

Catholic Social Teaching on Immigration and the Movement of Peoples

Three Basic Principles of Catholic Social Teaching on Immigration

Although Catholic theology has always promoted human rights rooted in natural law and God's revelation, it was the encyclical *Rerum Novarum* (*On the Condition of Labor*) in 1891 that developed a systematic presentation of principles of the rights and responsibilities of people. *Rerum Novarum* commented on the situation of immigrants; in later documents, popes and bishops' conferences have synthesized the Catholic theological tradition to articulate three basic principles on immigration.

First Principle: People have the right to migrate to sustain their lives and the lives of their families.

At the end of World War II, with the fall of the Nazi empire and the subsequent creation of the Soviet "Iron Curtain," Europe faced an unprecedented migration of millions of people seeking safety, food, and freedom. At that time, Pope Pius XII wrote *Exsul Familia* (*The Emigre Family*), placing the Church squarely on the side of those seeking a better life by fleeing their homes.

When there is a massive movement of people such as during a war, natural disaster, or famine, the lands that receive these displaced people may be threatened. The influx may make it impossible for the native population to live securely, as the land may not have enough resources to support both. Even in more orderly migrations, such as in the United States, citizens and residents of the land may fear that newcomers will take jobs, land, and resources, impoverishing the people already present.

Because of the belief that newcomers compete for scarce resources, immigrants and refugees are at times driven away, resented, or despised. Nevertheless, the first principle of Catholic social teaching regarding immigrants is that people have the right to migrate to sustain their lives and the lives of their families. This is based on biblical and ancient Christian teaching that the goods of the earth belong to all people. While the right to private property is defended in Catholic social teaching, individuals do not have the right to use private property without regard for the common good.

Every person has an equal right to receive from the earth what is necessary for life—food, clothing, shelter. Moreover, every person has the right to education, medical care, religion, and the expression of one's culture. In many places people live in fear, danger, or dehumanizing poverty. Clearly, it is not God's will that some of his children live in luxury while others have nothing. In Luke's Gospel, the rich man was condemned for living well while the poor man starved at his doorstep (Lk 16:19-31).

The native does not have superior rights over the immigrant. Before God all are equal; the earth was given by God to all. When a person cannot achieve a meaningful life in his or her own land, that person has the right to move.

Second Principle: A country has the right to regulate its borders and to control immigration.

The overriding principle of all Catholic social teaching is that individuals must make economic, political, and social decisions not out of shortsighted self-interest, but with regard for the common good. That means that a moral person cannot consider only what is good for his or her own self and family, but must act with the good of all people as his or her guiding principle.

While individuals have the right to move in search of a safe and humane life, no country is bound to accept all those who wish to resettle there. By this principle the Church recognizes that most immigration is ultimately not something to celebrate. Ordinarily, people do not leave the security of their own land and culture just to seek adventure in a new place or merely to enhance their standard of living. Instead, they migrate because they are desperate and the opportunity for a safe and secure life does not exist in their own land. Immigrants and refugees endure many hardships and often long for the homes they left behind. As Americans we should cherish and celebrate the contributions of immigrants and their cultures; however, we should work to make it unnecessary for people to leave their own land.

Because there seems to be no end to poverty, war, and misery in the world, developed nations will continue to experience pressure from many peoples who desire to resettle in their lands. Catholic social teaching is realistic: While people have the right to move, no country has the duty to receive so many immigrants that its social and economic life are jeopardized.

For this reason, Catholics should not view the work of the federal government and its immigration control as negative or evil. Those who work to enforce our nation's immigration laws often do so out of a sense of loyalty to the common good and compassion for poor people seeking a better life. In an ideal world, there would be no need for immigration control. The Church recognizes that this ideal world has not yet been achieved.

Third Principle: A country must regulate its borders with justice and mercy.

The second principle of Catholic social teaching may seem to negate the first principle. However, principles one and two must be understood in the context of principle three. And all Catholic social teaching must be understood in light of the absolute equality of all people and the commitment to the common good.

A country's regulation of borders and control of immigration must be governed by concern for all people and by mercy and justice. A nation may not simply decide that it wants to provide for its own people and no others. A sincere commitment to the needs of all must prevail.

