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LOOKING AT ILLEGAL IMMIGRATION IN THE UNITED  
STATES THROUGH THE LENSES OF  
DIETRICH BONHOEFFER

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A Thesis  
Presented to  
the Faculty of  
The Southern Baptist Theological Seminary

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Theology

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by  
Peter Dong Soo Lee  
May 2019

**APPROVAL SHEET**

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Peter Dong Soo Lee

Read and Approved by:

\_\_\_\_\_  
Jonathan T. Pennington (Faculty Advisor)

Date\_\_\_\_\_

To Yoon Jin, my wife and greatest supporter, Allison, Casey, and Dana, our beautiful gifts from God. All honor and glory to God forever and ever!

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## PREFACE

I came to the Southern Baptist Theological Seminary in 2017. It was my hope that a Th.M. education at the Southern Seminary would fulfill my desire to learn and love God through a quest of better understanding his Word. Not only did I gain a greater appreciation for the intellectual life, and a greater love for God, I came to cherish the Southern Baptist heritage and the school's principle to honor our Lord Jesus Christ through a faithful theological education. It is with a profound affection for this seminary that I am proud to be a part of this family, which God has shaped and continues to bless.

The conclusion of this thesis has given me a greater impetus and a conviction to continue my education in theological studies. The classes and the process of developing this thesis have inculcated a necessity for further learning and application of the attained knowledge in my immediate context. Learning about Dietrich Bonhoeffer, and delving deeper into the challenges of the U.S. immigration issues has not only given me a realization of the complexities and critically of the problem that confronts our society today, but it has awakened an urgency to help search for answers that are undergirded with a Christian foundation whenever ethical implications are present.

The completion of the thesis could not have been possible without the academic guidance of two significant people in my Th.M. degree. Thus, I would like to thank my faculty advisor, Dr. Jonathan Pennington for his teachings, encouragement, and support of this project. I would also like to thank Daniel Morrison for taking the time to proofread and meet during his busy schedule. Lastly, I would like to thank my wife, Yoon Jin, for her steadfast love and support for my studies. I am forever grateful to God for giving me this platform to pursue theological education and providing all the strength,

motivation, wisdom, and guidance through the Holy Spirit in realizing this endeavor.

May the glory be to God, forever and ever!

Peter D. Lee

Ellicott City, Maryland

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## CHAPTER 1

### INTRODUCTION

Americans live in an age of polarity, in which substantial differences of opinion, at times, appear to fracture any hope of nonpartisanship in political issues. Such differences are clearly noted in the dissonance of sentiments concerning U.S. immigration policies. Despite the recognition that the United States is a nation of immigrants, the gap in attitude on this subject continues to widen.

The immigration debate in the United States has been one of the liveliest discussions in recent times, primarily as it wrestles with the limitations and the calls for reform. The complexity of policies revolving immigration is a result of opposing political interests that at times are irresolvable. Moreover, the insufficient and varying implementations of the current system due to the lack of resources add to the problems of immigration. In any case, the policies on U.S. immigration have a consequential effect on the lives of everyone, because it involves human rights, the economic system, and national security. Therefore, immigration is not an issue that can be brushed aside and hoped to evaporate on its own.

When addressing the subject of U.S. immigration, most of people will readily concur that “illegal” immigration comes at the forefront of the debate. Where this agreement usually ends, however, relates to the priority of the ethical assessments and the approaches towards reform. Whereas some believe that compassion and inclusion must take precedence, others maintain that compassion poses a fundamental challenge to equality and stability of the country. The latter maintains that compassion and inclusion sacrifice the rule of law and fails to exercise justice. In the end, those who are familiar with the illegal immigration problem consent that a solution to this issue will not be

easily achieved. However, any proposed answer must involve humanitarian ethics, the charge of the government, and the application of the rule of law.

In thinking on the subject, Christian ethics can deliver a framework for moral limits and guiding principles for strategies on immigration policies. Additionally, Christian ethics offer believers a road for reflection in the commitment to obey the biblical mandate of loving neighbors, submission to governmental authorities, and observance to the legislated laws of the land. Nevertheless, as with any attitude to ethics, secular or religious, Christian ethics also reveal derivatives within the Christian tradition. The byproducts of Christian ethics are a result of the various viewpoints and biblical interpretation by various theologians regarding the subject.

Anyone familiar with Dietrich Bonhoeffer recognizes him as a significant Lutheran theologian of the twentieth century, particularly for his theological reflections. The recognition of Bonhoeffer flows especially from his locus on discipleship, ethics, and his valiant witness to the Christian faith. Bonhoeffer himself sought to bring visibility to the church by contending that the space occupied by Christ in the world continues with the church. Hence, the church's appointment through the power of the Holy Spirit participates in world affairs with faithfulness and reflects the actions of God in the world.<sup>1</sup> Moreover, his Christocentric theology suggests that the reconciliation of God to the world through Christ sanctions the people of God with the obligation to engage in resistance whenever necessary. Bonhoeffer's theology—particularly his ethics—is an excellent candidate for framing the discourse on the politics and role of the church on illegal immigration. The reason being is that Bonhoeffer's search, conviction, and work to the visibility of the church—validated by his involvement against Nazi Germany—gives credit to the pragmatism of his theology.

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<sup>1</sup>Stanley Hauerwas, "Dietrich Bonhoeffer's Political Theology," *The Conrad Grebel Review* 20, no. 3 (2002): 29.

The goal of this paper is to approach the U.S. illegal immigration problem and propose an understanding and outlook to the church and individual engagement using the lenses of Bonhoeffer. The answer will be structured using his theology, mainly through the application of Luther's two kingdoms thinking. Two kingdoms provide a basis for identifying the role of the church and government in the temporal realm. Bonhoeffer's two kingdoms interpretation opens the extent of the work of the church, as well as the role of the individual Christian towards illegal immigrants. Consequently, the mandate of the state is to create legislation and enforcement for the good of its people. Additionally, the government does not jeopardize its character or hinders with the mandate of the church. Likewise, the church does not participate in the policy decisions dealing with U.S. illegal immigration. Nonetheless, the church partakes in solutions for the care of the victims of illegal immigration. Then again, the Christian cannot escape his/her responsibility, and through the believer's vocation, the neighbor captures the grace of God reflected by the faithful.

This thesis is sectioned into four chapters: the first two chapters present an understanding of illegal immigration and the theology of Dietrich Bonhoeffer. In the third chapter, the United States illegal immigration problem receives a prescription of Bonhoeffer's theology. The paper begins with the validity of statehood that leads to border laws. Then it offers a history of U.S. immigration policy followed by the challenges and complications concerning illegal immigration. Because illegal immigration poses a problem in areas like welfare, economic inequality, law enforcement, national security, assimilation, and others, it is beneficial to describe the critical complications before ascertaining how the church and Christians can assist. Next, the paper addresses Bonhoeffer's theology, principally, his view on the two kingdoms, church, and state, individual responsibility, human rights, and the Jewish question. Finally, the paper links Bonhoeffer's theology with the U.S. illegal immigration issue, by

demonstrating the role of the church, the individual Christian, the mandate of vocation, and principles in the formulation of public policy for illegal immigration.

By the end of the paper, the goal is to answer two vital questions. What is Bonhoeffer's view of the role of the church, state, and the individual Christian? And second, how does Bonhoeffer's thinking provide a framework for tackling the United States illegal immigration problem?"

### **Understanding Illegal Immigration**

Attaining an overall picture of illegal immigration requires several steps. So, before a response to the U.S. illegal immigration issue can begin, it is essential to recognize the circumstances that have led to the current U.S. immigration policies. Also, before surveying and familiarizing with the U.S. immigration laws, there is a requisite to comprehend the theory of state sovereignty.

Today, there are two dominant competing views concerning the validity of the division and autonomy of states. Depending on which view a person assumes, it will lead to a position on the right of people's freedom of movement from one state to another. Subsequently, the position on the autonomy of states also guides to the relevance of laws dealing with the benefits and security of the people within a nation's borders. Thence, once the basis for state sovereignty and laws are specified, the discussion can then advance to recognizing the current processes and shortcomings of the U.S. immigration system. Only then, the paper can deliver an approach to illegal immigration using Bonhoeffer's theology.

The outline of this section begins with an address for the legitimacy of states and borders, followed by a past-to-present study of U.S. immigration laws, ending with an investigation of the significant issues and effects of U.S. illegal immigration.

## **Cosmopolitanism and Communitarianism**

Opening with the subject on the legitimacy of states, the model for the non-division or division of the world through different states will dictate the validity and need for immigration laws. So, the first view in the picture for debate is known as “communitarianism.” In this view, the argument supports the division of the world through various self-governed nations, as it is grounded by the structure of territories governed by political heads of state, in which each state is responsible for the affairs of the members within its community. The legality of sovereign states over its territory and domestic relations was developed on the basis of the 1648 Treaty of Westphalia. In the article, *Religion and Geopolitics in the New World*, Elizabeth Dillon maintains that the treaty signed by warring crowned heads of Europe became the origin point of a geopolitical order, such that states agreed to keep a balance of power through independent territorial sovereignty. The results of the treaty became the guiding principle underwriting the United Nations policies of noninterventionism and multilateralism. Notably, the treaty removed the church as the sole authority of all states, leaving it up to the individual autonomous states to determine its own matters.<sup>2</sup> The Treaty of Westphalia birthed the foundation of a new global structure comprised of self-determining states, and self-constituted governments that are politically independent and with equal international footing. In his book, *Westphalia the Last Christian Peace*, Derek Croxton affirms that even today, the Treaty of Westphalia persists as the foundation of the world’s political system, in which global norms and territorial integrity are established.<sup>3</sup> In short, the treaty guaranteed the right of self-determination, equality within the international community, and non-interference from other states on domestic matters.

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<sup>2</sup>Elizabeth Maddock Dillon, "Religion and Geopolitics in the New World," *Early American Literature* 45, no. 1 (2010): 194.

<sup>3</sup>Derek Croxton, *Westphalia: The Last Christian Peace* (New York: Palgrave Macmillan, 2013), 3.

As a result, the communitarian model assures that countries can decree and regulate membership of its populace, along with the right to secure borders, while giving precedence to its people and their welfare. Likewise, communitarianism asserts that the world is a society of countries, in which each political nation is the foundation of a peaceful and humane global order.<sup>4</sup>

In contrast, the other view is “cosmopolitanism,” which challenges the claims of communitarianism. Thereby, prescribing to open borders, with the belief that the world should never be restricted by boundaries. Borders are nothing more than illegitimate human-made obstacles. After all, the world needs to be integrated as one larger community rather than forcefully separated societies. As Mark Amstutz elaborates, proponents of cosmopolitanism foresee borders as an impediment to global accord that instigates national pride and obstructive bonds that devise partiality and division within people.<sup>5</sup> In this way, cosmopolitanism advocates for global citizenship, in which all are free to migrate as they please. Additionally, governments are not to impede the movement of people, but to act as protectors of human rights and keepers of the welfare of all the people in the globe. In short, proponents of cosmopolitanism see themselves as champions of universal justice and membership of the human community.<sup>6</sup>

Simply put, cosmopolitanism proposes a world made of a single community with shared values without a need to forsake the distinctiveness of the various cultures and peoples that make them who they are. İrem Aşkar Karakır and Nilüfer Karacasulu, the authors of *The Cosmopolitan-Communitarian Dichotomy*, summarize cosmopolitanism with four tenets. First, cosmopolitanism sees individuals as the ultimate

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<sup>4</sup>Mark R. Amstutz, *Evangelicals and American Foreign Policy* (New York: Oxford University Press, 2014), 177.

<sup>5</sup>Amstutz, *Evangelicals and American Foreign Policy*, 177.

<sup>6</sup>Richard Shapcott, *Justice, Community and Dialogue in International Relations* (New York: Cambridge University Press, 2001), 30.

units of concern. Second, all people are equal and subject to the same moral status. Third, there is a general concern for the dignity of all humans in a global scope. Lastly, cosmopolitanism upholds the shared commitment to the preservation of race, language, religion, gender, endowments, and lifestyle.<sup>7</sup>

As a solution to the debate between cosmopolitanism and communitarianism, Karakır and Karacasulu propose a middle way between the two competing options. For them, the discussion between both views rests on the mechanism of morality. Whereas cosmopolitanism argues for a single global state with no differentiation of citizens, communitarianism claims for moral obligation for individual societies. They believe that the hindrance to the debate rests on the dichotomy between moral commitments. As a consequence, the middle way includes the eradication of moral dichotomy and a combination of both responsibilities. For this approach recognizes that it would be misleading to deny the significance of community ethics as well as universal ethics. The middle path explores moral equality in the solution for social problems, the practice of critical intelligence in selecting the right actions, and intercultural discourses for the sake of collaboration, particularly when humanity confronts diverse issues such as civil wars, migratory flows of refugees, the exodus from infectious outbreaks, responsibility to protect citizens, and poverty.<sup>8</sup>

In any case, the question remains: what is the proper or plausible approach to the organization of communities? Is it cosmopolitanism, communitarianism, or a middle way? As a result, the direct answer states that cosmopolitanism and the middle path are untenable prospects. In short, the approaches that cosmopolitanism and the middle path undertake on international relations and political ethics rest upon dubious theories, which

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<sup>7</sup>İrem Aşkar Karakır and Nilüfer Karacasulu, "Cosmopolitan-Communitarian Dichotomy: Towards a Third Way?," *Dokuz Eylül Üniversitesi İşletme Fakültesi Dergisi* 16 (2015): 31.

