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New Ala. immigration law treading on religious freedom, bishop says

Zoe Ryan | Aug. 29, 2011
Immigration and the Church

Bishop Thomas J. Rodi (CNS photo/Nancy Wiechec/2006)

A federal judge issued a temporary hold Aug. 29 on Alabama's new immigration law, saying she needed more time to address the challenges to the law.

The hold from U.S. District Judge Sharon Blackburn will last until Sept. 29 or until the court issues a ruling on the motions to block the law, the news site Politico reported.

The law, which was supposed to go into effect Sept. 1, would make it illegal for anyone to knowingly employ a person who is not a citizen and lacks the proper papers, as well as outlining other requirements of identification and documentation, including requiring schools to check citizenship status of students.

In June, Alabama passed the law, which opponents and proponents call one of the toughest and broadest immigration laws in the country. Four religious leaders have joined together and filed a lawsuit against the statute.

"This statute is so broadly written that it interferes with the freedom of the church," said Mobile, Ala., Archbishop Thomas J. Rodi, on why he filed a lawsuit against the statute with three other bishops.

"We as citizens of Alabama, the people of our churches as citizens of Alabama, have a right to free exercise of religion, and this law is written so broadly that it basically prohibits us from ? who we can welcome to our churches," he said in a phone interview with *NCR*.

On Aug. 24 a federal court preliminary hearing was held. The Department of Justice and the American Civil Liberties Union have both filed separate lawsuits. Blackburn heard all lawsuits together, according to news media reports.

Part of the new law holds that nothing is allowed to be done that would "encourage" an illegal immigrant to live in Alabama, to which Rodi said that "almost any church ministry can be interpreted as encouraging someone to live in Alabama."

While the law doesn't exempt religious organizations, Rodi said some legislative officials said it would not be enforced against churches. However, Rodi said that was "not reassuring" because there's no way to predict how strictly local officials would eventually enforce it.

Rodi said that to his knowledge, the Mobile diocese or the bishops had never before brought forth a lawsuit like this.

Filing a lawsuit was something the bishops did not want to do, "but we felt that this was a very important principle here, mainly the free exercise of religion" to which citizens of Alabama have a right, he said.

"For the state to tell us who we can baptize and who we can't is unacceptable," he said.

The two Catholic leaders who signed the lawsuit are Rodi and Birmingham Bishop Robert J. Baker. The two other bishops bringing the suit are Episcopal Alabama Bishop Henry N. Parsley Jr. and United Methodist Bishop William Willimon, head of the North Alabama Conference.

The church is not the entity that controls the borders, Rodi said. Once immigrants are in the midst of Catholics, they have a "moral obligation to treat everyone in a Christ-like fashion," he said.

"This goes to our core understanding of what it means to be church," Rodi said.

Rodi has been "very encouraged by the actions" of Catholics in general, he said. While there's a wide variety of opinion on immigration, he said, most Catholics agree that the freedom of the church should be preserved.

Alabama initially proposed the immigration law because of the alleged absence of efforts on behalf of the federal government to enforce its law, according to news media reports.

In 2010 the Pew Research Center estimated there were 120,000 undocumented immigrants in Alabama.

To view the text of law, HB 56, click here [1].

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