

1 **REPORT OF THE COMMITTEE OF THE GENERAL ASSEMBLY OF THE ORTHODOX PRESBY-**  
 2 **TERIAN CHURCH TO STUDY THE PROPRIETY OF THE RECEPTION OF ILLEGAL ALIENS**  
 3 **INTO CHURCH MEMBERSHIP**

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23 **I. INTRODUCTION**

24 The 73<sup>rd</sup> General Assembly of the Orthodox Presbyterian Church (OPC) responded to an overture requesting that  
 25 the denomination elect a committee of three and one alternate to study the issue regarding the reception of illegal  
 26 aliens into the membership of the OPC. The assembly elected Messrs. John V. Fesko, (chairman), Todd  
 27 Wagenmaker, David Winslow, and Charles K. Telfer (alternate). The committee of three met in Woodstock,  
 28 Georgia, on 25-26 October 2006 and held a conference call on 11 January 2007. According to its mandate, the  
 29 committee was given the task “to propose to the 74<sup>th</sup> General Assembly advice for presbyteries and sessions”  
 30 concerning the propriety of the reception of illegal aliens into the membership of the OPC.

31 The committee’s report seeks to offer the General Assembly of the OPC advice on this matter by first  
 32 noting some general observations about the issue of illegal aliens and the church. Given the very public national  
 33 discourse on immigration and border security issues together with the presence of a reported ten million or more  
 34 illegal aliens living in the country, it is not surprising that this societal problem should touch the life of the  
 35 church.<sup>1</sup> This is especially true when one considers the missionary zeal of the OPC to take the gospel to the na-  
 36 tions, and that the nations are pouring into the United States, in a sense bringing foreign mission fields to our  
 37 very doorsteps. We can more broadly observe that Providence is presenting many Reformed denominations,  
 38 including the OPC, with a great opportunity with these immigration patterns, legal and illegal. A large percent-  
 39 age of the newer immigrants, our new neighbors, are of Hispanic origin and together with those of longer stand-  
 40 ing combine to comprise the largest ethnic group of the residents in the United States (US). Given the OPC’s  
 41 small but ongoing and growing efforts to minister the gospel to Spanish-speakers across the country,<sup>2</sup> and given

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<sup>1</sup> The March 2005 Current Population Survey conducted by the US Census Bureau forms the basis for analysis by researchers. The Hew Hispanic Center estimates 10.7-11.5 million undocumented immigrants as March 2005, and 11.5 -12 million as of March 2006 (pewhispanic.org), while the Center for Immigration Studies states that “preliminary estimates for the March 2005 CPS indicate that there were between 9.6 and 9.8 million illegal aliens in the survey” (Steven A. Camarota, “Immigrants at Mid-Decade- A Snapshot of America’s Foreign-Born Population in 2005,” December 2005, [www.cis.org](http://www.cis.org), accessed 15 Dec 2006).

<sup>2</sup> The Committee on Home Missions and Church Extension of the OPC now supports five Spanish language mission works and two Portuguese language mission works.

42 the estimate that 15-25% of the Hispanic immigrants who have arrived in the US since the beginning of the  
 43 1990's may be illegal, it is understandable that the OPC faces an issue of significance to the entire denomina-  
 44 tion.<sup>3</sup> We should, however make several caveats concerning the issue of illegal immigration.

45 First, we must not characterize the illegal alien issue as a strictly Hispanic problem, since immigrants  
 46 from all over the world have found ways to enter illegally, or if they came legally to remain beyond the time-  
 47 limits granted on visas or work permits. Second, one should not assume that issues of economic status are con-  
 48 nected to race. In other words, not all aliens, legal or not, are faced with financial poverty. Third, we should not  
 49 automatically assume that because someone comes from a particular nationality, that they are automatically sus-  
 50 pect for violating immigration laws—there are many *legal* aliens dwelling in the US.

51 Though immigration policy, border security, and illegal aliens are social and political issues with which  
 52 the nation wrestles, the General Assembly has properly narrowed the focus of the study committee's work. As  
 53 American citizens we may have all sorts of opinions and may debate about national policies regarding immigra-  
 54 tion, the borders, the economy, politics, and law enforcement. But as citizens of the kingdom of heaven and  
 55 gatekeepers of the church, ministers and elders need to maintain their focus on what is appropriate to their  
 56 Christ-given authority. The issues that the state and its citizens face and those which the church and her citizens  
 57 face will have some relationship. Romans 13, for example, certainly has bearing on the Christian's dual-  
 58 citizenship. There may well be some correlation between one's views on the national scene that affect the eccle-  
 59 siastical policies one chooses, but they are different issues. Immigration and border policy are for the most part  
 60 extraneous to what is at the heart of our ecclesiastical issue. For us in the OPC, this is not primarily a debate  
 61 over issues of governmental immigration policy, or economics, or integration into American society. Rather, it  
 62 is a question of ministering the gospel to lost souls, spreading the gospel net, drawing into the church those  
 63 whom God is saving; and of what to do with them when they want to profess their faith in Christ, and it turns out  
 64 there are concerns with their legal standing in the eyes of the civil magistrate. They are illegal aliens.

65 A question that helps us think about the issue of propriety is this: Can an illegal alien who seeks to pro-  
 66 fess his faith in Christ make a confession that an OPC session deems credible? If the answer to that question is  
 67 "no," then it would be inappropriate to receive him into membership. But if the answer is "yes," and if the per-  
 68 son seeking to profess his faith in Christ desires to join in the life and worship of the local church in submission  
 69 to the elders, is it appropriate for the session to deny church membership to such a one? It is this narrow ques-  
 70 tion that the committee seeks to answer and provide advice to the General Assembly, presbyteries, and sessions  
 71 of the OPC. In our effort to give the denomination this advice, we will proceed along the following lines.

72 First, we want to consider typical responses to the broader issue of illegal aliens from a variety of per-  
 73 spectives, as it is important to see what Roman Catholic, Evangelical, and Reformed authors have written on the  
 74 subject heretofore. Though there is a paucity of literature on the subject, there is nevertheless an existing on-  
 75 going theological discussion of which we should take note. It is important to see what opinions exist on the  
 76 matter so that presbyteries and sessions understand what sets apart a Reformed response to the question. This is  
 77 also very important because many illegal aliens come from countries where Roman Catholicism is dominant. It  
 78 is crucial that the OPC be prepared to distinguish its own views from those of the Roman Catholic Church  
 79 (RCC).

80 Second, we will survey some important exegetical ground, particularly passages such as Exo 22.21, Lev  
 81 19.34, 25.23, and Deut 10.17-19, as participants in debate over illegal aliens (Roman Catholic, Protestant, Evan-  
 82 gelical, and Reformed) frequently appeal to them. A proper understanding of these Old Testament (OT) pas-  
 83 sages that address the issue of "the stranger" or "alien" is crucial to the subject at hand. What is of particular  
 84 interest is how the New Testament (NT) handles the ideas presented in these OT passages.

85 Third, we then proceed to discuss the foundational issue of the relationship between the two kingdoms,  
 86 church and state. While we have already noted the broader questions of immigration policy, and we do not want  
 87 to address those issues, as they are not germane to the spirituality of the church which is the ministry of word

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<sup>3</sup> Camarota, "Immigration at Mid-Decade." The number of foreign-born immigrants has reached 35 mil-  
 lion in 2005 a number that is almost double that of 1990 and as a percent of the total population approaches a  
 level not seen since the wave of the early 1900's. Mr. Camarota basing his estimates on comparisons between  
 the March 2000 CPS and the March 2005 CPS states, "This means that 2.5 to 2.7 million, or about half of the 5.2  
 million growth in the foreign born between 2000 and 2005 was due to the growth in the illegal population." He  
 further notes that illegal aliens account for "a little over one-fourth of the total foreign-born population."

88 and sacrament. At the same time there are questions concerning the responsibilities of the church to the state.  
89 We especially want to bring to bear on this issue our corporate understanding of the teaching of Scripture which  
90 is reflected in our Standards.

91 Fourth, with the gathered exegetical, historical, doctrinal, and confessional information, we will address  
92 the specific question regarding the propriety of the reception of illegal aliens into the membership of the church.  
93 Fifth, and finally, we offer our advice to the General Assembly, presbyteries, and sessions of the OPC.

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## II. THE BROADER THEOLOGICAL DISCUSSION

95 There are a number of existing opinions from a broad theological spectrum on the subject of illegal aliens. Fa-  
96 miliarization with the literature is therefore a necessary first step in answering the question of the propriety of the  
97 reception of illegal aliens into the membership of the church. Consequently we must first survey Roman Catho-  
98 lic, Evangelical, and Reformed literature on the subject.

### 99 A. Roman Catholic social thought

100 A good portion of the current literature on illegal aliens comes from the RCC. The RCC attempts to cut a *via*  
101 *media* (a middle path) between the ideas of abstract liberalism and communitarian political thought. Abstract  
102 liberalism was born out of the Western Enlightenment during the eighteenth century in France and Germany  
103 which championed a new individualistic school of natural rights.<sup>4</sup> This type of political theory has been fa-  
104 mously captured in the words of John Stuart Mill (1806-73): “The only freedom which deserves the name is that  
105 of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs or impede  
106 their efforts to obtain it.” The individual, argues Mill, must be freed from the “despotism of custom” of both  
107 aristocratic and ecclesiastical constraint.<sup>5</sup>

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One finds similar strains of this type of thought in the American Declaration of Independence (1776):

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We see in the opening statements of this most famous document that the “laws of nature and of nature’s God” entitle people to certain unalienable rights—life, liberty, and the pursuit of happiness. One should also note that government derives its power “from the consent of the governed,” and that it is the “right of the people to alter or to abolish it.” Under abstract liberalism, authority lies within the individual. Under this type of politico-theoretical construction citizenship in a country is not a moral-ethical issue because such matters lie within the purview of the individual to decide. Each individual has the inalienable right to pursue life, liberty, and happiness apart from constraint. However, at the same time, if a group of individuals unites to form a government and

<sup>4</sup> William R. O’Neill, S. J., and William C. Spohn, “Rights of Passage: The Ethics of Immigration and Refugee Policy,” *Theological Studies* 59 (1998), p. 91.

<sup>5</sup> John Stuart Mill, *On Liberty*, ed. Gertrude Himmelfarb (New York: Penguin Books, 1974), p. 72; O’Neill and Spohn, “Rights of Passage,” p. 92.

<sup>6</sup> “Declaration of Independence,” in *Founding America: Documents from the Revolution to the Bill of Rights*, ed., Jack N. Rakove (New York: Barnes and Noble, 2006), pp. 136-37, emphasis.

130 close its borders to outsiders, once again, there is no moral-ethical dilemma, as these individuals have the right to  
 131 pursue their life, liberty, and happiness in a manner of their choosing.

132 On the other side of the spectrum of political theory lies communitarian thought. The starting point of  
 133 communitarian ethics is the “‘situated self’, embedded within a particular community and endowed by birthright  
 134 with a distinctive cultural heritage.” Unlike abstract liberalism, it is not the individual who is autonomous, but  
 135 the extended family or community. It is the community that establishes the cultural norms and ethical mores.  
 136 The primary motivation in communitarian political thought is the desire to maintain the national identity of the  
 137 community. Can a community survive if it allows a constant flow of immigrants, especially those who seem  
 138 unwilling to assimilate into the linguistic and cultural norms of the community?<sup>7</sup> It is between these two posi-  
 139 tions that we find the RCC offering its own understanding on the theology of illegal immigration.

140 Roman Catholic theologians claim to put forth a *via media* between abstract liberalism and communitari-  
 141 anism. Unlike liberalism, which places emphasis upon the individual, or communitarianism, which places em-  
 142 phasis upon the community, the RCC argues that each individual must endeavor to be the neighbor of absolutely  
 143 every other person.<sup>8</sup> From this presupposition the RCC sets forth a case for its understanding of immigration on  
 144 several key points. First, they argue that the general obligations of charity and love for one’s neighbor demand  
 145 that each person has equal dignity and worth because he is created in the image of God and has been redeemed  
 146 by Christ. In Pope John XXIII’s (1881-1963) encyclical, *Pacem in Terris*, he writes:

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 148 Any human society, if it is to be well-ordered and productive, must lay down as a foundation this prin-  
 149 ciple, namely, that every human being is a person; that is, his nature is endowed with intelligence and  
 150 free will. Indeed, precisely because he is a person he has rights and obligations flowing directly and  
 151 simultaneously from his very nature. And as these rights and obligations are universal and inviolable,  
 152 so they cannot in any way be surrendered. If we look upon the dignity of the human person in the light  
 153 of divinely revealed truth, we cannot help but esteem it far more highly; for men are redeemed by the  
 154 blood of Jesus Christ, they are by grace the children and friends of God and heirs of eternal glory.<sup>9</sup>

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 156 Given this theological understanding of the universal brotherhood and the *imago Dei* (image of God) in all men,  
 157 it is therefore the duty of every individual, but especially the church, to protect our neighbors from malnutrition,  
 158 torture, or economic destitution.<sup>10</sup>

159 Second, every person, according to the RCC, has the right to immigrate. Every individual has the right to  
 160 freedom of movement and of residence within the confines of his own country, and when there are just reasons,  
 161 the right to immigrate to other countries to take up residence. An important point should be noted here, namely,  
 162 “The fact that one is a citizen of a particular state does not detract in any way from his membership in the human  
 163 family as a whole, nor from his citizenship in the world community.”<sup>11</sup> This point is further highlighted in *Octo-*  
 164 *gesima Adveniens* by Pope Paul VI (1897-1978), in which he highlights the importance of citizenship in the  
 165 global versus national community:

166  
 167 We are thinking also of the precarious situation of a great number of emigrant workers whose condition  
 168 as foreigners makes it all the more difficult for them to make any sort of social vindication, in spite of  
 169 their real participation in the economic effort of the country that receives them. It is urgently necessary  
 170 for people to go beyond a narrowly nationalist attitude in their regard and to give them a charter which

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<sup>7</sup> O’Neill and Spohn, “Rights of Passage,” p. 95-96; see also Alasdair MacIntyre, *After Virtue*, 2<sup>nd</sup> ed.. (Notre Dame: University of Notre Dame, 1984), pp. 204-43.

<sup>8</sup> O’Neill and Spohn, “Rights of Passage,” p. 98; see also *Catechism of the Catholic Church* (Ligouri: Ligouri Publications, 1994), §§ 1825, 2196, 2443-49.