<sup>8</sup>Karakır and Karacasulu, "Cosmopolitan-Communitarian Dichotomy," 43.

prescribe a world without or limited political community. Perhaps these views are well-intentioned epitomes but clearly idealistic and impossible to ever materialize.

When assessing cosmopolitanism alone, proponents of this view expound it as the only moral position. Nonetheless, common sense dictates that cosmopolitanism is a myth, a utopian model that cannot be admissible given the current arrangement of independent states in the construct of the world. As a result, it appears that communitarianism is the only possible position. Also, three arguments can clearly validate as to why communitarianism is the only viable option. The first argument rests on universal support. The second argument involves human rights supported by biblical principles, and the last arguments assume a Bonhofferian supposition.

The first argument highlights the affirmation of the *United Nations Charter for Peace and Order* in the formation of states and rights for self-determination. According to Todd Morth, Article 2(4) is a result of a complex system of treaties and organizations between various states designed to support dispute resolution and avoidance of the use of force.<sup>9</sup> Accordingly, Article 2(4) adopts the legitimacy of states when inscribing the words “territorial integrity,” while also declaring that all U.N. members are to abstain from the use of force against the territorial integrity and political independence of any state.<sup>10</sup>

The second reason looks at the role of states in promoting human rights. It presupposes that states have governments to upkeep and protect citizens of collective societies. As for human rights, there are several aspects of the biblical narrative that embraces it. Jesus is the foremost example, as he demonstrates the dignity of man through His incarnation and act of atonement. Likewise, Genesis 1:26-28 speaks of man

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<sup>9</sup>Todd A. Morth, "Considering Our Position: Viewing Information Warfare as a Use of Force Prohibited by Article 2," *Case Western Reserve Journal of International Law* 30, no. 2/3 (1998): 567.

<sup>10</sup>U.N. Charter art. 2, para. 4.



being created in the image of God. Then God appoints the man to rule and subdue creation in His behalf. The divine commission for a man to rule over creation points to the worth and dignity of the human being. Arthur Holmes explains that being created in God's own image supposes that the human person mirrors God in some way, as in his nature, individuality, relationships, and activities imaging God's character. So, God values people not only as his own creation but also as persons. To treat a person as a person and to respect the person's rights as a person is respect to God's handiwork and God himself.<sup>11</sup>

Since humans have dignity, to violate a person of their basic rights is to depreciate God's image in a person. Holmes infers that violation of a person's human rights "is in effect an act of blasphemy, for the sanctity of persons reflects that sanctity of God."<sup>12</sup> The depreciation of a human by others is interference of God's mandate for a person to live accordingly to his/her God-given purpose. Consequently, violation of human rights requires some facet of justice. And punishment is a part of the preservation of order and maintenance of justice. In the end, the punishment of a wrongdoer is an appropriate act of responsibility.

Consequently, Scripture speaks on the preservation of order through the state, following the believer's obedience to governmental authorities. God mandates authorities, for they are the sword that upholds order in a society. Paul reminds that believers are to be submissive to rulers and authorities and to obey them (Titus 3:1). Moreover, he declares that rulers are servants of God to punish the wrongdoers (Rom 13:4). According to F. F. Bruce, the state is a servant of God with the official duty to exact his wrath.<sup>13</sup> On top, Bruce asserts that Romans 13:4 plainly assumes two distinct

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<sup>11</sup>Arthur F. Holmes, *Ethics: Approaching Moral Decisions* (Westmont, IL: IVP Academic, 2007), 87.

<sup>12</sup>Holmes, *Ethics*, 87.

<sup>13</sup>F. F. Bruce, *Romans* (Downers Grove, IL: InterVarsity Press, 1985), 237.

spheres of service to God (state and church). Thereby the charge of the state is different from the charge of the church, in which the charge of the function of the state is explicitly forbidden to the Christian.<sup>14</sup>

Second, Peter states, “Be subject for the Lord’s sake to every human institution, whether it be to the emperor as supreme, or governors as sent by him to punish those who do evil and to praise those who do good” (1 Pet 2:13-14). In other words, individuals obey the government out of reverence and submission for the Lord.

Consequently, governments are necessary to upkeep the law in light of a sinful world. Governments are the sword of God to rectify, keep order, and maintain the rule of law. Governments have a responsibility to punish evil and promote good. Governments are to secure justice and correct injustices. Governments are divinely instituted to care for the citizens of a nation. Sovereign nations governed by political authorities are the means to extend and promote human rights through the rule of law to the people they are assigned to. Thus, communitarianism, which argues for political communities, as Stephen Macedo reinforces, “are essential in protecting and advancing the wellbeing of its members, especially those who are disadvantaged socially and economically.”<sup>15</sup>

The third supporting argument is centered on Bonhoeffer’s concept of deputyship. For Bonhoeffer, a state is an ordered community with a divinely ordained government with the sole function to maintain order. Jean Bethke Elshtain in her interpretation of Bonhoeffer’s principle of deputyship says that a government imposes “authority to exercise worldly dominion by divine right.”<sup>16</sup> Bonhoeffer identified government as a servant of Jesus, and deputyship for God on earth. As long as

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<sup>14</sup>Bruce, *Romans*, 237.

<sup>15</sup>Mark R. Amstutz, *Just Immigration: American Policy in Christian Perspective* (Grand Rapids: William B. Eerdmans Publishing Company, 2017), 105.

<sup>16</sup>Jean Bethke Elshtain, "Bonhoeffer and the Sovereign State," *First Things* 65 (1996): 29.

governments do not violate their divine commission, all people are bound to submit to them, as Bonhoeffer explains:

The being of government is connected with a divine task .... The task of government consists in serving the dominion of Christ on earth by the worldly exercise of the power of the sword and the law. Government serves Christ inasmuch as it establishes and preserves and external righteousness by wielding the sword given to it, and it alone .... Thus, the task of government, whether or not it knows its true grounding, consists in establishing, by the power of the sword, and outward justice in which life is preserved and, in this way, remains open for Christ.<sup>17</sup>

In conclusion, after considering the different views and arguments presented, the communitarian view evidently appears to be the only possible position to take. In communitarianism, the community determines what is right or wrong for their people. The states as autonomous entities are accountable to decide their values, ethical norms, and laws in which to follow. Respectively, in the context of immigration, independent countries have the absolute right to form and enforce immigration laws, as long as governments administrate within divinely ordained limits. To that end, the ethics of immigration must begin with the acceptance of the communitarian principle.

### **Background on U.S. Immigration Laws**

With the establishment of the argument for the right of sovereign states to institute immigration laws, the next step leads to the introduction for the basis of U.S. immigration laws.

The United States of America is formed within the principle of communitarianism; hence, like any other nation, it has the right to give precedence to its citizens and to impose laws that guard its borders. However, before one can censure and offer solutions to the present U.S. policy on immigration and border control, it is fitting that one understands the history of enacted U.S. immigration laws and its corresponding results.

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<sup>17</sup>Dietrich Bonhoeffer, *Conspiracy and Imprisonment, 1940-1945*, ed. Lisa E Dahill and Mark Brocker, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 2006), 515.

Beginning in 1875, the Page Act confirmed the role of U.S. federal supervision on immigration through the regulation of immigration and prohibition of undesirable immigrants.<sup>18</sup> Confirmed by article 1, section 8, clause 4 of the U.S. Constitution, it gives the legislative branch the power to establish a uniform rule of naturalization.<sup>19</sup> Thereupon, the U.S. Congress is tasked with legislation of bills concerning immigration, while the U.S. executive branch of government regulates the admittance and supervision of aliens into the country.

The inaugural point of interest for U.S. immigration policy begins in 1921. Related to the Immigration Acts of 1921 and 1924, the U.S. begins to enforce annual quotas of alien admission based on nationality. In 1924, the U.S. created the Border Patrol to enforce migration, protection of state sovereignty, and safety of human welfare. Explained by Daniel Carroll, although the Border Patrol begins to have a presence, in practice, it was ineffectual, for it did little to stop the flow of illegal aliens coming through the southern and northern borders with Mexico and Canada.<sup>20</sup>

Next, are the decades of 1941 through 1986. In 1942, the Bracero program was enacted to supply the workforce in the agricultural sector. With the aftermath of World War II and the Korean War, there was a significant need for laborers. As a response, the Bracero program allowed for a qualified quota of temporary work visas to fill the U.S. agriculture labor shortage. However, the limited number of visas did not fulfill the required volume needed for American farming. Following from the lack of visas, it created a migration of undocumented workers to satisfy the needs of the American agricultural vacancies. The program was eventually shut down in 1965 due to the high

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<sup>18</sup>Page Act of 1875, Sect. 141, 18 Stat. 477, 43rd Cong., 2d sess. (March 3, 1875).

<sup>19</sup>US Constitution, art 1, sec. 8, cl. 8.

<sup>20</sup>M. Daniel Carroll R., *Christians at the Border: Immigration, the Church, and the Bible* (Grand Rapids: Baker Academic, 2008), 33.

inflow of illegal aliens. Pressure from civil rights groups and labor unions was also a factor in eliminating the Bracero program.

In 1952, Congress enacted the Immigration and Nationality Act of 1952 (INA). The INA preserved the quota system. However, it included further measures for entrance eligibility, particularly in labor procurement and family reunification. In 1965 the Hart-Cellar Immigration bill set a concession of a maximum of 20,000 aliens per country/year. Nonetheless, the new provisions had an unintended consequence, doubling immigration between 1965 and 1970, as well as in 1970 through 1990.<sup>21</sup> Although immigration doubled, and constraints widened, the INA did not prevent the influx of illegal aliens in search of work. The demand for work far exceeded the number of visas, causing thousands of non-immigrants to overstay their visa terms, and others to unlawfully cross over to the United States through its porous border.

As a reaction to the shortcomings of the INA, during the Reagan administration, Congress passed a significant piece of legislation, the Immigration Reform and Control Act of 1986 (IRCA). The IRCA granted amnesty to undocumented aliens who were in the United States before 1982. The amnesty was attached with the proviso that employers hire legal workers in the future. It also added extra border control and heftier penalties for employers that hired illegals. Having said that, the IRCA did not meet its goals, and in many ways created adverse effects. Since the enforcement of illegal employment was limited, many businesses disregarded the complexities of the paperwork for employment and hired workers without state supervision. Regrettably, it created an illicit marketplace for counterfeit documents, as well as under the table wage compensation, and tax evasion. The amnesty of illegals along with the family based preferred approach also created an inadvertent fallout, which was the influx of many more immigrants than initially projected.

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<sup>21</sup>Carroll R., *Christians at the Border*, 35-36.

In light of the unfavorable outcomes of preceding legislation, after 1986, Congress passed three strategic legislations as an attempt to remediate previous legislation mistakes. The first legislation introduced was the Immigration Act of 1990. The act increased further demands on immigration cases predicated on family reunification. It intensified border patrol, employer sanctions, and added visa preference for skilled workers from developed countries. In addition, the act increased the annual immigration ceiling. The second legislation introduced was the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (IIRIRA). The outcome was higher restrictions for public services to immigrants, which included curbed social security benefits for non-citizens, the raising of subsidy for border surveillance, and the easing of illegal alien deportation. Last, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 was a supplement to the IIRIRA. Again, it added further constraints, which included the denial of public assistance to legal immigrants for five years until the procurement of U.S. citizenship, and extra provisions for the reporting of known illegal immigrants.<sup>22</sup>

In the present time, although immigration has been a hotly debated subject in the public sphere, it has seen little movement within Congress. Nevertheless, the 114<sup>th</sup> Congress proceeded on a few immigration-related measures that were set to expire, such as the E-verify employment verification, restriction of foreign national with ties to specific countries from traveling to the United States, visa security, and interior enforcement. Further, Congress took considerable time in the oversight of a few executive immigration actions taken by the Obama administration such as the deferred action for childhood arrivals (DACA) and the deferred action for parents of Americans (DAPA).<sup>23</sup> As for the 115<sup>th</sup> Congress and the new Trump administration, there are a few

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<sup>22</sup>Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (1996).

