

Churches rebuke Jeff Sessions on immigration rules

U.S. Catholic bishops called asylum a right-to-life issue that could carry "canonical penalties." And the attorney general's fellow United Methodists brought charges against him with the denomination.

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The U.S. Conference of Catholic Bishops' Spring Assembly in Fort Lauderdale, Florida, on June 13, 2018. RNS photo by Jack Jenkins.

Attorney General Jeff Sessions's announcement of new limits on claims for asylum, combined with the Trump administration's policy of separating immigrant children from their parents, sparked sharp criticism from many faith-based groups. After Sessions defended the policies by citing Romans 13, two bodies in particular increased their rebuke to include possible church discipline measures.

Following weeks of protest, President Trump on June 20 ordered an end to the most controversial aspect of the zero-tolerance policy: the separation of undocumented families caught crossing the border. While families caught crossing the border will no longer be separated, Trump's executive order made it clear that the government will continue prosecuting everyone entering the U.S. without proper documents, including those requesting asylum.

Sessions reversed an immigration appeals court decision granting asylum to a Salvadoran woman who had claimed domestic abuse in her home country. His ruling effectively overturned an Obama administration practice of allowing women with credible claims of domestic abuse or those fleeing gang violence to seek asylum in the United States.

The U.S. Conference of Catholic Bishops opened its spring meeting in Fort Lauderdale, Florida, on June 13 with a stern reproach of those policies, calling asylum a life issue. Some bishops followed by urging protests, including "canonical penalties" for those who carry out the administration's new rules.

Cardinal Daniel DiNardo, president of the USCCB and archbishop of Galveston-Houston, said the asylum policy is a departure from "decades of precedents" for survivors of domestic violence.

"At its core, asylum is an instrument to preserve the right to life," DiNardo said. "We urge courts and policy makers to respect and enhance—not erode—the potential of our asylum system to preserve and protect the right to life."

When he finished, DiNardo asked bishops to clap if they approved the statement. The room erupted in applause. Bishop David Zubik of Pittsburgh and Cardinal Seán O'Malley of Boston issued their own statements condemning the policies, and several bishops suggested strategies for countering the new rules.

Cardinal Joseph Tobin of Newark, New Jersey, proposed that a group of bishops be sent to the border to inspect detention facilities as a "sign of our pastoral concern and protest against the hardening of the American heart." Bishop Oscar Cantú of Las Cruces, New Mexico, suggested "public gestures" such as prayer vigils in front of federal courthouses.

Bishop Edward Weisenburger of Tucson, Arizona, raised the possibility of implementing canonical penalties for Catholics "who are involved in this," referring

to the policy of children being separated from their families at the border. Canonical penalties range from denial of sacraments to excommunication, though Weisenburger did not specify what he intended beyond referring to sanctions that already exist for “life issues.”

“Canonical penalties are there in place to heal,” Weisenburger said. “And therefore, for the salvation of these people’s souls, maybe it’s time for us to look at canonical penalties.”

Sessions invoked the Bible in response to the “concerns raised by our church friends about separating families.”

“I would cite you to the apostle Paul and his clear and wise command in Romans 13, to obey the laws of the government because God has ordained them for the purpose of order,” he said June 14. “Orderly and lawful processes are good in themselves and protect the weak and lawful.”

Later that day, Sarah Huckabee Sanders, the White House press secretary, told reporters that “it is very biblical to enforce the law. That is actually repeated a number of times throughout the Bible.”

Though Trump’s reversal of the policy on separating families means children as young as 12 months would no longer be detained without their parents, it is unlikely to mitigate—and may even exacerbate—other consequences of the zero-tolerance policy, experts and advocates say. There is no clear plan for how to reunite the more than 2,300 children already separated from their families, the Department of Health and Human Services said.

“We’re certainly happy that children aren’t being ripped from their parents, but it really does appear that the executive order is trading one humanitarian crisis for another,” said Jennifer Nagda, policy director at the Young Center for Immigrant Children’s Rights. “Children won’t now face immediate separation or long-term separation from their parents, but it appears they’re going to be locked up together in detention facilities” while their cases are processed, she added.

Besides the fact that migrant families will no longer be separated, there is significant confusion over what the rest of the executive order will mean for the situation at the border. The administration has not clarified if or how families who have already been separated will be reunited.

