezclada* bears witness that God continues to love Israel, side with the poor, and invite all people into fellowship with God and each other.<sup>44</sup>

### The Election of Israel

I begin with the fundamental fact of election: God chose Israel out of pure grace and love:

You are a people holy to the Lord your God; the Lord your God has chosen you out of all the peoples on earth to be his people, his treasured possession. It was not because you were more numerous than any other people that the Lord set his heart on you and chose you—for you were the fewest of all peoples. It was because the Lord loved you and kept the oath that he swore to your ancestors, that

---

<sup>44</sup>Because this account of election and hybridity is part of a broader effort to understand immigration, borders and belonging, I cannot treat either term fully.

the Lord has brought you out with a mighty hand, and redeemed you from the house of slavery, from the hand of Pharaoh king of Egypt. (Deuteronomy 7:6-8)

This text is critical in articulating the intrinsic aspect of election, that is, God's unending love for and commitment to Israel.<sup>45</sup> In other texts in both testaments, God is said to have chosen Israel simply out of divine love. This is most obvious in the Hebrew scriptures, where Israel is often called God's "chosen possession."<sup>46</sup> But also in the New Testament, Jesus is the one who would redeem Israel (Luke 24:21), the one whose mission was to the lost sheep of the house of Israel (Matthew 15:24), the one in whom God is fulfilling God's promises to free Israel from its oppressors (Luke 1:50-55). Indeed, "salvation is from the Jews" (John 4:22b). One can even find God's eternal commitment to Israel simply as God's beloved (intrinsic election) in Paul's letter to the Christians in Rome: "as regards election they [Israel] are beloved, for the sake of the ancestors; for the gifts and calling of God are irrevocable" (Romans 11:28-29). Often thought to be the most supersessionist of early Christian thinkers, Paul here insists to gentile Christians that Israel remains God's beloved people. There is also a growing recognition among contemporary Jewish and Christian theologians that although Paul thought Jesus Christ fulfills Israel's purposes, Israel is not therefore abandoned by God.<sup>47</sup> Israel has not lost its

---

<sup>45</sup>I first learned the correlative terms "intrinsic" and "instrumental election" from Joel S. Kaminsky, *Yet I Loved Jacob: Reclaiming the Biblical Concept of Election* (Nashville: Abingdon Press, 2007), 153-157.

<sup>46</sup>Again, see also 2 Samuel 7:23-24; Psalm 135:4.

<sup>47</sup>Some Jewish theologians include Alan F. Segal, "Paul's Jewish Presuppositions," in *The Cambridge Companion to St. Paul*, ed. James D. G. Dunn (New York: Cambridge University Press, 2003), 167, 171n2; and Kaminsky, *Yet I Loved Jacob*, 190. Michael Wyschogrod has said: "Salvation is of the Jews because the flesh of Israel is the abode of the divine presence in the world" (cited in Robert W. Jenson, *The Triune God*, vol. 1 of *Systematic Theology* [New York: Oxford University Press, 1997], 78n23). See also the contributions of Jon Levenson, David Novak, and Peter Ochs in, among other places, *Jews and Christians: People of God*, ed. Robert W. Jenson and Carl E. Braaten (Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2003). A good, though now slightly dated, account of some of these developments is Bruce D. Marshall, "Christ and the Cultures: The Jewish People and Christian Theology," in *The*

purpose as God's beloved people. The Jews of today bear witness to the coming of the Messiah to set all things right. Of course, Christians—Jewish and gentile Christians—believe that this Messiah has already come and is named Jesus of Nazareth, but Christians need not disagree with non-Christian Jews that the Messiah's final appearance will be what we too long to see.<sup>48</sup> After all, we learned about the coming of the Messiah from the Jewish scriptures! The intrinsic aspect of election, then, consists in God's decision to be eternally Israel's God, whether or not they recognize the one Christians call Messiah.

Yet there is also an instrumental aspect of Israel's election, for God chose Sarah and Abraham in order to bless them and through them all nations (Genesis 12:1-3). Part of the task of the people of God is to serve among the nations, not least through intercession for the sake of justice, just as Abraham was the father of justice.<sup>49</sup> Both prophetic and wisdom literature imagine God's blessing of Israel redounding in some way to the nations.<sup>50</sup> Moreover, although the ministry of Jesus Christ was to "the lost

---

*Cambridge Companion to Christian Doctrine*, ed. Colin E. Gunton (New York: Cambridge University Press, 1997), 81-100. See also Scott Bader-Saye, *The Church and Israel after Christendom* (Boulder, CO: Westview Press, 1999).

<sup>48</sup>This brief statement of the positive role of the Jews as witnesses to Jesus Christ is indebted to Robert W. Jenson, "Toward a Christian Theology of Judaism," in *Jews and Christians: People of God*, ed. Robert W. Jenson and Carl E. Braaten (Grand Rapids, MI: Wm. B. Eerdmans Publishing, 2003), 1-13. It stands in contrast with Karl Barth's ultimately ambivalent account of the continued, though almost entirely negative, significance of Jews as witnesses to Jesus Christ; see Barth, *The Doctrine of God*, vol. II/2 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, and trans. G. W. Bromiley, J. C. Campbell, Iain Wilson, J. Strathern McNab, Harold Knight, and R. A. Stewart (1957; repr., Peabody, MA: Hendrickson Publishers, 2010), 195-305. I thank Edgardo Colón-Emeric for conversations on just what it means for Christians to say that Judaism still has salvific import.

<sup>49</sup>Kaminsky, *Yet I Loved Jacob*, 39.

<sup>50</sup>"In some way" is an important qualification since it is not at all clear that the Old Testament envisages a Jewish mission to the gentiles (Kaminsky, *Yet I Loved Jacob*, 149-150). On psalmic and wisdom literature, see Kaminsky, *Yet I Loved Jacob*, 159-164; and on this theme in Second Isaiah, see Abraham Joshua Heschel, *An Introduction*, vol. 1 of *The Prophets* (New York: Harper & Row, 1969), 145-158.

sheep of the house of Israel,” even in that ministry gentile “dogs” could eat the crumbs left over (Matthew 15:26-28). The prior chapter demonstrated that in Luke’s gospel Jesus frequently crosses boundaries. We should add that Paul’s mission to the gentiles and his strong emphasis on God’s fidelity to the Abrahamic promise have led many Christians to emphasize the need for Christian service and mission in the non-Christian world.<sup>51</sup>

Finally, both pseudo-Paul and John the Seer looked forward to the time when Israel’s God will unite all things in Jesus Christ (Ephesians 1:9-10; 2:11-19; 3:1-11), drawing people from every tribe and tongue and nation to the throne of the Lamb (Revelation 7:9). The gift of divine election, therefore, is accompanied by the task of serving those outside the community of the elect. Israel simply is God’s beloved people, but they are also called to bless the nations.

While the theme of instrumental election and mission to the nations is important for Christian theology, it has unfortunately become its dominant focus, with the result that Christians have “depriv[ed] continued Jewish existence of any reality or significance in the Christian economies of history.”<sup>52</sup> From this perspective, God has abandoned the people of Israel because they have rejected the Messiah and failed to proclaim his good news among the nations. The church takes its place as the people of God, and Israel has virtually no importance for this new people of God. The obvious theological difficulty posed by this type of Christian supersessionism is that if it were true, “no one could take

---

<sup>51</sup>Kaminsky, *Yet I Loved Jacob*, 93, highlights the effects of Paul’s emphasis on the Abrahamic covenant in passages like Galatians 3-4; and Romans 3: “An emphasis on the unconditional covenants and especially on God’s covenant with Abraham would allow early Christians to link Gentiles to certain of God’s promises in the Hebrew Bible, while severing these promises and the early Jesus movement from the vast majority of the Mosaic obligations.”

<sup>52</sup>Daniel Boyarin, *A Radical Jew: Paul and the Politics of Identity* (Berkeley, CA: University of California Press, 1994), 32, cited in Ben Witherington, III, “Contemporary Perspectives on Paul,” in *The Cambridge Companion to Paul*, ed. James D. G. Dunn (New York: Cambridge University Press, 2003), 258.

the God of Israel at his word ... [For i]f Christians suppose that this God has revoked his promise to Israel, then we suppose that when this God declares a promise permanent and irrevocable, he may be lying.”<sup>53</sup> Christian theologians must uphold the continued importance of the Jewish people exactly because they believe in God’s faithfulness to God’s promises. Christian theologian Robert Jenson even argues that there is no complete witness to Jesus Christ without the continued existence of the (non-Christian) synagogue: “church and synagogue are together and only together” the embodied witness of Jesus Christ in the world.<sup>54</sup> The continued existence of the Jewish people attests God’s faithfulness to God’s eternal promise to bless Abraham with children. Christian theologians, especially christocentric and trinitarian theologians, must keep in mind both aspects of election, the intrinsic and the instrumental, God’s intimate love for and eternal commitment to Israel as well as God’s love for the wider world and plan to bless the world through Israel.

As important as it is to emphasize the intrinsic aspect of election, the church is *mezclada* because of the instrumental aspect of election. The sending of the first Jewish followers of Jesus to all nations and the gentiles’ response made the people of God *una iglesia mezclada*—a mixed congregation. To be sure, Israel has always been a mixed multitude: the gentiles (or proto-Israelites) mentioned in the lineage of Jesus, for example, include Abraham, Tamar, Rahab and Ruth (Matthew 1:2-6). But in Jesus Christ the hostile wall dividing Jews as the people of God from the alienated gentiles is broken down (Ephesians 2:11-22). Because gentiles thereby gain access to God’s promises to

---

<sup>53</sup>Marshall, “Christ and the Cultures,” 88.

<sup>54</sup>Jenson, “Toward a Christian Theology of Judaism,” 13.