<sup>23</sup>Bruno Andorra, *Immigration* (Washington, DC: Congressional Research Service, 2016), 2.

points of examination. The areas in consideration involve the abuse of the visa program, undercutting of American workers, screen, and exclusion of refugees, construction of a wall in the southern border with Mexico, and higher funding for removal and repatriation of individuals without legal immigration status. These areas of consideration will require congressional authorization for the appropriation of funds and implied consent by Congress for future actions of the Executive.

### **The Major Complications of U.S. Illegal Immigration**

Now that a concise past to present development of U.S. immigration laws have been introduced, the paper turns to a survey of the significant complications regarding illegal immigration.

The current state of the U.S. immigration system flounders in several aspects when encountering unlawful immigration of foreign nationals. The difficulty with illegal immigration becomes even more complicated when peculiar questions are brought into the overall fold of the illegal immigration debate. Examples of unique issues vary, such as the demand for amnesty to longtime illegal aliens, immigration relief of illegals who came as children, removal of the long-term holders of humanitarian relief, or the negative impact of harboring illegal aliens in sanctuary cities. Simply put, illegal immigration brings forth many unique scenarios that would be unfeasible to address them in this paper fully. Thus, the paper attempts to highlight and elaborate on the significant difficulties resulting from the present-day illegal immigration issue.

**Immigration proceedings.** Although U.S. immigration policies have vastly evolved over the years, the limitations are unmistakable. Beginning with a critical constraint of the current immigration policies is the lag of the immigration proceedings. The application complexity and slowness of processing are the culprits for the massive backlog of awaiting applications. In part, the sluggishness of proceedings has much to do

with prioritization of limited governmental resources availability in implementing established policies and measures.<sup>24</sup>

Furthermore, many potential applicants do not have the means to partake in the laborious and costly application process. Because the wait time for available visas can easily take years and perhaps decades, many people resort to come to the United States without a permanent visa, risking to settle in this country without proper status. In a 2016 report, according to a Congressional Report Services study on Immigration chart book of key trends, in the year 2000, there were 8.6 million illegal aliens, climaxing to 12.2 million in 2007, and stabilizing in 2014 to 11.3 million unlawful residents.<sup>25</sup> Statistics demonstrate that unless resource increase and application processing system improvements are made, then the population of unlawful immigrants will continue to be in the millions.

**Labor demands.** The next difficulty confronting immigration is the shortage of labor. For the country to meet labor demands, the government issues annual work permits. However, the issue stems from the insufficient number of available work visas. According to Amstutz, the U.S. allows businesses to sponsor up to 140,000 skilled workers a year with a cap of 66,000 visas for temporary workers. However, the quantity of permits falls short of meeting the labor needs of employers.<sup>26</sup> Since the skilled and non-skilled service needs are much higher than accessible legal workers, employers turn a blind eye to the government. They either overlook the employment verification process or do not perform proper checks in verifying the legitimacy of the documents provided by the employees.

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<sup>24</sup>Amstutz, *Just Immigration*, 64.

<sup>25</sup>William A. Kandel, *U.S. Immigration Policy: Chart Book of Key Trends* (Washington, DC: Congressional Research Service, 2016), 24.

<sup>26</sup>Amstutz, *Just Immigration*, 59.



Consequently, the laxity of the employers in performing the required assessments generates an opportunity for a black market for false documentation; thus, inflaming the illegitimate employment market. The issue of illegal employment is much higher than one may perceive. Employment of illegals results in four significant complications. First, it is the depression of wages of unskilled labor. Second, it proliferates economic disparity. Third, it stimulates a space for exploitation of illegals due to the absence of labor protection. Lastly, it supports further criminality, which weakens the rule of law through the notion of normality of unlawful employment.

**Immigration laws and government collaboration.** To respond to illegal immigration, it is vital that local, state, and the federal government collaborate in the enforcement of the existing laws. When one assumes that the laws are comprehensive, then facing illegal immigration is only a matter of proper communication and partnership between the various parties. However, the restricted immigration laws and problems of cooperation within government create unpredicted complications in dealing with the subject. In order to understand this matter, it is essential to delve into the cause, beginning with public opinion. Public opinion and interest groups disagreements are built on the ethical facet of the subject, particularly in the dispute of human rights and the rule of law. As such, elected officials are not keen on addressing illegal immigration in depth for fears of angering constituency and making ethical gaffes.

Consequently, the congressional response regarding the subject is slow. Although illegal immigration is a hot topic, the truth is that comprehensive legislation on immigration is far from being conceived. As one can perceive, the lack of a wide-ranging law afflicts all levels of government.

In order to curtail the problem, local governments create initiatives outside of their jurisdiction, which many times are unconstitutional. Some examples are California's Proposition 187, which restricts social services (health and education) for the non-

documented. Another example is Operation Blockage, organized by a local border patrol chief in an attempt to intercept undocumented immigrants.<sup>27</sup> The Congressional inability for a comprehensive solution worsens the capacity for federal and local governments to work together, especially when the federal government needs regional support for tackling the problem. The tension due to synchronization of execution, regulation confusion, and jurisdiction disputes fuel antagonism and suspicion even within governing bodies. Subsequently, it limits the enforcement of immigration laws. The struggle in the division of responsibility between local and federal governments for border security, identification, apprehension, and prosecution of illegal aliens create a significant impact on not only the communities but the illegal immigrants alike.

**Security.** The subject of national security is of high sensitivity when linked to illegal immigration. In order to ensure territorial integrity, the government must spend significant resources and funds on securing its southern and northern borders. The lack of inadequate tracking of nonimmigrants who overstay in the country, poorly implemented border controls, and the inefficient judicial proceedings of apprehended unlawful aliens hinder the quest for robust national security. Withal, Edward Alden and Bryan Roberts ask an elementary but overlooked question, “What is the definition of a secure border?” Since the borders are so vast, it would be unrealistic to define a secure border as one that is impervious to illegal crossings. On the other hand, a border would not be considered secure if it is amply permeable to unverified crossings. National security must define measures and goals for a secure border, and the lack of description is a significant oversight from the government.<sup>28</sup>

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<sup>27</sup>Carroll R., *Christians at the Border*, 37-38.

<sup>28</sup>Edward Alden and Bryan Roberts, "Are U.S. Borders Secure?," *Foreign Affairs* 90, no. 4 (2011): 26.

Another issue involving security, according to Amstutz, is the excessive prosecutorial discretion on immigration. As, the nature of illegal immigration is involved and multifaceted, and with a lack of resources, officials establish priorities and resources reactively, and often ineffectively.<sup>29</sup> Most judicial proceedings become lengthy and complicated as they must deal with issues of removal, deportation, asylum, fraud, a misdemeanor, and relief.

Meanwhile, prisons are overcrowded with immigrants awaiting a hearing and deportation. In turn, it instigates questions of human rights in the treatment of the illegals. In short, the current situation and laws have failed to curb illegal immigration. While authorities must abide by the rule of law and commitment to human rights, they are stuck between a rock and a hard place in exercising the law in a sensible and just manner.

**Dual society.** An overlooked outcome of illegal immigration is the appearance of a dual society: a society that is legal and another that is illegal. Consequently, a dual society results in a discordancy between people, an absence of welcome, and enculturation of people. It creates a divided social order and a severed country. Not only do U.S. citizens develop frustration, but also in a dual society, illegals live in fear, disturbed, and despondent. Furthermore, illegal immigrants are incapable of assimilating to the larger society, while aggravating their isolation by the inability to reunite with relatives. As a result, illegal immigration engenders broken families and a society that is continuously looking over their shoulders in fear of deportation.

**Rule of law.** Finally, a pivotal point in the illegal immigration debate involves the rule of law. In a communitarian setting, the government is the moral enforcer and protecting agent for the greater good of society. Inconsistencies in implementing the law can bring into question the legitimacy and authority of the government. While attempting

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<sup>29</sup>Amstutz, *Just Immigration*, 63.

to balance the different economic and social forces, the obligation to human rights, and commitment to democratic values, the government is often pressured to ignore instances of immigration law infringement. However, a country that prides itself on the rule of law cannot allow its government to act inconsistently in the enforcement of its immigration laws. The effect of the indifference to the law is a weakening of the government and the waning of an already weak immigration system.

## CHAPTER 2

### THE THEOLOGY OF BONHOEFFER

After considering the intricacies of the U.S. illegal immigration crisis, and armed with an evangelical perspective, the next step is to ask: how can the church be involved in the illegal immigration debate? Further, what would Bonhoeffer's stance be on legal policies relating to illegal immigration, and how would he react towards the plight of illegal immigrants? Before an exploration of these questions can begin, it is instrumental in recognizing Bonhoeffer's overall theological bases, which leads to his position on the placement of the church and individual Christian on political matters. Additionally, it would be advantageous to recognize what Bonhoeffer uses as a footing to structure his thinking on the church's involvement in any matters about the government.

As a Lutheran, Bonhoeffer was steeped in the Lutheran tradition and influenced by Luther's view of the two kingdoms. In fact, beginning in his early years as a Ph.D. candidate until his death, the principle of the two kingdoms buttressed Bonhoeffer's theology and was the underpinning principle behind his thoughts. For that reason, the appropriate next step in this chapter of the paper is first, to survey the principle of the two kingdoms. Second, to audit the general misinterpretation of two kingdoms thinking. Third, to grasp the relationship between the church and state in the two kingdoms framework. Fourth, to observe the charge of a Christian. Fifth, to certify the requirements for human rights from the ultimate and penultimate thinking. And finally, to examine the two kingdoms doctrine in activity observed in the Jewish question following Bonhoeffer.

## **Luther's Principle of the Two Kingdoms**

A clear majority of Americans recognize the idea of separation of church and state. It affirms two institutions that structure the lives of people. As such, it derives from a conception of two kingdoms, representing the two hands of God that structure the lives of people. The first hand is temporal, and the other is spiritual. In these two hands or realms, the church and state play crucial roles. As such, the role of the state is to deal with the matters about the temporal realm, while the church also concerned with the temporal realm, uses it as a means to a spiritual end. For biblical support, such an idea is taken from Matthew 22:21, which says that one ought to render to Caesar the things that are Caesar's and to God, the things belong to God. As a result, there is a boundary, which separates the church and the state. However, the notion of the two kingdoms, the church, and the state, require further clarification. A clear view on this subject can be found within the context and right view of Luther's two kingdoms thinking.

During the time of the Reformation, Martin Luther makes a notable distinction between the spiritual and the temporal realms (realms, hands, kingdoms are used interchangeably). Much of his thoughts on this subject find precedence in Augustine's concept of the two cities, which in turn goes back to the Apostle Paul's two ages. As such, for Luther God relates to the world in a twofold manner, preservation, and redemption, as well as the existence relating to God and people. Moreover, the reality of the world is composed of two types of people, Christian, and non-Christians. Because of this reality, and by God's design, God mandates two realms, the spiritual, and the temporal. The role of the temporal realm is to restrain the non-Christians from their wickedness and to uphold order and peace. Christians and non-Christians alike need to obey and honor the temporal realm. Moreover, those who rule the temporal realm are accountable for its wellbeing. In contrast, people indwelt by the Holy Spirit and who are righteous under Christ comprise the spiritual realm.

The two realms are administered in distinct ways. The spiritual realm composed of Christians, who are ruled by the Word of God, require no political institutions since no conflict ought to be present among its members. As for the temporal realm, comprised by non-Christians, who do not have faith to guide them to right action, necessitate a different type of governance. For that reason, they are subjected to the sword and political institutions to restrain them from causing harm. However, the two realms, although unequal, are precisely connected on several fronts. First, God rules the two kingdoms. Second, they are God's project for humanity. The first project is of salvation, which is satisfied through the gospel proclamation. The other project is the rule of the sinful world by the sword. Third, the kingdoms are related by Christians who in faith and love of God work in the temporal kingdom. Fourth, Michael DeJonge explains that there is a relational complexity in the Christian life. Since Christians are saints as well as sinners, they remain under the authority of the temporal realm. One must recognize that Christians are equal citizens of both kingdoms.<sup>1</sup> Lastly, an overlap of Christian love and non-Christian good works—in effect of the natural law—finds a common denominator. The golden rule makes them serve each other by putting one in place of the other. In short, the two kingdoms are different and yet connected, for God's preservation and redemption. Both kingdoms belong to God and directed by Him for His pleasing work.