<sup>9</sup> *Pacem in Terris*, §§ 9-10, in *Catholic Social Thought: The Documentary Heritage*, eds. David J. O’Brien and Thomas A. Shannon (1992; Maryknoll: Orbis Books, 2005), p. 132.

<sup>10</sup> O’Neill and Spohn, pp. 98-101.

<sup>11</sup> *Pacem in Terris*, § 25, p. 134.

171 will assure them a right to emigrate, favor their integration, facilitate their professional advancement,  
 172 and give them access to decent housing where, if such is the case, their families can join them.<sup>12</sup>  
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174 While this ethical treatment of immigrants is incumbent upon all people, it is especially so of Christians who are  
 175 supposed “to work with energy for the establishment of universal brotherhood, the indispensable basis for  
 176 authentic justice.” To support this point, *Octogesima Adveniens* cites 1 John 4.8: “Anyone who does not love  
 177 does not know God, because God is love.”

178 It is fair to say, therefore, that in Roman Catholic social thought, the ethics of immigration are driven by  
 179 the scriptural imperatives that we must love our neighbors. As William O’Neill and William Spohn explain,  
 180 “Love of neighbor, after all, is the supreme Christian commandment. It may be translated, in part, into the ethi-  
 181 cal maxim of equal respect for persons as moral agents.”<sup>13</sup> This means that the imperative to love one’s neighbor  
 182 transcends the categories of *legal* and *illegal* as they modify the term *immigrant* or *alien*. Given the universal  
 183 brotherhood of all men and the Christian’s duty to love all men and recognize their citizenship in the global, not  
 184 national, community, Christians have this moral obligation. O’Neill and Spohn state that “in Jesus’ reading of  
 185 the law, ‘the world with its sure arrangement of insiders and outsiders’ is subverted by God’s reign.”<sup>14</sup> O’Neill  
 186 and Spohn offer several biblical texts to support their contention regarding the supremacy of love over categories  
 187 of insider and outsider.

188 The first text they bring to bear is that of Lev 19.33-34: “When a stranger sojourns with you in your land,  
 189 you shall not do him wrong. You shall treat the stranger who sojourns with you as the native among you, and  
 190 you shall love him as yourself, for you were strangers in the land of Egypt: I am the LORD your God.” O’Neill  
 191 and Spohn argue that “no command is repeated more frequently in the Old Testament, with the exception of the  
 192 imperative to worship the one God.”<sup>15</sup> The second passage they bring to bear is the parable of the good Samari-  
 193 tan (Luke 10.25-37). They argue that this parable invites the listener to make a decisive response and let the  
 194 parable become our own story. As we see the alien who resides in our midst (Lev 19.33-34), we are called to  
 195 love him. O’Neill and Spohn write: “Loving the resident alien thus becomes the reenactment of the Exodus  
 196 story and the revelation of Israel’s identity. So too, the Christian follows Jesus’ exodus to the Father by becom-  
 197 ing neighbor to the *anawim* [poor] in the way (*hodos*) of discipleship (Luke 10.33).” This means that when the  
 198 Christian sees the alien, legal or illegal, he has a choice to emulate Jesus by “seeing and having compassion”  
 199 (Luke 10.33-34), or to emulate the priest and the Levite who “saw and passed by on the other side (10.31-33).”<sup>16</sup>  
 200 O’Neill and Spohn, gleaning from the thought of Liberation theologian Gustavo Gutiérrez (1928 - ) and existen-  
 201 tialist philosopher Albert Camus (1913-60), explain that the Christian must not merely love his neighbor but  
 202 place himself in his neighbor’s shoes, he must take the side of the one who is oppressed.<sup>17</sup>

<sup>12</sup> *Octogesima Adveniens*, § 17, in *Catholic Social Thought*, p. 271.

<sup>13</sup> O’Neill and Spohn, “Rights of Passage,” p. 102.

<sup>14</sup> O’Neill and Spohn, “Rights of Passage,” p. 103.

<sup>15</sup> O’Neill and Spohn, “Rights of Passage,” p. 84.

<sup>16</sup> O’Neill and Spohn, “Rights of Passage,” p. 104.

<sup>17</sup> O’Neill and Spohn, “Rights of Passage,” p. 104; cf. Gustavo Gutiérrez, “Toward a Theology of Lib-  
 eration,” in *Liberation Theology: A Documentary History*, ed. and trans. Alfred T. Hennelly, pp. 62-74, esp. p.  
 74; Albert Camus, *The Plague* (New York: Alfred A. Knopf, 1960), p. 230. One should note that Liberation  
 Theology primarily reads the Bible as a political text. The exodus narrative, for example, is read, not in terms of  
 redemptive history and typology, but in terms of political liberation. Hence, the exodus narrative is not about the  
 antitypical redemption from Satan, sin, and death, but about liberation from political and socio-economic oppres-  
 sion (see James H. Cone, *A Black Theology of Liberation Ethics* [Maryknoll: Orbis Books, 1990], pp. 87-102,  
 127-28; Gustavo Gutiérrez, *A Theology of Liberation* [Maryknoll: Orbis, 1988], pp. 86-89; and Leonardo Boff  
 and Clodovis Boff, *Introducing Liberation Theology* [1986; Maryknoll: Orbis, 2006], pp. 3-4, 24, 28-29, 32,  
 51, 54, 94-95). One finds similar trends in the theology of Jürgen Moltmann, who has been categorized as a lib-  
 eration theologian (see idem, *God for a Secular Society: The Public Relevance of Theology* [Minneapolis: For-  
 tress, 1999], pp. 5, 63, 70). However, one should note that Roman Catholic theology is not a monolith, and Ro-  
 man Catholic Liberation theology is not representative of the whole (cf. Joseph Ratzinger, “Congregation for the

203 Roman Catholic social thought, then, has offered a theological response to the issue of immigration, one  
 204 in contrast to liberalism and communitarianism. Their theology of immigration is one that is based in the inher-  
 205 ent value and worth of human beings because of their creation in the image of God, a truth that is irrespective of  
 206 nationality or citizenship. It is also based in the ethical imperative of love—we who have been redeemed and  
 207 loved by Christ have the responsibility to love aliens, and such a command transcends categories of inclusion or  
 208 exclusion, legal or illegal. The RCC, however, has not been alone in its contribution to the subject of illegal ali-  
 209 ens. There have also been other contributions from the evangelical and Reformed community.

## 210 **B. Evangelical and Reformed responses**

211 When it comes to literature on the question of illegal aliens from the evangelical and Reformed communities,  
 212 one does not find a sustained body of literature produced by a denomination or institution that compares to the  
 213 literature of the RCC. Instead, one finds individual contributions and even then, it appears as though the major-  
 214 ity of the literature was written during the mid-1980's and early 90's; at the time the illegal alien issue was at the  
 215 fore of national public debate when the Reagan administration offered amnesty to illegal aliens in 1986. It  
 216 seems, however, given the recent media attention, that we will see new contributions on the subject. Neverthe-  
 217 less, from what information one can gather, it appears that the published responses echo many of the thoughts  
 218 and sentiments found in Roman Catholic social thought. In an article from *Christianity Today* from 1993 one  
 219 finds evangelicals, such as Ron Sider, the then executive director and now current president of Evangelicals for  
 220 Social Action (ESA) arguing that North Americans have an obligation to bridge the economic gulf between the  
 221 US and Mexico and Central America. One means of accomplishing this, according to Sider, was to support the  
 222 North American Free Trade Agreement (NAFTA). While such a response is political in nature, at the same time  
 223 he urged that Christians had to view the illegal alien controversy in the light of the biblical standard that "every-  
 224 one is a creation of God and is my brother or sister."<sup>18</sup> While one cannot draw too firm of a conclusion from this  
 225 small statement, it bears striking similarities to Roman Catholic social thought which identifies core issues such  
 226 as the creation of man in the image of God and the universal brotherhood of man.

227 Other Protestant theologians cited in this brief article include Eldin Villafañe, professor of Christian So-  
 228 cial Ethics at Gordon-Conwell Theological Seminary. It seems as though Villafañe draws a similar conclusion  
 229 to that of Sider concerning this issue. Villafañe is quoted as saying, "The bottom line for Christians is still the  
 230 scriptural warranties rather than the constitutional warranties."<sup>19</sup> In another context, however, Villafañe has  
 231 identified illegal immigration as one of the issues that the church must confront.<sup>20</sup> Villafañe believes that God  
 232 created the world and gave man a cultural responsibility towards the creation.<sup>21</sup> Nevertheless, because of the  
 233 fall, sin has entered the world and infected cultural institutions such as government. Villafañe writes:

234  
 235 The theological understanding of *Kosmos*, as used in the New Testament, is the *evil social order*—in  
 236 whatever form or agency it manifests itself. It refers not to creation, or for that matter to human culture  
 237 efforts *per se*, but to all elements in the social order which embody 'corporate flesh'—social or corpo-  
 238 rate reality (i.e., structures, systems, institutions, ideologies) which are dehumanizing and in opposition

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Doctrine of the Faith: Instruction on Certain Aspects of 'The Theology of Liberation,'" 6 Aug 1984, available at  
 www.vatican.va , accessed 12 Mar 2007).

<sup>18</sup> Joe Maxwell, "The Alien in Our Midst: Illegal immigration tests the compassion and reason of  
 Christians confronting this emerging national crisis," *Christianity Today* 37 (Dec 1993), p. 51.

<sup>19</sup> Maxwell, "Alien in Our Midst," p. 51.

<sup>20</sup> Eldin Villafañe, *The Liberating Spirit: Toward an Hispanic American Pentecostal Social Ethic*  
 (Grand Rapids: Eerdmans, 1993), p. 220.

<sup>21</sup> Villafañe, *Liberating Spirit*, p. 188.

239 to God and God's redemptive/liberating purposes. In a theological sense what *sarx* ('the flesh') is to  
 240 individual, personal existence, the *Kosmos* ('the world') is to social existence.<sup>22</sup>

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242 Villafañe identifies the structures and social institutions as the family, schools, laws, religion, political and social  
 243 systems.<sup>23</sup> It is these corrupted social structures that the church must confront. The church must understand that  
 244 its struggle is with the flesh and its social correlates, the sinful social structures of the *kosmos*.<sup>24</sup>

245 How is the church supposed to confront sinful social structures? It is supposed to recognize that there is  
 246 a vertical-transformation that occurs in redemption and outpouring of the Holy Spirit that has a horizontal aspect  
 247 (1 John 4.7-13). Villafañe states that the Spirit's love constrains us to feed the hungry, visit the sick and prison-  
 248 ers, shelter the homeless and poor—to express God's love in social concerns.<sup>25</sup> Therefore it is through a Spirit-  
 249 empowered ethic of love that the church is supposed to confront the powers that be, whether individually or in-  
 250 stitutionally manifested and whether morally, physically, or spiritually expressed.<sup>26</sup> Villafañe therefore sees that  
 251 it is the church's responsibility to address social evils, though he is careful to note that the church must not con-  
 252 fuse its redemptive and transformative mission with that of the government.<sup>27</sup> Villafañe believes that the church  
 253 must see itself not only as the place for personal liberation, then, but also as a place for social liberation.<sup>28</sup> Now,  
 254 while Villafañe does not explicitly state the following, it seems that it is a logical consequence of the structure of  
 255 his social ethic: it is redemption and the love of Christ that must confront the corrupted social structure of the  
 256 state. Stated more specifically, the church must love all aliens, whether documented or undocumented, as the  
 257 divine imperative to love is greater than the unjust immigration laws of the corrupted state: "Actions on behalf of  
 258 the oppressed in the arena of politics and society at large are actions of love."<sup>29</sup>

259 One finds similar patterns of thought expressed in a recent short essay written by David Moran, pastor  
 260 of Key Biscayne Presbyterian Church (PCA), published on the Presbyterian Church in America's on-line maga-  
 261 zine, *byFaith Online*.<sup>30</sup> In this brief article Moran argues that there are various aspects of the illegal alien debate  
 262 that many do not consider. One such aspect is that since God is sovereign over the movement and migration of  
 263 people (Acts 17.26-27), that it is perhaps possible that he is moving Hispanic peoples to the US because they  
 264 have a "traditional culture," one that has a high regard for human life, family, and reproduction. He sees this  
 265 traditional culture as compatible with the dominion mandate to be fruitful and multiply (Gen 1.28), and therefore  
 266 suggests that many Christians should be grateful and welcome undocumented aliens. In terms of the Christian's  
 267 responsibility to be subject to the governing authorities, Moran argues that while the government has immigra-  
 268 tion laws on the books, that its enforcement is random at best, and therefore sends a confusing message. In other  
 269 words, the government's lack of enforcement is a mitigating factor against those who would view undocumented  
 270 immigrants as *illegal* aliens, though Moran stipulates that Christians should obey the law.

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<sup>22</sup> Villafañe, *Liberating Spirit*, p. 177. Sider seems to draw similar patterns in terms of the church's relationship to the social order. For analysis, see Craig L. Blomberg, *Neither Poverty nor Riches: A Biblical Theology of Possessions*, NSBT (Leicester: Apollos, 1999), p. 23.

<sup>23</sup> Villafañe, *Liberating Spirit*, p. 175.

<sup>24</sup> Villafañe, *Liberating Spirit*, p. 163.

<sup>25</sup> Villafañe, *Liberating Spirit*, p. 168.

<sup>26</sup> Villafañe, *Liberating Spirit*, p. 187.

<sup>27</sup> Villafañe, *Liberating Spirit*, p. 220, n. 65.

<sup>28</sup> Villafañe, *Liberating Spirit*, p. 201.

<sup>29</sup> Villafañe, *Liberating Spirit*, p. 214.

<sup>30</sup> David Moran, "Is it Right to Love Illegals?" *byFaith Online*, [www.byfaithonline.com](http://www.byfaithonline.com), accessed 11 Sept 2006.