Abraham (Galatians 3:29), and because Jesus sends his disciples to preach the good news (Matthew 28:18-20; Acts 1:8), the people of God has become a far more mixed multitude than it had been before.<sup>55</sup>

The Jew-gentile church is *mezclada*, therefore, because of their fellowship with one another in the body of Christ and the mutual influence that they have had on each other. While scholars have long argued that Hellenistic culture influenced, if not took over, early Christian thought,<sup>56</sup> more recently historians have argued, on the one hand, that the Jesus movement “Christianized Hellenism,”<sup>57</sup> and on the other, that early-Jewish thought and practice directly and positively influenced Christian thought and practice even as far as the post-Nicene church.<sup>58</sup> The church’s appropriation of Israel’s scriptures and its redeployment of early-Jewish liturgical practices, especially baptism and Eucharist, are only the most obvious examples of early-Judaism’s influence on Christian practice.

This gives the Latina/o uses of the term *locus theologicus* (place of theology) an

---

<sup>55</sup>I am *not* saying that this universalism makes the church better than the synagogue. Kaminsky notes how Christian theologians have constantly asserted the church’s superiority over the synagogue by highlighting its “universalism,” forgetting not only that the church too is “particular” in its exclusive commitment to Jesus Christ as well as that Christians learned this “universal” impulse from Judaism. Moreover, to note the conjunction of universalism with military power in the colonization of Africa and the New World is to remember that universalisms are not necessarily peaceful. In addition, I follow Robert Jenson in seeing the task of the synagogue as that of preserving a quasi-ethnic distinctness as a faithful response to God’s intrinsic election of Israel (Jenson, “Toward a Theology of Judaism”). God desires a particular people and desires that they act as and remain a distinct people among the peoples. In no way, then, do I assume that “universality” is (1) the exclusive preserve of the church, (2) something that makes it somehow “better” than the synagogue, or (3) that it is inherently good in the first place.

<sup>56</sup>See, for example, the classic essay by Wolfhart Pannenberg, “The Appropriation of the Philosophical Concept of God as a Dogmatic Problem of Early Christian Theology,” in *Basic Questions in Theology*, trans. George H. Kehm (Philadelphia: Fortress Press, 1970), 2:119-183.

<sup>57</sup>See, for example, Robert Louis Wilken, *The Spirit of Early Christian Thought: Seeking the Face of God* (New Haven, CT: Yale University Press, 2003).

<sup>58</sup>See, for example, Oskar Skarsaune, *In the Shadow of the Temple: Jewish Influences on Early Christian Thought* (Downers Grove, IL: InterVarsity Press, 2002), 279-422.

explicitly theological inflection:<sup>59</sup> all theology—not simply Latina/o theology—is inherently *mezclada* because to be church and to do Christian theology is to speak from the *ad hoc* mixture, the *mezcolanza*, of Jews and gentiles in the body of Jesus Christ. Jewish and gentile Christians bear in their thought, worship, and life the influences of each other’s past and present. Theologians must remind the church of this fact not only in order to remember its basic posture of humility before God, but more importantly because it rules out purity as the goal of the theological enterprise. Theologies are composed from a mish-mash, a hodgepodge—*una mezcolanza*—of materials in the hands of theologians situated in social locations that are anything but coherent and pure.<sup>60</sup> It is a social fact that different peoples’ discourses and narratives traverse our bodies every day, as Latina/o theologians remind us, but it is important to remember the theological fact that this is true for the Jew-gentile people who follow Jesus of Nazareth. The socio-political *mezcolanza* of Hispanic Christians is analogous to the *ad hoc* theological mixture of the people of God as Jew and gentile.

There are thus two reasons, rooted in the doctrine of election, for pursuing *mezcolanza* in the present. First, *una iglesia mezclada* of undocumented migrants and citizens remembers and resembles what God was doing in the early church in bringing the elect and non-elect, Jews and gentiles, into fellowship with each other around Jesus. As noted in chapters 2 and 3, American popular sovereignty facilitates our imagination of fellow citizens as the elect and of non-citizens as either non-elect outsiders or anti-elect

---

<sup>59</sup>On discussions of *mestizaje* as a *locus theologicus*, see Néstor Medina, *Mestizaje: (Re)Mapping Race, Culture, and Faith in Latina/o Catholicism* (Maryknoll, NY: Orbis Books, 2009), 1-59.

<sup>60</sup>In this sense, *mezcolanza* is more like the “*bricolage*” of Michel De Certeau than the “practices” of Alasdair MacIntyre. See De Certeau, *The Practice of Everyday Life*, trans. Steven Rendall (Berkeley and Los Angeles: University of California Press, 1984).

enemies. The doctrine of election that I have sketched in this and the prior chapter names any such identification supersessionist and idolatrous: “the people” do not have the right to name the elect who must live and the anti-elect who may die, least of all along the racialized lines of colonial modernity. God has this right, and God has chosen Israel. But God has also chosen to bring people outside Israel into fellowship with Israel, and the fellowship of non-citizens and citizens with each other resists this idolatry and supersessionism by remembering that God has already begun and is even now continuing this gathering. Second, a church composed of citizens and non-citizens anticipates the fulfillment of all things. Yet we must depart from Elizondo in identifying the future as *mestizo*: the future is not *mestiza/o* but rather a pentecostal *mezcolanza* that tempts outsiders to think this is a gathering of drunks (Acts 2:1-13), a joyous noise from people from the ends of the earth gathering at the throne of the Lamb (Revelation 7:9).

The people that gathers around Jesus and thereby inherits God’s promises to Abraham with Israel is *una iglesia mezclada*. A people, especially a powerful people, that prefers its own will have a hard time demonstrating that this preference conforms to the fundamental and eschatological *mezcolanza* of the church—unless, of course, they deny that God is still doing what God has always been doing. *Mezcolanza* is constitutive of the church because it is its past, present, and future.

### Favoring the Poor

To this point I have shown that although there were problems with Elizondo’s supersessionist identification of *mestiza/os* as God’s elect and the new creation, he was right to alert theologians to the importance of these dogmatic loci for a consideration of

peoplehood. His work also demands that we reckon with another aspect of the doctrine of election, one that is often overlooked. This is God's preference for the poor, and it gives my account of *mezcolanza* a specific character. Few theologians, and even fewer white theologians, have spoken of election in this way.<sup>61</sup> But it is essential to incorporate the preferential option for the poor into Christian teaching on election. Elizondo paves the way with his Galilee principle: "What the world rejects, God chooses."<sup>62</sup>

To speak of the preferential option for the poor requires an exposition of the terms "poor" and "preference." Who are the poor? For Elizondo, the poor are those who are rejected by the world, "the rejects"; this includes the materially poor as well as people who are politically marginalized, culturally suppressed, and sexually subjugated. Enrique Dussel prefers to use the term "victims" to describe a similar set of people: "The victims of the prevailing political system *cannot live* fully (this is why they are victims)."<sup>63</sup> A good synthesis is found in Gustavo Gutiérrez: "In the final analysis, poverty means death: unjust death, the premature death of the poor, physical death ... [T]he poor are non-persons, the *in-significant*, those who do not count in society and all too often in

---

<sup>61</sup>Gustavo Gutiérrez links Israel's election to God's option for the poor in *The God of Life*, trans. Matthew J. O'Connell (Maryknoll, NY: Orbis Books, 1991), 23: "Yahweh is the *go'el* of Israel because Yahweh asserts the rights of the poor." See also Jon Sobrino, *No Salvation outside of the Poor: Prophetic-Utopian Essays* (Maryknoll, NY: 2008); James Hal Cone, *God of the Oppressed* (1975; rev. ed., Maryknoll, NY: Orbis Books, 1997), 181: "the black answer to the God-question focuses on the divine liberation of the oppressed, and thus includes in it God's election of the oppressed for participation with God in the struggle for freedom"; and Elizondo, *Galilean Journey*, 49-66, 91-102. Among white thinkers, the only references I have found are from reformed theologians who, not surprisingly, have been heavily influenced by the avowed socialist Karl Barth. See John W. De Gruchy, *Liberating Reformed Theology: A South African Contribution to an Ecumenical Debate* (Grand Rapids, MI: Wm. B. Eerdmans, 1991); and Katherine Sonderegger, "Election," in *The Oxford Handbook to Systematic Theology*, ed. John Webster, Kathryn Tanner, and Iain Torrance (New York: Oxford University Press, 2007), 118.

<sup>62</sup>Elizondo, *Galilean Journey*, 91.

<sup>63</sup>Enrique Dussel, *Twenty Theses on Politics*, trans. George Ciccariello-Maher (Durham, NC: Duke University Press, 2008), 78.

Christian churches as well ... They are insignificant in society but not before God.”<sup>64</sup>

Included among the poor, then, are those who struggle to obtain or live persistently without the means of survival, as well as those who are insignificant in the eyes of society. The poor are those who are being denied life.

What then does it mean to say God “prefers” the poor? The prior chapter demonstrated the prevalence of this motif in the Gospel of Luke, and liberation theologies have highlighted the theme in texts like the Book of Exodus and the Epistle of James. But they have also urged us to discern God’s decision for the poor in texts we least expect to find it, like the Book of Job and early Christian sources like the Cappadocian Fathers.<sup>65</sup> And it is in a similarly surprising source that one finds a way of clarifying what it means to say that God “prefers” the poor. The source is Joel Kaminsky’s discussion of the story of Cain and Abel (Genesis 4). In the story, Eve gives birth to two sons, Cain and Abel, who will be a farmer and a shepherd, respectively (Genesis 4:1-2). Both Cain and Abel offer sacrifices from their labors to God, but God looks with favor only on Abel’s (4:3-5a). Cain grows angry (4:5b) then takes his brother out into the field where he kills him (4:8). God confronts Cain, asks him where his brother is, and declares: “Listen; your brother’s blood is crying out to me from the ground!” (4:10). After God curses the ground, Cain protests: “My punishment is greater than I can bear!” (4:13). Cain declares that he will wander in the wilderness the rest of his days, but God marks Cain as a way of

---

<sup>64</sup>Gustavo Gutiérrez, “Preferential Option for the Poor,” in *Essential Writings*, ed. James B. Nickoloff (Maryknoll, NY: Orbis Books, 1996), 144-145.