### **Misinterpretation of Luther's Two Kingdoms**

By the twentieth century, a misinterpretation of Luther's view on two kingdoms was pervasive. The danger of the misreading of Luther's two kingdoms thinking was revealed by distinguishing the temporal and spiritual realms apart in isolation and against each other. Such a view was misguided, for it discriminated Luther's

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<sup>1</sup>Michael P. DeJonge, *Bonhoeffer's Reception of Luther* (New York: Oxford University Press, 2017), 86.

relationship of both realms through God. Attributed to the impression of a hard separation of both kingdoms, critics repulsed the institution of a dual ethic, which applied one ethical standard to the temporal realm and another to the spiritual realm. As a result, Christians would be stuck in the middle of two ways to live, ruled by different morals and having to dwell between them, as citizens of both realms.

Several factors may have led to the notion of a hard separation of realms. The first reason is ascribable to Luther in his attempt to limit the church's overreach into temporal affairs. The second reason is that temporal affairs would have distracted the church's real tasks, which is to preach the gospel and not discombobulate law and gospel. Third, by the twentieth century, the doctrine of the two kingdoms became a political doctrine, where everyday people were noted to be free from the laws of God and to live by separate rules. The two kingdoms doctrine was distinguished by a moral autonomy that separated the inner and outer life. As a result, the law was understood to govern the temporal kingdom, while God's grace governed the spiritual kingdom. As DeJonge notes, Max Weber saw the two realms of modern life ethically autonomous with different values independent of each other. Consequently, the two kingdoms were marked as public and private.<sup>2</sup> Lastly, Lutheran theologians further bastardized Luther's principle of the two kingdoms and began to offer novel dualistic interpretations of it.

By the twentieth century, the unintended ideas concerning the two kingdoms were surely corrupted. The likes of Richard Niebuhr criticized Luther's two kingdoms as dualistic, which he claimed as attending to the conservatism of the state, while apathetic towards the ethical issues of the public.

Bonhoeffer appalled by the misuse of Luther's initial thoughts, aimed to bring back Luther's thinking in the right order. DeJonge explains that during the Reformation, Luther's two kingdoms rationale was not yet a doctrine. The reason was its polemical

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<sup>2</sup>DeJonge, *Bonhoeffer's Reception of Luther*, 97.



nature, as Luther did not deploy it systematically.<sup>3</sup> Therefore, for Bonhoeffer, the goal was to reaffirm Luther's proper two kingdoms thinking and systematize it into a coherent doctrine. As noted, the hard separation of the two realms was a gross misunderstanding of Luther's view. Bonhoeffer reminds, "There are not two realities but only one reality, and that is God's reality revealed in Christ in the reality of the world."<sup>4</sup> Likewise, Joel Biermann adds that Bonhoeffer was against the autonomous principle of the spheres conflicting with each other. Christians were to fully invest in both realms, whether in world affairs, or institutions to accomplish God's purpose, bringing harmony to the world according to the will of God and design.<sup>5</sup>

### **Bonhoeffer's View of Church and State in Two Kingdoms Thinking**

Bonhoeffer never contradicted Luther's understanding of the two kingdoms. In fact, Bonhoeffer stressed the misuse of Luther's two kingdoms view and brought the correct interpretation back to light. In like manner, Bierman commemorates Bonhoeffer's bracing interpretation and application of the two realms thinking, as it adds to the overall appreciation of the teachings of Luther,<sup>6</sup> notably, the interrelation between the realms, in which both are held together in Christ. As a result, believers in Christ are called to never retreat from involvement in the temporal realm.

With the understanding that two kingdoms thinking undergirded Bonhoeffer's theology, DeJonge makes a crucial claim. He makes clear that Bonhoeffer's two kingdoms thinking always emanated from the center of this thought. Likewise, the use of

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<sup>3</sup>DeJonge, *Bonhoeffer's Reception of Luther*, 93.

<sup>4</sup>Dietrich Bonhoeffer, *Ethics*, ed. Clifford J. Green, trans. Reinhard Krauss, Douglas W. Stott, and Charles C. West, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 2008), 58.

<sup>5</sup>Joel Biermann, *Wholly Citizens* (Minneapolis: Fortress Press, 2017), 83.

<sup>6</sup>Biermann, *Wholly Citizens*, 85.

the two kingdoms language was often in the context of the church and state problems.<sup>7</sup> As such, *The Nature of the Church*, one of Bonhoeffer's early essays, gives readers a clear view of how he saw the purpose and role of the church and state within the two kingdoms charter. In this essay, Bonhoeffer saw the church to be limited, on the one hand, by the state and, on the other hand, by the kingdom of God. The church and state are different in function. Hence, the state judges and rules by force, while the church proclaims the gospel. Regardless of autonomy in function, God is always in control and holds power over the state and the church.

As for the obligation of the state and church, both are restricted in function. As a result, if the state fails to fulfill its role, the character of the state is put into question. Bonhoeffer involves certain stipulations while clarifying is this statement:

The duty of Christians to obey bind them up to the point where the government forces them into direct violation of the divine commandment, thus until government overtly acts contrary to its divine task and thereby forfeits its divine claim .... If government oversteps its task at some point—e.g., by making itself lord over the faith of the church-community—then at this point it is indeed to be disobeyed for the sake of conscience and for the sake of the Lord.<sup>8</sup>

The function of the state is to rule and uphold the law but never to exceed or overrule the position and responsibility of the church. As for the church, its role is to assemble the people, preach the gospel, and administer the sacraments. The church calls the entire world to submit to the reign of Christ. It also bears witness for government to Christ as Bonhoeffer describes:

The church calls government officials to believe in Jesus Christ for the sake of their own salvation. It knows that in obedience to Jesus Christ the task of government is properly executed. Its goal is not that government enacts Christian politics, Christian laws, etc., but rather that it be a genuine government in the sense of its particular task.

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<sup>7</sup>DeJonge, *Bonhoeffer's Reception of Luther*, 89.

<sup>8</sup>Dietrich Bonhoeffer, *Conspiracy and Imprisonment, 1940-1945*, ed. Lisa E Dahill and Mark Brocker, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 2006), 516.

The church is what first leads the government to an understanding of itself. For the sake of the common Lord, it lays claim to the hearing of government, the safeguarding of public Christian proclamation against acts of violence and blasphemy, the safeguarding of church order against arbitrary encroachment, and the safeguarding of Christian life in obedience to Jesus Christ.<sup>9</sup>

The church clarifies the government the role accorded by God and witnesses to government officials. For it is only then that government can function suitably and for the sake of Christ. Furthermore, the message of the church is justification by faith and the law.

Concerning the law, the function is to restrain sin and sponsor the good. The law also understands the differences between the law and gospel. In the role of the state, it enforces the law. However, it is the church that understands the ultimate purpose of the law. The final task of the state is not dedicated to human flourishing, for that is the role of the church. Nonetheless, it is a critical institution for the maintenance of order, which allows the church to fulfill its mandate.

Regardless, God mandates the government. Elshtain explains that for Bonhoeffer, independent of how any government comes into being, it is always permitted and instituted by God. Thus, just as the church belongs to God, the state equally belongs to God. Besides, independent of any ethical failure on the part of the government, the state cannot be removed from its divine dignity. In the end, the task of the government is legitimized by God and all citizens under normal circumstances owe obedience to it.<sup>10</sup>

By extension, regarding the role of the church, Bonhoeffer argues that the church is the locus of God's witness to the world in its most exact identity. It stands with the world, not against it. It does not eclipse it but enlightens it. It does not even have to

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<sup>9</sup>Bonhoeffer, *Conspiracy and Imprisonment, 1940-1945*, 522.

<sup>10</sup>Jean Bethke Elshtain, "Bonhoeffer and the Sovereign State," *First Things* 65 (1996): 30.

fight for relevance or existence because God alone is the one who wills it. Additionally, the church never lives in isolation because its sole purpose is to witness to the world of the reconciliation of Christ. The church has visible components, as in its rituals, as well as invisible components, as in its union with Christ, peace, and eternal life.<sup>11</sup>

To the discussion and focus of this paper, the function and mode of the state and church come at the forefront. Ultimately, two kingdoms thinking states that the two bodies—state and church—are functional by nature and must never interfere with each other's task. Thereupon, the church should not advocate or partake in any policy or political decisions since that is solely the role of the state. The moment the church begins to circumscribe itself into policy-making and criticism, then it risks turning the gospel into law. As a result, it undermines and forsakes the church's principal role. The true church lives and breathes the gospel solely. If one desires to advocate for policy decisions that is up to individuals and humanitarian organizations but never the church. The division of functions is for the sake and the purity of the gospel.<sup>12</sup>

Furthermore, only in rare cases, when the state stops to function as intended initially, its character is questioned, or happenstances of state encroachment on church affairs are rampant may the idea of resistance be contemplated. Be that as it may, rarely should confrontations ever be taken into consideration. Elshtain reminds readers of Bonhoeffer's absolute position, which called for the duty of obedience to the government, even if it is an anti-Christian government. It is only when the government violates or exceeds its commission by making master over the belief of the church that obedience can be refused.<sup>13</sup>

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<sup>11</sup>Biermann, *Wholly Citizens*, 91.

<sup>12</sup>DeJonge, *Bonhoeffer's Reception of Luther*, 111.

<sup>13</sup>Elshtain, "Bonhoeffer and the Sovereign State," 30.

## Bonhoeffer's View on Individual Responsibility

Individual responsibility of the Christian finds amplification in the Christian relationship to the divisions of life. Luther maintained that home, state, and the church are where each Christian finds their activity for the good of the world. In *Ethics*, particularly in the essay, *Christ, Reality, and Good*, Bonhoeffer expands on Luther's three estates by developing the four mandates concept. Fundamentally, the four mandates are willed by God in the form of vocation (work), marriage, government, and church through Christ. There ought to be no conflicts between the mandates, as all humans are under all four of them. Furthermore, every human finds itself involved with a particular responsibility in each of the mandates.

In vocation, the mandate finds its bases on the creation and the work first assigned to Adam. The world is where God's activities take place; thus, every individual is called to labor for the preservation of the world. Ultimately, the work of humanity is destined for the glory and service of God. The next mandate is marriage, and in it, there is the creation of human beings to enter the will of God. It is in the context of marriage that individual parents are to raise and educate children in the knowledge of and obedience to God. Next is the mandate of the government; the government does not create nor produce life but is mandated to construct laws and enforce justice. Accordingly, every individual is required to obey the government, as it is the will of God. The last mandate is the church. It is different from the other three mandates since it has a divine commission. The church is to let Christ be known, and such is realized through the preaching and the services of the members of the church. The church embraces every person, regardless of religion and color. It also subverts and seals the other mandates with the presence of Christ.<sup>14</sup>

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<sup>14</sup>Biermann, *Wholly Citizens*, 101.

In short, the mandates are divine commissions based on the revelation of Jesus Christ. It is Christ who confers authority to global institutions for the sake of God's creatures and for their ability to survive in a fallen world. The mandates are the way God maintains human life in the world so that the world does not lose itself. Suitably, it reveals God's love for the world, while expressing his authority over creation.<sup>15</sup> Finally, it is through the mandates that God's plan is brought forth in the day of fulfillment. All people are called obedience and fulfillment of their tasks within the four mandates.

In hindsight, when others falter in the mandates, a Christian's responsibility to contain himself or herself is kindled. An example would be the government utterly failing to protect its citizens as part of its mandate. Biermann emphasizes that Bonhoeffer resists the endorsement of rejection and revolution of the government. Instead, Bonhoeffer urges for the return and restoration of the government rather than rebellion against it. Likewise, should a leader fail in his responsibility to his task in the mandate of the government, he must be called to repentance and guided back to restoration.<sup>16</sup> Respectively, unless something catastrophic threatens the mandates, Bonhoeffer shows himself as an exemplary model of restraint within his circumstance of Nazi Germany.

Similarly, Bonhoeffer has much to say on what it means to live faithfully as a Christian in this world. Since Christ is the foundation of all things and claimed space in the world through the incarnation, Christians are to live faithfully in both realms. Christians partake in Christ in compassion and action. Christians suffer not for themselves, but for the people for whom Christ suffered. As Geoffrey Kelly reports, Bonhoeffer also taught his seminarians "those who follow Christ must be willing to endure suffering in order to restore peace in a world of hatred, vengeance-seeking, and

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<sup>15</sup>Joel Lawrence, *Bonhoeffer: A Guide for the Perplexed* (New York: T&T Clark International, 2010), 73.

