

BOOK REVIEWS

Just Immigration: American Policy in Christian Perspective. By Mark R. Amstutz. Grand Rapids: Wm. B. Eerdmans. 2017. Pp. 272. \$25.00 (paper). ISBN: 978-0802874849.

With debates about immigration policy having moved to the center of the American political landscape in the Trump era, often with church leaders taking prominent roles, Mark Amstutz's new study of migration and Christian ethics could hardly be more timely. Amstutz, a respected political scientist at Wheaton college, writes in the conviction that the American churches, many of which have come out in vocal support of comprehensive immigration reform, need to be both better informed about the complexities of immigration policy and more introspective about the ethical implications of their own conceptions of global order. The resulting book aims to provide at once a primer on how the US immigration system works; a comparative profile of Catholic, Evangelical, and Mainline Protestant approaches to immigration policy; and a critique of the cosmopolitanist assumptions informing many American Christian voices in debates about migration.

The results, to my mind, are mixed. Amstutz's presentation of US law and policy regarding immigration is admirably clear and his assessment of the strengths and weaknesses of the current system is fair-minded. The comparative section of his book helpfully highlights areas of overlap between different strands of American Christianity on migration issues while illuminating the theological grounds for their differences. The discussion of international ethics, however, leaves much to be desired. Amstutz's presentation of the ethics of migration, and indeed the entire way in which he structures the task of applied ethics, have the effect of presumptively reinforcing the status quo in contemporary immigration policy. Critical ethical perspectives on the present system go largely ignored, and as a result some of the promise of the book is unmet.

Amstutz begins with a sensible enough premise: that interventions of Christian ethics into the public forum should be founded not only on biblical injunctions and church teachings but also on a firm grasp of both the messy realities of policymaking and the theoretical resources of political science. He is certainly right that many church leaders and religious activists would benefit from being better versed in the complicated nuts and bolts of the US immigration regime, and he ably sets about remedying this deficit in the first part of his book. In accessible layman's terms he sketches the basic character of international migration and state competencies for regulating immigration, emphasizing the asymmetry between the right of persons to free movement and the sovereign right of states to refuse admission: "Citizens are free to emigrate, but they do not have the right to immigrate" (16). His account includes a historical look at the development of US policy that acknowledges the role that race, economics, and nationalism have played. He provides an overview of the current (as of 2016) architecture of US immigration law as it bears on various classes of migrants, and guides his readers through the labyrinthine institutional structure of government agencies involved in administering immigration policy.

Amstutz follows his portrait of the US immigration apparatus with a chapter that undertakes to assess both its effectiveness and whether it is "fair" and "just." The discussion that follows, however, addresses only the first aim. Again, Amstutz is clear and concise in setting out strengths and weaknesses of the present system, praising its generosity and inclusiveness while frankly addressing the bureaucratic deficits, political pathologies, and other flaws that lead many to describe it as "broken." Understandably, he is especially concerned with the problems for law, policy, and

enforcement posed by the over ten million “illegal” (or “undocumented,” or “unauthorized,” or “irregular”) immigrants in the United States, and he capably limns the considerations and forces that make the issue of how to deal with this population so intractable.

I had some quibbles with a few points of Amstutz’s overall presentation of the US immigration regime. For example, he gives virtually no attention to instruments of international law—such as the global conventions on the rights of migrant workers and children—that regulate important aspects of immigration. Likewise, we learn nothing about humanitarian refugees—such as the many Caribbean and Central American migrants awarded Temporary Protected Status—who settle for the long term in the United States. Although Amstutz acknowledges that unauthorized migrants are accorded some due process protections, one might be excused for concluding from his discussion, incorrectly, that they do not enjoy constitutional rights. And his undocumented assertion that the influx of tens of thousands of unaccompanied minors from Central America in 2014 “reflected families’ decisions to use children, aided by smugglers, to enter the country with the knowledge that they would be treated differently than adults” (6) does not do justice to a complex reality shaped in part by gang violence exported from US barrios. On the whole, though, he parlays his skills as a political scientist and his experience visiting immigration courts into a balanced and persuasive analysis.

Amstutz next turns to the topic of international ethics, on the assumption that a Christian ethics of immigration can be refined through a stronger understanding of what constitutes justice in the global system. Unfortunately, Amstutz approaches this topic in a way that hamstringing his discussion from the start. His guiding intuition appears to be that Christian leaders who call for immigration are in thrall to an uncritical and unrealistic cosmopolitanism that commits them to immoderate and impractical proposals, and he proposes that an acceptance of the “communitarian” reality of an international system dominated by nation-states would provide the necessary antidote. The main problem with his approach is that he stipulates at the outset that this latter perspective is “normative” (15) for his study. He thus rules out from the beginning a discourse of international ethics that questions the morality and justice of the present regime of international borders, membership practices, and migration regulation. But these are precisely the sorts of topics that make up the meat of many discussions in the ethics of migration today.

As a consequence, Amstutz’s discussion of international ethics is problematic in several ways.

To begin with, he frames his discussion around the contrast between his own favored communitarian paradigm and a conception of cosmopolitanism so abstract that it has little relevance to actual participants in immigration debates. Cosmopolitanism, on his account, represents “the ideal world”—not the “real world” of communitarianism: it stands for open borders and denies the validity of national sovereignty and the right of any state to regulate admissions. The difficulty here is that no one—not even Amstutz’s chosen representative of a cosmopolitan ethics of migration, the distinguished political theorist Joseph Carens—actually endorses these otherworldly ideals. The real action in international ethical debates about migration in recent decades—including for self-described cosmopolitans such as Kok-Chor Tan, Matthias Risse, and Gillian Brock—has been about how to balance cosmopolitan and communitarian elements in practical accounts of global justice for a world in which nation-states find their sovereignty limited in some real ways by transnational forces. But one gets no sense of this from Amstutz’s treatment.