271 At the same time, Moran states that Christians are not only obligated to submit to the governing  
 272 authorities but also to love our neighbor, strangers in particular (Exo 22.21; Lev 19.9-10; Heb 13.2; 1 Pet 2.11;  
 273 Eph 2.14, 19). Moran writes:

274  
 275 The motive is given in Exodus 22.21 for showing love and compassion to aliens is that the Israelites  
 276 were disadvantaged aliens in Egypt for 430 years and now enjoy a special status of grace. The standard  
 277 and universal application made in the New Testament is this: that we were once ‘aliens’ to grace. And  
 278 that now, under grace, as aliens in this world, we should show compassion to any person who might be  
 279 disadvantaged or marginalized.  
 280

281 Moran also contends that “all Christians and nations are subject to the law of compassion.” Given these theo-  
 282 logical presuppositions, Moran believes that the PCA should be willing to advise undocumented persons to ob-  
 283 tain legal advice, offer medical assistance, and evangelize all people regardless of their legal status.

### 284 C. Summary and analysis

285 In all of the surveyed literature on the subject of illegal immigration there seem to be common threads that run  
 286 throughout, whether in Roman Catholic, Evangelical, or Reformed writings. First, soteriology, combined with a  
 287 misconstrued view of eschatology and christology seems to take precedence over the authority of the civil mag-  
 288 istrate. Given the redemption received through Christ and applied by the Spirit, it is the church’s responsibility  
 289 to love others regardless of a person’s legal status. In Roman Catholic thought, for example, the RCC draws a  
 290 line connecting the redemption of Christ and the universal brotherhood of man, and on this basis obliterates na-  
 291 tional boundaries. Note that *Pacem Terris* states: “Men are redeemed by the blood of Jesus Christ, they are by  
 292 grace the children and friends of God and heirs of eternal glory.”<sup>31</sup> Likewise *Octogesima Adveniens* states: “It is  
 293 everyone’s duty, but especially that of Christians, to work with energy for the establishment of universal brother-  
 294 hood, the indispensable basis for authentic justice and the condition of enduring peace.”<sup>32</sup>

295 Though it is not stated, there is an underlying assumption that the redemption of Christ has the goal of  
 296 producing a global universal community, one that is not necessarily tied to the church, as these two papal docu-  
 297 ments do not construe the creation of the universal brotherhood in terms of evangelization but in terms of social  
 298 action. This represents a confusion of the two kingdoms, into an undifferentiated institution colored by a this-  
 299 worldly eschatology, one that sees progress, not so much in terms of evangelization and redeeming people out  
 300 from under the bondage of Satan, sin, and death, but in terms of social progress—a liberal form of postmillenni-  
 301 alism.

302 There are two likely contributing factors to this Roman Catholic form of postmillennialism, namely,  
 303 their understanding of church and state and the doctrine of the *anonymous Christian*. The anonymous Christian  
 304 is perhaps best summarized from the conclusions of Vatican II’s (1965) *Lumen Gentium*: “The plan of salvation  
 305 also includes those who acknowledge the Creator, first among whom are the Muslims: they profess to hold the  
 306 faith of Abraham, and together with us they adore the one, merciful God, who will judge humanity on the last  
 307 day.”<sup>33</sup> *Lumen Gentium* also states: “Those who, through no fault of their own, do not know the Gospel of Christ  
 308 or his church, but who nevertheless seek God with a sincere heart, and moved by grace, try in their actions to do  
 309 his will as they know it through the dictates of their conscience—these too may attain eternal salvation.”<sup>34</sup> With  
 310 the doctrine of the anonymous Christian, all that is required, then, is not the evangelization of the world but  
 311 merely that the world would live relatively moral lives. Hence, the doctrine of the anonymous Christian creates  
 312 a this-worldly eschatology, an earthly kingdom that is advanced by social progress rather than the gospel.

<sup>31</sup> *Pacem Terris*, § 10, in *Catholic Social Thought*, p. 132.

<sup>32</sup> *Octogesima Adveniens*, § 17, in *Catholic Social Thought*, p. 271.

<sup>33</sup> *Lumen Gentium*, § 16, in Austin Flannery, ed., *The Basic Sixteen Documents of Vatican Council II: Constitutions, Decrees, Declarations. A Completely Revised Translation in Inclusive Language* (Northpoint: Costello Publishing, 1996), pp. 221-22.

<sup>34</sup> *Lumen Gentium*, § 16, in *Vatican II*, p. 222.



313 In terms of the Roman Catholic confusion of church and state, a likely source comes from the historic  
 314 statements of Pope Boniface VIII (ca. 1236-1303) in his papal bull *Unam Sanctum* (1302) where he acknowl-  
 315 edges the existence of the two distinct powers of the church and state, represented by its respective swords, a  
 316 spiritual and temporal one. However, he also stated:

317  
 318 And we learn from the words of the gospel that in this church and in her power are two swords, the  
 319 spiritual and the temporal that both swords “are in the power of the church, the material sword and the  
 320 spiritual. For when the apostles said, ‘Behold, here’ (that is, in the church, since it was the apostles who  
 321 spoke) ‘are two swords’ (Luke 22.38)—the Lord did not reply, ‘It is too much,’ but ‘It is enough.’  
 322 Truly he who denies that the temporal sword is in the power of Peter, misunderstands the words of the  
 323 Lord, ‘Put up thy sword into the sheath (John 18.11).’<sup>35</sup>  
 324

325 This position was in contrast to Pope Gelasius I’s (d. 496), who first used the terminology of the *two swords* and  
 326 who argued: “There are two powers, august Emperor, by which this world is chiefly ruled, namely, the sacred  
 327 authority of the priests and the royal power.”<sup>36</sup> Gelasius saw the two swords as two distinct powers, the church  
 328 wielding only the sword of the Spirit, whereas Boniface seated the authority of both swords in the church.  
 329 Hence, it should be no surprise to read of the Roman Catholic condemnation of democracy in Pope Pius IX’s  
 330 (1792-1878) *Syllabus of Errors* (1864) which condemns the idea that “the state, as being the origin and founda-  
 331 tion of all rights, possesses a certain right of its own, circumscribed by no limits.”<sup>37</sup> In other words, democracy  
 332 saw its source of existence, as the Declaration of Independence, “from the consent of the governed,” rather than  
 333 seeing its need to submit to the divine authority of the church.<sup>38</sup>  
 334

335 The Roman Catholic insistence upon the supremacy of the church over the state was officially codified in  
 336 the pronouncements of Vatican I (1870) which states that the “Roman church possesses a preeminence of ordi-  
 337 nary power over every other church . . . not only in matters concerning faith and morals, but also in those which  
 338 regard the discipline and government of the church throughout the world.” Likewise,

339 Since the Roman pontiff, by the divine right of the apostolic primacy, governs the whole church, we  
 340 likewise teach and declare that he is the supreme judge of the faithful, and that in all cases which fall  
 341 under ecclesiastical jurisdiction recourse may be had to his judgment. The sentence of the apostolic see  
 342 (than which there is no higher authority) is not subject to revision by anyone, nor may anyone lawfully  
 343 pass judgment thereupon.  
 344

345 Vatican I was stating its belief that the RCC was not in any way “dependent on the civil power.”<sup>39</sup> We see, then,  
 346 that according to Vatican I, the Pope has supreme authority in the world and that his decisions can be contra-  
 347 vened by no one, not even the civil authorities. Based upon the RCC’s confusion of church and state, and its  
 348 doctrine of the anonymous Christian, the ethical imperatives of love take precedence over the laws of the state—  
 349 the church has the right to contravene the state in these matters because it ultimately holds authority over the

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<sup>35</sup> Boniface VIII, *Unam Sanctum*, in Jaroslav Pelikan and Valerie Hotchkiss, *Creeds and Confessions of Faith in the Christian Tradition*, 3 vols. (New Haven: Yale UP, 2003), v. 1, p. 746. Also see David VanDrunen, *Natural Law and the Two Kingdoms: A Study in the Development of Reformed Social Thought* (forthcoming), chp. 2 for analysis and bibliographic background on *Unam Sanctum*.

<sup>36</sup> Gelasius I, “On Spiritual and Temporal Power (494),” in J. H. Robinson, ed., *Readings in European History* (Boston: Ginn, 1905), pp. 72-73.

<sup>37</sup> Pius IX, *The Syllabus of Errors*, § 6.39, Pelikan and Hotchkiss, *Creeds and Confessions*, v. 2, p. 329; cf. Darryl Hart, *A Secular Faith: Why Christianity Favors the Separation of Church and State* (Chicago: Ivan R. Dee, 2006), pp. 135-36.

<sup>38</sup> “Declaration of Independence,” in *Founding America*, p. 136.

<sup>39</sup> “First Vatican Council,” in Pelikan and Hotchkiss, *Creeds and Confessions*, v. 3, pp. 355-56; cf. Hart, *Secular Faith*, p. 136. One should note, though, the RCC has since moderated its tone and stance towards democracy and religious freedom (see *Dignitatis Humanae*, in Flannery, *Vatican Council II*, pp. 551-68).

350 state and seeks to establish the universal brotherhood of man. Such a universal community, however, is not nec-  
 351 essarily formed by the power of the gospel as Muslims and moral non-believers can share in eternal salvation.

352 One finds a similar pattern in Villafañe's understanding of the relationship between church and state  
 353 which drives his views on illegal aliens. While Villafañe does not confuse church and state and recognizes their  
 354 distinct roles, he nevertheless sees the state as part of the *kosmos*, the social counterpart to the Christian's *sarx*,  
 355 or flesh. In other words, he sees the church and state in antithesis to one another. In his understanding of es-  
 356 chatology, which is brought about by the work of Christ and the outpouring of the Spirit, the church seeks to  
 357 transform not only the individual through mortification of the *sarx*, but also the *kosmos*, the corrupted struc-  
 358 tures.<sup>40</sup> But what Villafañe fails to distinguish is that the institution of the state is not corrupt, as it is ordained by  
 359 God. What is corrupt are those who occupy the office of the magistrate. Moreover, is the church supposed to  
 360 transform the state as an institution so that the kingdom of God eventually arrives through this transformative  
 361 process? In this understanding, Villafañe is able to give the church the prerogative to contravene the laws of the  
 362 state in light of the eschatological in-breaking of the kingdom, since the church is ethically superior to the cor-  
 363 rupt institution of the state as it demonstrates the love of Christ to illegal aliens. The interest here is to bring both  
 364 redemptive *and* socio-economic freedom.

365 First, in both of these constructions there is no direct consideration of the relationship between the  
 366 church and state. The surveyed writings do not treat passages such as Rom 13.1-7 and 1 Pet 2.13-17, and the  
 367 imperatives to submit to the state. These two passages, and others like them, are not at odds with either the  
 368 spiritual authority of the church and its mission to evangelize the nations or the eschatological in-breaking of the  
 369 kingdom of God.<sup>41</sup> In the case of the latter, it is especially the rubric of the already-not-yet for which Villafañe's  
 370 construction fails to account. It is precisely these two elements, the relationship between church and state, or the  
 371 two kingdoms, and a proper view of eschatology that must inform the discussion of any subject related to the  
 372 issue of illegal aliens.

373 Second, another theme one finds is that economic status automatically trumps any and all considerations  
 374 *vis-à-vis* the church's and individual's responsibility towards the state. If a person is poverty-stricken, then this  
 375 entitles him to violate the immigration laws of the state, as his economic status takes precedence. However, such  
 376 an opinion does not account for a *theologia crucis*, or a theology of the cross. The theology of the cross tells us  
 377 that a Christian should be willing to suffer with Christ and for Christ in his righteous living (Matt 10.38; Col  
 378 1.24). In other words, there are greater redemptive issues at stake in terms of one's sanctification and the cost of  
 379 discipleship. In what way does the theology of the cross inform the question of illegal aliens?

380 Third, there is the common misuse of Scripture, particularly OT texts referring to Israel and its treat-  
 381 ment of aliens in her midst. While we should always construct our ethics from the whole of Scripture, at the  
 382 same time we must do so in a way that is sensitive to the historical and redemptive-historical contexts. In other  
 383 words, in what way does Israel's typological relationship to Christ and the church inform the appeal to texts such  
 384 as Exo 22.21 and Lev 19.33-34?

385 It is these three common themes that one finds in the current literature on illegal aliens. Therefore, in  
 386 setting forth a response to the question of the propriety of receiving illegal aliens into the membership of the  
 387 OPC, we will explore the question with these three background issues in mind. We will continue by setting forth  
 388 a proper theology of strangers, the relationship between the two kingdoms, church membership, and last, offer  
 389 our advice based upon this research. We can now move forward to establish a proper theology of strangers.

390

### III. A THEOLOGY OF STRANGERS

391 It is evident that in much of the literature on the subject of illegal immigration, whether from a Roman Catholic,  
 392 Evangelical, or Reformed perspective, there is frequent appeal to "alien" or "stranger" passages in the OT.

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<sup>40</sup> Here Villafañe's construction of the *kosmos* as the societal counterpart to the Christian's *flesh* is strikingly similar to Walter Rauschenbush's (1861-1918) arguments for social or institutional conception of sin and salvation (see Hart, *Secular Faith*, pp.102-12, esp. 112; cf. Walter Rauschenbusch, *A Theology for the Social Gospel* [rep.; New York: Abingdon Press, 1945], pp. 69-77).

<sup>41</sup> One should wonder, at least in the case of Roman Catholic social thought, the degree to which Liberation theology has influenced its position. It is interesting to note, for example, that Leonardo Boff (1938 - ) lists among the influential books of the Bible in Liberation thought: Exodus, the prophets, the gospels, Acts, and Revelation. Noticeably absent are Paul and Peter's epistles (see *Liberation Theology*, pp. 34-35).

393 Given the frequent appeal to these passages, it is important first to set forth their correct interpretation so that we  
 394 may place the specific question of the propriety of the reception of illegal aliens upon the proper exegetical  
 395 footing. It is paramount that the church correctly understand these OT passages, as they do not address the issue  
 396 of immigration but rather the church's identity in Christ *vis-à-vis* the world and the attitude that it takes towards  
 397 unbelievers, or those outside the covenant. Specifically, we must understand that the passages that deal with  
 398 aliens in the midst of Israel do not address matters pertaining to immigration policy but rather primarily point to  
 399 the future incorporation of Gentiles into the covenant, or more specifically that the church will consist of both  
 400 Jews and Gentiles, not how churches or governments are supposed to treat illegal aliens in terms of immigration  
 401 policy.