The government currently faces strict requirements when it comes to detaining children—including keeping them in the “least restrictive conditions” possible while they are detained and placing them with a relative “without unnecessary delay”—but the order directs Attorney General Sessions to try to modify those requirements.

“They’re going to detain the families throughout the immigration proceedings, families are going to be detained, imprisoned, incarcerated for over a year,” said Efrén Olivares, director of the racial economic justice program at the Texas Civil Rights Project. “In some ways the executive order makes things worse.”

The Obama administration, too, separated immigrant children from their parents, advocates note. And it also greatly expanded a policy of detaining mothers with children in expanded facilities. If a father crossed the border illegally with a child, they would typically be separated.

However, the Obama administration maintained a policy of “prosecutorial discretion”—focusing resources on individuals considered dangerous—rather than one of “zero tolerance,” requiring an adherence to the letter of the law in all instances.

Condemning Sessions’s role in immigration policies, more than 600 United Methodist clergy and laypeople signed a formal denominational complaint on June 18. Sessions has served as a lay leader and chair of the administrative board at Ashland Place United Methodist Church in Mobile, Alabama. The complaint was also sent to a Methodist church in the suburbs of Washington, D.C., with which Sessions is affiliated.

The letter read in part: “While we are reticent to bring a formal complaint against a layperson, Mr. Sessions’ unique combination of tremendous social/political power, his leading role as a Sunday School teacher and former delegate to General Conference, and the severe and ongoing impact of certain of his public, professional actions demand that we, as his siblings in the United Methodist denomination, call for some degree of accountability.”

Dave Wright, an ordained United Methodist elder and chaplain at the University of Puget Sound, is the chief author of the letter. He said he hopes the complaint will result in pastoral conversations between Sessions and church leaders.

“My ideal outcome is that his pastors in church leadership who know him will speak with him, and that in those conversations he will be challenged to think through the level of harm he is causing and have a change of heart—which is about as Methodist as you can get,” Wright said.

The charges leveled against Sessions regarding border policy include child abuse, immorality, and racial discrimination. A fourth charge of “dissemination of doctrines contrary to the standards of doctrine of the United Methodist Church” refers to Sessions’s use of Romans 13 in insisting the policy enforcement is biblical.

David F. Watson, academic dean and professor of New Testament at United Theological Seminary, which is affiliated with the UMC, called the complaint “an extraordinary development.”

It is “very unusual” for a complaint to be brought against a layperson in the United Methodist Church, Watson said. In recent history, several professors noted, most complaints have been brought against clergy who have performed or entered into same-sex marriages.

No Methodist politician has been similarly charged in a letter of complaint in recent history—at least not “of this nature,” said Kenneth J. Collins, a professor at Asbury Theological Seminary, pointing to the number of people who signed the complaint against Sessions. Former White House residents George W. and Laura Bush and Hillary Clinton are all United Methodists. Both Laura Bush and Clinton recently spoke out against the border policy.

John Feagins, an ordained UMC elder in the Rio Texas Conference who has taught church polity to pastors, said the letter sets in motion a process that allows a pastor or district superintendent to resolve the issue with the accused pastorally, possibly through a process involving a third-party mediator that United Methodists call “just resolution.” Just resolution focuses on “repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties,” according to the Book of Discipline.

If no resolution can be reached, that person’s case could go to a committee for investigation or eventually to a church trial. The court could remove a person from membership, but the denomination’s rulebook also makes allowances for lesser punishments. Those could include things like losing the ability to hold office as a delegate or teach Sunday school.

Feagins noted that ending Sessions's membership would not be the same as excommunication, which does not exist in the UMC.

"The goal of a process like this is not the expulsion of someone, but the resolution of conflict—that's very important, because these things are about a person's relation to the church," Feagins said.

FOLLOWING UP (Updated August 28): United Methodist officials dismissed the complaint filed against U.S. attorney general Jeff Sessions for enforcing the administration's immigration policy of separating parents and children at the U.S. border. David W. Graves, bishop of the Alabama-West Florida conference, [concurred on August 1 with Debora Bishop](#), the district superintendent for Mobile, Alabama, where Sessions is a lay leader in a United Methodist congregation. They argued that it was a political act, not an individual one, and thus was not covered by the church's Book of Discipline. Each of their responses stated: "A political action is not personal conduct when the political officer is carrying out official policy."

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