This is symptomatic of a broader disconnection between the book and contemporary discussions in ethics and political theory. One looks in vain for mention of current and ongoing debates about territorial rights, political legitimacy, or democratic theory—all of which bear directly on the question of whether a given set of immigration regulations and practices can be considered just or not. At issue here are not pie-in-the-sky utopias intended to replace existing national boundaries and

powers, but precisely the sort of applied proposals for revision and reform that Amstutz elsewhere recommends. I found ethical depth to be lacking, too, in the book's treatment of differences among classes of migrants. Why, for instance, does "forced" migration generate stronger moral claims for admission than other types of mobility? Where does "reluctant" or "impelled" migration fit in? What ethical basis supports the strong (and for many, problematic) focus on family reunification in American policy, and how should it be weighed against other values? These questions are not only unanswered but unasked. A final area in which Amstutz's approach to ethics struck me as wanting concerns the limits of communitarianism. His discussion left me wondering how to tell when the protection of social cohesion shades into chauvinism, and what sorts of criticisms of nativism communitarians might provide. Amstutz concludes this section of his study by conceding, sensibly, that a Christian approach should incorporate both cosmopolitan and communitarian perspectives in formulating an ethics of migration. Due to his insistence on the need to accept the status quo in immigration policy as an ethical given, however, his own approach can contribute but little to the churches' task of developing criteria for identifying injustices in US admissions and membership practices and developing moral responses. If, as Amstutz suggests, "the clerical approach to immigration reform might be characterized as heavy on ethics and light on political science" (104), then his response is the opposite.

The last major section of the book ventures into the territory of Christian political ethics. Amstutz first provides an overview of how Christian communities engage the world of policy, introducing some central tenets of Catholic social thought and Protestant political theology and then commenting on how the Bible's principles and worldview bear on political advocacy in general and immigration in particular. He then devotes a chapter each to the stances on immigration policy found in Catholic, Evangelical, and Mainline Protestant circles. While he honors the compassion and inclusiveness informing these perspectives, he is critical of approaches that are insufficiently biblical or support policies at odds with biblical principles, that intrude too far onto the turf of policy experts, that threaten to politicize religion, that are insufficiently deferential to the lawful authority of the state, and that are inattentive to the unintended consequences and other harms that accompany toleration of illegal immigration.

Amstutz's presentation of the respective churches' positions is careful and his assessments measured. His comparative analysis provides a valuable service to concerned Christians and migration scholars alike. Still, I found myself with a few criticisms of his portrayal of Catholic efforts in the migration field. For instance, although he covers a few of the principles of Catholic social thought that bear on international order and migration, he does not address two of the most crucial ones: subsidiarity—which concerns how competences are appropriately distributed among different levels of social organization including the state—and the universal destination of the earth's goods, an ancient Christian principle that relativizes the authority of states to restrict access to territory and resources. Also, one would not know from his treatment that the Catholic Church is probably second only to the US government in the sheer amount of services it provides to migrants, which include resettling roughly a third of all refugees admitted in recent decades. This expertise would seem to lend a good deal of credibility to Catholic practitioners in debates about even the minutiae of immigration policy.

Only at the end of the book does Amstutz explicitly acknowledge the "Augustinian presuppositions" (215) that have informed his study, but this disclosure will not be much of a surprise to attentive readers. Indeed, a strict distinction between Augustine's two cities is reflected in several of his recurring claims: that the churches should be concerned more with spiritual than with earthly competencies; that respect for civic authority and the "rule of law" should be upheld wherever possible; and that a strong state must be cultivated in order to uphold universal values such as human rights.

A final theme of Amstutz's study concerns the importance of theological and moral education. He argues that the churches have failed to make much of an impact on immigration reform because they have devoted their energies to political advocacy rather than developing teaching resources that might promote effective Christian moral reflection on the complex realities and value conflicts characterizing migration on the ground. As models for these types of resources he holds up the Lutheran Church–Missouri Synod's study "Immigrants among Us" (2012) and especially the United States Conference of Catholic Bishops' pastoral letter "The Challenge of Peace" (1983). The latter is something of an ironic choice. This is both because in its acknowledgment of the need to balance complex exigencies of real world politics and the universal requirements of human dignity, the bishops' letter is not obviously different from Catholic statements on migration; and because it tends to undermine some of the communitarian sensibility Amstutz wishes to promote, for example by endorsing the strongly cosmopolitanist morality of just-war reasoning and underscoring the "real but relative moral value" of sovereign states.

Ultimately, Amstutz believes that the Christian churches in the United States can succeed in having a beneficial impact on debates about immigration, provided that they (1) accept the communitarian ethos of current practices; (2) refrain from making overly specific policy prescriptions; and (3) focus instead on infusing broad, biblically informed moral principles into the public discourse. He may be right that Christian voices will be given greater credence if they simply assume the moral legitimacy of the present immigration regime as one of "the things that are Caesar's" (157). This approach, though, threatens to give short shrift to the prophetic dimension of Christian political witness even as it risks depreciating the wisdom, experience, and expertise that Christian practitioners in the migration field bring to policy debates.

William A. Barbieri Jr.

Professor of Religious Ethics and Director of the Peace and Justice Studies Program, Catholic University of America