<sup>16</sup>Biermann, *Wholly Citizens*, 103.

unbridled violence.”<sup>17</sup> Individual Christians and the church have the responsibility to care for the poor, to live daily the Sermon on the Mount, to confront injustice, and takes risks for peace. All is a demonstration of acts of responsibility and respect for God’s Word.<sup>18</sup> For Bonhoeffer, there is an aspect of responsibility for a Christian’s involvement in a hostile secular society. Christians should not distance themselves to protect against the corruption of the world. Such was the practice of the early church, but a disciple begins with the disposition to approach the world in the same fashion as Christ. As Patrick Nullens observes, Christians engage the world in humility and obedience, without condescendingly imposing Christian ethics through the means of organized religion and institutional structures.<sup>19</sup>

Lastly, Bonhoeffer highlights the responsibilities of individuals in his book, *Discipleship*. He devotes an entire chapter on the responsibility of a disciple through the exposition of a passage on the Gospel of Luke. “Whoever comes to me and does not hate father and mother, wife and children, brothers and sister, yes, and even life itself, cannot be my disciple” (Luke 14:26). In the exposition of the passage, Bonhoeffer alludes to the call for those who follow Jesus to become individuals. To become a person, one not only removes himself or herself from the things of this world, but also partakes in even greater risks such as relationship, and future for Christ who calls him or her. Primarily, individuality necessitates Christ as the center of one’s existence. Therefore, the identity of a person can only be found in Jesus Christ. Bonhoeffer goes on to declare that “for a disciple of Jesus, ‘God-given realities’ exists only through Jesus Christ...The way to one’s neighbor leads only through Christ. That is why intercession is the most promising

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<sup>17</sup>Geffrey B. Kelly and F. Burton Nelson, *The Cost of Moral Leadership: The Spirituality of Dietrich Bonhoeffer* (Grand Rapids: William B. Eerdmans, 2003), 1658.

<sup>18</sup>Kelly and Nelson, *The Cost of Moral Leadership*, 49.

<sup>19</sup>Patrick Nullens, "Dietrich Bonhoeffer: A Third Way of Christian Social Engagement," *European Journal of Theology* 10, no. 1 (2011): 67.

way to another person.”<sup>20</sup> In other words, a disciple will only be able to value or respect another human being through Christ. For without Christ there is no access to a meaningful relationship. In any case, individual responsibility for the sake of Christ and community demands at times the breaking of relationships with one’s family and even a nation. At times visibly bearing the shame of Christ and accepting the reproach and hatred from others.<sup>21</sup> In the end, there are times when one must bear persecution. Such is the call for every individual that has Christ as the mediator between God and man, man and man, and reality itself.<sup>22</sup> Christ calls people to become single individuals for his sake, but He does not leave disciples without a promise, which is the gift of the church community. Given the severe aspect to individual responsibility, there is an even greater celebration, which is to be a distinct part of the body of Christ.

### **The Necessity of Human Rights for the Sake of the Ultimate**

The issue of human rights gained greater prominence during the era of German Nazi, in greater part due to the policies and actions of the state against the Jews in the areas of welfare, justice, liberty, and basic protections. And for Bonhoeffer, the concept of human rights was tightly intertwined with the notion of the ultimate and the penultimate. As a result, the natural question is to ask, how did Bonhoeffer relate human rights with the idea of the ultimate and penultimate, particularly on the responsibility of the church and the individual Christian?

The idea of human rights stresses that all humans have an equal right to life, liberty, and other fundamental freedoms. The Declaration of Independence also illumines

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<sup>20</sup>Dietrich Bonhoeffer, *Discipleship*, ed. Geoffrey B. Kelly and John D. Godsey, trans. Barbara Green and Reinhard Krauss, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 2003), 95.

<sup>21</sup>Bonhoeffer, *Discipleship*, 95.

<sup>22</sup>Mark Devine, *Bonhoeffer Speaks Today* (Nashville: Broadman & Holman Publishers, 2005), 75.



the notion of human rights as it states that all men are created equal, and are endowed by their Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness. Conversely, acts that discriminate equal treatment of humans constitute violations of human rights. Please note the difference between special rights and human rights. According to Arthur Holmes, special rights are founded on legal, constitutional, or other non-universal rights. Thus, it applies only to people who are members of a community or society. These rights are granted on a conditional—not unconditional—basis. Human rights apply to every human being; hence, they are absolute rights, such as the right to life. In the Christian context, human rights are unalienable right given by God.<sup>23</sup>

Universally, human rights encompass the characteristics of liberty and justice that are essential for human quality of existence. As John Locke explains, human rights extend to three key areas: life, liberty, and property.<sup>24</sup> Indeed, human rights concern with justice, respect, and love for the neighbor. Christians add the dimension that human rights are grounded on the biblical knowledge that man is created in God’s image and is his handiwork.

As for the concept of the ultimate and penultimate, Bonhoeffer grounded it on the two kingdoms thinking of justification by faith, which ultimately drove the need for human rights. Bonhoeffer understood the ultimate to be the last things, while the penultimate is the things before the last. But what exactly is the ultimate? It is the proclamation of the gospel of justification by faith through grace. DeJonge explains that justification is ultimate in two senses. First, it depends on nothing and is a break with everything penultimate; it is God’s gift. Second, it is temporarily penultimate, since

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<sup>23</sup>Arthur F. Holmes, *Ethics: Approaching Moral Decisions* (Westmont, IL: IVP Academic, 2007), 80.

<sup>24</sup>Holmes, *Ethics*, 86.

something penultimate always comes first. Justification happens in time to people who exist in time and have histories. Therefore, the spiritual kingdom breaks into the temporal kingdom, but temporal must remain in existence until the eschaton when the penultimate is swallowed by the ultimate. Justification creates a relationship between the ultimate and the penultimate, and the Christian life must be lived within this intersection.<sup>25</sup>

The concept finds clarity when one recognizes the penultimate as the temporal kingdom. Thus, the temporal kingdom makes way for the ultimate, which is the spiritual realm. The penultimate must remain even though the ultimate annuls it. For the sake of the ultimate, one must speak of the penultimate. The role of the penultimate is to make way for the gospel to be preached. For the sake of the ultimate, the penultimate must be preserved. The penultimate works for justice, but one must not forget that the ultimate justice is a gift of God. Nonetheless, there is a caveat; Bonhoeffer says, “everything penultimate in human behavior is sin and denial.”<sup>26</sup> For that reason, in the penultimate, the church must work in abolishing the things that hinder the coming of Christ in order to make way for the ultimate.

For Christians, there is a collision between the ultimate and the penultimate. Christians are sinners and saints, and that their life until the final consummation. They have a role within the ultimate and penultimate context, which is to eliminate anything that deters the way for the proclamation of the gospel. Therefore, the struggle for Christians is ultimately for the sake of the ultimate. The penultimate is the basis of preparation for the ultimate, so it requires protection. Anything that harms the penultimate upsets the ultimate. Thus, whenever a person is deprived of the essential requirements (life, liberty, property) of being a human, then the message of justification by faith is stalled and at times never accomplished. As Bonhoeffer declares, “it is

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<sup>25</sup>DeJonge, *Bonhoeffer's Reception of Luther*, 138.

<sup>26</sup>Bonhoeffer, *Ethics*, 87.

necessary to care for the penultimate so that the ultimate not be hindered by the penultimate's destruction.” Further, Christians who proclaim the gospel and yet do not do everything possible to make it happen are not true to the Word’s claim free passage. Bonhoeffer exemplifies this idea with John the Baptist as one who prepares the way for the Lord, as one who works in the penultimate for the ultimate.

The crucial point is that the penultimate and ultimate is knotted with human rights. Since the goal of the church in the penultimate is to recall its obligation to speak God’s truth, establishing human rights enables the path to fulfill God’s mandate for the church. Westmoreland-White reminds that conditions that distort the human person such as hunger, genocide, ethnic cleansing, poverty, and other things are obstacles to hearing the gospel.<sup>27</sup> Therefore, it is without saying that without involvement in social care, the path for proclamation will be a hard road to travel. Thus, feeding the poor, providing shelter, involving the outcasts to the community, fighting for justice for victims are examples that preserve the penultimate. In the end, one infers that for Bonhoeffer, the establishment of human rights, struggle for social justice, and peace are all social responsibilities that must be preserved to make way for the coming of Christ.

### **Bonhoeffer’s Position on the Jewish Question**

At this junction, the foundation of Bonhoeffer’s two kingdoms thinking, particularly on the roles of the church, state, and individual responsibility, has been laid out. To postulate the response of Bonhoeffer to the U.S. illegal immigration issue, one must look to the closest situation in which Bonhoeffer executed his principles. Consequently, the Jewish question comes at the forefront of examining a perilous and perplexing predicament in the life of Bonhoeffer.

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<sup>27</sup>Michael Westmoreland-White, "Contributions to Human Rights in Dietrich Bonhoeffer's Ethics," *Journal of Church and State* 39, no. 1 (1997): 72.

To survey how Bonhoeffer systematically answered the Jewish question, one can look no further than his response to the Aryan clause, *Civil Service Reconstruction Law*. The crux of the clause disqualified Jews from holding offices in the state. It asked most non-Aryan civil servants to retire and prohibited baptized Jews from servicing in the German church.<sup>28</sup> Written in 1933, Bonhoeffer penned a response titled *The Church and the Jewish Question*. In the response, Bonhoeffer embarked upon the following questions: what should the church do, and how does it respond to the acts of the state against the Jews? Related to the baptized Jews in the German congregation, what should the church's position be?

Consequently, these questions were only answerable within the confines of a robust conception of the nature and role of the church. Michael Westmorland-White reports that Bonhoeffer had three individual guidelines concerning the response of the church when the state fails to heed to its mandate. First, the state needs to be asked whether its actions are legitimate and following its character. Second, the church must comfort the sufferers of the iniquities of the state. Third, whenever the state fails to fulfill its mandate by ceasing to maintain law and order (too much or too little), then the church not only bandages the victims under the wheel but jams a spoke into the wheel. In other words, if the state commits atrocities, then resistance against the government is tenable.<sup>29</sup>

Based on the Bonhoeffer's guidelines, then how did he reply to the inquiry of the church's response to the disproportionate actions of Nazi Germany against the Jews? As a result, his response discouraged any specific and direct involvement by the church in political action. For the church was not to praise nor censure the laws enacted by the government. Over again, it is not within the purview of the church to promote nor

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<sup>28</sup>Ruth Zerner, "Dietrich Bonhoeffer and the Jews: Thoughts and Actions, 1933-1945," *Jewish Social Studies* 37, no. 3/4 (1975): 235, <http://www.jstor.org/stable/4466892>.

<sup>29</sup>Westmoreland-White, "Contributions to Human Rights," 79.

deprecate political decisions taken by the state. The church is different from other institutions. Therefore, the church does not partake in the functions of the state.

Moreover, Bonhoeffer reasserted that the role of the church is to live by the gospel, and whose power rests solely on the preaching of it. It does not mean that the gospel does not speak of ethics. In fact, the message of justification in the gospel generates moral actions. Nonetheless, the church does not fall or stand on ethics, but on the gospel alone. The gospel is only pure when it is not mixed with the policy objections or state law. In the end, God gives the mandate of judgment and enforcement to the state, not the church.

The issue with Bonhoeffer with the Nazi government rests on the role of the church as the guardian of the distinction between law and gospel. The church understands the limits of the mandate of the state; thus, it can judge the character of the state. When the state abandons its mandate or encroaches on the mandate of the church, then it leaves the option for questioning. Bonhoeffer reminds that state officials are not ministers of the church. Consequently, any official regulation cannot interfere with matters of the church. Such is the case when dealing with church membership, Christian conduct, staffing, particularly admission of Jewish Christian members to any church office.<sup>30</sup> Accordingly, Bonhoeffer's conclusion leaves the question as to whether the German church was within its rights to take political action against the state. Did the Nazi government overstep and failed to fulfill its mandate? According to Bonhoeffer, this could only be determined through discussion and employing an Evangelical council.

In the Jewish question, Bonhoeffer attempts to reconcile theology and practical action. However, the doctrine of two kingdom's categorization of functions, as Ruth Zerner states, "could all too easily lend themselves to the Nazi anti-Jewish policies

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<sup>30</sup>Zerner, "Dietrich Bonhoeffer and the Jews," 239.

outside of the church jurisdiction.”<sup>31</sup> Therefore, the church had its hands tied in speaking out against the anti-Semitic policies of the state. Nevertheless, Bonhoeffer leaves the option for individuals and humanitarian agencies—with the understanding that the church is not a humanitarian agency—to intervene and criticize the moral injustice of specific acts of the state. In the case of Bonhoeffer, Zerner again sees the tension and the dilemma in which he must decide. The question then is whether as an individual, he should challenge the state, or as a churchman, he must exercise restraint from criticizing the state.<sup>32</sup> As history affirms, Bonhoeffer reveals the control of a church leader cognizant of his role in the community but also exhibits his actions challenging the state on the plight of the Jews. Subsequently, Bonhoeffer urges church members to unite with the dispossessed Jews.