<sup>65</sup>See, for example, Gustavo Gutiérrez, *On Job: God-Talk and the Suffering of the Innocent*, trans. Matthew J. O’Connell (Maryknoll, NY: Orbis Books, 1987); and the contributions by Elsa Tamez, Hugh R. Page, Jr., and Brian E. Daley in *The Option for the Poor in Christian Theology*, ed. Daniel G. Groody (Notre Dame, IN: University of Notre Dame Press, 2007); James Luther Mays, *The Lord Reigns: A Theological Handbook to the Psalms* (Louisville, KY: Westminster John Knox Press, 1994), 25-39; and J. Kameron Carter, *Race: A Theological Account* (New York: Oxford University Press, 2008), 229-251.

protecting him from anyone who might harm him (4:14-15). Cain marries and raises children (4:17), but he never receives the blessing God bestowed on Abel (4:25).

This early story resembles Elizondo's conviction that God favors those whom the world rejects. God's favor for the younger Abel, like God's favor for Esau's younger brother Jacob (Genesis 25:19-34), directly opposes the social convention of primogeniture, in which the oldest male sibling would receive the father's blessing and inherit his property.<sup>66</sup> God chooses the one that society would look down on. Abel is also like the poor and rejected of today in that he suffers violence unjustly. To say that God favors the insignificant is to say that God will hear their cries, just as God heard Abel's blood crying out from the ground and Israel's groans under Pharaoh's regime (Exodus 2:23-25).<sup>67</sup> Elizondo's Galilee principle is right in this respect.

Yet the story differs from Elizondo in that the latter thinks the people rejected by the world are God's instruments for saving the world: "the mestizo is the *gospel* in today's world."<sup>68</sup> Or as Jon Sobrino says, there is "no salvation outside of the poor."<sup>69</sup> Salvation, for these theologians, flows to society through the people it rejects. But does this not turn the poor into instruments for the salvation of the non-poor? Are they then the sacrifices necessary for the salvation of the rich?

In order to avoid such suggestions, we should recall the distinction between intrinsic and instrumental election above: it is better to say that God sides with the victims for no other reason than that God has a unique, intrinsic love for them, a love that

---

<sup>66</sup>Kaminsky, *Yet I Loved Jacob*, 45.

<sup>67</sup>On this theme in the prophets, see Heschel, *Prophets*, 159-166.

<sup>68</sup>Elizondo, *Galilean Journey*, 125.

<sup>69</sup>Sobrino, *No Salvation outside of the Poor*.

is in complete accord with God's love for the people born in a barren womb and delivered from slavery in an imperial regime. God *intrinsically* loves and takes the side of the poor, but God does not plan to use them as *instruments* to bless the world. This makes the poor similar to Israel in that God has an intrinsic love for them, but different from Israel in that God does not use their poverty as an instrument for blessing the world. In this way, the story of Cain and Abel has the key pieces of Elizondo's Galilee principle, for God chooses the younger brother (the "reject"), the younger brother is killed (victimization), and God surprisingly blesses the murderer with the promise of protection. But crucially, the story does not make rejection and violence instruments of blessing. God does not bless Cain *through* the victim Abel. Abel is not the gospel in this story: God is. It is not Abel's death that redounds to Cain's protection. Rather, God's protection for Cain is a surprise. Thus with the story of Cain and Abel—and with God's favor for the rejects, the victims, the insignificant in general—it is better to speak of "divine favoring rather than divine election."<sup>70</sup> God sides with those whom the world rejects, but there is no sacrificial logic that ensures that the non-poor will be blessed through the sufferings of the poor. As noted in the prior chapter, it is better to say that God favors the poor because in them God hears echoes of the cries of God's once-lifeless, once-enslaved, now-dispersed, and always-threatened people Israel. They are, after all, "a people which in the usual sense of the word is not a people ... [a people that] has history which strictly speaking is ... the history of a guest and alien and stranger and exception amongst the nations."<sup>71</sup> The fact that God sides with the poor is unsurprising to those who

---

<sup>70</sup>Kaminsky, *Yet I Loved Jacob*, 26-27.

<sup>71</sup>Karl Barth, *The Doctrine of Creation*, vol. III/3 of *Church Dogmatics*, ed. G. W. Bromiley and T. F. Torrance, trans. G. W. Bromiley and R. J. Ehrlich (1960; repr., Peabody, MA: Hendrickson

know that God has elected a non-people of guests, aliens and strangers to be the people of God.

To speak of God siding intrinsically with the insignificant is to call the church to do the same. *La iglesia mezclada* is called to mix, but this mixture must be with and for the well-being of those whose blood, sweat, and tears cry out from the ground. This work has attempted to reckon with the racial (and other) problems associated with the pervasive image of iconic illegal aliens as poor, threatening people from Latin America. In the U.S., the iconic illegal alien is an outsider who does not belong (chapter 2) or who threatens the nation's economy, culture, and security (chapter 1). As such, undocumented migrants are allowed to die in the wilderness, to be exploited in the workplace, or to be pressured into a very "tight space" of visibility—they can make themselves known only by trying to display their proximity to the ideal citizen, the neoliberal white male (chapter 3).<sup>72</sup> To be sure, undocumented migrants are in reality neither powerless nor insignificant, but this does not mean their significance is rightly recognized by society. *La iglesia mezclada* must learn together what God's decision for the insignificant means for Christian witness in boundary-crossing community today.

It is important to emphasize this aspect of *mezcolanza* because theologians can easily affirm exotic diversity and ignore enormous differences of power. It is easy either to undertake a project of affirmation to the neglect of concrete liberation from death and exploitation, or to imagine that affirmation simply is liberation. But a project of affirming hybridity that does not take seriously differences of material power and deprivation—and

---

Publishers, 2010), 215.

<sup>72</sup>I have taken the phrase "tight space" from Willie J. Jennings.



thus the need for liberation—can hardly avoid the depoliticized colorblindness that keeps American society from reckoning more fully with its problems of belonging and alienation. A church that crosses the boundary of citizenship status will have to allow itself to be led by those deemed insignificant in pursuit of “historical projects” that combat the discourses and practices contributing to the sufferings of unauthorized migrants. I conclude with a few words on this project of de-bordering belonging.

### **Notes toward De-Bordered Belonging**

My use of the term “historical projects” comes from Iván Petrella, who resuscitates the concept in order to criticize the underdetermined language of justice and peace employed by thinkers influenced by liberation theology.<sup>73</sup> It is easy to speak the words of liberation theology without pursuing actual liberation. Petrella calls liberation theologians to concrete socio-political proposals at the macro level, imploring them to hold accountable the people who have the politico-economic power necessary to change the large-scale practices that affect people’s lives. While Petrella is right to point to the difficulties that liberation theologians have had in institutionalizing their convictions at the societal level, he slights two other aspects of projects that are seeking liberation, namely, the *intellectual task* of shaping people’s imagination of who we are, where we live, and what we ought (and are able) to do; and the *quotidian task* of locating our individual and small-scale collective bodies in a way that does not prohibit our living in accordance with this vision.<sup>74</sup> The historical project with which this work is most

---

<sup>73</sup>Petrella, *Beyond Liberation Theology*, 137.

<sup>74</sup>On the link between historical projects and the quotidian task, see Ada María Isasi-Díaz, *La Lucha Continues: Mujerista Theology* (Maryknoll, NY: Orbis Books, 2004), 2-5.

concerned is that of liberating our daily practices, conceptions, and larger political performances of belonging from the hegemony of death-dealing borders. I close with a few suggestions along these lines.

First, if we are to make borders irrelevant to our notions of belonging, we must begin with the quotidian task of actually crossing boundaries by changing where we live, work, and worship, for it is daily life that shapes our imagination and macro-politics. This requires that we notice the types of people with whom we interact (and do not interact) on a daily basis. We must notice whose concerns concern us, whose joys give us joy, whose pains cause us pain. Because our knowing and sensing are always informed by *where we actually are*, that is, by our geographical location, we must ask whether the things we do, where we do them, and with whom we do them should stay the way they are.

This is important for all people, but it is especially important for Christians because we believe that movement is our first response to the gospel. The initial proclamation of Jesus in the Gospel of Mark is, “The time is fulfilled, and the kingdom of God has come near; repent, and believe in the good news” (1:15). Repentance does not mean apologizing or feeling guilty, but rather turning away from something and toward something else, an act not principally of the mind but of the body. The type of solidarity I have discussed in this work cannot mean merely changing our political opinions. It must be living daily life with people who experience reality different from us. The songs we sing and the people with whom we sing them, the prayers we pray and the people with whom we pray them, the languages we speak and the people with whom we speak them, the spaces we share and the people with whom we share them, the foods we eat and the

people with whom we eat them—all of these things are intrinsic in our discipleship.<sup>75</sup> The pursuit of daily solidarity is indeed mundane, but it is not for that reason apolitical. The identities of the people with whom we are friends and the identities we shape through friendship with them are deeply political. We may summarize the quotidian task in personal terms drawn from the Introduction of this work: *the quotidian task is to put into practice the truth that the deportee I met in Guatemala and I belong with and to each other.*

The second aspect of the historical project we must undertake is *the intellectual task* of challenging dominant notions of belonging and moral responsibility through our speaking and writing. I have done this in this work, and I hope to continue to do so in future work. We need scholars and other intellectuals to continue to ask, who are our people empirically, as it were, and theologically? And what should we do about perverse, distorted visions and performances of peoplehood? But this intellectual work cannot be done in classrooms, journal articles, and books alone. It must also occur where people of faith and goodwill gather together. For Christians this means, above all, in churches: this good news must be preached, as increasing numbers of Catholic priests, evangelical pastors, and mainline ministers are now recognizing. It is necessary not only to raise awareness but also to help people frame that awareness in life-giving, healing and energizing ways. To use again the more personal terms I used in the Introduction of this work: *the intellectual task is to help people see that the deportee I met in Guatemala and I are part of the same people.*

---

<sup>75</sup>On the effects of space and bodies on worship, see Mary McClintock Fulkerson, “Ecclesiology, Exclusion, and Sacraments,” in *Ecclesiology and Exclusion: Boundaries of Being and Belonging in Postmodern Times*, ed. Dennis M. Doyle, Timothy J. Furry, and Pascall D. Bazzell (Maryknoll, NY: Orbis Books, 2012), 239-246.

