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The Catholic Church and Migration: A Systematic Perspective

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THE CATHOLIC CHURCH AND MIGRATION: A SYSTEMATIC PERSPECTIVE

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Abstract: There are many different methodological avenues through which to study the Catholic Church's approach to migration. One of the most fruitful systematic methods, however, includes an analysis of official Church documents and pontifical writings. As such, this article explores official Church publications from the pontificates of Popes John Paul II and Benedict XVI, as well as other similar documents from the United States Conference of Catholic Bishops (USCCB). Applying the insights from these documents to a case study of Filipino immigration to the United States (c. 1980-present), this article will then assess whether the treatment of Filipino immigrants in the United States meets the standards outlined by the aforementioned Church documents.

Introduction

The Catholic Church has a wealth of official publications that define the faith and guidelines that pertain to the Catholic faith. These documents instruct the lay faithful, consecrated, and ordained alike on fundamental facets of the Church's theology and social ethic. Many of these documents, however, are also aimed at encouraging a wider, Catholic and non-Catholic audience, to adopt principles amenable to the Church's social vision. Indeed, Catholic Social Teaching (CST) instructs the faithful on how to engage the human world, one created by God but nevertheless impacted by the realities of human sinfulness. For example, Pope John Paul II's Encyclical on the Value and Inviolability of Human Life, *Evangelium Vitae*, discusses the Catholic Church's stance on the death penalty. Other similar documents, such as Pope Benedict XVI's Encyclical on Christian Love, *Deus Caritas Est*, articulate how Christians are called to love one another as Christ loves the Church.

Aside from papal encyclicals that address issues of CST, other magisterial documents provide a framework for how Catholics should approach important social questions. These documents include, but are not limited to, the 1983 Code of Canon Law (CIC) and the Catechism of the Catholic Church (CCC). Considering the fact that migration has long-been

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a critical part of the human experience, it is unsurprising that the Church has a vast array of documents addressing immigrants' rights, the law of migration, how immigrants should be treated, and how countries should respond to immigrants who wish to live within their borders.

Migration in the 1983 Code of Canon Law

The 1983 CIC was drafted and revised during the Second Vatican Council to instruct the lay faithful and religious in greater depth and nuance than what was made available in the 1917 Code of Canon Law. In particular, the 1983 CIC more clearly discusses human rights: “The lay Christian faithful have the right to recognize the freedom which all citizens have in the affairs of the earthly city. When using that freedom, however they are to take care that their actions are imbued with the spirit of the gospel and are to heed the doctrine set forth by the magisterium of the Church...” (CIC 227).²

Of all the themes present in the 1983 CIC, the most clearly defined is the sanctity of human life, and the duty of Christians to uphold such sanctity. Indeed, the 1983 CIC makes clear that all human persons have certain inalienable rights regardless of nationality or country of origin. Applying this theological presupposition to migration then, it is clear that migrants have certain fundamental rights because migrants are as human persons. According to the 1983 CIC, it is the duty of the Christian faithful to recognize these rights and work for their protection. Many of these rights are drawn directly from the Beatitudes in Matthew's Gospel, which call the faithful to be infused with the spirit of the Gospel, especially in the Gospels' calls for Christians to be merciful and peacemakers (Mk 5:3-12 NABRE). Canon 227, though not all too specific, offers the preface for the Christian approach to migration, one which requires that Christians help migrants experience suffering regardless of country of origin. The CIC calls the Christian to look at other human persons as integral parts of the Mystical Body of Christ, not as aliens.

Migration in the Catechism of the Catholic Church

Perhaps even more well-known than the CIC is the Catechism of the Catholic Church. The CCC states how earthly governments and the Christian faithful should treat

² 1983 Code of Canon Law, Vatican.va, Libreria Editrice Vaticana 1993, accessed February 9, 2022, https://www.vatican.va/archive/cod-iuris-canonici/eng/documents/cic_lib2-cann208-329_en.html#TITLE_I.

immigrants: “The more prosperous nations are obliged, to the extent they are able, to welcome the foreigner in search of the security and means of livelihood which he cannot find in his country of origin. Public authorities should see to it that the natural right is respected that places a guest under the protection of those who receive him” (CCC 2241).³

The Church exhorts wealthy governments to offer a place for migrants of safety and opportunity which they could not otherwise obtain in their home country. As stated in the CIC, every person has a unique dignity because they are a person made in the image and likeness of God; all earthly municipalities should thus respect the dignity of human life. Migrants should be seen as guests and should receive protection no matter their citizenship status. The Church also recognizes that it is the duty of the faithful to uphold the rights of migrants even when it is particularly difficult:

The citizen is obliged in conscience not to follow the directives of civil authorities when they are contrary to the demands of moral order, to the fundamental rights of persons or the teaching of the Gospel. Refusing obedience to civil authorities, when their demands are contrary to those of an upright conscience, finds its justification in the distinction between serving God and serving the political community... (CCC 2242).