Although the church is unable to question state legislation, it must live up to their social responsibility, which is to aid those afflicted with violence. Bonhoeffer constantly reminded church members of the proverb “Speak up for those who have no voice” (Prov 31:8). Along these lines, the church of Christ is tested in its willingness to partake in the suffering of those Christ died. The church community can show fidelity to Christ by demonstrating moral leadership, compassion, and action to the persecuted. As Kelly acknowledges, the willingness to suffer for justice was the hallmark of Bonhoeffer’s spirituality, leadership, and the test case whether the church was free.<sup>33</sup>

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<sup>31</sup>Zerner, "Dietrich Bonhoeffer and the Jews," 243.

<sup>32</sup>Zerner, "Dietrich Bonhoeffer and the Jews," 243.

<sup>33</sup>Kelly and Nelson, *The Cost of Moral Leadership*, 814.

### CHAPTER 3

#### A BONHOEFFERIAN APPROACH TO ILLEGAL IMMIGRATION

With the basis of illegal immigration and Bonhoeffer's theology presented, this chapter approaches illegal immigration using Bonhoeffer's reflections. Until now, the paper offered the landscape of the complications surrounding illegal immigration. As a result, it clearly shows that the issue involves and affects governmental authorities, U.S. citizens, and illegal immigrants alike.

Considering the facts, no one disagrees that a response to illegal immigration in America is fraught with obstacles. However, one of the most significant complications on this matter has been the lack of unanimity within the church, particularly, on its role and responsibility towards the undocumented. Notwithstanding, most citizens recognize that illegal immigration involves different sentiments. The absence of information towards a fitting engagement causes a displacement of people's passions. Admittedly, some congregations in the U.S. feel that they have a wholehearted part to play on the issue, while others think they have no business in this matter.

Regardless, congregations and believers are mystified on how to address the visible reality of the undocumented, for the issue upsets their very neighborhoods, schools, and churches. Like it or not, the church can be likened to a rope that is being pulled by two screaming and opposing teams; in one direction a squad yells, "Submit to governmental rules," and the other team shouts, "I need to help my neighbor." Meanwhile, both sides hope that the rope will not snap. The outcomes are clear on illegal immigration. A divergence of opinions exists on the issue and continues to grow both inside and outside of the church. If the subject is not adequately addressed there is the

danger that sinful tendencies can fester through the propagation of fear, racism, exclusion, and animosity towards people of different statuses.

Be that as it may, Bonhoeffer would envisage a church that does not separate and cower from the challenges of illegal immigration. He would likely agree that it would be injudicious to leave this matter entirely in the hands of governmental authorities, for he assumed that the church that flees into invisibility is a community that denies the call; such a church is a community that no longer follows Christ.<sup>1</sup>

### **The Stakes Involving the Church and Illegal Immigration**

It is helpful to stress the stakes involving the contribution of the church to the subject of the undocumented. As noted, the problem stabs at the hearts of those who resist any church participation on the issue, stating that it is not within the scope of the church's responsibility. On the other side, there are those, whose sensibilities are disturbed, contending that it is within the mandate of the church to welcome the stranger. While others maintain a balanced approach, involving some aspects of care towards a neighbor and submission to governmental authorities. Irrespective, there is a danger if the church does not voice assuredly on the question of the undocumented. And entirely self-evident the church runs the danger of not being a visible community of Christ if it neglects the plights of anyone who is suffering.

Inevitably, what is at stake is the visibility of the church as the embodiment of Christ to the world. For the church is a body that engages with the vulnerable and participates as a witness to the promises of God. So too, the church engages in the well-being of all who are created in God's image—human rights. Accordingly, Christ teaches that the church is his body called for action; the concern for others is at the heart of the

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<sup>1</sup> Dietrich Bonhoeffer, *Discipleship*, ed. Geoffrey B. Kelly and John D. Godsey, trans. Barbara Green and Reinhard Krauss, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 2003), 110.



Christian faith (Matt 22:36-40). In fact, Bonhoeffer elaborates that the church as the representation of Christ must live for the sake of others for that is the demand of the cross. Christ died for the world. Thus it is incumbent for the church to imitate him. After all, the church's imitation of Christ stands as a witness to spotless Lamb of God for the world, and the crucified and risen Lord and Savior.<sup>2</sup> In short, the church participates in the suffering of the undocumented among us, and in fellowship with all who are in desperate need.

To put it succinctly, the wellbeing of others—which involves the undocumented in this context—is not only a matter a social justice but intrinsic to the renewal of human nature. In the same way, the defenseless and marginalized among us are essential for a believer's identity, because it is in Jesus that God is with us, as well as through the neighbor. To be human is to be in a relationship with others, for God does not desire a history of individual human beings but of the human community.<sup>3</sup> The point that Bonhoeffer makes is that the church community does not live in isolation, but in fellowship with all who are in need. It signifies that the church does not turn a blind eye to the immigration issue, for it is the duty of the church to be a community involved with helpless—the undocumented.

Ultimately, the stakes are high concerning the participation of the church with the undocumented. Not only can the church lose credibility in the eyes of secular society for neglecting the helpless, more importantly, the denial of the issue would also neglect the character and the heart of Jesus, who calls his community to be an incarnational representation of him in a world that needs to be desperate for him. In relating to Bonhoeffer's idea of the penultimate and ultimate, the penultimate must support the

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<sup>2</sup>Mark Devine, *Bonhoeffer Speaks Today* (Nashville: Broadman & Holman Publishers, 2005), 84.

<sup>3</sup>G. Clarke Chapman, *Universal Health Care as a Human Right: The Argument of Dietrich Bonhoeffer* (Lewiston, NY: Edwin Mellen Press, 2014), 43-44.

ultimate, for the penultimate conditions hold the gospel imperatives, and clearly the church should never be an obstacle for the proclamation of the gospel. Consequently, the obligations of social justice flow in order to fulfill the gospel imperatives.<sup>4</sup>

### **The Christian Response on Illegal Immigration**

The question at hand on the issue of the undocumented has not yet been fully answered. So, what is the response of the Christian when facing the dilemma to love your neighbor and obey government authorities? As noted, Bonhoeffer tackles the issue from two different fronts. One front is from a church's position and another from the individual Christian perspective.

### **The Moral Impasse between Loving the Neighbor and Obedience to Government**

The moral confusion on how to deal with the undocumented still pleads for guidance. The confusion stems from two foundational biblical teachings that appear to be at odds with each other. So the question is not directed to the desire for right action, but the identification of the right action.

The first biblical teaching underscores that the second greatest commandment is to love your neighbor as yourself (Matt 22:39). Notably, the principle of caring for the neighbor was always in Bonhoeffer's thoughts, which was evident in his writing corpus. He maintained that neighbors are every people that we meet. A neighbor is anyone who bears the image of Jesus, whether a beggar in rags or a businessperson. As Kelly highlights, for Bonhoeffer, "Jesus stands at the door and knocks, in complete reality. He asks for help ... He confronts you in every person that you meet. Christ walks on the earth as your neighbor as long as there are people."<sup>5</sup> Bonhoeffer would then ascertain that

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<sup>4</sup>Chapman, *Universal Health Care as a Human Right*, 49.

<sup>5</sup>Geffrey B. Kelly and F. Burton Nelson, *The Cost of Moral Leadership: The Spirituality of Dietrich Bonhoeffer* (Grand Rapids: William B. Eerdmans, 2003), 674.

any Christian disciple could never disregard or relegate the care of neighbor to someone else. Aimed at the heart of Christian disciples, Bonhoeffer cited Matthew to attest that Christ identified himself with the stranger, “For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me” (Matt 25:35). Bonhoeffer was simply reminding Christians what they should intuitively know in the first place. Given that, as for the undocumented, it follows that whenever believers encounter the them, believers are duty-bound to picture Jesus in them. Whether one likes it or not, the undocumented are neighbors that all Christians are called to love.

The second teaching relates to obedience to government authorities. God institute governments to preserve societies, for governments are his servant to praise those who do well and punish those who do evil (1 Pet 2:13-17). Paul elaborates that everyone is subject to governing authorities. They are the servants of God, his avenger, and his agent of wrath, to bring punishment on the wrongdoer. For that reason, believers are to honor civil authorities for they are the sword of God tasked to do his work (Rom 13:1-7). In a nutshell, God establishes governments to create, implement, and enforce laws—it includes immigration laws.

In the concept of deputyship, Bonhoeffer relates the role of governments. Just as parents care for their children, their care is within the bounds of the family. Similarly, the state occurs within the bounded order of the government. The state is an ordered community, and the government is the power that maintains and creates order in the community. In other words, God ordains government to exercise a worldly dominion by divine right. Government is deputyship for God on earth.<sup>6</sup> Inevitably, governments from time to time may well fail in devising proper and moral policies, just as they may succeed in other instances.

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<sup>6</sup>Jean Bethke Elshtain, "Bonhoeffer and the Sovereign State," *First Things* 65 (1996): 29.

Nevertheless, independent of their success and failure, and coming into being, everyone must come to grips that government appointment is divinely instituted. For Bonhoeffer, governments are legitimate with the proviso that they employ their divine rights within their God-given limits. In normal conditions, all peoples must honor, respect, obey, and submit to God's sword.<sup>7</sup> If submission to the authorities means submission to the laws they devise, then Christians are vessels that must obey the laws of the nation. Therefore, submission to the law embraces obedience to immigration laws formulated by the civil authorities.

### **The Call of the Church in the Illegal Immigration Debate**

Should the church ever disobey the government for the sake of the neighbor, the undocumented? It follows that when using two kingdoms thinking, some preliminary questions requires an answer before addressing the initial inquiry. The introductory questions are: has the government infringed in the church's role to care for the undocumented? Has the U.S government shown hostility towards religious liberty and become master over the church? The answer is no. Most sensible evangelicals agree that the U.S. government has not infringed on church's mandate nor inflicted sovereignty over it.

Nevertheless, the question of mandate intrusion, whether by the church or the state becomes more complicated when facing real life circumstances. For example, imagine a situation in which an illegal immigrant family asks the church for haven from governmental authorities. Is the church to grant them harbor or should the church voluntarily alert the authorities for removal? Furthermore, what if the call to obey God rather than men (Acts 5:29) is stressed, which complicates the question? Are Christians to obey God and disobey the authorities, which he calls to follow, whenever civil laws

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<sup>7</sup>Elshtain, "Bonhoeffer and the Sovereign State," 30.

appear to clash with scriptural teaching? Consequently, a real tension arises between the fulfillment of love for the neighbor and compliance to immigration laws. There is a strain in the act of faithfulness as citizens of the city of God and the city of men.

The question must reflect on Bonhoeffer's possible response. In this case, the two best places to attain a suppositious solution are to visit the two kingdoms doctrine—particularly in its usage during the Jewish question—and the penultimate and ultimate thinking.

By now, one should realize that the two kingdoms doctrine gave Bonhoeffer an interpretive framework for many of his decisions of this nature. Therefore, the distinction between the work of God in the world through the church and civil authorities is very helpful, because it delineates the role of the government as a protector and restrainer against the manifestations of evil in society, but not as a protector of the soul. In the spiritual realm, the church engages in the message of justification by grace through faith. The gospel deals with the spiritual work and one's relationship before God. Likewise, the task of the church is to proclaim the gospel, administer the sacraments, and promote good works. The church shines the light of Christ and does it for the purpose that others may see God through it. In the end, the unity of the church is grounded on the gospel and the sacraments, and it does not depend on any governmental laws, particularly, U.S. immigration laws.<sup>8</sup> So what does this mean? It means that the government can enforce temporal laws concerning the illegal immigrant, but it cannot interfere with the role of the church to carry out its ministry of Word and sacrament to the undocumented.