Finally, and flowing from these two tasks, comes the macro-political task so emphasized by Petrella. This is the task of working with undocumented migrants and others in order to suggest concrete plans to change the practices that institutionalize the regime of white neoliberal self-preference. Note that this is a *macro*-political task: the other two tasks are already political. Words spoken, minds changed, and bodies positioned are already political. But because large state practices negatively affect the lives of non-citizens, we must address these negative effects by beginning conversations with deportable non-citizens and their loved ones, with the goal of suggesting concrete plans to change the practices that institutionalize the regime of white neoliberal self-preference. Such plans may include demilitarizing the border, halting deportations, and making citizenship status irrelevant for the public services to which residents have access. Discerning more specifically which changes must occur will require honest conversation and conflict, but there are big words to speak to big people—even if these words begin with the little actions of changing minds, moving homes, and making new friends. In this context, *the macro-political task is to listen to the suggestions of unauthorized non-citizens—like the man I met in Guatemala—in order to speak to people with the power to change the laws that deal out death for them.*

Again, our first historical project, I am convinced, is the seemingly little one of simply crossing the boundary of citizenship and growing in belonging with each other. For as Gustavo Gutiérrez says: “There cannot be an authentic solidarity with the poor if one is not friends with them.”<sup>76</sup> Other work *must* flow from the seemingly small task of building friendships and shaping daily life. But when one considers the pervasiveness of

---

<sup>76</sup>Gustavo Gutiérrez, “Afterword,” in Daniel G. Groody, *Border of Death, Valley of Life: An Immigrant Journey of Heart and Spirit* (Lanham, MD: Rowman and Littlefield Publishers, 2002), 137.

the assumption that “our people” are fellow citizens *and* that Christian thinkers have offered theological justifications for this widespread belief, this little step is actually quite large. Indeed, the fact that so few churches actually share mixed-status fellowship in a thorough way suggests the enormity of shaping *una iglesia mezclada*.

### **Conclusion**

I began this chapter with Chela Sandoval’s exhortation to cross boundaries in order to learn from those who have suffered oppressive fragmentation and to bring about less unjust living arrangements. I have applied this to the alienation of non-citizens from citizens and attempted to learn from Virgilio Elizondo of the fundamental *mezcolanza* of the church in its commitment to fellowship and solidarity. Elizondo teaches us that we must (1) affirm the mixed status of those who are marginalized; (2) confront the forces that marginalize; and (3) discern lines of continuity between what God did and will do concretely in Jesus of Nazareth and what God is doing today. But I have avoided the historical, political, and theological problems of Elizondo’s *mestizaje* by (1) reconceiving mixture in terms of *mezcolanza*; and (2) relocating *mezcolanza* in the doctrine of God’s election of Israel, favor for the poor, and plan to draw all things into fellowship.

In doing all of this I have attempted to show that *la iglesia mezclada* opposes neocolonial postmodernism and seductive calls to prefer our own by keeping degraded and threatening outsiders out (chapters 1 and 2) and enactments of this preference that lead to invisible deaths and visible anxieties (chapter 3). An American church that becomes *una iglesia mezclada* begins to enact the type of Samaritan citizenship that I have called for (chapter 4). If undocumented Latina/o migrants are rendered insignificant,

iconic illegal aliens in American society, then solidarity must begin with bearing each other's burdens in mixed-up fellowship. The good news is that true friends suffer each other's pains *and* joys. In *la iglesia mezclada*, citizens and non-citizens will know each other's tears of anguish *and* delight, shouts of anger *and* celebration, times of solemnness *and* *fiesta*. This is what it means to de-border belonging in Jesus Christ.

## Conclusion

This work has aimed to help people grasp the effects of migration policies and border realities, reject the logic that undergirds them, and imagine and embody belonging without borders. I have done this by assuming that all people worship something—indeed, many things—and that all people opt to claim some “people” as their own. This has led me to name the logic of restriction “the preferential option for our own,” a term derived from late-twentieth century theological discussions in Latin America regarding God’s preferential option for the poor. Framing the logic and effects of migration restriction in this way indicates that in migration policies we enact deeply held beliefs about whom we should call our own and who has the right to decide whether certain people are or are not our people. These beliefs are a form of election, as the term “*preferential* option for one’s own” indicates. In this way I have revealed that the language of election is the language of peoplehood and that the language of peoplehood is the language of election.

Moreover, I have employed recent work on alienage, deportation, and racial identity in order to expose what goes unstated in theological and non-theological discussions of migration policies and the border, in particular, the analytically inadequate assumption that “our people” and “fellow citizens” are synonyms. The lives of citizens and non-citizens are simply too enmeshed for this equation to be true. Put more concretely, there were more deportable Latina/os in my high school than there were fellow citizens from North Dakota. If we assume that North Dakotan citizens and I are part of the same people and that the undocumented students with whom I attended school

were not my people, then formal-legal and racial definitions of nearness, peoplehood, and belonging have trumped a straightforward geographical definition of nearness, peoplehood, and belonging. The definition of peoplehood in terms of citizenship status is not only analytically dubious because it elides the countless ways that citizens and non-citizens interact with each other; it is also politically suspect because it has devastating effects on migrants who find themselves among citizens—their liminal legal status makes them vulnerable to death, exploitation, violence and racism and urges them to stay silent and remain hidden. These are simply the moral consequences for iconic illegal aliens of defining peoplehood in terms of citizenship status. All citizens must wrestle with their connections to non-citizens and the pervasive assumption that these connections do not trump legal status as a marker of belonging. How do we determine who are our people? All citizens, religious or not, must ask this question.

To ask this question is to enter the realm of political theology and the doctrine of election, both of which help us see the theological reasons for denying the equation of belonging with citizenship status *as well as* the bordered belonging that issues from this equation. A Christian theology of election offers a different understanding of peoplehood marked by movement, crying out, freedom, healing, and gathering. The church is the gathering of elect Jews and non-elect gentiles around the Jew from Nazareth who had nowhere to lay his head (Luke 9:58). They are the people who walk with him as he brings good news to the poor, release to the captives, sight to the blind, and freedom to the oppressed (Luke 4:18). Security, wealth, cultural purity, and stability simply are not our primary concerns. My hope has been to energize action across the boundaries of legal status and racial identity inside and outside the church, in short, to help us belong with



and to each other without borders. Thus in both the analytical and constructive tasks of this work, I have named border realities in thoroughly theological ways that nevertheless invite, I hope, non-Christians into the collaborative work of exposing harmful beliefs and of enacting alternative ways of belonging.

Finally, I have hinted at three aspects of this collaborative work: first, the *intellectual* task of shaping people's imagination of who we are, where we live, and what we ought (and are able) to do; second, the *quotidian* task of locating our individual and small-scale collective bodies in a way that does not prohibit our living in accordance with this vision; and third, the *macro-political* task of calling to account people with the politico-economic power necessary to change the large-scale practices that affect people's lives. *La iglesia mezclada* discussed in the final chapter is positioned to begin these tasks. This mixed-up, hodgepodge church will be one of citizens of all races and classes and non-citizens of all races and classes, gathered together for worship, trying to learn each other's stories and songs, listening to each other's cries of joy and sorrow—and all of this because they have heard the story of God with God's people and now desire to be part of it. They will break bread together—in the Eucharist and over lunch and dinner—because their hunger for food and for God have brought them near to God's Son, the bread of life. And they will leave church together, sent out and accompanied by the Holy Spirit to speak truthful, liberating words in languages not their own and with people with whom they have never had fellowship before. They will hug each other and call each other *hermana/o* and *amiga/o*, and it will be apparent that these are not mere words. These embraces will witness to the Triune God who, as a fellowship in God's very self, has never desired anything more than life and fellowship with all of creation.

## Bibliography

- Achtemeier, Paul J., Joel B. Green, and Marianne Meye Thompson. *Introducing the New Testament: Its Literature and Theology*. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2001.
- Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Translated by Daniel Heller-Roazen. Stanford, CA: Stanford University Press, 1998.
- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press, 2010.
- Althusser, Louis. *Lenin and Philosophy, and Other Essays*. Translated by Ben Brewster. New York: Monthly Review Press, 1971.
- American Immigration Council. "Defining "Desirable" Immigrants: What Lies Beneath the Proposed Merit-Based Point System?" American Immigration Council. <http://www.immigrationpolicy.org/just-facts/defining-desirable-immigrants-what-lies-beneath-proposed-merit-based-point-system> (accessed June 18, 2014).
- Anderson, Benedict R. O'G. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Rev. ed. New York: Verso, 2006.
- Andreas, Peter. *Border Games: Policing the U.S.-Mexico Divide*. Ithaca, NY: Cornell University Press, 2000.
- Aponte, Edwin David. *¡Santo! Varieties of Latino/a Spirituality*. Maryknoll, NY: Orbis Books, 2012.
- Appadurai, Arjun. *Modernity at Large: The Cultural Dimensions of Globalization*. Minneapolis: University of Minnesota Press, 1996.
- Appleby, J. Kevin and Todd Scribner, eds. *On "Strangers No Longer": Perspectives on the Historic U.S.-Mexican Catholic Bishops' Pastoral Letter on Migration*. Mahwah, NJ: Paulist Press, 2013.
- Aquinas, Thomas. *The Summa Theologica of St. Thomas Aquinas*. (New York: Benzinger Bros., 1948).
- Arnold, Kathleen A. *American Immigration after 1996: The Shifting Ground of Political Inclusion*. University Park, PA: The Pennsylvania State University Press, 2011.
- Saint Augustine, Bishop of Hippo, *Selected Writings on Grace and Pelagianism*, ed. Boniface Ramsey, trans. Roland Teske, S.J. (Hyde Park, NY: New City Press, 2011).

