The Supreme Court’s Ruling on Arizona Immigration Law Gets Mixed Reviews from LCWR and CMSM.

The Leadership Conference of Women Religious (LCWR) and the Conference of Major Superiors of Men (CMSM) appreciated that the Supreme Court struck down three of the four most controversial provisions of Arizona’s immigration law, SB 1070. In its five-three ruling the court rightly held as unconstitutional provisions of the Arizona law which would have:

- Made it a crime for an illegal immigrant to work or to seek work in Arizona;
- Authorized state and local officers to arrest people without a warrant if the officers have probable cause to believe a person is an illegal immigrant; and
- Made it a state crime to violate federal immigration laws.

However, LCWR and CMSM are disappointed by the justices’ decision to uphold the very contentious “papers please” provision in Section 2(B), believing this will lead inevitably to racial profiling. Under Section 2(B) local police officers are required to investigate the immigration status of any person they stop or detain if the officer has a “reasonable suspicion” that the person is present unlawfully in the United States. This provision will encourage discrimination against individuals based on appearance and speech. Our country needs initiatives of deep healing for racial profiling and discrimination rather than creating more conditions which will likely exacerbate these wounds.

For many years, women and men religious have been serving immigrant communities and standing with them as they demanded their God-given rights. LCWR and CMSM will continue to pray and advocate for just immigration reform that would protect family unity, respect the dignity and rights of immigrant workers, provide a path to citizenship, and cultivate the virtue of hospitality.

The Court did leave the door open to further challenges to state immigration service by finding that the federal government has broad and “undoubted power over immigration and alien status.” To read the full opinion of the court click here.

LCWR and CMSM submitted an amicus brief to the Supreme Court in March 2012 challenging the constitutionality of the Arizona law.

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