Now going back to the case of the church being a haven to the undocumented, Bonhoeffer would say that the church has a responsibility show mercy to those seeking safety. The church, a body that belongs to the spiritual realm, has the onus to provide and

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<sup>8</sup>Missouri Synod, *Immigrants among Us: A Lutheran Framework for Addressing Immigration Issues* (St. Louis: The Lutheran Church-Missouri Synod, 2012), 33.

create a space where illegals and non-illegals can be benefactors of the ministry of the gospel, and hear the message of the gospel. Furthermore, the church's provision of safety for the undocumented falls in line with the penultimate and ultimate concept. Chapman argues that the penultimate is the raw material for preparation of God's grace, which prepares the way for the justifying word.<sup>9</sup> For the sake of the ultimate, the penultimate opens the road for the preaching of the gospel. In echoing John the Baptist, the church prepares the way for the Word. The church creates the condition where bread, shelter, community, order, and freedom are given to anyone who asks for it for the sake of the Word. Conversely, when the church does not prepare the way for the hungry, the church is guilty of the denial of bread and the faith to those in needs. Ultimately, it is within the obligation of the church to provide safety to the undocumented and to remove anything that constricts the way for the ultimate.

On the other hand, the church cannot usurp the role of the government, and because the church is made of citizens of the city of men, it stands by immigration laws. It means that the church abides by the rules of employment, criminal offense, transport of illegals through national borders, and provision of information when requested.

In the end, the church has the right to proclaim the gospel, teach the word of God, deliver the sacraments, and aid the undocumented with aspects such as the inclusion of undocumented children to private education, provision of legal assistance, or food and shelter. In any case, as a guideline, the church instructs all parties to fulfill its responsibilities to the law and the fullest extent.<sup>10</sup>

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<sup>9</sup>Chapman, *Universal Health Care as a Human Right*, 49.

<sup>10</sup>Missouri Synod, *Immigrants among Us*, 49.

## **The Responsibilities of Christians to Illegal Immigrants**

Believers have a personal responsibility anytime they encounter situations pertaining to the undocumented. They are responsible for the laws of God and the laws of the state. Accordingly, the question affects the call for obedience, particularly each time the higher laws of God clash with the secular laws of the land. What is a Christian to do in instances when the duty to upkeep civil laws conflict with the responsibility to upkeep his/her religious convictions? Bonhoeffer would say that the response is often a calculation based on the recognition and the cost of being a disciple of Jesus.

However, what are disciples? Bonhoeffer measures disciples to be believers who confronts the realities of their call. A call that involves the bearing of the cross and living a life for the sake of Christ.<sup>11</sup> In other words, disciples may be victimized and persecuted but will endure the hardships if required. Bearing the cross also means that disciples endure punitive measures for the sake of Jesus. Disciples recognizes Jesus' call, for they leave the net to follow him. Disciples understand the perils of being followers of Jesus; nevertheless, they follow Jesus whatever the cost. Finally, disciples understand God's grace. A grace that does not exist without the cross and a grace that does not manifest without living the incarnate Jesus.<sup>12</sup>

So what are disciples to do when civil laws violate the laws of God? Especially in cases when the consciousness of a disciple is disrupted. Disciples are then required to act in disobedience to the governing body. The reality is that the breaking of unjust laws is an act of discipleship. In times of revolt, the disciple is called to act—in a non-violent manner—against the law that violates God's dictum. As such, Bonhoeffer urges that in ethical situations, the divine will must eclipse the will of men. In the lecture titled *The Basic Questions of a Christian Ethic*, Bonhoeffer insists that decisions are always made

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<sup>11</sup>Bonhoeffer, *Discipleship*, 88.

<sup>12</sup>Bonhoeffer, *Discipleship*, 43.

within an ongoing relationship with the will of God. The world may do violence against the conscience of a man, but there is only one decision. The decision is namely the one that God leads the disciple to make in the sacred hour of the encounter. In those hours, the will of God must conquer the will of man.<sup>13</sup> Thus, whenever a divine will conflict with civil laws, the disciple bears the cross and undergoes the penalties associated with the disobedience against civil law. Ultimately, a disciple must be ready to suffer the consequences.

In relating to immigration laws, clearly not all laws will be impartial or just. Therefore, it is inevitable that certain rules and laws will clash with the Christian conscience. Additionally, there will also be times when the battle between immigration laws and God's laws will be muddled, resulting in diverse opinions within the church. Therefore, it is essential to acknowledge that not all Christians will see eye to eye in every illegal immigration issue. In such cases, disciples recollect that difference in opinions should never handicap Christian unity. Every disciple has a unique identity in the body of Christ, and as a community, all serve in unity. As Bonhoeffer stresses, "The church is one; it is the body of Christ. At the same time, it is the multiplicity [Vielheit] and community [Gemeinschaft] of its member ... The unity of the church-community gives identity and meaning to each individual and to the community as a whole."<sup>14</sup> In the end, disciples of Jesus take into account that in diversity there is unity, and all work for godliness and a just resolution.

As justified sinners, citizens of the city of God and the city of men, disciples cannot escape the realities of sin. In decision-making, the choices that disciples make will not always be perfect in the eyes of God. Thus, believers will not always fully understand or follow the will of God faultlessly. In such cases, Bonhoeffer calls disciples to sin

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<sup>13</sup>Bonhoeffer, *Barcelona, Berlin, New York 1928-1931*, 372.

<sup>14</sup>Bonhoeffer, *Discipleship*, 220.



boldly, “Pecca fortiter, sed fortius fide et gaude in Christo,” that is “Sin boldly but believe and rejoice in Christ even more boldly!” He then adds, “Admit your sin boldly; do not try to flee from it but believe much more boldly. You are a sinner, so just be a sinner. Do not try to be anything else than what you are. Become a sinner again every day and be bold in doing so ... Luther’s statement understood as a conclusion becomes that costly grace which alone is grace.”<sup>15</sup> That is, the appeal is to sin boldly, but let a disciple’s trust in Christ be stronger.

So what is the relevance of this idea of sinning boldly? Instances will come when believers will be called to sin for the sake of the undocumented neighbor—using reason in the best of their abilities. As a result, suffer the consequences for sinning boldly and turn to Christ for forgiveness. God calls believers to act responsibly with a bold faith to the best of their abilities. In the quest for bold actions, ask for forgiveness, as God promises consolation to those who seek such a path. There will be times when justified sinners will be unsuccessful in serving the undocumented, obeying civil laws, and doing what is best for both. Thus, in error, confess your sins, ask for forgiveness, and endeavor to always do better. Ultimately, remembering that disciple of Jesus bears the cross for the sake of the neighbor.

### **The Role of Vocation in Care for Illegal Immigrants.**

Vocation (work) is one of the four mandates expounded by Bonhoeffer. Vocation is a divine commission, for the maintenance of the world. Vocation is one of the means, which God brings the fulfillment of His plan. Vocation is the call God gives His people to fulfill the law and serve the neighbor.

Articulated by Luther, he understood vocation as all-embracing, beginning from creation, to preservation, and ultimately redemption. According to Allen Jorgenson,

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<sup>15</sup>Bonhoeffer, *Discipleship*, 52.

for Luther, Christ lives in the life of the believer through faith. The presence of Christ moves the faithful to fulfill the commands of God. Imitation of Christ follows that it is only possible because Christ first acted upon the believer.<sup>16</sup> The faithful, therefore, follows a vocation that embraces the vocation of Jesus. A vocation that embraces the cross because Christ propels him or her to do so.

Moreover, vocation occurs within the intersection of the two kingdoms, which is within the realm of the law and the gospel. It is within both realms that the crisis of crucifixion happens, and where vocation takes place. For God places all humans with a job, where life happens and advances. God uses vocation as the means by which God's work advances. It is the very reason why Luther believed that vocation was an object of faith.<sup>17</sup>

Bonhoeffer believed that law and gospel operated within the temporal and spiritual kingdom and vocation functioned in the junction of the two kingdoms. He further added that the call of the faithful was to follow Christ. In consequence, a disciple of Jesus could never choose his/her cross, meaning that a disciple cannot choose the time and place where God calls him/her to meet the needs of a neighbor.<sup>18</sup> Furthermore, the gospel ought to be the agent that drives the disciple to fulfill his/her calling.

Subsequent, vocation uniquely correlates to responsibility. In fact, both cannot coexist apart from each other, as Bonhoeffer writes,

In an encounter with Jesus Christ, a person experiences God's call, and in the calling to a life in community with Jesus Christ .... The call reaches us as Gentile or Jew, slave or free, man or woman, married or unmarried. Right where they happen to be, human beings ought to hear the call and allow themselves to be claimed by it .... Only by the call of grace heard in Jesus Christ, by which I am claimed, may I live justified before God as a slave or free, married or single. From Christ's

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<sup>16</sup>Allen Jorgenson, "Crux Et Vocatio," *Scottish Journal of Theology* 62, no. 3 (2009): 287.

<sup>17</sup>Jorgenson, "Crux Et Vocatio," 291.

<sup>18</sup>Jorgenson, "Crux Et Vocatio," 292.

perspective this life is not my vocation; from my own perspective it is my responsibility.<sup>19</sup>

In other words, at the heart of Bonhoeffer's statement is the notion that vocation is a call to a person, and the responsibility is the person's response. Thus, vocation is the highest calling a Christian can have, and the responsibility entails being a follower of Christ for your neighbor.

How does vocation play a part in illegal immigration? First, God creates a world with people to maintain his creation, while affording protection, provision, and the necessary means for humans to do God's work. In turn, through vocation (calling) of others, whether as a farmer, teacher, businessperson, doctors, or others, people receive their daily bread. Luther noted that vocation was a "mask of God," because it is God that is doing the work through the farmers, priests, teachers, and others.<sup>20</sup> Behind the work, God is always the provider. It follows that all people are masks of God in their various callings, remembering that no vocation is less critical than the other. It all God's callings for the individual person and vocation is the measure that God sustains the world.

Second, in the preservation of creation through people's vocations, there will be neighbors to attend. The neighbor includes those who need assistance, and on occasion, it includes illegal immigrants. The faithful has a higher calling, and as receivers of the grace of God in Christ, they are sent out to the world to their routine lives, proclaiming the gospel of redemption and serving the physical and spiritual welfare of the neighbors they meet. In the places of vocation, believers will encounter neighbors with real faces, real stories, and real experiences. Likewise, the undocumented people will have faces, stories, experiences, and the need for neighborly assistance.

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<sup>19</sup>Bonhoeffer, *Ethics*, 289-290.

<sup>20</sup>Gene Edward Veith, "Authority in Vocation," *Tabletalk Magazine*, March 2009 (2009), <https://www.ligonier.org/learn/articles/authority-vocation>.

Third, there is an element of priority. People will meet many neighbors in their places. The question is: which one am I called to help first? Preference is given to the most destitute neighbor. Very often, the undocumented turns out to be the neediest of the neighbors. The faithful must choose to whom they will give priority to love and advocate; the answer is the most vulnerable should always be given priority.

Essentially, God calls every disciple of Christ to serve their neighbor, and that is the demand that God places upon everyone they meet in their places of work. Christ calls the faithful to bear the cross, and vocation cannot be an excuse not to do so. As a teacher, a lawyer, a police officer, or a border patrol agent, all faithful people fulfill God's calling within the parameters of the secular law, while acting as people of God in the care of the neediest. Christians may disagree on what is the best way to serve the undocumented, but the call to help is non-negotiable.

### **Approaching Public Policy on Illegal Immigration**

How would Bonhoeffer approach the twenty-first-century question on public policy concerning illegal immigration? A few guidelines need to be considered before suggesting any Bonhoefferian approach to immigration policy and reform. As such, Amstutz offers a few requisites for consideration before advocating an immigration policy change.

First, everyone must realize that there are no ideal immigration policies that will satisfy all the requirements of all citizens and illegal immigrants. Hence, the goal is to strive for an operative and just body of policies. Second, devised immigration laws require an unbiased application of the rules, which at times that can be very difficult to secure. It has been noted that the government is the sword that delivers the justice of God. Therefore, actions against illegal immigrants by the government must be perceived as just by all parties. Third, immigration policies require ethical analysis that goes beyond the mere intention to care for the undocumented. The objectives, means, and actions towards

the undocumented must conform to the rule of law and justice. Fourth, the usage of biblical ethics in immigration policies must be cohesive with a competent understanding of U.S. immigration laws. Last, the goal for any immigration policy is to enhance human welfare for all, regardless of one's nationality and legal status. All should be recipients of human dignity.<sup>21</sup>

In addressing immigration reform, Bonhoeffer would say that the church is not in the business of devising public policies. However, if Christians are in vocations that can affect policy changes, then they are to use biblical norms and ideals for guiding changes. Again, the importance of vocation is highlighted where the church and the world intersect. In vocation, Christians join the law and gospel, exercising the works of God.

Likewise, it is important to stress that not all public policies will require ethical intervention, such as annual quota of and distribution of visas. Thus, it is eminent that those affecting policies differentiate matters that require moral influence with non-moral concerns. Ultimately, all parties must realize that Scripture does not make available a comprehensive policy guide to illegal immigration, but offers the moral bounds, reasons, and thoughtfulness to inspire public affairs.