- Bader-Saye, Scott. *The Church and Israel after Christendom: The Politics of Election*. Boulder, CO: Westview Press, 1999.
- Balibar, Étienne. "Ambiguous Identities." In *Politics and the Other Scene*, by Étienne Balibar and translated by Chris Turner, 56-74. New York: Verso Books, 2002.
- . "Is There a European Racism?" In *Politics and the Other Scene*, by Étienne Balibar and translated by Chris Turner, 40-55. New York: Verso Books, 2002.
- . "Is There a 'Neo-Racism'?" In *Race, Nation, Class: Ambiguous Identities*, by Étienne Balibar and Immanuel Wallerstein, 17-28. New York: Verso Books, 1991.
- . "On the Politics of Human Rights." *Constellations* 20, no. 1 (March 2013): 18-26.
- . "The Nation Form: History and Ideology." In *Race, Nation, Class: Ambiguous Identities*, by Étienne Balibar and Immanuel Wallerstein, 86-106. New York: Verso, 1991.
- . "What is a Border?" In *Politics and the Other Scene*, by Étienne Balibar and translated by Chris Turner, 75-86. New York: Verso Books, 2002.
- Bantum, Brian. *Redeeming Mulatto: A Theology of Race and Christian Hybridity*. Waco, TX: Baylor University Press, 2010.
- Barth, Karl. *The Doctrine of God*. Vol II/2 of *Church Dogmatics*. Edited by G. W. Bromiley and T. F. Torrance and translated by G. W. Bromiley, J. C. Campbell, Iain Wilson, J. Strathearn McNab, Harold Knight, and R. A. Stewart. 1957. Reprint, Peabody, MA: Hendrickson Publishers, 2010.
- . *The Doctrine of Creation*. Vol. III/2 of *Church Dogmatics*. Edited by G. W. Bromiley and T. F. Torrance and translated by H. Knight, G. W. Bromiley, J. K. S. Reid, and R. H. Fuller. 1959. Reprint, Peabody, MA: Hendrickson Publishers, 2010.
- . *The Doctrine of Creation*. Vol. III/3 of *Church Dogmatics*. Edited by G. W. Bromiley and T. F. Torrance and translated by G. W. Bromiley and R. J. Ehrlich. 1960. Reprint, Peabody, MA: Hendrickson Publishers, 2010.
- . *The Doctrine of Creation*. Vol. III/4 of *Church Dogmatics*. Edited by G. W. Bromiley and T. F. Torrance and translated by A. T. Mackay, T. H. L. Parker, Harold Knight, H. A. Kennedy, and J. Marks. 1961. Reprint, Peabody, MA: Hendrickson Publishers, 2010.
- . *The Doctrine of Reconciliation*. Vol. IV/1 of *Church Dogmatics*. Edited by G. W. Bromiley and T. F. Torrance and translated by G. W. Bromiley. 1956. Reprint, Peabody, MA: Hendrickson Publishers, 2010.

- Barthes, Roland. *Mythologies*. Translated by Annette Lavers. New York: Farrar, Straus and Giroux, 1972.
- Battistella, Graziano. "Migration and Human Dignity: From Policies of Exclusion to Policies Based on Human Rights." In *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, edited by Daniel G. Groody and Gioacchino Campese, 177-191. Notre Dame, IN: University of Notre Dame Press, 2008.
- Bell, Jr., Daniel M. "State and Civil Society." In *The Blackwell Companion to Political Theology*, edited by Peter Scott and William T. Cavanaugh, 423-438. Malden, MA: Blackwell Publishing, 2004.
- Bellamy, Richard. *Citizenship: A Very Short Introduction*. New York: Oxford University Press, 2008.
- Benhabib, Seyla. *The Rights of Others: Aliens, Residents, and Citizens*. New York: Cambridge University Press, 2004.
- Bobo, Lawrence. "Somewhere between Jim Crow and Post-Racialism: Reflections on the Racial Divide in America Today." *Daedalus* 140, no. 2 (Spring 2011): 11-36.
- Bonilla-Silva, Eduardo. *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*. 3rd ed. New York: Rowman & Littlefield Publishers, 2010.
- Borjas, George. "Tired, Poor, on Welfare." In *Arguing Immigration: The Debate over the Changing Face of America*, edited by Nicolaus Mills, 76-80. New York: Touchstone, 1994.
- Bosniak, Linda. *The Citizen and the Alien: Dilemmas of Contemporary Membership*. Princeton, NJ: Princeton University Press, 2006.
- . "Forum." In *Immigrants and the Right to Stay*, by Joseph Carens, 81-92. Cambridge, MA: MIT Press, 2010.
- Braaten, Carl E. and Robert W. Jenson, eds. *Jews and Christians: People of God*. Grand Rapids, MI: William B. Eerdmans Publishing, 2003.
- Bretherton, Luke. *Christianity and Contemporary Politics: The Conditions and Possibilities of Faithful Witness*. Malden, MA: Wiley-Blackwell, 2010.
- Brewer, Rose M. and Nancy A. Heitzeg. "The Racialization of Crime and Punishment: Criminal Justice, Color-Blind Racism, and the Political Economy of the Prison Industrial Complex." *American Behavioral Scientist* 51, no. 5 (January 2008): 625-644.

- Byrne, Brendan J. *The Hospitality of God: A Reading of Luke's Gospel*. Collegeville, MN: Liturgical Press, 2000.
- Calvin, John. *Institutes of the Christian Religion*. Edited by John T. McNeill and translated by Ford Lewis Battles. Louisville: The Westminster Press, 1960.
- Camarota, Steven A. "Immigrant Employment Gains and Native Losses, 2000-2004." In *Debating Immigration*, edited by Carol M. Swain, 139-156. New York: Cambridge University Press, 2007.
- Carens, Joseph H. "Aliens and Citizens: The Case for Open Borders." In *Theorizing Citizenship*, edited by Ronald Beiner, 229-253. Albany: State University of New York Press, 1995.
- . "The Case for Amnesty." In *Immigrants and the Right to Stay*, by Joseph H. Carens, 1-53. Cambridge, MA: MIT Press, 2010.
- . "Realistic and Idealistic Approaches to the Ethics of Migration." *International Migration Review* 30, no. 1 (1996): 156-170.
- Carroll-R., M. Daniel. *Christians at the Border: Immigration, the Church, and the Bible*. Grand Rapids, MI: Baker Books, 2008.
- Carter, J. Kameron. *Race: A Theological Account*. New York: Oxford University Press, 2008.
- Chacón, Jennifer M. "The Security Myth: Punishing Immigrants in the Name of National Security." In *Governing Immigration through Crime: A Reader*, edited by Julie A. Dowling and Jonathan Xavier Inda, 77-94. Stanford, CA: Stanford University Press, 2013.
- Chatterjee, Partha. *Empire and Nation: Selected Essays*, edited by Nivedita Menon. New York: Columbia University Press, 2010.
- . *The Politics of the Governed: Reflections on Popular Politics in Most of the World*. New York: Columbia University Press, 2004.
- . "Whose Imagined Community?" In *Empire and Nation: Selected Essays*, edited by Nivedita Menon, 23-36. New York: Columbia University Press, 2010.
- Chavez, Leo R. *Covering Immigration: Popular Images and the Politics of the Nation*. Berkeley and Los Angeles, CA: University of California Press, 2001.
- . *The Latino Threat: Constructing Immigrants, Citizens, and the Nation*. Stanford, CA: Stanford University Press, 2008.
- . "Spectacle in the Desert: The Minuteman Project on the U.S.-Mexico Border." In *Governing Immigration through Crime: A Reader*, edited by Julie A. Dowling

- and Jonathan Xavier Inda, 115-128. Stanford, CA: Stanford University Press, 2013.
- Cherry, Conrad ed. *God's New Israel: Religious Interpretations of American Destiny*. 2nd ed. Chapel Hill, NC: University of North Carolina Press, 1998.
- Chip William W. and Michael A. Scaperlanda. "The Ethics of Immigration: An Exchange." *First Things* 183 (May 2008): 40-46.
- . "More on the Ethics of Immigration," *First Things* 184 (June 2008): 16-19.
- Chow, Rey. *Entanglements, or Transmedial Thinking about Capture*. Durham, NC: Duke University Press, 2012.
- . *The Protestant Ethic and the Spirit of Capitalism*. New York: Columbia University Press, 2002.
- Chua, Amy. *World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability*. New York: Anchor Books, 2004.
- Coalición de Derechos Humanos. "Missing Migrant Project." <http://derechoshumanosaz.net/projects/arizona-recovered-bodies-project/> (accessed October 15, 2014).
- Cole, David. *Enemy Aliens: Double Standards and Constitutional Freedoms in the War on Terror*. New York: New Press, 2003.
- Cone, James Hal. *God of the Oppressed*. 1975. Rev. ed. Maryknoll, NY: Orbis Books, 1997.
- Cornelius, Wayne A. and Takeyuki Tsuda. "Controlling Immigration: The Limits of Government Intervention." In *Controlling Immigration: A Global Perspective*, edited by Wayne A. Cornelius, Philip L. Martin, and James F. Hollifield, 3-49. 2nd ed. Stanford, CA: Stanford University Press, 2004.
- Davis, Angela Y. *The Meaning of Freedom*. San Francisco: City Lights Books, 2012.
- De Certeau, Michel. *The Practice of Everyday Life*. Translated by Steven Rendall. Berkeley and Los Angeles: University of California Press, 1984.
- De Genova, Nicholas. "The Deportation Regime: Sovereignty, Space, and the Freedom of Movement." In *Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, edited by Nicholas De Genova and Nathalie Peutz, 33-65. Durham, NC: Duke University Press, 2010.
- . *Working the Boundaries: Race, Space, and "Illegality" in Mexican Chicago*. Durham, NC: 2005.