#### 402 A. Interpretation of "alien" passages

403 **1. Old Testament passages.** When we come to the OT and the issue of the "alien" passages, we must  
 404 first establish the context in which we find them. There are a number of passages where we find the topic of  
 405 aliens in the land addressed, but the primary passage upon which we should focus is Exo 22.21: "You shall not  
 406 wrong a sojourner or oppress him, for you were sojourners in the land of Egypt." This command instructs Israel  
 407 not to do wrong to the רְגֵעַ (gēr), which the ESV translates as *sojourner* but other translations render as *alien*  
 408 (NIV), *stranger* (NAS; KJV), or *foreigner* (NLT). It is clear, therefore, that within this historical context, we are  
 409 dealing with Israel's formation as a nation, set apart by God's covenant, specifically the Mosaic covenant, as we  
 410 find this verse following the covenantal administration of the Decalogue. Given this covenantal context and  
 411 Israel's special relationship with Yahweh, we should understand that the *alien* is the non-Israelite or Gentile who  
 412 dwells in the promised land in Israel's midst. The alien was a Gentile, one who was not born in the promised  
 413 land, one who was an alien to the covenant promises of God. At this point, therefore, it is important that we note  
 414 that Exo 22.21 is based: (1) in God's redemptive dealings with Israel from Egypt; (2) Israel's exclusive identity  
 415 as God's covenant people; (3) Israel's identity with reference to the Gentile nations. What is significant, how-  
 416 ever, is that this OT legislation primarily deals with how Israel should treat the Gentile in their midst as they  
 417 reside in the promised land. It is not directed towards those Gentiles, for example, who were considered enemies  
 418 of Israel, such as the inhabitants of the promised land prior to the conquest, those whom God commanded that  
 419 they be destroyed. That there would be Gentiles, however, dwelling among Israel is interesting, as the implied  
 420 message here is that there will be Gentiles who dwell in the land and who pass through, but there will also be  
 421 those who dwell in the land permanently, those who seek God's presence. Israel is therefore supposed to love  
 422 the Gentile in their midst who seeks to worship the one true God and who seeks to dwell in the presence of God  
 423 by residing in the land.

424 The sojourner, רְגֵעַ (gēr), is distinguished from the foreigner, יִרְכָּא (nokri) or בְּיָאֵר (b'at  
 425 (tōšāb), in that the sojourner has settled in the land for some time and sought refuge into another community,  
 426 such as Abraham in Hebron (Gen 23.4), Moses in Midian (Exo 2.22), Elimelech and his family in Moab (Ruth  
 427 1.1), or the Israelites in Egypt (Exo 22.20). Though the sojourner was not permitted to own the land, he enjoyed  
 428 the rights of assistance, protection, and religious participation. He had the right of gleaning (Lev 19.10; 23.22),  
 429 participation in the tithe (Deut 14.29), the Sabbath year (Lev 25.6), and the cities of refuge (Num 35.15). His  
 430 participation in religious feasts assumes that he would have also been circumcised (Exo 12.48; cf. Deut 16.11,  
 431 14). He was also permitted to bring offerings and was obligated to the Levitical purity laws (Lev 17.8-16). At  
 432 the same time, however, the sojourner was to observe the same prohibitions (Lev 16.29; 18.26) and receive the  
 433 same punishments (Lev 20.2; 24.6, 22) as the Israelite. In the light of this information, it is interesting to note  
 434 that the Septuagint (LXX) translates the term רְגֵעַ (gēr) as προσήλυτοι (*prosēlytos*), or *proselyte*. In fact, the  
 435 LXX term "is used especially in those texts referring to the inclusion of the resident alien as a full participatory  
 436 member in the religious community (ca. 70x), giving it the nuance of the later, more technical meaning of a con-  
 437 vert."<sup>42</sup> It is clear from this data that the sojourner or alien, therefore, was not merely an immigrant but rather  
 438 one who sought the presence of Yahweh—one seeking redemption.

439 In Lev 19.34 we find similar characteristics as what we find in Exo 22.21, namely Israel's treatment of  
 440 the aliens in her midst based upon her identity as God's redeemed people: "You shall treat the stranger who so-

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<sup>42</sup> A. H. Konkel, *FWG*, in *New International Dictionary of Old Testament Theology and Exegesis*, 5 vols., ed. Willem A. VanGemeren (Grand Rapids: Zondervan, 1997), v. 1, pp. 837-38; cf. Jacob Milgrom, *Leviticus* (Minneapolis: Fortress, 2004), pp. 244-45.

441 journals with you as the native among you, and you shall love him as yourself, for you were strangers in the land  
 442 of Egypt: I am the LORD your God.” One also finds comparable characteristics in Deut 10.17-19: “For the  
 443 LORD your God is God of gods and Lord of lords, the great, the mighty, and the awesome God, who is not partial  
 444 and takes no bribe. <sup>18</sup> He executes justice for the fatherless and the widow, and loves the sojourner, giving him  
 445 food and clothing. <sup>19</sup> Love the sojourner, therefore, for you were sojourners in the land of Egypt.” Here we see  
 446 that Israel’s conduct towards the aliens in their midst was supposed to be one that reflected the love and mercy  
 447 that they had received during their bondage in Egypt. It is also important that we note that all of these passages,  
 448 whether Exo 22.21, Lev 19.34, or Deut 10.17-19, are predicated upon the exodus-redemption and subsequent  
 449 cutting of the Mosaic covenant between God and Israel. This is especially evident in the relationship between  
 450 the Exodus narrative material and subsequent revelation in Leviticus and Deuteronomy. Leviticus builds upon  
 451 Exodus; Deuteronomy is the renewal of the Sinai covenant between God and the new generation of Israelites as  
 452 they prepared to enter the promised land (Deut 4.13).<sup>43</sup> Keeping these things in mind, we may draw some basic  
 453 conclusions thus far before we proceed to consider these passages in the light of the NT.

454 First, these passages establish Israel’s conduct towards the Gentiles or aliens who would settle in their  
 455 midst and who desired to dwell in the presence of Yahweh. One should recall that these commands do not char-  
 456 acterize their conduct toward Gentiles in general, as there were many Gentiles who were to be treated as ene-  
 457 mies, such as the previous inhabitants of the land. Nevertheless, it is perhaps the opening of the narrative of  
 458 Ruth that best characterizes the desire of the alien dwelling in Israel’s midst: “Your people shall be my people,  
 459 and your God my God” (Ruth 1.16). Here Ruth, a Moabite, a Gentile, desired to live in the land of Israel, but  
 460 even more so, sought to become part of the covenant community and worship Israel’s covenant Lord.<sup>44</sup>

461 Second, when we explore Israel’s significance as a nation, we cannot do so merely as a geo-political en-  
 462 tity and thereby appeal directly to the OT to formulate either immigration policy for 21<sup>st</sup> century geo-political  
 463 entities or the church’s own position on illegal immigration as so much of the previously surveyed literature  
 464 does. In other words, the NT does not appeal to these passages to substantiate or establish geo-political ethics.  
 465 Rather, the manner in which the NT interprets these OT passages is in terms of *type* and *antitype*. Or, as our  
 466 Standards explain concerning the administration of the covenant of grace in the OT: “Under the law it was ad-  
 467 ministered by promises, prophecies, sacrifices, circumcision, the paschal lamb, and other types and ordinances  
 468 delivered to the people of the Jews, all foreshadowing Christ to come” (WCF 7.5).<sup>45</sup> In other words, Israel as a  
 469 theocracy is not a blueprint for geo-political entities but rather is first and foremost a type of the one who was to  
 470 come, Jesus Christ, and of his kingdom: “To them also, as a body politic, He gave sundry judicial laws, which  
 471 expired together with the State of that people; not obliging under any now, further than the general equity thereof  
 472 may require” (WCF 19.4).<sup>46</sup> In this regard, God’s relationship with Israel is perhaps most intimately character-  
 473 ized, not merely as a civil authority, but as one between Father and son: “When Israel was a child, I loved him,  
 474 and out of Egypt I called my son” (Hos 11.1; cf. Exo 4.22).

475 Third, Israel’s identity was permanently shaped by the exodus-redemption for several reasons. Not  
 476 only did the exodus-redemption represent the formal birth of Israel as a nation with the Red Sea crossing and the  
 477 cutting of the Mosaic covenant, but it was also the continuation of the Abrahamic covenant. The exodus shaped  
 478 Israel’s existence, which as we have seen was connected to Israel’s relationship *vis-à-vis* the Gentile nations.  
 479 However, just because Israel was now a holy nation and a kingdom of priests (Exo 19.6), at the same time they  
 480 were still considered aliens. When God gave Israel instructions concerning the ownership of the land, for exam-  
 481 ple, he instructed them: “The land shall not be sold in perpetuity, for the land is mine. For you are strangers and  
 482 sojourners with me” (Lev 25.23). Here God explains that Israel’s occupation of the land is predicated upon his

<sup>43</sup> Gordon J. Wenham, *The Book of Leviticus*, NICOT (Grand Rapids: Eerdmans, 1979), p. 16; Peter C. Craigie, *Deuteronomy*, NICOT (Grand Rapids: Eerdmans, 1976), pp. 18-20.

<sup>44</sup> Robert L. Hubbard, *The Book of Ruth*, NICOT (Grand Rapids: Eerdmans, 1988), pp. 117-18.

<sup>45</sup> All references to the Westminster Standards unless otherwise noted come from *The Confession of Faith and Catechisms of The Orthodox Presbyterian Church with Proof Texts* (Willow Grove: The Committee on Christian Education of the OPC, 2005). The Standards are abbreviated as: Westminster Confession of Faith (WCF); Larger Catechism (LC); and Shorter Catechism (SC).

<sup>46</sup> A. Craig Troxel and Peter J. Wallace, “Men in Combat over the Civil Law: ‘General Equity’ in WCF 19.4,” *Westminster Theological Journal* 64/2 (2002), pp. 307-18.

483 ownership of the land, not Israel's, and for this reason Israel is considered to be ~ybi<sup>2</sup>v'Atw > ~yrlôgE  
 484 (gërîm wütôšăbîm). Here we find the term rGE (gër), *sojourner* or *alien*, but we also find God charac-  
 485 terizing Israel as bv'AT (tôšăb), which is a class of individual that is even more temporary than an *alien*.  
 486 Israel's status as "stranger and sojourner" is specifically tied to the year of Jubilee and the requirement not to sell  
 487 permanently the land. It is therefore these three elements of which we must take note when we move forward to  
 488 consider these OT teachings in the light of the revelation of Christ.

489 **2. The New Testament fulfillment.** When we cross over into the NT the christological and typological  
 490 significance of Israel's identity becomes clear. We see that Israel has its significance terminate, not upon the  
 491 nations in general, but in terms of its typological relationship to Christ, the antitype. Hosea 11.1, for example, is  
 492 cited by Matthew in his gospel as being fulfilled in terms of Christ's own exodus from Egypt: "And he rose and  
 493 took the child and his mother by night and departed to Egypt<sup>15</sup> and remained there until the death of Herod. This  
 494 was to fulfill what the Lord had spoken by the prophet, 'Out of Egypt I called my son'" (Matt 2.14-15).<sup>47</sup> We  
 495 also see much in the gospels to commend the fact that it is Jesus as one greater than Moses who now leads the  
 496 people of God on the final exodus out from under the bondage and power of Satan, sin, and death.

497 It is in Luke's gospel, for example, where we find Jesus on the mount of transfiguration discussing his  
 498 impending crucifixion: "And behold, two men were talking with him, Moses and Elijah,<sup>31</sup> who appeared in  
 499 glory and spoke of his exodus, which he was about to accomplish at Jerusalem" (Luke 9.30-31).<sup>48</sup> Earle Ellis  
 500 comments that Luke's use of the term *exodus* "probably includes the whole of Messiah's redemptive work:  
 501 death, resurrection, and ascension. The 'exodus' typology is clearly in view. Jesus is the new Moses who estab-  
 502 lishes a new Israel, gives a new covenant, and through his death and resurrection delivers God's people from the  
 503 'Egypt' of sin and death."<sup>49</sup>

504 Likewise in other portions of the NT we find the imagery of the church's current existence portrayed in  
 505 terms of Israel's OT wilderness wanderings, their pilgrimage to the promised land (Heb 3-4). It is in this way,  
 506 then, one that is based in Israel's exodus-redemption and her own sojourning to the promised land, that Israel's  
 507 laws and identity are fulfilled in the person and work of Christ and his redemption of the church. In the light of  
 508 these broader points of fulfillment in terms of Israel, Christ, and the church, we find the general interpretive tra-  
 509 jectory set forth concerning Israel and the aliens in her midst confirmed by the other portions of the NT.

510 The apostle Paul expounds upon the connections between Israel, Christ, and the church, particularly in  
 511 terms of the church's identity as *aliens* or *strangers*: "Remember that you were at that time separated from  
 512 Christ, alienated from the commonwealth of Israel and strangers to the covenants of promise, having no hope  
 513 and without God in the world.<sup>13</sup> But now in Christ Jesus you who once were far off have been brought near by  
 514 the blood of Christ" (Eph 2.12-13). It is here in Eph 2 that Paul inerrantly gives the theological significance of  
 515 OT Israel's stance towards the Gentile nations. Rather than being strangers and aliens, Paul explains: "So then  
 516 you are no longer strangers and aliens, but you are fellow citizens with the saints and members of the household  
 517 of God" (Eph 2.19). In other words, Gentiles are now, along with the Jew, full members of the covenant. But  
 518 because Christ has come, the Gentile is no longer a sojourner dwelling in God's presence with fewer rights than  
 519 the Jew, but rather both Jew and Gentile are now equal in the sight of God. The status of *stranger* or *alien* is  
 520 erased in Christ.<sup>50</sup> We must also remember that Paul is not dealing with geo-political entities but in terms of the

<sup>47</sup> D. A. Carson, *Matthew 1-12*, EBC (Grand Rapids: Zondervan, 1995), pp. 90-93; contra Peter Enns, *Inspiration and Incarnation: Evangelicals and the Problem of the Old Testament* (Grand Rapids: Baker, 2005), pp. 132-34.

<sup>48</sup> Modified ESV: kai. idou. andrej dup sunelajoun autw( oi(tinej hsan Mwushj kai. vHI iaj( <sup>31</sup> oij ofqentej en doxh) e(egon thn exodon autou( hj hmellen plhrouh en Ierousalhm

<sup>49</sup> E. Earle Ellis, *The Gospel of Luke*, NCB (1966; Grand Rapids: Eerdmans, 1996), p. 143. See also Mikeal C. Parsons, *The Departure of Jesus in Luke-Acts: The Ascension Narratives in Context* (Sheffield: JSOT Press, 1987); Rikki E. Watts, *Isaiah's New Exodus in Mark* (Grand Rapids: Baker, 1997); David W. Pao, *Acts and the Isaianic New Exodus* (Grand Rapids: Baker, 2000).