As stated here, when local authorities violate basic human dignity, Christians have a right to protect the dignity of every person regardless of their citizenship status or country of origin. As stated previously in the CIC, Christians should uphold the rights of humans in light of the spirit of the Gospel. Thus, they should cloth the naked, feed the hungry, and find shelter for the homeless (Mk 5:3-12).

Migration in the Thought of John Paul II

In his message to the 90th World Day of Migrants and Refugees in 2004, Pope John Paul II explained that the root of immigration is the desire of migrants to seek peace in their lives: “No one can deny that the aspiration to peace is rooted in the heart of a larger part of humanity. That is exactly the ardent desire that spurs people to seek a possible path to a better future for one and all.”⁴ The Holy Father makes this claim because most migrants

³ Catechism of the Catholic Church, Vatican.va, Libreria Editrice Vaticana 1993, accessed February 9, 2022, https://www.vatican.va/archive/ENG0015/_P7W.HTM.

⁴ John Paul II, “Message of the Holy Father John Paul II for the 90th World Day of Migrants and Refugees 2004,” Vatican.va, Libreria Editrice Vaticana, accessed February 18, 2022, https://www.vatican.va/content/john-paul-ii/en/messages/migration/documents/hf_jp-ii_mes_20031223_world-migration-day-2004.html.

immigrate to find more acceptable living conditions. Indeed, many immigrants find themselves in the process of migration because of unfavorable living conditions in their home countries, or because see better economic opportunities outside the borders of their home country. This reflects migrants' underlying desire to find peace in life for themselves and their families.

John Paul continued to explain that “No one should be indifferent to the conditions of multitudes of immigrants! They are at the mercy of events, often with dramatic situation behind them.”⁵ He urged Catholics to pay attention to immigrants' conditions in their new countries. The Magisterium of the Catholic Church states that fundamental rights should be afforded to all people of the world. The pope references claims because Christians are bound in conscience to advocate for adequate living conditions for all immigrants, legal and non-documented; after all, God creates every human being in His image and likeness.

Migration in the Thought of Benedict XVI

Benedict XVI echoed a similar view as his predecessor John Paul II. In his 2013 address during the World Day of Migrants and Refugees, Benedict stated that

... on the one hand, she [the Church] witnesses the immense poverty and suffering entailed in migration, leading often to painful and tragic situations. That inspires the creation of programmes aimed at meeting emergencies through the generous help of individuals and groups, volunteer associations and movements, parochial and diocesan organizations in cooperation with all people of goodwill.⁶

In continuity with his predecessor, Pope Benedict urged the whole Christian community to protect the fundamental rights of migrants. In the United Nations' definition, these rights must include “... inclusive development, and committing to protecting the safety, dignity,... and fundamental freedoms of all migrants, regardless of their migratory status.”⁷

The Catholic Church and the United Nations stand in solidarity with the fundamental human rights that all migrants deserve by virtue of their fundamental humanity. Both John

⁵ John Paul II, “Message of the Holy Father John Paul II for the 90th World Day of Migrants and Refugees 2004.”

⁶ Benedict XVI, “Message of His Holiness Pope Benedict XVI For the World Day of Migrants and Refugees (2013), Vatican.va, Liberia Editrice Vaticana, last modified October 12, 2012, accessed February 18, 2022, https://www.vatican.va/content/benedict-xvi/en/messages/migration/documents/hf_ben-xvi_mes_20121012_world-migrants-day.html.

⁷ United Nations, “Peace, Dignity and Equality on a Healthy Planet,” accessed February 18, 2022, <https://www.un.org/en/global-issues/migration>.

Paul II and Benedict XVI declared in their addressees to the World Day of Migrants that immigrants should be afforded fundamental human rights. The popes call on the Christian faithful in their parishes and communities to uphold the dignity of migrants by providing them with the services and supplies they need to adapt to their new homes.

Migration and the USCCB

In 2013, the United States Conference of Catholic Bishops (USCCB) released a statement on new migration reforms entitled the “Catholic Church’s Position on Immigration Reforms.”⁸ This statement outlines six ways to understand immigration in light of CST. The first way is to help immigrants earn their citizenship while they work in live in the United States: “An earned legalization program would allow forging nationals of good moral character who are living in the United States to apply to adjust their status to obtain lawful permanent residence.”⁹ Underlying this encouragement is the USCCB’s agreement with the aforementioned Church documents written by John Paul II and Benedict XVI, which identify a desire for better living conditions as the primary impetus for migration. From the USCCB’s perspective, this must prompt a sincere, case-by-case evaluation of migration applications.

The second measure that the USCCB endorses is the Future Worker Program: “A worker program to permit foreign-born works to enter the country safely and legally would help reduce illegal immigration and the loss of life in the American desert.”¹⁰ This is an unsurprising move as both John Paul II and Benedict XVI continually emphasized that migration is an inherently treacherous journey only undertaken to improve one’s living conditions. Here, the USCCB promotes having legal foreign worker program to deter people from making a dangerous trek in an already dangerous world of migration.