- . “The Legal Production of Mexican / Migrant ‘Illegality.’” In *Governing Immigration through Crime: A Reader*, edited by Julie A. Dowling and Jonathan Xavier Inda, 41-58. Stanford, CA: Stanford University Press, 2013.
- Nicholas De Genova and Nathalie Peutz, eds. *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Durham, NC: Duke University Press, 2010.
- De Gruchy, John. *Liberating Reformed Theology: A South African Contribution to an Ecumenical Task*. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1991.
- Department of Homeland Security. “Office of the Secretary.” Official website of the Department of Homeland Security. <http://www.dhs.gov/office-secretary> (accessed 12/20/2014).
- Doty, Roxanne Lynn. “Bare Life: Border-Crossing Deaths and Spaces of Moral Alibi.” In *Governing Immigration through Crime: A Reader*, edited by Julie A. Dowling and Jonathan Xavier Inda, 129-143. Stanford, CA: Stanford University Press, 2013.
- Julie A. Dowling and Jonathan Xavier Inda, eds. *Governing Immigration through Crime: A Reader*. Stanford, CA: Stanford University Press, 2013.
- Dussel, Enrique. “Eurocentrism and Modernity (Introduction to the Frankfurt Lectures).” *boundary 2* 20, no. 3 (Autumn, 1993): 65-76.
- . *A History of the Church in Latin America: Colonialism to Liberation (1492-1979)*. Translated by Alan Neely. Grand Rapids, MI: William B. Eerdmans Publishing Company, 1981.
- . *The Invention of the Americas: Eclipse of the “Other” and the Myth of Modernity*. New York: Continuum, 1995.
- . *Twenty Theses on Politics*. Translated by George Ciccariello-Maher. Durham, NC: Duke University Press, 2008.
- Elizondo, Virgilio. *The Future Is Mestizo: Life Where Cultures Meet*. Boulder, CO: University of Colorado Press, 2000.
- . *Galilean Journey: The Mexican-American Promise*. 1983 Rev. ed. Maryknoll, NY: Orbis Books, 2000.
- . *Guadalupe: Mother of the New Creation*. Maryknoll, NY: Orbis Books, 1997.
- Ellis, Marc H. *Toward a Jewish Theology of Liberation: The Challenge of the 21<sup>st</sup> Century*. 3rd ed. Waco, TX: Baylor University Press, 2004.

- Elshtain, Jean Bethke. *Sovereignty: God, State, and Self*. New York: Basic Books, 2008.
- Espín, Orlando O. *The Faith of the People: Theological Reflections on Popular Catholicism*. Maryknoll, NY: Orbis Books, 1997.
- Flynn, Stephen. *America the Vulnerable: How Our Government Is Failing to Protect Us from Terrorism*. New York: HarperCollins Publishers, 2004.
- Foner, Nancy. "Immigration Past and Present." *Daedalus* 142, no. 3 (summer 2013): 16-25.
- Fornet-Betancourt, Raúl. "Hermeneutics and Politics of Strangers: A Philosophical Contribution on the Challenge of *Convivencia* in Multicultural Societies." In *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, edited by Daniel G. Groody and Gioacchino Campese, 210-224. Notre Dame, IN: University of Notre Dame Press, 2008.
- Foucault, Michel. *The Birth of Biopolitics: Lectures at the Collège de France, 1978-1979*. Translated by Graham Burchell. New York: Palgrave Macmillan, 2008.
- . *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. New York: Vintage Books, 1977.
- . *An Introduction*. Vol. 1 of *The History of Sexuality*. Translated by Robert Hurley. New York: Vintage, 1980.
- . *Security, Territory, Population: Lectures at the Collège de France, 1977-1978*. Translated by Graham Burchell. New York: Palgrave Macmillan, 2007.
- . *"Society Must Be Defended": Lectures at the Collège de France, 1975-1976*. Translated by David Macey. New York: Picador, 2003.
- García-Rivera, Alex. *St. Martín de Porres: "The Little Stories" and the Semiotics of Culture*. Maryknoll, NY: Orbis Books, 1995.
- Giddens, Anthony. *The Nation-State and Violence*. Vol. 2 of *A Contemporary Critique of Historical Materialism*. Berkeley and Los Angeles, CA: University of California Press, 1987.
- Goldberg, David Theo. "Racial Americanization." In *Racialization: Studies in Theory and Practice*, edited by Karim Murji and John Solomos, 87-102. New York: Oxford University Press, 2005.
- Gonzales, Roberto G. and Leo R. Chavez. "Awakening to a Nightmare: Abjectivity and Illegality in the Lives of Undocumented 1.5-Generation Latino Immigrants in the United States." *Current Anthropology* 53, no. 3 (June 2012): 255-281.
- González, Justo L. *Luke*. Louisville: Westminster John Knox, 2010.



- González, Michelle A. *Sor Juana: Beauty and Justice in the Americas*. Maryknoll, NY: Orbis Books, 2003.
- Gregory, Eric. "Agape and Special Relations in a Global Economy: Theological Sources." In *Global Neighbors: Christian Faith and Moral Obligation in Today's Economy*, edited by Douglas Hicks and Mark Valeri, 16-42. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2008.
- . *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship*. Chicago: University of Chicago Press, 2010.
- Griffiths, Paul J. "Religious Allegiance and Political Sovereignty: An Irreconcilable Tension?" In *The Sacred and the Sovereign: Religion and International Politics*, edited by John D. Carlson and Erik C. Owens, 247-255. Washington, D.C.: Georgetown University Press, 2003.
- Groody, Daniel G., ed. *The Option for the Poor in Christian Theology*. Notre Dame, IN: University of Notre Dame Press, 2007.
- Grosfoguel, Ramón, Nelson Maldonado-Torres, and José David Saldívar. "Latin@s and the 'Euro-American Menace': The Decolonization of the U.S. Empire in the Twenty-First Century." In *Latin@s in the World-System: Decolonization Struggles in the Twenty-First Century U.S. Empire*, edited by Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar, 3-27. Boulder, CO: Paradigm Publishers, 2005.
- Guder, Darrell L. and Lois Barrett, eds. *Missional Church: A Vision for the Sending of the Church in North America*. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 1998.
- Gutiérrez, Gustavo. "Afterword." In *Border of Death, Valley of Life: An Immigrant Journey of Heart and Spirit*, by Daniel G. Groody. Lanham, MD: Rowman and Littlefield Publishers, 2002.
- . "The Church of the Poor." In *Born of the Poor: The Latin American Church since Medellín*, edited by Edward L. Cleary, O.P., 9-25. Notre Dame, IN: University of Notre Dame, 1990).
- . *Essential Writings*, edited by James B. Nickoloff. Maryknoll, NY: Orbis Books, 1996.
- . *The God of Life*. Translated by Matthew J. O'Connell. Maryknoll, NY: Orbis Books, 1991.
- . *On Job: God-Talk and the Suffering of the Innocent*. Translated by Matthew J. O'Connell. Maryknoll, NY: Orbis Books, 1987.

- Hall, Stuart. "Subjects in History: Making Diasporic Identities." In *The House that Race Built*, edited by Wahneema Lubiano, 289-299. New York: Vintage Books, 1998.
- Hardt, Michael and Antonio Negri. *Empire*. Cambridge, MA: Harvard University Press, 2000.
- Hauerwas, Stanley and Samuel Wells, eds. *Blackwell Companion to Christian Ethics*, 2nd ed. Malden, MA: Wiley-Blackwell, 2011.
- Hays, Richard B. *The Moral Vision of the New Testament: A Contemporary Introduction to New Testament Ethics*. New York: HarperOne, 1996.
- Hernández, David Manuel. "Pursuant to Deportation: Latinos and Immigrant Detention," In *Governing Immigration through Crime: A Reader*, edited by Julie A. Dowling and Jonathan Xavier Inda, 199-216. Stanford, CA: Stanford University Press, 2013.
- Hernandez, Kelly Lytle. *Migra! A History of the U.S. Border Patrol*. Berkeley: University of California Press, 2010.
- Heschel, Abraham Joshua. *An Introduction*. Vol. 1 of *The Prophets*. New York: Harper & Row, 1969.
- Heyer, Kristin E. *Kinship across Borders: A Christian Ethic of Immigration*. Washington, D.C.: Georgetown University Press, 2012.
- Holmes, Seth. *Fresh Fruit, Broken Bodies: Migrant Farmworkers in the United States*. Berkeley and Los Angeles, CA: University of California Press, 2013.
- Homeland Security, "Budget-in-Brief," U.S. Department of Homeland Security, <http://www.dhs.gov/sites/default/files/publications/MGMT/FY%202014%20BIB%20-%20FINAL%20-508%20Formatted%20%284%29.pdf> (accessed 12/20/2014).
- Hondagneu-Sotelo, Pierrette. *God's Heart Has No Borders: How Religious Activists Are Working for Immigrant Rights*. Berkeley and Los Angeles, CA: University of California Press, 2008.
- Hoover, Robin. "The Story of Humane Borders." In *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, edited by Daniel G. Groody and Gioacchino Campese, 160-175. Notre Dame, IN: University of Notre Dame Press, 2008.
- Huntington, Samuel P. *Who Are We? The Challenges to America's National Identity*. New York: Simon and Schuster, 2004.