<sup>50</sup> Peter T. O'Brien, *The Letter to the Ephesians*, PNTC (Grand Rapids: Eerdmans, 1999), pp. 185-91.

521 redemptive covenant, the redemption that comes through faith in Christ. When one places his faith in Christ, he  
522 is no longer a stranger or alien to God's covenantal redemption.

523 At the same time, like OT Israel, the status of the one who is united to Christ by faith changes *vis-à-vis*  
524 the unbelieving world. We find in Peter's first epistle that he addresses the Jewish and Gentile Christians as  
525 "sojourners and exiles" (1 Pet 2.11). It is particularly in light of the exodus from Satan, sin, and death, that Je-  
526 sus, our great shepherd, leads us as we pilgrim towards the promised land, just as Moses led Israel in the wilder-  
527 ness. Our pilgrimage does not terminate, however, in the earthly land of Canaan but in the New Jerusalem and  
528 in the year of the Lord, the great eschatological Jubilee (Luke 4.16-21; Heb 11.13). We see Peter characterize  
529 the Jewish and Gentile Christians in terms of Israel's stance towards the Gentile nations when he instructs them  
530 to "keep your conduct among the Gentiles honorable" (1 Pet 2.12).

531 All of this exegetical data points in the direction that the NT counterpart to OT Israel is not the nations  
532 but rather, more specifically, Christ and the church. It is no longer the nation of Israel that is the holy nation and  
533 kingdom of priests, but rather the church (1 Pet 2.9; Rev 1.6, 5.10). Or, more specifically, the US is not the  
534 counterpart to OT Israel. In terms of the issue at hand, therefore, one may not directly appeal to OT law con-  
535 cerning strangers and aliens for the question of illegal immigration and the church's stance on the issue. Rather,  
536 the OT stranger and alien laws must first be read in light of their fulfillment in Christ and the church.

537 It is from the very opening chapters of Scripture that we see God telling his people through the proph-  
538 ecy of Noah, for example, that the sons of Japheth would seek shelter in the tents of Shem, or in the light of later  
539 revelation, that the Gentiles would find shelter in the tents of Israel (Gen 9.27; cf. Acts 14.27; 1 Cor 16.9).<sup>51</sup>  
540 This theme continues forward in the alien passages in the OT, which instruct Israel to love the sojourner, the  
541 Gentile who seeks to dwell in the presence of God. These passages all point to the NT fulfillment in Christ and  
542 the church where both Jew and Gentile find shelter in the covenantal redemption wrought by Christ in his life,  
543 death, and resurrection. In this light, it is therefore important to see that the church must treat all strangers and  
544 aliens, or those seeking redemptive shelter in Christ and the church, with love regardless of their country of ori-  
545 gin, whether they are American, Mexican, Iraqi, Chinese, or North Korean. As Paul writes, "So then, as we have  
546 opportunity, let us do good to everyone, and especially to those who are of the household of faith" (Gal 6.10).  
547 The issue of one's immigration status, legal or illegal, is not at all in view. Given this data, therefore, we can  
548 bring to bear a proper understanding of the alien passages of the OT as they are interpreted by the NT against the  
549 specific question of the church's conduct towards illegal aliens.

## 550 **B. The church's conduct towards strangers and aliens**

551 First, the church should not fear indiscriminate evangelization of the lost. The teaching of the Scriptures is clear:  
552 the church is to carry the gospel into all the nations (Matt 28.18-19). At the same time, given the constant influx  
553 of immigrants to the US, it is fair to say that the nations are coming to us, which in some respects assists the  
554 church in taking the gospel to the nations. No church should stop sending foreign missionaries into the field to  
555 work throughout the globe. The great commission sends the church to evangelize people "from every tribe and  
556 language and people and nation" (Rev 5.9), not geo-political entities. Hence, given that people from many na-  
557 tions immigrate to the US, we should evangelize indiscriminately and fearlessly. In other words, we need not  
558 worry whether the person to whom we present the gospel is legally or illegally in the country.

559 Second, the church should never turn its back on fellow brothers and sisters in Christ, whether they are  
560 legally or illegally in the country. We should be willing to see to the spiritual and physical needs of anyone who  
561 comes to the church. This is where Lev 19.33-34 comes to bear. Yes, when an unbeliever comes to the church,  
562 we should not do him wrong. Moreover, we should treat the unbeliever in all kindness and love him as our-  
563 selves, remembering that we were once strangers and aliens to the covenant promises of God (Eph 2.19). We  
564 should also be willing to see to the diaconal needs of those who seek redemptive shelter in the church (2 Cor  
565 8.8ff; James 2.5-9; Heb 13.2). The church must remember that her mission is not to combat poverty or political  
566 oppression, however noble these enterprises might be. Rather, those aliens and strangers who seek redemption  
567 in the church, which is analogous to the stranger or alien dwelling in the midst of Israel, are those to whom the  
568 church must focus its efforts (Matt 25.42-45). In other words, the church's diaconal energies must be focused  
569 around its ministry of word and sacrament, the propagation and proclamation of the gospel.

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<sup>51</sup> Meredith G. Kline, *Kingdom Prologue: Genesis Foundations for a Covenantal Worldview* (Overland Park: Two Age Press, 2000), pp. 268-69.

570 Third, it is in the church's execution of the great commission and its love of strangers and aliens that it  
 571 must take heed of its responsibilities to the state, or civil magistrate. For in carrying out its ministry of word and  
 572 sacrament the church does so not in apathy to the laws of the state, but seeking to be obedient to the civil  
 573 authorities. Moreover, as we saw from the OT alien passages, the alien was to be loved but at the same time had  
 574 to abide by and was subject to Israel's laws. Therefore, the alien, the one who seeks redemptive shelter in the  
 575 church, legal or illegal, must be obedient to our covenant Lord as a part of the corporate body, the church (John  
 576 14.15). It is therefore to the relationship between church and state that we must turn.

#### 577 **IV. THE RELATIONSHIP BETWEEN CHURCH AND STATE**

578 In any attempt to frame a theological response to the issue of illegal immigration, one must set out the param-  
 579 eters of the church's relationship to the state. We will do so by exploring several key passages of Scripture, and  
 580 then by surveying the teaching of the Westminster Standards on the subject (WCF, LC, SC).

##### 581 **A. Scriptural considerations (Romans 13.1-7 and 1 Peter 2.13-17)**

582 There are two primary passages that deserve our attention when considering the relationship between church and  
 583 state: Rom 13.1-7 and 1 Pet 2.13-17. In the first, the apostle Paul sets forth important boundaries for both the  
 584 church and state and how the two entities should interact. Paul begins by writing: "Let every person be subject  
 585 to the governing authorities. For there is no authority except from God, and those that exist have been instituted  
 586 by God" (Rom 13.1). This is an important consideration, namely that all earthly authority ultimately is from  
 587 God, or stated more specifically, the state wields the authority of God. This is really nothing novel, as Paul's  
 588 teaching rests squarely upon the OT prophetic, apocalyptic, and wisdom tradition of God's appointment and use  
 589 of human rulers for his own purposes (see, e.g., 2 Sam 12.8; Jer 27.5f; Dan 2.21, 37-38; 4.17, 25, 32, 5.21).<sup>52</sup> It  
 590 also represents an authoritative adaptation of Christ's teaching regarding the Christian's responsibility to the  
 591 state (cf. Matt 22.16-22 // Mark 12.14-17 // Luke 20.21-26).<sup>53</sup>

592 Paul argues that the state, or the civil magistrate, is *θεου διακονοι* (*theou diakonos*) "God's servant" (v.  
 593 4). The civil magistrate as God's servant exercises authority on behalf of God to maintain basic civic order. He  
 594 "has appointed them for the just and lawful government of the world."<sup>54</sup> The tool that civil magistrate has been  
 595 given to carry out this responsibility is the sword of steel: "For he is God's servant for your good. But if you do  
 596 wrong, be afraid, for he does not bear the sword in vain. For he is the servant of God, an avenger who carries out  
 597 God's wrath on the wrongdoer" (Rom 13.4). Given that the magistrate is God's servant and an agent of God to  
 598 administer divine wrath upon wrong-doers, Paul instructs his recipients that the church, both individually and  
 599 corporately, must be subject to the magistrate not only to avoid God's wrath but also for the sake of conscience  
 600 (v. 5). Christians are consequently, *δια τουτο* (*dia touto*), supposed to pay taxes to, respect, and honor the gov-  
 601 erning authorities (vv. 6-7). To disobey the civil authorities is to disobey God.<sup>55</sup> One should note at this point

<sup>52</sup> C. E. B. Cranfield, *Romans*, v. 2, ICC (1979; Edinburgh: T & T Clark, 1994), pp. 658-59, 663.

<sup>53</sup> Douglas Moo *The Epistle to the Romans*, NICNT (Grand Rapids: Eerdmans, 1996), p. 793.

<sup>54</sup> John Calvin, *Romans and Thessalonians*, CNTC, trans. Ross Mackenzie, eds. Thomas F. Torrance and David W. Torrance (1960; Grand Rapids: Eerdmans, 1995), p. 281; also Charles Hodge, *Romans*, 1835; Edinburgh: Banner of Truth, 1989), p. 407.

<sup>55</sup> Hodge, *Romans*, pp. 404-05; see also Blomberg, *Neither Poverty nor Riches*, p. 200. For those who believe that Paul was reflecting upon the early and congenial reign of Emperor Nero and would have not written Rom 13.1-7 in exactly the same manner had he known about Nero's persecution of the church, there are several mitigating factors against such a conclusion. First, Paul was an adult during Caligula's reign (37-41), and he was therefore certainly aware of the practice of emperor worship. Second, Paul was all too familiar with the Jesus tradition that Herod and Pontius Pilate were complicit in the death of Christ. He was aware that Christ suffered unjustly at their hands. Third, Paul endured injustice at the hands of governing authorities in his own missionary labor (Acts 16.19-24; 35-40; 17.5-9). And, fourth, as one who had knowledge of the OT and the literature of his day, he was well aware of the corruption and evil promoted by ruling authorities (Exo 1.8-22; Isa 10.5-34; 13.1-23.18; Jer 46.1-51.64; Dan 4.1-5.31; Amos 1.2-2.3; 1 Macc 1.10-2.68) (Thomas R. Schreiner, *Paul—Apostle of God's Glory in Christ: A Pauline Theology* [Downers Grove: IVP, 2001], pp. 448-49; see also Herman Ridderbos, *Paul: An Outline of His Theology*, trans. John Richard de Witt [Grand Rapids: Eerdmans, 1975, p. 322).

602 that Paul's instructions that the church must submit to the state are not in conflict with the inaugurated kingdom  
603 of God, or the inaugurated eschaton. This is something we will explore in greater detail below.

604 We find similar teaching from the apostle Peter who writes: "Be subject for the Lord's sake to every  
605 human institution, whether it be to the emperor as supreme,<sup>14</sup> or to governors as sent by him to punish those who  
606 do evil and to praise those who do good" (1 Pet 2.13-14). While this sounds very similar to Paul's instruction,  
607 there are two particularly important points that Peter raises, one in the verse just quoted, and the second in the  
608 immediate context. First, Peter specifically mentions the *basileuj* (*basileus*), "the emperor," which would have  
609 likely been Nero (AD 37-68) (cf. John 19.15; Acts 17.7).<sup>56</sup> Nero's wickedness needs little if any elaboration;  
610 nevertheless, Peter instructs his recipients to submit to Nero's authority.<sup>57</sup>

611 In the overall context in which we find vv. 13-17, one of Peter's main emphases is that Christians are  
612 supposed to submit to authority, "not only to the good and gentle but also to the unjust" (v. 18). The connection  
613 between the Christian's submission to authorities, whether to the civil magistrate (vv. 13-17), to one's just or  
614 unjust master, *despotḥj* (*despotēs*), (vv. 18-25), or a wife's submission to her husband, even one who does not  
615 obey the word of God (1 Pet 3.1-6), is that the Christian's relationship to these various authorities is one marked  
616 by submission to them (2.13, 18, 3.1).<sup>58</sup> John Calvin (1509-64) gives answer to a common objection to Peter's  
617 instruction, namely, should Christians submit even to tyrannical authority:

618  
619 If anyone objects and says that we ought not to obey princes who, as far as they can, pervert the holy  
620 ordinance of God, and thus become savage wild beasts, while magistrates ought to bear the image of  
621 God, I reply that the order established by God ought to be so highly valued by us as to honor even ty-  
622 rants when in power. There is yet another reply still more evident, that there has never been a tyranny,  
623 nor can one be imagined, however cruel and unbridled, in which some portion of equity has not ap-  
624 peared. God never allows His just order to be destroyed by the sin of men without some of its outlines  
625 remaining obscured. And finally, some kind of government, however deformed and corrupt it may be,  
626 is still better and more beneficial than anarchy.<sup>59</sup>

627  
628 It is important, however, that we take note of the two primary grounds Peter gives for his instruction that Chris-  
629 tians, both corporately and individually, must submit to civil authorities. Peter does not see soteriology or es-  
630 chatology mitigating the Christian's obligation to submit to the state.

631 First, Peter writes to his recipients: "Keep your conduct among the Gentiles honorable, so that when they  
632 speak against you as evildoers, they may see your good deeds and glorify God on the day of visitation" (1 Pet  
633 2.12). Here Peter adopts the stance of OT Israel's relationship to the pagan unbelieving Gentile nations sur-  
634 rounding her and applies it to the church, consisting of both Jew and Gentile. In other words, for the church,  
635 whether corporately or individually, to disobey the civil authorities, or masters or husbands, was to give unbe-  
636 lievers an opportunity to malign Christ and the gospel (1 Pet 2.15). Therefore, the church's conduct *vis-à-vis*  
637 the government has as one of its goals the concrete manifestation of the redemption of Christ applied by the power  
638 of the Holy Spirit in terms of the corporate and individual witness of the church to the unbelieving world (cf. 1  
639 Pet 1.1-4).