The third approach that USCCB encourages is the establishment of a more holistic immigration process, one that prioritizes family-based immigration reforms. In fact, the USCCB states, “It currently takes years for family members to be reunited through family-based legal immigration system... [which] in some cases, illegal immigration.”¹¹ Family is

⁸ USCCB, “Catholic Church’s Position on Immigration Reform,” United States Conference of Catholic Bishops, last modified 2022, accessed February 21, 2022, <https://www.usccb.org/issues-and-action/human-life-and-dignity/immigration/churchteachingonimmigrationreform>.

⁹ USCCB, “Catholic Church’s Position on Immigration Reform.”

¹⁰ USCCB, “Catholic Church’s Position on Immigration Reform.”

¹¹ USCCB, “Catholic Church’s Position on Immigration Reform.”

the core of Christian theology. The sacrament of Matrimony is the love of Christ represented in the married couple, each called to love each other as Christ loves His Church. John Paul II, in his work, *Migration With a View to Piece*, emphasizes that most immigrants migrate to a new country to seek peace and stability for themselves *and their families*. If families are separated, they could take dangerous measures to reunite, legally and illegally.¹²

The fourth route the USCCB endorses is to restore due process rights for undocumented persons caught entering the United States in an unverified way. As of now, the punishment for entering the United States illegally is three to ten years in prison. Affording basic due process rights to migrants is the minimum required to safeguard and uphold the dignity of the migrant at the border.

The fifth section of the USCCB's analysis states that counties should address the root causes of migration: "Congress should examine the root causes of migration such as underdevelopment and poverty in sending countries and seeking long-term solutions."¹³ This is very faithful to Benedict XVI's notion that Christians should seek programs that find and address the root causes of migration.¹⁴

The sixth step that the USCCB endorses involves border protection; in fact, the USCCB stands "with United States Border protection in securing the borders by intercepting illegal immigrants, increasing lawful immigration, and focusing on the criminal who tries to enter the country (e.g., drug and human traffickers, smugglers, and terrorists)."¹⁵ The Magisterium of the Catholic Church promotes a respectful position with respect to migrants, but not one that endangers others' safety. Here, the Church and USCCB state there needs to be a balance between assisting those individuals who genuinely come to improve their conditions and those of their families. As such, if some intend to harm the new country they call "home," they should not be permitted entry.

Practical Application: Filipino Migration (c. 1980-Present)

Historically, immigration from the Philippines to the United States began in the late-nineteenth century, fueled by political, educational, and military ties between the United

¹² John Paul II, "Message of the Holy Father John Paul II for the 90th World Day of Migrants and Refugees."

¹³ USCCB, "Catholic Church's Position on Immigration Reform."

¹⁴ Benedict XVI, "Message of His Holiness Pope Benedict XVI For the World Day of Migrants and Refugees."

¹⁵ USCCB, "Catholic Church's Position on Immigration Reform."

States and the Philippines. Many waves of Filipino migrants came to the United States during this period. Most recently, in 2018, 2,000,000+ Filipinos were recorded as living in the United States.¹⁶ According to the Migration Policy Institute, most Filipino migrants who gain access to the United States do so legally through relatives who are American citizens or obtain green cards for employment. Filipino immigrants have a higher level of English skills and are more likely to gain American citizenship than other migrant groups. They also have a higher income rate and are less likely to be financially uninsured.¹⁷

Given the historical status of Filipinos in the United States, it would seem as though this particular community has been treated justly by the standards of Catholic Social Teaching. This is certainly not to say that Filipino-Americans, however, have not faced some challenges, regarding the third approach that the USCCB outlines for family-based immigration reform. Indeed, Bill Ong Hing's chapter in *Christianity and the Law of Migration* offers a compelling defense of "chain migration," the type of family-based process in which many Filipinos have been engaged.¹⁸ As Hing notes in his chapter, however, it may take years before those living in the United States with family can obtain their citizenship.¹⁹

Immigrants waiting years to gain citizenship is contrary to what the USCCB, *CIC*, *CCC*, John Paul II, and Benedict XVI articulate as a just approach to migration. Not only do these unduly long waits often violate the right to due process rights that the USCCB outline, but it is also contrary to Benedict's exhortation that nations create programs that assist migrants in their adjustment to a new country. These delays, therefore, embody a cruel facet of the migration process that Catholic Social Teaching not only condemns, but also responds to with a constructive path forward.

¹⁶ Hassan Batalova, "Filipino Immigrants in the United States," *Migration Policy Institute*, last modified 2022, accessed February 22, 2022, <https://www.migrationpolicy.org/article/filipino-immigrants-united-states-2020>.

¹⁷ Batalova, "Filipino Immigrants in the United States."

¹⁸ Bill Ong Hing, "In Defense of Chain Migration," in *Christianity and the Law of Migration*, eds., Silas W. Allard, et al. (New York: Routledge, 2021), 51.

¹⁹ Hing, "In Defense," 51.