- Inda, Jonathan Xavier. *Targeting Immigrants: Government, Technology, and Ethics*. Malden, MA: Blackwell Publishing, 2006.
- Irvine, Andrew. "Mestizaje and the Problem of Authority." *Journal of Hispanic/Latino Theology* 8, no. 1 (August 2000): 5-37.
- Isasi-Díaz, Ada María. *La Lucha Continues: Mujerista Theology*. Maryknoll, NY: Orbis Books, 2004.
- . *Mujerista Theology: A Theology for the Twenty-First Century*. Maryknoll, NY: Orbis Books, 1996.
- Jacobson, Matthew Frye. *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876-1917*. New York: Hill and Wang, 2000.
- . *Roots Too: White Ethnic Revival in Post-Civil Rights America*. Cambridge, MA: Harvard University Press, 2006.
- Jenson, Robert W. "Toward a Christian Theology of Judaism." In *Jews and Christians: People of God*, edited by Carl E. Braaten and Robert W. Jenson, 1-13. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2003.
- . *The Triune God*. Vol. 1 of *Systematic Theology*. New York: Oxford University Press, 1997.
- Johnson, Kevin R. and Bernard Trujillo. *Immigration Law and the US-Mexico Border*. Tucson, AZ: University of Arizona Press, 2011.
- Kahn, Paul W. "American Exceptionalism, Popular Sovereignty, and the Rule of Law." In *American Exceptionalism and Human Rights*, edited by Michael Ignatieff, 198-221. Princeton, NJ: Princeton University Press, 2005.
- . *Political Theology: Four New Chapters on the Concept of Sovereignty*. New York: Columbia University Press, 2011.
- . "Political Theology: Response." *Political Theology* 13, no. 6 (2012): 751-761.
- Kaminsky, Joel S. "Loving One's (Israelite) Neighbor: Election and Commandment in Leviticus 19." *Interpretation* 62, no. 2 (April 2008): 123-132.
- . *Yet I Loved Jacob: Reclaiming the Biblical Concept of Election*. Nashville: Abingdon Press, 2007.
- Kennedy, Thomas. "Can War Be Just?" In *From Christ to the World: Introductory Readings in Christian Ethics*, edited by Wayne G. Boulton, Thomas D. Kennedy, and Allen Verhey, 427-435. Grand Rapids, MI: Wm. B. Eerdmans Publishing, 1994.

- Kenneson, Phillip. "Gathering: Worship, Imagination, and Formation." In *The Blackwell Companion to Christian Ethics*, edited by Samuel Wells and Stanley Hauerwas, 53-67. Malden, MA: Blackwell Publishing, 2004.
- Kerwin, Jr., Donald M. "'Illegal' People and the Rule of Law." In *Constructing Immigrant "Illegality": Critiques, Experiences, and Responses*, edited by Cecilia Menjivar and Daniel Kanstroom, 327-352. New York: Cambridge University Press, 2014.
- . "The Natural Rights of Migrants and Newcomers: A Challenge to U.S. Law and Policy." In *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, edited by Daniel G. Groody and Gioacchino Campese, 192-209. Notre Dame, IN: University of Notre Dame Press, 2008.
- . "Rights, the Common Good, and Sovereignty in Service of the Human Person." In *And You Welcomed Me: Migration and Catholic Social Teaching*, edited by Donald Kerwin and Jill Marie Gerschutz, 93-122. Lanham, MD: Lexington Books, 2009.
- Koser, Khalid. *International Migration: A Very Short Introduction*. New York: Oxford University Press, 2007.
- Lee, Gregory W. "Republics and Their Loves: Rereading *City of God* 19." *Modern Theology* 27, no. 4 (October 2011): 553-581.
- Lee, Michael E. "The Galilean Jesus as Faithful Dissenter: Latino/a Christology and the Dynamics of Exclusion." In *Jesus in the Hispanic Community: Images of Christ from Theology to Popular Culture*, edited by Harold J. Recinos and Hugo Magallanes, 16-37. Louisville, KY: Westminster John Knox Press, 2009.
- Levenson, Jon D. *The Universal Horizon of Biblical Particularism*. New York: American Jewish Committee, Institute of Human Relations, 1985.
- Lie, John. *Modern Peoplehood*. Cambridge, MA: Harvard University Press, 2004.
- Lilla, Mark. *The Stillborn God: Religion, Politics, and the Modern West*. New York: Knopf, 2007.
- MacIntyre, Alasdair. "Is Patriotism a Virtue?" In *Theorizing Nationalism*, edited by Ronald Beiner, 209-228. Albany, NY: State University of New York, 1995.
- Macedo, Stephen. "When and Why Should Liberal Democracies Restrict Immigration?" In *Citizenship, Borders, and Human Needs*, edited by Rogers M. Smith, 301-323. Philadelphia: University of Pennsylvania Press, 2011.
- Manges Douglas, Karen and Rogelio Sáenz. "The Criminalization of Immigrants & the Immigration-Industrial Complex." *Daedalus* 142, no. 3 (summer 2013): 199-227.

- Marshall, Bruce D. "Christ and the Cultures: The Jewish People and Christian Theology." In *The Cambridge Companion to Christian Doctrine*, edited by Colin E. Gunton, 81-100. New York: Cambridge University Press, 1997.
- Massey, Douglas S., Jorge Durand, and Nolan J. Malone. *Beyond Smoke and Mirrors: Mexican Immigration in an Era of Economic Integration*. New York: Russell Sage Foundation, 2002.
- Massey, Douglas S. and Magaly Sánchez R. *Brokered Boundaries: Creating Immigrant Identity in Anti-Immigrant Times*. New York: Russell Sage Foundation, 2010.
- Massey, Douglas S. and Karen A. Pren. "The Origins of the Latino Underclass." *Race and Social Problems* 4 (2012): 5-17.
- Mays, James Luther. *The Lord Reigns: A Theological Handbook to the Psalms*. Louisville, KY: Westminster John Knox Press, 1994.
- McClintock Fulkerson, Mary. "Ecclesiology, Exclusion, and Sacraments." In *Ecclesiology and Exclusion: Boundaries of Being and Belonging in Postmodern Times*, edited by Dennis M. Doyle, Timothy J. Furry, and Pascall D. Bazzell, 239-246. Maryknoll, NY: Orbis Books, 2012.
- Medina, Néstor. *Mestizaje: (Re)Mapping Race, Culture, and Faith in Latina/o Catholicism*. Maryknoll, NY: Orbis Books, 2009.
- Meilaender, Peter C. "Immigration: Citizens and Strangers." *First Things*, 173 (May 2007). <http://www.firstthings.com/article/2007/05/immigration-citizens-strangers> (accessed 6/17/2014).
- . "Loving Our Neighbors, Both Far and Near." *Christian Reflection: A Series in Faith and Ethics* (2008): 11-19. <http://www.baylor.edu/content/services/document.php/66496.pdf> (accessed August 26, 2014).
- . *Towards a Theory of Immigration*. New York: Palgrave, 2001.
- Memmi, Albert. *Decolonization and the Decolonized*. Translated by Robert Bononno. Minneapolis: University of Minnesota Press, 2006.
- Menjívar, Cecilia. "Serving Christ in the Borderlands: Faith Workers Respond to Border Violence." In *Religion and Social Justice for Immigrants*, edited by Pierrette Hondagneu-Sotelo, 104-121. New Brunswick, NJ: Rutgers University Press, 2007.
- Menjívar, Cecilia and Leisy Abrego. "Legal Violence in the Lives of Immigrants: How Immigration Enforcement Affects Families, Schools, and Workplaces." Washington, D.C.: Center for American Progress, 2012. <http://cdn.americanprogress.org/wp->

[content/uploads/2012/12/MenjivarLegalViolenceReport.pdf](#) (accessed October 12, 2014).

Menjívar, Cecilia and Daniel Kanstroom, eds. *Constructing Immigrant "Illegality": Critiques, Experiences, and Responses*. New York: Cambridge University Press, 2014.

Mignolo, Walter D. "Huntington's Fears: 'Latinidad' in the Horizon of the Modern / Colonial World." In *Latin@s in the World-System: Decolonization Struggles in the Twenty-First Century U.S. Empire*, edited by Ramón Grosfoguel, Nelson Maldonado-Torres, and José David Saldívar, 57-73. Boulder, CO: Paradigm Publishers, 2005.

———. *The Idea of Latin America*. Malden, MA: Blackwell Publishing, 2005.

———. "The Larger Picture: Hispanics / Latinos (and Latino Studies) in the Colonial Horizon of Modernity." In *Hispanics / Latinos in the United States: Ethnicity, Race, and Rights*, edited by Jorge J. E. Garcia and Pablo De Greiff, 99-124. New York: Routledge, 2000.

Migration News. "Senate Approves S 744." *Migration News* 20, no 3 (July 2013). [http://migration.ucdavis.edu/mn/more.php?id=3838\\_0\\_2\\_0](http://migration.ucdavis.edu/mn/more.php?id=3838_0_2_0) (accessed June 18, 2014).

Milbank, John. *Theology and Social Theory*. 2nd ed. Malden, MA: Blackwell Publishing, 2006.

Miller, Vincent J. *Consuming Religion: Christian Faith and Practice in Consumer Culture*. New York: Continuum, 2004.

Mörner, Magnus. *Race Mixture in the History of Latin America*. Boston: Little, Brown and Company, 1967.

Morrison, Toni. "On the Backs of Blacks." In *Arguing Immigration: The Debate over the Changing Face of America*, edited by Nicolaus Mills, 97-100. New York: Touchstone, 1994.

Myers, Ched and Matthew Colwell. *Our God Is Undocumented: Biblical Faith and Immigrant Justice*. Maryknoll, NY: Orbis Books, 2012.

Ngai, Mae M. *Impossible Subjects: Illegal Aliens and the making of Modern America*. Princeton, NJ: Princeton University Press, 2004.

Newbigin, Lesslie. *The Open Secret: An Introduction to the Theology of Mission*. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company 1995.

O'Donovan, Oliver. *Common Objects of Love: Moral Reflection and the Shaping of Community: The 2001 Stob Lecture*. Grand Rapids, MI: William B. Eerdmans Publishing, 2002.