640 Second, it is important that we note how Peter grounds the church's conduct in christology and eschatol-  
641 ogy, themes which one also finds in Paul (e.g. 1 Cor 15.45ff).<sup>60</sup> That Peter writes with a cognitive awareness of  
642 inaugurated eschatology is without question. That the eschaton has begun is evident in numerous places  
643 throughout his first epistle, for example, in his recognition of the flood (Gen 6-8) as a *type* (*tupoj*) and baptism

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<sup>56</sup> J. Ramsey Michaels, *1 Peter*, WBC, vol. 49 (Waco: Word, 1988), p. 125.

<sup>57</sup> See Edward Champlin, *Nero* (Cambridge: Harvard UP, 2003).

<sup>58</sup> Karen H. Jobes, *1 Peter*, BECNT (Grand Rapids: Baker, 2005), p. 178.

<sup>59</sup> John Calvin, *Hebrews and 1 & 2 Peter*, CNTC, trans. William B. Johnston, eds. David W. Torrance and Thomas F. Torrance (1960; Grand Rapids: Eerdmans, 1995), p. 271.

<sup>60</sup> See Geerhardus Vos, *The Pauline Eschatology* (1930; Phillipsburg: P & R, 1994), pp. 1-41.



644 as the *antitype* (*anti,tupoj*) (1 Pet 3.21). As one commentator explains, “The manner in which baptism is the  
 645 antitype of the OT event is expressed by *anti,tupoj*. This word is probably being used already as a technical  
 646 term, since through Paul *tupoj* became in early Christianity an hermeneutical technical expression for OT pre-  
 647 representations of the eschatological event beginning with Christ (1 Cor 10.6, 11; Rom 5.14).”<sup>61</sup> So then, one  
 648 must take note of the inaugurated eschatological kingdom of Christ. Peter and Paul, however, also ground the  
 649 church’s conduct in its union with Christ.

650 After Peter’s instruction to his recipients that they submit to authority, whether just or unjust, he ex-  
 651 plains: “For to this you have been called, because Christ also suffered for you, leaving you an example, so that  
 652 you might follow in his steps” (1 Pet 2.21). The Christian, corporately and individually, has been called to em-  
 653 body the suffering of Christ. It is here where the *theologia crucis*, the theology of the cross, comes to play. The  
 654 Christian is called to follow Christ in the way of the cross—just as Christ suffered at the hands of unjust authori-  
 655 ties, so too the church is called to the same path. Taking these two points, then, one commentator notes: “It may  
 656 be tempting for Christian believers, especially in pagan societies, to construe their loyalty to Christ as a license  
 657 for rebellion against ungodly authorities that govern them. In Peter’s view, Christians must be subject to even  
 658 pagan authorities, even those as ungodly as the Roman emperor.”<sup>62</sup> How has the Reformed tradition codified  
 659 this scriptural teaching?

## 660 B. Confessional considerations

661 Historically the Reformed tradition has explained the Scriptures’ teaching on the relationship between church  
 662 and state with the terms of the doctrine of the two kingdoms: the *regnum gratiae* and *regnum potentiae*, the  
 663 kingdoms of grace and power. The *regnum gratiae* is Christ’s rule over the *ecclesia militans* (the church mili-  
 664 tant) where he governs, blesses, and defends the church in its earthly pilgrimage for the sake of the salvation of  
 665 believers. The *regnum potentiae*, on the other hand, is universal, general or natural—that is, Christ’s rule over  
 666 the world and its affairs through the civil magistrate, though his rule is based not upon his role as mediator but as  
 667 the second person of the trinity. Others in the Reformed tradition argue that it is God the Father who rules over  
 668 the kingdom of power as creator, which is the view reflected in the Westminster Standards. It is important that  
 669 we understand that these terms do not represent separate reigns but merely distinctions in the manner and exer-  
 670 cise of God’s rule.<sup>63</sup> While we do not find these specific terms in the Westminster Standards, we do find their  
 671 substance. We find the divines expressing the substance of the *regnum potentiae* in the opening paragraph of  
 672 their chapter on the civil magistrate: “God, the supreme Lord and King of all the world, hath ordained civil  
 673 magistrates, to be, under him, over the people, for his own glory, and the public good: and, to this end hath

<sup>61</sup> Leonhard Goppelt, *A Commentary on 1 Peter*, trans. John E. Alsup, ed. Ferdinand Hahn (1978; Grand Rapids: Eerdmans, 1993), p. 266; idem, *tupoj*, in *Theological Dictionary of the New Testament*, ed. Gerhard Friedrich, trans. Geoffrey Bromiley (1982; Grand Rapids: Eerdmans, 2006), v. 8, pp. 251-59. See also Geerhardus Vos, “Hebrews, the Epistle of the Diatheke,” in *Redemptive History and Biblical Interpretation: The Shorter Writings of Geerhardus Vos*, ed. Richard B. Gaffin, Jr. (Phillipsburg: P & R, 1980), p. 201.

<sup>62</sup> Jobs, *1 Peter*, p. 174; see also Vos, *Pauline Eschatology*, p. 28, n. 36.

<sup>63</sup> Richard A. Muller, *Dictionary of Latin and Greek Theological Terms: Drawn Principally from Protestant Scholastic Theology* (Grand Rapids: Baker, 1985), q. v. *regnum gratiae*, *regnum potentiae*, p. 260. The doctrine of the two kingdoms has been articulated by a number of Reformed theologians in both the Reformation and post-Reformation period, though arguably Martin Luther was one of the first reformers to articulate the doctrine (see Martin Luther, “Temporal Authority: To What Extent It Should Be Obeyed (1523),” in *Martin Luther’s Basic Theological Writings*, ed. Timothy F. Lull [Philadelphia: Fortress, 1989], pp. 655-703; cf. Heinrich Bornkamm, *Luther’s Doctrine of the Two Kingdoms*, trans. Karl H. Hertz [Philadelphia: Fortress, 1966; Bernard Lohse, *Martin Luther’s Theology: Its Historical and Systematic Development*, trans. Roy A. Harrisville [Minneapolis: Fortress, 1999], pp. 314-24; John Calvin, *Institutes of the Christian Religion*, LCC, vols. 20-21, trans. Ford Lewis Battles, ed., John T. McNeill [Philadelphia: Westminster, 1960], 4.20.1-2, pp. 1485-88; Francis Turretin, *Institutes of Elenctic Theology*, 3 vols., trans. George Musgrave Giger, ed. James T. Dennison [Phillipsburg: P & R, 1992-97], 14.16.1-15, v. 2, pp. 487-94; Louis Berkhof, *Systematic Theology: New Combined Edition* [1932-38; Grand Rapids: Eerdmans, 1996], pp. 406-12; for analysis and documentation, see VanDrunen, *Natural Law and the Two Kingdoms*).

674 armed them with the power of the sword, for the defense and encouragement of them that are good, and for the  
 675 punishment of evildoers” (WCF 23.1).<sup>64</sup> Here we see in the Confession that God as creator rules over the king-  
 676 dom of power, or the civil magistrate.

677 The civil magistrate is an extension of the reign of God, but the magistrates’ power is for the “public  
 678 good” and it is their duty “to protect the person and good name of all their people” (WCF 23.3). God’s rule  
 679 through the civil magistrate is a manifestation of his common grace—that which preserves and maintains social  
 680 order. The instrument by which he exercises his authority is the “power of the sword.” Civil magistrates are not  
 681 allowed to “assume to themselves the administration of the Word and sacraments; or the power of the keys of the  
 682 kingdom of heaven” (WCF 23.3). By contrast, the *regnum gratiae*, or the church militant, is “the visible church,  
 683 which is also catholic or universal under the gospel (not confined to one nation, as before under the law), con-  
 684 sists of all those throughout the world that profess the true religion; and of their children: and is the kingdom of  
 685 the Lord Jesus Christ, the house and family of God, out of which there is no ordinary possibility of salvation”  
 686 (WCF 25.2). In contrast to the *regnum potentiae*, the *regnum gratiae* does not have the power of the sword but  
 687 rather the sword of the Spirit, or the word of God, as well as the administration of the sacraments, instruments of  
 688 God’s special grace: “Unto this catholic visible church Christ hath given the ministry, oracles, and ordinances of  
 689 God” (WCF 25.3).

690 When we compare the two kingdoms, that of the church and state, we see that they are ruled by God as  
 691 creator and Christ as redeemer but that they have different ends and purposes. Stuart Robinson (1814-81) ex-  
 692 plains how the two kingdoms relate to one another in his book *The Church of God*, from which we may draw a  
 693 summary of the two kingdoms:

- 694 1. The civil power derives its authority from God as the author of nature, whereas the church obtains  
 695 its power from Jesus as mediator.
- 696 2. The rule for the guidance of the civil power in its exercise is the light of nature and reason, the law  
 697 that the author of nature reveals through reason to man, whereas the rule for guidance of ecclesias-  
 698 tical power comes through the great prophet, Jesus Christ as he is revealed in the word.<sup>65</sup>
- 699 3. They differ in scope and aim in that the civil power is limited to those things that are seen and that  
 700 are temporal, whereas the aim of the church is that which is unseen and spiritual.
- 701 4. They differ in that the significant symbol of the civil power is the sword—it is a government of  
 702 force. By contrast, the symbol of the church is the power of the keys, its government is ministerial.
- 703 5. They differ in that the civil power may be exercised as several power by one judge, magistrate, or  
 704 governor. The head of the government cannot confer spiritual power and has no authority to rule in  
 705 the church on spiritual matters.

706 In the end Robinson explains that the church and state “are the great powers that be, and are ordained by God to  
 707 serve two distinct ends in the great scheme devised for man as fallen.”<sup>66</sup> These doctrinal conclusions are not  
 708 unique but merely reflect the Scriptures’ teaching on the respective roles and functions of church and state.  
 709  
 710  
 711

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<sup>64</sup> Cf. William S. Barker, “Lord of Lords and King of Commoners: The Westminster Confession and the Relationship of Church and State,” in *The Westminster Confession into the 21<sup>st</sup> Century*, ed., Ligon Duncan (Fearn: Mentor, 2003), pp. 413-28, esp. 427-28.

<sup>65</sup> Perhaps it is now a controversial statement to make that the state, or the kingdom of power, is guided by natural law. Nevertheless Robinson’s statement is in line with the majority view expressed in the historic Reformed faith (see Calvin, *Institutes*, 4.20.14-16, pp. 1503-05; Turretin, *Institutes*, 11.1.1-23, v. 2, pp. 1-7; Samuel Rutherford, *Lex, Rex, or The Law and the Prince* [1644; Harrisonburg: Sprinkle, 1982], p. 3; A. A. Hodge, *The Confession of Faith* [rep.; Edinburgh: Banner of Truth, 1958], p. 294). For the use of natural law in the WCF particularly as it bears upon the relationship between OT law and the state, see Troxel and Wallace, ““General Equity in WCF 19.4,”” pp. 307-18. For a broader examination of the subject, see Stephen J. Grabill, *Rediscovering Natural Law in Reformed Theological Ethics* (Grand Rapids: Eerdmans, 2006). Also see David VanDrunen, *A Biblical Case for Natural Law* (Grand Rapids: Acton Institute, 2006), esp. pp. 23-68.

715 **C. Theological analysis**

716 As we reflect upon the current literature on the question of illegal aliens, there is a virtual absence of any consid-  
 717 eration of the relationship between church and state. A common opinion is that the authority of the state may be  
 718 contravened in light of the supposed greater socio-economic or redemptive concerns. However, nowhere in the  
 719 surveyed literature do we find the scriptural recognition that the state is God's servant and to violate its laws is to  
 720 reject and rebel against God's authority. The scriptural view of the state is radically different than either abstract  
 721 liberalism or communitarianism, which see the authority of the state either in the autonomous individual or in the  
 722 consent of a group of individuals to be governed. Furthermore, the church as the *regnum gratiae* has no author-  
 723 ity to disobey the God-ordained and appointed authority of the state. Commenting on WCF 23.1, A. A. Hodge  
 724 (1823-86) explains:

725  
 726 Civil government is a divine institution, and hence the duty of obedience to our legitimate rulers is a  
 727 duty owed to God as well as to our fellow-men. Some have supposed that the right or legitimate  
 728 authority of human government has its foundation ultimately in 'the consent of the governed,' 'the will  
 729 of the majority,' or in some imaginary 'social compact' entered into by the forefathers of the race at the  
 730 origin of social life. It is self-evident, however, that the divine will is the source of government; and the  
 731 obligation to obey that will, resting upon all moral agents, the ultimate ground of all obligation to obey  
 732 human governments.<sup>67</sup>

733  
 734 Scripture certainly recognizes that there are times when the church must obey God rather than the state because  
 735 the laws of the state attempt to force disobedience to the preceptive will of God. In such circumstances, "We  
 736 must obey God rather than men" (Acts 5.29), as Daniel's three friends disobeyed Nebuchadnezzar's command to  
 737 worship the golden statue (Dan 3) and were prepared to face the consequences for that disobedience.

738 There is a distinction to be made, however, between when the state tries to compel disobedience to  
 739 God's law versus when it enacts unjust laws. The state cannot force Christians, for example, to worship false  
 740 gods, but on the other hand it can create immigration laws, even perhaps unjust immigration laws. The Christian  
 741 has the obligation to disobey the former and obey the latter. The apostle Peter is clear; just because the laws of  
 742 the state may be unjust does not automatically give the church the right to reject the authority of the state. In  
 743 consideration of the illegal alien question, many fail to acknowledge or distinguish the two kingdoms and the  
 744 responsibilities of each, especially the church's responsibility to the state, whether corporately or individually. It  
 745 is the responsibility of the church, therefore, to obey the immigration laws of whatever country in which the  
 746 church finds itself. By encouraging Christians either to ignore or disobey the immigration laws of the state, two  
 747 consequences arise.

748 First, the corporate and individual witness of the church becomes compromised before the unbelieving  
 749 world because it willingly violates the laws of the state. This opens the church to criticism, namely that the  
 750 Christian faith encourages disobedience and disrespect for authority. Second, it deprives the church, corporately  
 751 and individually, of the cost of discipleship—of taking up one's cross and following Christ. This happens by the  
 752 church failing to submit to the unjust laws of the state and thereby failing to stand with Christ when called upon  
 753 to suffer. As William Willimon notes, "Even when preachers urge their congregations to get out and work for a  
 754 more just society, the ideal society envisioned is a liberal democratic one whose foundational assumptions about  
 755 the sovereignty of the individual and the sanctity of individual choice undercut the communal, political character  
 756 of Christian salvation."<sup>68</sup> Both the church and the individual Christian must be marked by the suffering of

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<sup>66</sup> Stuart Robinson, *The Church of God as an Essential Element of the Gospel and The Idea, Structure, and Functions Thereof* (1858; Greenville: GPTS Press, 1995), pp. 85-87. For historical background and analysis on Robinson's views, see Preston D. Graham, Jr., *A Kingdom Not of this World: Stuart Robinson's Struggle to Distinguish the Sacred from the Secular during the Civil War* (Macon: Mercer UP, 2002). For a briefer synopsis see Hart, *Secular Faith*, pp. 116-19.