Next, everyone must recognize that the questions affecting U.S. immigration have various moral implications. Some of the questions include precedence of host societies over the undocumented, priority of illegals over regular immigrants, preferential treatment of illegal children, or benefit entitlement to the undocumented are just a small subset of the issues facing those called to work on immigration reform.

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<sup>21</sup>Mark R. Amstutz, *Just Immigration: American Policy in Christian Perspective* (Grand Rapids: William B. Eerdmans Publishing Company, 2017), 105.

Therefore, the question goes back to how Bonhoeffer would deal with these various issues on policy. And the assumption is that Bonhoeffer would weigh in two essential criteria in any reform proposal, which is the family and human rights.

### **Focus on Family**

Marriage is a divine mandate, according to Bonhoeffer. It is divine because of its original and final relation to Jesus. By itself, marriage would not be divine. Its sacred character cannot be viewed solely in its utility or value but in origin, existence, and purpose of marriage in Jesus. Marriage was mandated from the beginning of the origins of man. In marriage, man and woman become one before God, as Christ becomes one with the church. In marriage, there is procreation of life, and in creation, humans enter the will of God. For in marriage, humans are procreated for the service of Christ, for the glory of God, and the work of His kingdom. In marriage, parents are commissioned to raise their children to know and obey Christ, as parents are given the role as God's representatives for their children.<sup>22</sup>

Bonhoeffer understands the confines of the marriage and family as one of the four vital divine mandates. Stephen Bouman, a Lutheran scholar, states that one of the criteria in the Lutheran Immigration and Refugee Service uses for weighing the value of any immigration reform proposal is the promotion of family unity.<sup>23</sup> For Bonhoeffer the family is the unit that protects and guards the wellbeing of human life. Therefore, it is crucial that the family takes a prominent role in the immigration question.

Throughout the history of U.S. immigration, it has been understood that family reunification has been a primary area of the immigration policy. However, considering the importance of family, greater efforts on family reunification must take in effect for

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<sup>22</sup>Bonhoeffer, *Ethics*, 69-71.

<sup>23</sup>Stephen Bouman and Ralston Deffenbaugh, *They Are Us: Lutherans and Immigration* (Minneapolis: Augsburg Fortress, 2009), 70.

any proposal in immigration reform. The strengthening of family unity for the documented and undocumented does not only have an emotional influence but a spiritual impact. When families are broken, the oneness of marriage and parenthood is broken; thus, forsaking the divine mandate of marriage. It impedes the formation of children's identity, care, and love.

Currently, some of the issues faced for family reunification are the long backlog of visa availability for families. For the undocumented, the problems are even greater, since there are many instances of incarcerated parents facing deportation, and separation from their children. In cases of mixed-status families—with a documented child, or spouse, and an illegal significant other—there is the terrible dilemma of the broken family, for, under the current immigration law, it is problematical for the undocumented spouse to remain together in the country and regularize his/her status.<sup>24</sup> Consequently, the Lutheran position is undoubtedly right for making family reunification as the first objective to any immigration reform.

Last, the fifth commandment of the Decalogue expounds that one is to honor the father and the mother, as commanded by God (Deut 5:16). This passage highlights the importance of family unity, since one's behavior inside the basic unit of society promulgates to the broader community. It follows that for the betterment of a larger state with strong values and faithful people, immigration reform with policies that protect families is to the benefit of all in this country. As Bonhoeffer verifies, "God is the founder of marriage. Marriage is more than your love for each. It has a higher dignity and power, for it is God's holy institution through which God wishes to preserve humanity until the end of time ... in marriage, you are placed and given responsibility within the world and the human community."<sup>25</sup> In conclusion, the preservation of marriage or family, for the

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<sup>24</sup>Bouman and Deffenbaugh, *They Are Us*, 66.

<sup>25</sup>Dietrich Bonhoeffer, *Letters and Papers from Prison*, *Dietrich Bonhoeffer Works*

sake of God's office and work, such must always be at the foci to any immigration reform discussion.

### **Focus on Human Rights**

As noted in the earlier section on human rights, Bonhoeffer recognizes that the opening of the way for Christ is the responsibility of all believers. However, to make the way conceivable, human rights—social justice, right to life, release from cruelty, freedom of thought, and others—must stand. For the church to fulfill its commission to preach the gospel, or for the individual believer to reach the lost, there cannot be a deprivation of the human being. Bonhoeffer offers an example “when a human life is deprived of the conditions that are part of being human, the justification of such a life by grace and faith is at least seriously hindered, is not made impossible.”<sup>26</sup> Understanding the notion of the ultimate and penultimate explains Bonhoeffer's weight on human rights. Anything that destroys the penultimate harms the ultimate. Therefore, the proclamation of the gospel cannot be hindered, and all must be done for the word of God to have free passage. Bonhoeffer asserts, “The way for the word must be prepared, The Word itself demands it.”<sup>27</sup>

The idea of human rights also looks at the reality that all men are created in the image of God and given a shared dignity. Men are to live in right relationship with each other, with the Holy Trinity demonstrating the right relationship; men are also to live in a life-giving relationship. Bonhoeffer argues that to be created in the image of God signifies that the human is like the Creator in that he is free. And being free is being free for the other, “because I am bound to the other. Only by being in relation with the other I

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(Minneapolis: Fortress Press, 2015), 52.

<sup>26</sup>Bonhoeffer, *Ethics*, 160.

<sup>27</sup>Bonhoeffer, *Ethics*, 160.



am free.”<sup>28</sup> Later he adds that God creates humans to be free and to be free for God.<sup>29</sup> Therefore, humankind retains the image of God, is in a life-giving relationship with others, and is free to be under the rule of God and for God. That is the dignity God grants humankind, and no one can take or remove it. Besides, the authors of the *ELCA Social Message* remind us that “God’s gift of dignity is immutable, indivisible, and inseparable from our being.”<sup>30</sup> By upholding the dignity of men and the protection of human rights honors God and responds to the neighbor in need.

Regrettably, violation of human rights is repeatedly observed in cases related to the undocumented. Violations are usually exposed through accounts of exploitation of laborers, undue wages, uncertain working environments, fear of insecurity, marginalization, intimidation, a life within a dual society, absence of worker’s rights, and exploitation by employers, and others. These are examples of interference of the penultimate, which harms the ultimate, and deprivation of the dignity of the undocumented who are explicitly created in the image of God.

As God orders society through justice and the promotion of justice through the law, immigration laws must seek to safeguard the dignity of all men—documented and undocumented. Furthermore, reform proposals must include two key provisions, according to Bouman. The first provision relates to the essential rights of workers, which involves the right to quit a job and depart from servitude. Immigration policies must include protection from exploitation. The second provision ties with the focus on the family, which is the right have family members close.<sup>31</sup> Immigration policies towards the

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<sup>28</sup>Dietrich Bonhoeffer, *Creation and Fall: A Theological Exposition of Genesis 1-3*, trans. Douglas Stephen Bax, *Dietrich Bonhoeffer Works* (Minneapolis: Fortress Press, 1997), 63.

<sup>29</sup>Bonhoeffer, *Creation and Fall*, 63.

<sup>30</sup>*A Social Message on Human Rights* (Chicago: Evangelical Lutheran Church in America, 2017), 3.

<sup>31</sup>Bouman and Deffenbaugh, *They Are Us*, 74.

undocumented must involve constitutional and humanitarian values, which protects the undocumented from marginalization. The undocumented often live in a dual society, comprised in one that citizens live in, and another made of those who are voiceless. Members of this voiceless society are often the most vulnerable, unable to enculturate, contribute to the economy, move freely, restricted in independence, and exist with God's given dignity.

The creation of policies for equality and universality of human worth is not always easy to achieve, for the task the government is to protect the state, regulate immigration, and advance the worth of its people. As previously argued, communitarianism, which promulgates the right of states to exist and determine its own policies and boundaries, is the key to the protection of human rights. Without a state, there would be no enforcement of laws. Thus, with the acceptance that governments are fully authorized to create policies that give preferential treatment to its citizens, it must also be mindful not to disregard the fundamental human rights of the undocumented.

## CHAPTER 4

### CONCLUSION

The paper aimed to understand the state of illegal immigration in the United States and provide some responses on how the church and the individual Christian can engage in this subject using the theology of Bonhoeffer. The paper provided an overview of immigration regulation, beginning with a case for communitarianism, which grants to the basis and rationality of immigration laws. Immigration laws are necessary for the protection of the citizens belonging to a community. It provides the measures required for labor protection, welfare of people, economic equality, proper assimilation of immigrants, the rule of law, the safeguard of national sovereignty, security, and others. However, policies are susceptible to error. There are many gaps in achieving the measures intended for a just immigration. With an influx of illegal immigration and gaps in today's immigration policies results in the need for continued revisions and amendments to ensure equality and justice.

Immigration policies do not always deal with moral issues. On the other hand, in the areas that require moral elements, it is important to instill biblical ethics. Bonhoeffer's theology offers a way to approach the ethical elements of illegal immigration policies as well as answers to the involvement of the church in the issue. It was understood that Luther's two kingdom thinking undergirded much of Bonhoeffer's theology. Resultantly, Bonhoeffer offers a path for the church, the individual believer, and the state. The church proclaims the gospel, and the state executes justice. As for the individual Christian, every believer is responsible for the church and state. Responsibilities are further underscored in marriage and vocation. These two principles

are key motivations for any illegal immigration policy debate. Additionally, Bonhoeffer's ultimate and penultimate concept bears on Christian responsibility towards the neighbor.

In conclusion, the church, as the proclaimer and protector of the gospel, fulfills its mandate without interfering with the mandate of God for the state. The church does not get involved in illegal immigration policymaking, or any policymaking for that matter, nor does it judge the sword of God unless violations are made visible. The church lends a hand to the neighbor (illegal immigrant), delivers the means of grace, while obeying civil laws when bound conscientiously ethical. Likewise, the state allows the church to fulfill its mandate without meddling on its mandate. As for individual Christians, they embrace their vocations and act faithfully and responsibly towards the undocumented. If believers are in a place to dictate or influence immigration policymaking, then they understand their roles and serve God on behalf of all neighbors, citizens, and undocumented alike. Finally, on policymaking, focus on family and human rights must always be guiding principles to ensure a just immigration.

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## ABSTRACT

### LOOKING AT ILLEGAL IMMIGRATION IN THE UNITED STATES THROUGH THE LENSES OF DIETRICH BONHOEFFER

Peter Dong Soo Lee, Th.M.  
The Southern Baptist Theological Seminary, 2019  
Faculty Advisor: Dr. Jonathan T. Pennington

The United States is a sovereign nation formed by immigrants from its very beginnings. Today, the U.S. is a nation proud of its diversity, formed of people of various backgrounds—race, nationality, education, religious background, or economic status. Nonetheless, we are also reminded that the U.S. is a larger community comprised of borders and laws for the protection and flourishing of its people. For many in the world, the U.S. represents a model country—not a perfect country, but a democratic country—where people from various parts of the world long to come with the hopes for a better life.

Consequently, immigration laws and the enforcement of the laws become a never-ending task. An essential job to those who legislate and enforce the laws is the integration of the moral components that undergird the shaping and exercising of immigration-related responsibilities. For that reason, the thesis of this paper examines the issues relating to illegal immigration. Using the theology of Dietrich Bonhoeffer, the paper attempts to uncover approaches to tackle this issue from a state, church, and individual Christian perspective.

Chapter 1 begins with an introduction to the paper as well as a case for the validity of nations and laws. It also provides a background on U.S. immigration, and the current issues relating to U.S. illegal immigration.



Chapter 2 introduces the theology of Bonhoeffer, beginning with the Lutheran two kingdoms thinking. The chapter then covers Bonhoeffer's stance on individual responsibility, human rights, and the application of his theology on the Jewish question.

Chapter 3 attempts to reflect Bonhoeffer's theology and ethics on the current state of the U.S. illegal immigration issue.

Chapter 4 ends the thesis with an overview of the impact of Bonhoeffer's view on the state, church, and individual concerning illegal immigration.

## VITA

Peter Dong Soo Lee

### EDUCATION

B.S., Rochester Institute of Technology, 1999  
M.A., Baptist Bible College and Seminary, 2013  
M.Div., Liberty Baptist Theological Seminary, 2016

### ORGANIZATIONS

Baptist Convention of Maryland/Delaware

### MINISTERIAL EMPLOYMENT

Church Planting Intern, Bethany Church Columbia, Columbia, Maryland,  
2016-2017