

CATHOLIC SOCIAL THOUGHT

Topic: Immigration and Catholic Social Ethics
Convener: Kristin Heyer, Santa Clara University
Presenters: Michael Moreland, Villanova University School of Law
Tisha Rajendra, University of St. Thomas

Tisha Rajendra began the session by presenting her paper, "Migration and the Ethics of Responsibility: Negotiating the Local and Global Common Good." She noted that in classical and scholastic philosophy, the common good was understood to be local, but John XXIII gave the concept a global scope. An unresolved tension between the local and global common goods has existed in Catholic social thought ever since, leaving unresolved questions such as how the state should balance its duty to protect and promote the local common good over and against its duty to promote the global common good.

Drawing upon the US and Mexican Bishops' joint statement, "Strangers No Longer," and John Paul II's Addresses for World Migration Day, Rajendra demonstrated that the practical tension between the local and global common goods is particularly acute on the question of unauthorized migration. Catholic social thought simultaneously insists upon the right of the state to control its borders and the right of people to migrate. These two claims can leave governments at an impasse; when is a government's responsibility to its own citizens more pressing than its responsibilities to migrants?

Rajendra's proposed path beyond this impasse began with the claim that no nation should have a universal responsibility toward all potential migrants. Instead, she drew upon Saskia Sassen's work to claim that there is a relationship between migration patterns and the foreign and economic policies of potential host countries (e.g., high concentrations of Algerian and Moroccan immigrants in France). Next, she turned to the work of Jon Sobrino and John Paul II to develop the idea of solidarity as co-responsibility. History has already placed certain nations in relationship with one another; the practice of solidarity entails transforming a hidden, unacknowledged, and often exploitative relationship into a relationship of mutuality where both parties are responsible to one another. In terms of immigration policy, states would continue to have a general responsibility to help those in need, but that responsibility would be greater toward potential migrants from nations with whom the potential host nation has a relationship.

The session continued as Michael Moreland presented his paper, "Immigration, Citizenship, and Solidarity." Moreland turned to a careful analysis of the current state of political impasse on the question of immigration reform in the United States. He claimed that much work in Catholic social thought has failed to delve with sufficient depth into the details of the politics of immigration and the very specific legal and public policy questions surrounding immigration. As a result, it has neither influenced public policy nor illuminated a way beyond impasse. For example, the church has strongly emphasized human rights for migrant workers, but that broad affirmation does little to push the debate forward on controversial

questions such as what status should be afforded to people currently living in the United States without legal residency status. Catholic social thought has been insufficiently attentive to questions of institutional design and the proper shape of governmental systems.

The second half of Moreland's paper put forward two constructive proposals. First, he asserted that the principle of subsidiarity should call into question the conventional wisdom that immigration policy is strictly a matter of federal law. He quoted extensively from a *Michigan Law Review* article by Christina Rodriguez, which argued that local initiatives could serve a crucial role in dealing with globalization and immigration "for the process of forging [national] identity is not a top-down, but a bottom-up process." Allowing local communities to exercise self-responsibility is at the heart of subsidiarity. Second, Moreland argued that Catholic social thought must be more attentive to the question of citizenship. He echoed Michael Walzer's claim that "the primary good that we distribute to one another is membership in some human community" and drew upon Noah Pickus's work to explain that there has been a failure in recent years to link the extension of citizenship to actual political practice. Moreland concluded on an Augustinian theme, noting that we are not free to design the optimal legal structures regarding immigration and citizenship. Rather, the United States must pursue a humane, practical, and just policy solution that takes account of the realities of the current situation in the United States.

Vigorous discussion ensued. Elaine Macmillan gave a personal account of her experiences as a Canadian citizen living in the United States to assert that the enforcement of US immigration policy does not always respect the human rights and dignity of non-citizens. Ellen Van Stichel raised the concern that Moreland's emphasis on subsidiarity might lead to the neglect of distributive justice; Moreland replied that he was not using a libertarian notion of subsidiarity, but rather one that has the protection of the common good and social justice as its main purpose. Rajendra affirmed Moreland's emphasis on the importance of citizenship, asserting that undocumented workers living in the US should be granted citizenship because of the close relationship they already have with the nation. Many members remained to engage in further informal discussion after the session had concluded.

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