<sup>67</sup> Hodge, *Confession of Faith*, p. 293; see also Francis R. Beattie, *The Presbyterian Standards* (rep.; Greenville: Southern Presbyterian Press, 1997), pp. 373-74.

<sup>68</sup> William H. Willimon, *Peculiar Speech: Preaching to the Baptized* (Grand Rapids: Eerdmans, 1992), p. 40.

757 Christ—to choose socio-economic stability at the cost of disobeying the immigration laws of the state is to es-  
758 chew the way of the cross.

759 To forgo the suffering of Christ and the way of the cross in discipleship and to choose instead to dis-  
760 obey the laws of the state is to turn away from the sanctifying power of the Holy Spirit. As Peter writes: “For  
761 this is grace, when, mindful of God, one endures sorrows while suffering unjustly” (1 Pet 2.19).<sup>69</sup> Indeed, in the  
762 midst of suffering, Peter states that the “the Spirit of glory and of God” rests upon the one who suffers (1 Pet  
763 4.14; cf. Isa 11.2; Matt 3.16). Peter again writes: “For it is better to suffer for doing good, if that should be God’s  
764 will, than for doing evil” (1 Pet 3.17). By contrast, for the one who eschews suffering and instead pursues evil  
765 Peter explains: “For the eyes of the Lord are on the righteous, and his ears are open to their prayer. But the face  
766 of the Lord is against those who do evil” (1 Pet 3.12; cf. Psa 34.16). In terms of the subject at hand, the one who  
767 violates the immigration laws of the state makes himself liable to the punishment of the state, detention, fines,  
768 and deportation.

769 Likewise, while with Roman Catholicism one should acknowledge that all people are created in the im-  
770 age of God, this does not mean that the *imago Dei* entitles man to throw off the restraints of civil government.  
771 Additionally, just because man can be redeemed by Christ does not therefore mean he is free to rebel against the  
772 state. On the contrary, in both the structure of Paul’s epistle to the Romans and in Peter’s first epistle, the ethical  
773 imperatives concerning the Christian’s relationship to the state are grounded in the indicative of union with  
774 Christ by faith through the work of the Holy Spirit. It is because of the believer’s union with Christ and the in-  
775 dwelling presence of the Holy Spirit that the believer willingly submits to the state. It is in this way that sote-  
776 riological considerations must always recognize the eschatological dynamic of the already-not-yet. Yes, the es-  
777 chaton has begun with the first advent of the eschatological man, Jesus Christ, and the outpouring of the power  
778 of the age to come, the Holy Spirit (1 Cor 15.45ff; Heb 6.4). Yes, we now stand in the wake of the inauguration  
779 of the Kingdom of God (cf. Matt 3.2; 4.17; Mark 1.15; Acts 1.3; 28.23-31).<sup>70</sup> But at the same time, we live be-  
780 tween the times, in the tension of the already-not-yet, meaning that the Christian, though he is raised with Christ  
781 and reigns with him in the heavenly places, nevertheless lives awaiting the consummation of all things (Eph 2.6).

782 Therefore, God has established in the world certain common grace institutions, such as marriage and  
783 government, which have a positive role to play even after the inauguration of the new age.<sup>71</sup> These institutions  
784 will abide until the consummation of the age. Hence, the fruit of the believer’s union with Christ by faith is his  
785 willingness to submit to God’s servant, the state, in temporal matters. Corporately, the whole church is not yet  
786 the *ecclesia triumphans*, or the church triumphant, the church of the blessed and those at rest. Rather, we are a  
787 pilgrim people, aliens and strangers in this world (1 Pet 1.1). As we pilgrim to the heavenly Jerusalem, we abide  
788 by the common grace institutions ordained by God. It is not until the consummation of all things that these  
789 common grace institutions will no longer be needed, since the church will no longer be a people on the way, ali-  
790 ens and strangers in this world, but will have arrived at its heavenly destination. If Christians choose to disobey  
791 the immigration laws of the state, they forfeit the way of the cross and can find themselves in opposition to God,  
792 and they expose themselves to the sword of the state and God’s wrath. The penalty they suffer, however, is not  
793 persecution but rather the consequence of disobedience to the state, which is ultimately disobedience to God.

#### 794 D. Summary

795 A proper recognition of the two kingdoms leads to a consideration of the inaugurated eschaton, the already-not-  
796 yet, and the theology of the cross. To many, this will strike an odd note in the ear, as there is the commonly ex-  
797 pressed belief that economic relief should take precedence in any situation, especially in the lives of those who  
798 are economically oppressed such as illegal aliens. However, recognizing the two kingdoms, and the church’s  
799 pilgrim status, causes us to acknowledge that prior to the consummation the church must pursue a path that leads  
800 through, and not around, the cross. Like Paul, the church must be prepared to fill up what is lacking in the suf-  
801 fering of Christ (Col 1.24). It is the theology of the cross and the respect for God-ordained earthly authorities,  
802 for example, that impelled Onesimus to return to his earthly master, Philemon (Phm 12, 17). Given current re-  
803 sponses to the question of illegal aliens, Onesimus should have sought freedom from slavery, not a return to it,

<sup>69</sup> Modified ESV: *touto gar carij eivdia suneidhsin qeou/upoferei tij lupaj pascwn adikwj*

<sup>70</sup> Herman Ridderbos, *The Coming of the Kingdom* (Phillipsburg: P & R, 1962).

<sup>71</sup> Moo, *Romans*, p. 791.

804 even if Philemon was an upright and fair Christian master. Nevertheless, such is the theology of the cross; it  
805 bids the world to come and die to itself, to take up the cross, and to follow Christ.

806 Any attempt to answer the question of the propriety of receiving illegal aliens into the membership of  
807 the OPC must take into account the need for the church to submit to the authority of the state in temporal affairs,  
808 such as immigration laws. When churches encounter illegal aliens wanting to join the membership of the OPC,  
809 they must themselves embody the sufferings of Christ by submitting to the laws of the state and must encourage  
810 the illegal alien to do the same. While the illegal alien may forfeit earthly treasures in returning to his impover-  
811 ished condition in his homeland, he nevertheless possesses heavenly riches that are beyond compare (Eph 1.18-  
812 19). As the author of Proverbs reminds us: “Riches do not profit in the day of wrath, but righteousness delivers  
813 from death” (11.4). Having considered the relationship between church and state, we must proceed to consider  
814 issues pertaining directly to the propriety of church membership.

815

## V. THE QUESTION OF CHURCH MEMBERSHIP

816 In light of the church’s duty to minister the Gospel to people of every tongue, tribe, and nation, and in light of  
817 our duty to honor the government’s laws, including (even unjust) immigration laws, how should the church con-  
818 duct interviews for membership applicants who are illegal aliens?

819 First, the OPC’s *Directory for Worship* stipulates that prospective members make a credible profession  
820 of faith:

821

822 Before permitting any one to make profession of his faith in the presence of the congregation, the ses-  
823 sion shall examine him in order to assure itself so far as possible that the candidate possesses the doc-  
824 trinal knowledge requisite for active faith in the Lord Jesus Christ, relies for salvation on the merits of  
825 Christ alone, and is determined by the grace of God to lead a Christian life.<sup>72</sup>

826

827 John Murray (1898-1975) elsewhere elaborates upon the nature of a confession of faith as it is found in the NT:

828

829 Such a confession had far-reaching implications for faith and conduct even within the sphere of human  
830 judgment. Mere lip confession, contradicted by other evidence either in the realm of faith or conduct,  
831 could not be accepted for entrance into or continuance in the fellowship of the saints. We may, there-  
832 fore, define the confession as an intelligent and consistent profession of faith in Christ and of obedience  
833 to him.<sup>73</sup>

834

835 A session is not called to judge the heart and the election of an applicant, but to judge whether the applicant’s  
836 beliefs and life conform to biblical teachings for someone who professes to belong to Jesus Christ. Those who  
837 contemplate making a public profession of faith in Christ need to understand this significant act and be able to  
838 perform it intelligently. Thus, instruction from the pastor or evangelist is a requirement prior to examination by  
839 the session. During the examination of candidates a session should be mindful of the four membership ques-  
840 tions/vows that constitute what the OPC considers to be a satisfactory or sufficient profession of faith.<sup>74</sup> The  
841 elders are to “ascertain the intelligence and consistency of the profession being made” and it is their obligation to  
842 “demand an intelligent, credible, and uncontradicted confession that Jesus is the Christ, the Son of the living  
843 God.”<sup>75</sup> Those four questions/vows may be summarized: I believe God’s Word, I trust Jesus for my salvation, I  
844 promise to serve my Lord, I agree to submit to the Lord in his government of the church. The first two questions  
845 encompass faith in Christ and his Word, the third and fourth questions encompass the obedience of faith, or life  
846 in Christ.

847

848 A profession of faith confesses a present reality and promises future conduct, all because of, and in reli-  
ance on, the grace of God. In the third membership question we promise to serve God with all that is in us, to

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<sup>72</sup> *The Book of Church Order of The Orthodox Presbyterian Church* (Willow Grove: The Committee on Christian Education of the OPC, 2005), V.2, p. 134.

<sup>73</sup> John Murray, *Christian Baptism* (Phillipsburg: P & R, 1980), p. 36.

<sup>74</sup> See *Directory for Public Worship*, in *Book of Church Order*, V.5, p. 135.

<sup>75</sup> Murray, *Christian Baptism*, p. 39.

849 put to death our old nature, to forsake the world, and to lead a godly life. This whole-hearted commitment to  
 850 Christ ought to show the present fruit of faith and repentance as well as the prospect of future sanctification. Yet  
 851 in the exercise of the keys of the kingdom sessions must be mindful that the elders are not welcoming unblem-  
 852 ished lambs into the church. They are welcoming those who are weak, thirsty, hungry, infirm and desiring all the  
 853 spiritual blessings that flow from the Lamb who sits upon the throne. Every membership examination will in-  
 854 clude an acknowledgement of a person's sinful condition, and perhaps even uncover besetting sins that are ac-  
 855 knowledged and addressed. Membership examinations taken as a whole will display varying degrees of maturity  
 856 in expressing an active faith in Christ as Savior and serving him as Lord. It is the elders' duty to discern whether  
 857 the inconsistencies in the confession of the lips and the conduct of one's life are of such a degree as to contradict  
 858 a credible profession of faith.

859 The requirement of both faith in Christ and obedience to him may well present a problem for an appli-  
 860 cant who is an illegal alien and the elders that are examining his profession of faith. Although such an individual  
 861 expresses trust in Christ alone for his salvation, and has an intelligent and consistent profession of faith in Christ  
 862 in many aspects of his life in Christ, there may be problems. By disobeying the civil magistrate through entering  
 863 or remaining in the US illegally the alien, whether consciously or unconsciously, is also very likely to be break-  
 864 ing God's law. It is important that the pastor/evangelist who prepares such a candidate to profess his faith and  
 865 the elders who examine him explore carefully and explain the degree to which an illegal alien may be violating  
 866 the law of God. It is also important to acknowledge that there may be still much work to do with a candidate  
 867 who is approved for membership and that part of the reception process includes his promise that he will submit  
 868 in the Lord to this further discipleship. We turn now to a consideration of the ways that an illegal alien may be  
 869 living in violation of God's Word.

870 We must remember that all Christians and members of the OPC violate the law of God as we live our  
 871 lives, and to violate one part of the law is to violate the whole (James 2.10). Moreover, as we look to identify the  
 872 sin in others, we should ourselves be mindful of how we might violate God's law before we confront our brother  
 873 or sister in Christ (Matt 7.1-5). Nevertheless, there are several commandments with which the illegal alien who  
 874 professes to be a Christian may find himself in conflict: the third, fifth, eighth, and ninth commandments.

875 The third commandment states, "You shall not take the name of the LORD your God in vain" (Exo  
 876 20.7). According to the Larger Catechism, this commandment requires that a Christian have an "answerable  
 877 conversation, to the glory of God, and the good of ourselves and others," *conversation* being the seventeenth-  
 878 century term for *lifestyle*. As Jochem Douma (1931 - ) explains, "Obedience to the third commandment requires  
 879 *earnestness* in our living."<sup>76</sup> Likewise, according to the Larger Catechism the third commandment prohibits  
 880 "perjury; all sinful cursings, oaths, vows, and lots; violating our oaths and vows, if lawful" (q. 113). The con-  
 881 duct of the professing Christian who is an illegal alien likely conflicts with the third commandment in terms of  
 882 his lifestyle as well as possible acts of perjury or violating oaths and vows. The illegal alien must present him-  
 883 self as a legal alien when applying for a job, for example, which is deceptive. Or, if a person legally in the  
 884 country *illegally* over-stays his work or student visa, then he violates the implied oath he took when he applied  
 885 for the visa. J. G. Vos (1903-83) asks the question, "What is our duty with respect to lawful oaths or vows?" He  
 886 then answers, "It is our duty to fulfill them conscientiously, in the fear of God, in spite of difficulty or personal  
 887 loss. To fail to do so is to commit a great sin against God."<sup>77</sup>

888 According to the Larger Catechism the fifth commandment, "Honor your father and your mother" (Exo  
 889 20.12), requires that Christians owe "all due reverence in heart, word, and behavior" and "willing obedience to  
 890 their lawful commands and counsels" to the commonwealth, or civil government (qq. 124, 127; cf. q. 128).  
 891 Again, the Larger Catechism states that obedience to our parents also implies obedience to "all superiors in age,  
 892 and gifts; and especially such as, by God's ordinance, are over us in place of authority, whether in family,  
 893 church, or commonwealth" (LC q. 124; cf. qq. 127-28; Rom 13.1-7; 1 Pet 2.13-17; Matt 22.17-21 // Mark 12.13-  
 894 17 // Luke 20.21-26; WCF 23.4).<sup>78</sup> This command intersects with the conduct of an illegal alien at several  
 895 points. The most obvious, of course, is that the illegal alien, whether consciously or unconsciously, disregards

<sup>76</sup> Jochem Douma, *The Ten Commandments: Manual for the Christian Life*, trans. Nelson D. Klooster-  
 man (Phillipsburg: P & R, 1992), p. 99.