- . “The Loss of a Sense of Place.” In *Bonds of Imperfection: Christian Politics, Past and Present*, by Oliver O’Donovan and Joan Lockwood O’Donovan, 296-320. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2004.
- Painter, Nell Irvin. *The History of White People*. New York: W.W. Norton & Company, 2010.
- Pannenberg, Wolfhart. “The Appropriation of the Philosophical Concept of God as a Dogmatic Problem of Early Christian Theology.” In *Basic Questions in Theology*. Vol. 2. Translated by George H. Kehm, 119-183. Philadelphia: Fortress Press, 1970.
- Patterson, Orlando. *The Ordeal of Integration: Progress and Resentment in America’s “Racial” Crisis*. New York: Basic Civitas, 1998.
- Petrella, Iván. *Beyond Liberation Theology: A Polemic*. London: SCM Press, 2008.
- Prashad, Vijay. “The American Ideology.” In *Everybody Was Kung Fu Fighting: Afro-Asian Connections and the Myth of Cultural Purity*, by Vijay Prashad, 37-69. Boston: Beacon Press, 2001.
- Quijano, Aníbal and Immanuel Wallerstein. “Americanity as a Concept, or the Americas in the Modern World-System.” *International Social Science Journal* 44, no. 4 (November 1992): 549-557.
- Reed, Esther D. “Refugee Rights and State Sovereignty: Theological Perspectives on the Ethics of Territorial Borders.” *Journal of the Society of Christian Ethics* 30, no. 2 (2010): 59-78.
- Rivera, Luis N. *A Violent Evangelism: The Political and Religious Conquest of the Americas*. Louisville, KY: Westminster/John Knox Press, 1992.
- Robert, Dana L. *Christian Mission: How Christianity Became A World Religion*. Malden, MA: Wiley-Blackwell.
- Roediger, David R. *How Race Survived History: From Settlement and Slavery to the Obama Phenomenon*. New York: Verso, 2008.
- . *Towards the Abolition of Whiteness: Essays on Race, Politics, and Working Class History*. New York: Verso Books, 1994.
- . *Working toward Whiteness: How America’s Immigrants Became White: The Strange Journey from Ellis Island to the Suburbs*. New York: Basic Books, 2006.
- Rosario-Rodríguez, Rubén. *Racism and God-Talk: A Latino/a Perspective*. New York: New York University Press, 2008.
- Rose, Ananda. *Showdown in the Sonoran Desert: Religion, Law, and the Immigration Controversy*. New York: Oxford University Press, 2012.

- Ruiz Marrujo, Olivia. "The Gender of Risk: Sexual Violence against Undocumented Women." In *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, edited by Daniel G. Groody and Gioacchino Campese, 225-241. Notre Dame, IN: University of Notre Dame Press, 2008.
- Said, Edward. "Traveling Theory." In *The World, the Text, the Critic*, by Edward Said, 226-247. Cambridge, MA: Harvard University Press, 1983.
- Sandoval, Chela. *Methodology of the Oppressed*. Minneapolis: University of Minnesota Press, 2000.
- Sassen, Saskia. *Losing Control? Sovereignty in an Age of Globalization*. New York: Columbia University Press, 1996.
- Scheffler, Samuel. *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought*. New York: Oxford University Press, 2001.
- Schmitt, Carl. *Political Theology: Four Chapters on the Concept of Sovereignty*. Translated by George Schwab. Chicago: University of Chicago Press, 2006.
- Scholer, David M. "Women." In *Dictionary of Jesus and the Gospels*, edited by Joel B. Green, Scot McKnight, and I. Howard Marshall, 880-887. Downers Grove, IL: InterVarsity Press, 1992.
- Segal, Alan F. "Paul's Jewish Presuppositions." In *The Cambridge Companion to St. Paul*, edited by James D. G. Dunn, 159-172. New York: Cambridge University Press, 2003.
- Segovia, Fernando F. "Toward a Hermeneutics of the Diaspora: A Hermeneutics of Otherness and Engagement." In *Reading from This Place*, edited by Fernando F. Segovia and Mary Ann Tolbert, 57-74. Minneapolis: Fortress Press, 1995.
- . "Two Places and No Place on Which to Stand: Mixture and Otherness in Hispanic American Theology." *Listening: Journal of Religion and Culture* 27 (1992): 26-40.
- Skarsaune, Oskar. *In the Shadow of the Temple: Jewish Influences on Early Christian Thought*. Downers Grove, IL: InterVarsity Press, 2002.
- Smith, Rogers M. "Introduction." In *Citizenship, Borders, and Human Needs*, edited by Rogers M. Smith, 1-12. Philadelphia: University of Pennsylvania Press, 2010.
- Sonderregger, Katherine. "Election." In *The Oxford Handbook to Systematic Theology*, edited by John Webster, Kathryn Tanner, and Iain Torrance, 105-120. New York: Oxford University Press, 2007.
- Sobrino, Jon. "Bearing with One Another in Faith: A Theological Analysis of Christian Solidarity." In *The Principle of Mercy: Taking the Crucified People from the*



- Cross*, by Jon Sobrino and translated by Robert R. Barr, 144-172. Maryknoll, NY: Orbis Books, 1994.
- . *Jesus the Liberator: A Historical-Theological Reading of Jesus of Nazareth*. Translated by Paul Burns and Francis McDonagh. Maryknoll, NY: Orbis Books, 1993.
- . *No Salvation outside the Poor: Prophetic-Utopian Essays*. Maryknoll, NY: Orbis Books, 2008.
- . “The Samaritan Church and the Principle of Mercy.” In *The Principle of Mercy: Taking the Crucified People from the Cross*, by Jon Sobrino and translated by Robert R. Barr, 15-26. Maryknoll, NY: Orbis Books, 1994.
- Spiliakos, Pete. “A Compassionate Case against the Immigration Bill,” *First Things*, June 20, 2013. <http://www.firstthings.com/onthesquare/2013/06/a-compassionate-case-against-the-immigration-bill> (accessed August 14, 2014).
- Swain, Carol M. “Forum.” In *Immigrants and the Right to Stay*, by Joseph H. Carens, 65-72. Cambridge, MA: MIT Press, 2010.
- Talavera, Victor, Guillermina Gina Núñez-Mchiri, and Josiah Heyman. “Deportation in the U.S.-Mexico Borderlands: Anticipation, Experience, and Memory.” In *Deportation Regime: Sovereignty, Space, and the Freedom of Movement*, edited by Nicholas De Genova and Nathalie Peutz, 166-195. Durham, NC: Duke University Press, 2010.
- Tanner, Kathryn. *Theories of Culture: A New Agenda for Theology*. Minneapolis: Augsburg Fortress, 1997.
- Taylor, Charles. *Modern Social Imaginaries*. Durham, NC: Duke University Press, 2004.
- . “Nationalism and Modernity.” In *Theorizing Nationalism*, edited by Ronald Beiner, 219-246. Albany, NY: State University of New York, 1999.
- Tichenor, Daniel J. *Dividing Lines: The Politics of Immigration Control in America*. Princeton, NJ: Princeton University Press, 2002.
- Tiessen, Terrance L. “Hell.” In *Global Dictionary of Theology: A Resource for the Worldwide Church*, edited by William A. Dyrness and Veli-Matti Kärkkäinen, 372-376. Downers Grove, IL: InterVarsity Press, 2008.
- United States Border Patrol. “Border Patrol Agent Staffing by Fiscal Year.” [http://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2014\\_0.pdf](http://www.cbp.gov/sites/default/files/documents/BP%20Staffing%20FY1992-FY2014_0.pdf) (accessed 12/20/2014).
- U.S. Customs and Border Patrol. “Southwest Border Deaths by Fiscal Year.” <http://www.cbp.gov/sites/default/files/documents/U.S.%20Border%20Patrol%20F>

[iscal%20Year%20Statistics%20SWB%20Sector%20Deaths%20FY1998%20-%20FY2013.pdf](#) (accessed 10/15/2014).

- U.S. Conference of Catholic Bishops and Conferencia del Episcopado Mexicano. *Strangers No Longer: Together on the Journey of Hope*. Washington, D.C.: United States Conference of Catholic Bishops, 2003.
- Valentín, Benjamín. *Mapping Public Theology: Beyond Culture, Identity, and Difference*. Harrisburg, PA: Trinity Press International, 2002.
- Volf, Miroslav. *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation*. Nashville: Abingdon Press, 1996.
- Weber, Max. "Politics as a Vocation." In *From Max Weber: Essays in Sociology*, edited by Hans H. Gerth and C. Wright Mills, 77-128. New York: Oxford University Press, 1946.
- . *The Protestant Ethic and the "Spirit" of Capitalism and Other Writings*. Edited and translated by Peter Baehr and Gordon C. Wells. New York: Penguin Books, 2002.
- Wilken, Robert Louis. *The Spirit of Early Christian Thought: Seeking the Face of God*. New Haven, CT: Yale University Press, 2003.
- Williams, Eric. *Capitalism and Slavery*. Chapel Hill, NC: University of North Carolina Press, 1944.
- Williamson, Peter J. "Samaritans." In *Dictionary of Jesus and the Gospels*, edited by Joel B. Green, Scot McKnight, and I. Howard Marshall, 724-728. Downers Grove, IL: InterVarsity Press, 1992.
- Williams Crenshaw, Kimberlé. "Color Blindness, History, and the Law." In *The House that Race Built*, edited by Wahneema Lubiano, 280-288. New York: Vintage Books, 1998).
- Winant, Howard. "Racial Dualism at Century's End." In *The House that Race Built*, edited by Wahneema Lubiano, 87-115. New York: Vintage Books, 1998.
- Witherington, III, Ben. "Contemporary Perspectives on Paul." In *The Cambridge Companion to Paul*, edited by James D. G. Dunn, 256-269. New York: Cambridge University Press, 2003.
- Wyschogrod, Michael. *Abraham's Promise: Judaism and Jewish-Christian Relations*. Edited by R. Kendall Soulen. Grand Rapids, MI: Wm. B. Eerdmans Publishing Company, 2004.
- Yoder, John Howard. *The Original Revolution: Essays on Christian Pacifism*. Scottdale, PA: Herald Press, 2003.

Zamudio, Patricia. "Migrant Abuses and Migrant Worker Programs in the Context of Catholic Teaching." In *On "Strangers No Longer": Perspectives on the Historic U.S.-Mexican Catholic Bishops' Pastoral Letter on Migration*, edited by Todd Scribner and J. Kevin Appleby, 107-138. New York: Paulist Press, 2013.

## Biography

Name: Justin Parrish Ashworth

Date and Place of Birth: July 21, 1983  
Mission Viejo, California

Degrees: B.A. (Economics), University of California, Irvine, 2005  
M.Div., Fuller Theological Seminary, 2010  
Th.D., Duke Divinity School, 2015

Publications: “Neither Just nor Necessary: Barth and War, Again,”  
*Political Theology* 12.3 (2011): 396-417