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Marchers leave Birmingham's Linn Park after a silent protest of Alabama's new immigration law on June 25, 2011.

Photo courtesy of the *Birmingham Times*

That "Merciless Law": The Faith Response to Alabama's HB 56

By Edward B. Arroyo, S.J., and Sue Weishar, Ph.D.

The harshest anti-immigrant bill ever passed by a state legislature was signed into law by the governor of Alabama on June 9. Soon after, the U.S. Justice Department, civil rights groups, and four Alabama bishops filed lawsuits to prevent its enforcement. The bishops argued that sections of HB 56 that criminalize transporting or harboring an undocumented immigrant and prohibit any actions that "encourage or induce" undocumented immigrants to live in the state interfere with Alabama citizens' First Amendment right to freely express their Christian faith, especially the performance of the sacraments and church ministries that serve the poor. The bishops were forceful in their condemnation of HB 56, calling it "the nation's most merciless anti-immigration legislation." Archbishop Thomas Rodi of the Archdiocese of Mobile stated, "No law is just which prevents the proclamation of the Gospel, the baptizing of believers, or love shown to neighbor in need. I do not wish to stand before God and, when God asks me if I fed him when he was hungry or gave him to drink when he was thirsty, to reply: yes, Lord, as long as you had proper documents."¹ The historic lawsuit filed by Archbishop Rodi, Bishop Robert Baker of the Catholic Diocese of Birmingham, Episcopal Bishop Henry Parsley, Jr., and Methodist

Bishop William Willimon is the first time that a group of bishops have filed suit to stop an anti-immigrant law at the state level.

On September 28, U.S. District Judge Sharon Blackburn entered a preliminary injunction against several sections of the law, including Section 13, which criminalized transporting or renting to an undocumented immigrant. She declined to prevent enactment of some of the harshest provisions of the law, including the requirement that Alabama schools check the immigration status of new enrolling students and their parents. As a result,

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thousands of children were withdrawn from school by parents terrified that school officials would report them or their children to immigration authorities.

On October 14, the U.S. 11th Circuit Court of Appeals blocked the provision that schools check immigration status, but let stand the provision that makes it a felony for an undocumented immigrant to enter into a business contract with the state, the provision barring courts from enforcing contracts involving undocumented immigrants, and the provision requiring law enforcement officers to determine the immigration status of anyone they stop who they “reasonably suspect” is in the country illegally.²

Opposition to HB 56, especially from the religious community, has been growing since the bill passed. A rally and candlelight vigil sponsored by church and faith-based groups drew a diverse crowd of approximately 2,000 people to the streets of downtown Birmingham on July 9.³ In September and October, JSRI conducted a series of interviews to explore Alabama faith communities’ response to the law, which we report here.

There has been a great deal of inter-religious collaboration in ministerial alliances—including Christians, Jews, and Muslims—to reflect on the impact of the law as well as simply to pray together. For example, on September 1, Greater Birmingham Ministries, an interfaith coalition of 20 religious communities, co-sponsored a “Rally for America’s Future: Repeal HB56!” in Birmingham’s Linn Park attended by hundreds.

Hispanic ministers have been involved at many levels, first and foremost ministering directly to the thousands of families impacted. In an October 6 press conference, “Crisis in Alabama Intensifies: Children Caught in the Crossfire,” Episcopal Hispanic minister and Auburn University professor Pamela Long described how the decision to flee Alabama led to the breakup of a successful business employing six people and disrupted the lives of three of their children, who are U.S. citizens.

Faith-justice organizations have played multiple roles in the response. JustFaith Ministries’ *Just Matters* educational module “Crossing Borders: Migration, Theology and the Human Journey”⁴ has served as a source of enlightenment in education on these issues, and JustFaith graduates have been prominently involved in Birmingham’s anti-HB 56 activities, including the July 9 rally.

JSRI has also been active testifying before the state legislature and educating the public about fundamental Judeo-Christian beliefs as they apply to HB 56. Fr. Ted Arroyo, S.J., made presentations to the state legislature, at a prayer vigil, at a campus “Table Talk,”⁵ and to a meeting of the League of Women voters on “Catholic Social Thought and HB 56,” where he stressed the importance of developing dialogue across ethnic and religious boundaries about faith and immigration.

Since the implementation of HB 56, many churches have held educational forums, such as “know your rights” presentations for potential victims of HB 56 and others so that they can learn more about the impact of the law on members of their communities. College and university campus ministries have also offered public educational forums on the impact of this law and how the campus community can respond in solidarity.

The religious press in the state has published columns and articles about HB 56, taking on the controversial issue of undocumented immigration more than ever before. A front page article in the September 16 *Catholic Week* of the Archdiocese of Mobile highlighted the U.S. Catholic Bishops’ Migration Committee’s support for the Alabama bishops’ efforts opposing the unjust state immigration law.

The role of prayer was evident in many faith leaders’ reaction to the law. One church leader prayed for a young adult to surface who would be willing to organize a prayer vigil. Almost at the same time, the young adult who eventually organized a vigil said that he was praying about what to do about HB 56 and that Our Lady of Guadalupe (the patron saint of Mexico) inspired him to take action. He said that never before had he been involved in a public demonstration.

Although the young man received some resistance from his own family, he felt that the Holy Spirit moved him to act. Another organizer said that he got involved because of his moral and spiritual objections to the law.

CONCLUSION

Faith communities had little to say about HB 56 as it wound its way through the Alabama legislature, in part because many were overwhelmed responding to the devastating tornadoes that tore through the state on April 27. Now tornadoes of fear and humiliation are uprooting families and communities. People of faith and good will in Alabama have been on the front lines building solidarity and resistance to HB 56, but with crops rotting in the fields and children terrified to go to school, the lament is thunderous. Faith leaders in other Gulf South states have much to learn from the Alabama experience, mainly that we must prevent laws like HB 56 from ever taking root and work to create a different vision of our future. Pope John Paul II described the challenge and hope facing us with this simple and profound image:

Like the disciples of Emmaus, believers, supported by the living presence of the risen Christ, become in turn companions of their brothers and sisters in trouble, offering them the word which rekindles hope in their hearts. With them they break the bread of friendship, brotherhood and mutual help. This is how to build a civilization of love. This is how to proclaim the hoped-for coming of the new heavens and the new earth to which we are heading.⁶

The Alabama faith community is learning new lessons about building a civilization of love. Others will need to learn these as well.

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ENDNOTES

- 1 See Archdiocese of Mobile website at www.mobilearchdiocese.org/temp/immigration.cfm. Accessed October 26, 2011.
- 2 Campbell Robertson, "Part of Alabama Immigrant Law Blocked," *The New York Times*, October 14, 2011. Accessed October 26, 2011: <http://www.nytimes.com/2011/10/15/us/2-alabama-immigration-law-provisions-are-blocked.html>
- 3 Jay Reeves, Associated Press, "Churches Lead Opposition to Immigration Law," *Tuscaloosa News*, July 11, 2011. Accessed October 26, 2011 at: <http://www.nytimes.com/2011/10/15/us/2-alabama-immigration-law-provisions-are-blocked.html>
- 4 See <http://www.justfaith.org/programs/justmatters.html>
- 5 JSRI's Alabama Associate, Fr. Ted Arroya, S.J., discussed Catholic Social Thought implications for HB 56, "God's Love Has No Borders," at a Spring Hill College "Table Talk" luncheon on September 28.
- 6 *Ecclesia in America*, available online at http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_22011999_ecclesia-in-america_en.html

*For Christmas 2011, please help
us to shine the Light of Christ
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and hopelessness.*



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