<sup>77</sup> J. G. Vos, *The Westminster Larger Catechism: A Commentary*, ed., G. I. Williamson (Phillipsburg: P  
 & R, 2002), p. 309.

<sup>78</sup> Douma, *Ten Commandments*, pp. 194-205.

896 and violates the immigration laws of the US. Under this category of the submission to the state, we may also  
 897 include the necessity of paying taxes. There are likely two categories under which illegal aliens fall: (1) those  
 898 who pay no income taxes because they work for cash and do not report their earnings; or (2) those who pay in-  
 899 come taxes but do not get credit for payment because they are using either a fabricated or stolen tax identifica-  
 900 tion number. The former would be a violation of the fifth commandment, whereas the latter would be a violation  
 901 of the ninth commandment, which we will explore below.

902 The seventh commandment requires that spouses not commit adultery (Exo 20.14). While an illegal  
 903 alien may not automatically be guilty of such a violation of this commandment, there are some questions that one  
 904 should ask. First, it is often the case that the head of a household will illegally enter the US by himself and not  
 905 return for sometime, perhaps even years. The head of household may be sending money back to his family, but  
 906 sometimes he may not. Questions concerning abandonment are therefore relevant (cf. 1 Cor 7.15; cf. LC q.  
 907 138). The Larger Catechism, for example, explains that a failure to cohabit with one's spouse is a violation of  
 908 the seventh commandment (LC q. 138).

909 The eighth commandment states, "You shall not steal" (Exo 20.15). According to the Larger Cate-  
 910 chism, the eighth commandment prohibits theft, robbery, receiving anything that is stolen; fraudulent dealing,  
 911 injustice and unfaithfulness in contracts between man and man, or in matters of trust (q. 142). This command-  
 912 ment comes to the fore particularly in the way in which many illegal aliens obtain identification or immigration  
 913 documents such as work visas, social security cards, "greencards," or driver's licenses. Sometimes illegal aliens  
 914 will fabricate a false social security number and use this false number when filling out job application forms.  
 915 Another way to obtain these identification documents and work-permits is to purchase them illegally off the  
 916 black-market. Still further yet, another common practice is for the illegal alien to steal a US citizen's identity.  
 917 Regardless of the means by which an illegal alien obtains these documents, he does so in violation of the eighth  
 918 commandment. It is difficult, if not impossible, to argue that an illegal alien who professes faith in Christ and  
 919 continues to use false immigration documents does so out of ignorance. As Vos comments concerning the sins  
 920 prohibited in the eighth commandment, "These sins are shown to be wrong, not only by the Bible, but also by  
 921 God's natural revelation."<sup>79</sup> In other words, Christian or not, legal or illegal alien, all know that stealing and  
 922 fraud is wrong. There are other ways that an illegal alien might steal from others, perhaps knowingly or un-  
 923 knowingly, such as public services (healthcare and education).

924 The ninth commandment states, "You shall not bear false witness against your neighbor" (Exo 20.16).  
 925 Now, while the setting of this command deals primarily with the importance and necessity of truthful legal tes-  
 926 timony in a court of law, we should also recognize that according to the Larger Catechism it has application to  
 927 the "preserving and promoting of truth between man and man" and "speaking the truth, in matters of judgment  
 928 and justice, and in all other things whatsoever" (q. 144). Likewise, the ninth commandment according to the  
 929 Larger Catechism forbids forgery and "concealing the truth" (qq. 144-45; cf. Exo 20.7; 1 Pet 2.12; LC q. 112).<sup>80</sup>  
 930 This commandment therefore bears upon the conduct of an illegal alien in that he is typically trapped in a life-  
 931 style of deception because he must constantly make an effort to conceal his illegal status, whether to the gov-  
 932 erning authorities or perhaps from those who employ him. Such conduct is at odds with the character of a  
 933 Christian who must at all times seek to speak and live the truth. There are some who might counter, however,  
 934 that an illegal alien must be allowed to lie in this case, as his lie is one of necessity—the illegal alien seeks to  
 935 preserve his life. If the illegal alien is truthful, then he will be deported to his home country where his life will  
 936 likely be in danger because of his poor economic status. There seems to be little possibility that the so-called  
 937 *mendacium officiosum* (lie of necessity) fits the parameters of the illegal alien scenario. As Douma explains,  
 938 "This kind of lying intends no harm against my neighbor (which harm is a violation of the ninth commandment),  
 939 but the opposite—to help him. . . . Hiding a Jew during World War II has become a classic example."<sup>81</sup> In cases  
 940 where lives are truly at stake, in times of natural disaster, national chaos, civil war, or even persecution, there are  
 941 legitimate legal immigration options for those seeking refuge or asylum.

942 Can an illegal alien, then, honestly promise to obey Christ when he knows that he will continue inten-  
 943 tionally or perhaps even unintentionally to break the third, fifth, eighth, and ninth commandments? We believe a  
 944 credible profession of faith requires that the illegal alien seeking church membership should be willing to repent

<sup>79</sup> Vos, *Larger Catechism*, p. 382.

<sup>80</sup> Cf. Douma, *Ten Commandments*, p. 99.

<sup>81</sup> Douma, *Ten Commandments*, pp. 325-26.

945 of these sins as he comes to understand them in the light of God's Word and through the ministry of the pas-  
946 tor/evangelist and the elders. What does this mean for the illegal alien? We believe that the illegal alien, out of  
947 a desire to serve the Lord with all that is in him, should honor the government by attempting to remedy his un-  
948 lawful immigration status. The study committee, however, is not in agreement as to what are the necessary steps  
949 in correcting one's immigration status that must take place *prior* to reception into church membership. On the  
950 one hand, there is the view that the illegal alien should give evidence that he has already begun the process of  
951 correcting his immigration status prior to his reception into church membership. On the other hand, there is the  
952 view that the *promise* of obedience to the Lord and submission to the elders in seeking to correct one's illegal  
953 status may well be sufficient to satisfy the requirements for church membership. A session can receive such a  
954 one because he must promise, in reliance upon the grace of God, to lead a godly life (question/vow no. 3), which  
955 means that he will seek to remedy his illegal status. Despite the disagreement as to how much concrete evidence  
956 of repentance must be present prior to reception into church membership, the study committee is in agreement  
957 that the evidence or circumstances found in each particular case does not automatically preclude an illegal alien  
958 from joining the church.

959 As long as an alien is willing to repent of his sins of the third, fifth, seventh, eighth, and ninth com-  
960 mandments, or takes steps to repent, which reflect the two differing opinions on the committee regarding the  
961 evidence of repentance, and as long as the alien professes a saving faith in Christ, we believe that the alien  
962 should be admitted into church membership. Although we do not believe that sessions must ask every member-  
963 ship candidate to prove his lawful immigration status, in the course of getting to know a potential brother or sis-  
964 ter in Christ, we normally expect that a session will learn about the candidate's personal history which will de-  
965 termine whether such questions are necessary or appropriate.

966 Furthermore, the session, in its ongoing efforts to minister the gospel and minister to the stranger or alien,  
967 American or not, and especially to "the household of faith" (Gal 6.10), should be prepared to help the repentant  
968 illegal alien in his attempts to correct his immigration status. Many aliens will be able to have their illegal status  
969 converted to lawful permanent-resident status. It is an expensive and time-consuming process, but the US immi-  
970 gration laws make many provisions to forgive an alien's unlawful status. Surveying the current state of our im-  
971 migration laws and the last twenty years of immigration law changes, the best candidates for amnesty are: (1)  
972 those who have close family members who are US citizens; (2) those who are eligible to marry a US citizen; or,  
973 (3) those who have a bachelor's degree. We further believe that as long as the illegal alien is seeking to normal-  
974 ize his status and eventually succeeds in his efforts, he will also be able to obtain the identification documents  
975 that are required to live and function in the US, such as work permits or a tax identification number (social secu-  
976 rity card). In summary, as long as the alien is trying to correct his status, we believe this is a good-faith effort to  
977 live in obedience to God by following the third, fifth, eighth, and ninth commandments.

978 Unfortunately, there will be some aliens who do not have good prospects for normalizing their status.  
979 There are a certain percentage of illegal alien membership candidates who will be placed in deportation-removal  
980 proceedings, and who will not be able to remain in the US. The church should prayerfully consider supporting  
981 these brothers and sisters who, having confessed their sins and complied with the law, will have to uproot them-  
982 selves and return to their country of origin. The church should consider doing all it can not only to resettle the  
983 illegal alien in his home country, but ensure the illegal alien associates with a gospel-preaching, Bible-believing  
984 church, if possible a Reformed church.

985 Having stated these general guidelines, it is important that the OPC be aware of the legal ramifications  
986 surrounding the question of illegal aliens. The Immigration and Nationality Act does have stiff financial and  
987 criminal penalties for those who seek to harbor illegal aliens, that is, encourage them to evade immigration laws.  
988 At this point in time, however, the penalties for "harboring" most apply to: (1) individuals or groups who seek to  
989 help terrorists or criminal aliens, and (2) employers who break immigration laws by hiring and supporting aliens.  
990 Although we cannot give exhaustive legal guidance in a brief committee report, if a session follows our recom-  
991 mendations by encouraging the illegal alien to comply with US immigration laws by attempting to correct law-  
992 fully his status, it is difficult but not impossible to foresee any scenario where US immigration officials would  
993 bring charges of violating immigration laws, specifically the "harboring" provision. We need to point out,  
994 though, that churches as employers, not in their function as the church, must be careful to ensure that everyone  
995 they hire has proper employment documentation. A church could be prosecuted under the "harboring" provision  
996 if it does not follow immigration law. We also encourage sessions to seek, on behalf of the prospective member,  
997 legal advice to deal with the specific challenges from a qualified immigration attorney.

998 In considering whether to admit illegal aliens to membership, then, the church should consider the costs  
999 and the opportunities for ministry. Even if the illegal alien has a reasonably good chance of normalizing his im-  
1000 migration status, it may require thousands of dollars and could take several years. However, taking seriously the



1001 two principles of the love of the stranger and obeying the fifth commandment will not only result in a brother or  
 1002 sister being restored to legal status, it will also likely result in new ministry opportunities to other illegal aliens.  
 1003 However, regardless of one's legal status, the church must always be mindful to seek to care for the diaconal  
 1004 needs of all who come to her for assistance. The ministry of word and sacrament go hand in hand with a cup of  
 1005 cold water (Matt 10.42 // Mark 9.41).

## 1006 **VI. ADVICE FOR PRESBYTERIES AND SESSIONS**

1007 The presbyteries and sessions of the OPC are commanded by Scripture to minister the gospel to all kinds of peo-  
 1008 ples, thus providing a welcome to the kingdom of God for those who are aliens and strangers to him and who  
 1009 seek to draw near to the living God of heaven and earth by repenting, believing and trusting in the salvation of  
 1010 Christ freely offered to them in the gospel and who endeavor to live godly lives in Christ Jesus.

1011 Presbyteries and sessions are encouraged to see that their pastors and evangelists do not ignore the  
 1012 moral and theological issues that arise among those they are seeking to bring into church membership. This truth  
 1013 specifically includes dealing with issues which may be inherent to seekers who are illegal aliens. It would be a  
 1014 disservice to the church and to those who are seeking membership if the seriousness of the moral and theological  
 1015 issues that may be evident in particular situations were not carefully and lovingly addressed in membership  
 1016 classes and the membership examination.

1017 While a *prima facie* case might be made that many illegal aliens cannot make a credible profession of  
 1018 faith because of their apparent failure to submit to the governing authorities and the covert or deceitful lifestyle  
 1019 that this lack of submission may involve, it is nevertheless appropriate for sessions to judge the credibility of a  
 1020 person's profession of faith based on a case-by-case basis. Consideration of a person's confession of Christ as  
 1021 his Savior, repentance for particular sins, and a demonstrated willingness to be disciplined by the pastor and elders,  
 1022 and a willingness to follow Christ regardless of the cost of discipleship are matters that sessions always should  
 1023 weigh in determining if a profession of faith may be deemed credible. The propriety of receiving an illegal alien  
 1024 into membership is tied very closely to whether the session deems that he has made a credible profession of  
 1025 faith.

1026 It is not wise for presbyteries and sessions to determine in advance that a person's illegal status automati-  
 1027 cally disqualifies him from membership in the church, neither would it be appropriate to determine in advance  
 1028 that an illegal status is of no consequence to a session's determination as to whether one has made a credible  
 1029 profession of faith. There will be instances where situations are complex and require the exercise of caution and  
 1030 patience. The report of the study committee tries to give a larger context or framework that sheds light from  
 1031 God's word and our secondary standards, but each session must apply that light to each particular case.

1032 It should be the goal of presbyteries and sessions that as much as possible all their members live as legal  
 1033 aliens or residents in keeping with Rom 13.1-2 and the implications of the fifth commandment (LC qq. 125-128)  
 1034 and the ninth commandment (LC qq. 144 -145). It is therefore appropriate for the presbyteries and sessions to  
 1035 provide assistance to members seeking to change their status so that they may live as legal residents. As such  
 1036 there may well be a diaconal component to ministering to illegal aliens who are seeking membership in the  
 1037 church that could include assistance with legal expenses as well as the other necessities of life common to all  
 1038 men. This is part of the cost of discipleship or bearing the cross of Christ that the OPC must bear.

1039 OP missionaries laboring in foreign fields can assist in the discipleship of Christians who may be consid-  
 1040 ering leaving their own country and illegally entering or remaining in the US, by speaking with them regarding  
 1041 the moral and theological issues involved and seeking to dissuade them from taking illegal steps, except in the  
 1042 most extraordinary and urgent cases.

1043 Though it is possible that individuals who are illegal aliens may be received in the membership of a con-  
 1044 gregation or mission work, the ordination of men who are illegal aliens must receive special scrutiny and care  
 1045 given the extra measure of Christian piety an officer of the church must exhibit and the example he sets for the  
 1046 rest of the church community (1 Tim 3). It seems wise that presbyteries and sessions ought to delay ordination  
 1047 and installation until matters relating to being an illegal alien have been satisfactorily addressed.  
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