In our modern world where communication and travel are much easier, the burden of emergencies cannot be placed solely on nations immediately adjacent to the crises. Justice dictates that the world community contribute resources toward shelter, food, medical services, and basic welfare.

Even in the case of less urgent migrations, a developed nation's right to limit immigration must be based on justice, mercy, and the common good, not on self-interest. Moreover, immigration policy ought to take into account other important values such as the right of families to live together. A merciful immigration policy will not force married couples or children to live separated from their families for long periods.

Undocumented immigrants present a special concern. Often their presence is considered criminal since they arrive without legal permission. Under the harshest view, undocumented people may be regarded as undeserving of rights or services. This is not the view of Catholic social teaching. The Catholic Church teaches that every person has basic human rights and is entitled to have basic human needs met—food, shelter, clothing, education, and health care. Undocumented persons are particularly vulnerable to exploitation by employers, and they are not able to complain because of the fear of discovery and deportation. Current immigration policy that criminalizes the mere attempt to immigrate and imprisons immigrants who have committed no crime or who have already served a just sentence for a crime is immoral. In the Bible, God promises that our judgment will be based on our treatment of the most vulnerable. Before God we cannot excuse inhumane treatment of certain persons by claiming that their lack of legal status deprives them of rights given by the Creator.

Finally, immigration policy that allows people to live here and contribute to society for years but refuses to offer them the opportunity to achieve legal status does not serve the common good. The presence of millions of people living without easy access to basic human rights and necessities is a great injustice.

It is the position of the Catholic Church that pastoral, educational, medical, and social services provided by the Church are never conditioned on legal status. All persons are invited to participate in our parishes, attend our schools, and receive other services offered by our institutions and programs.

For more information and resources, visit <https://www.usccb.org/issues-and-action/human-life-and-dignity/immigration/catholic-teaching-on-immigration-and-the-movement-of-peoples>

Universal Declaration of Human Rights at 70: 30 Articles on 30 Articles - Article 14

Article 14: Right to Asylum

Article 14 of the UDHR grants the right to seek and enjoy asylum from persecution. This right, in addition to the right to leave one's own country (Article 13), and the right to nationality (Article 15), can be traced directly to events of the Holocaust. Many countries whose drafters worked on the UDHR were acutely aware that they had turned away Jewish refugees, likely condemning them to death. In addition, many Jews, Roma and others hunted by the Nazis had been unable to leave Germany to save their lives.

Under the umbrella of Article 14, more fully articulated in the 1951 Refugee Convention, over the decades millions of people have been given life-saving protection as refugees, been able to rebuild their lives and often have gone home again once the danger has passed. Many have also been resettled in generous third countries, where they use their skills to contribute to their new homelands. And some can settle permanently in the countries where they found refuge, like more than 170,000 Burundians who fled the country in 1972 and received Tanzanian citizenship in what is believed to be the world's biggest naturalization of refugees.

The right to seek asylum is not unfettered. Article 14 makes it clear people cannot be granted asylum simply to avoid prosecution for "non-political crimes or acts contrary to the purposes and principles of the United Nations." So war criminals, and those guilty of a crime against the peace or a crime against humanity, do not qualify for asylum.

Cross-border displacement – including migrants, asylum-seekers and refugees – has become hugely controversial around the world in recent years. In order to exercise the right articulated in Article 14, people have to actually enter another country, and today countries all over the world are slamming the doors shut, keeping out refugees and other migrants with barbed-wire fences, walls and armies.

Advocates say people flee – and will continue to flee – because of the dangers behind them, regardless of the dangers and obstacles that lie ahead. Despite efforts to erect a "Fortress Europe," refugees and migrants continue to risk their lives in unseaworthy boats, trying to cross the Mediterranean to Europe. Since 2014, every year at least 3,000 have lost their lives in this way, and in 2016 nearly 5,000 people died at sea. Many others perish during overland journeys.

People on the move are also at considerable risk from those who prey on their vulnerability, including state authorities who try to profit from, rather than protect, them, as well as unscrupulous people smugglers who treat fellow humans as highly profitable commodities as they try to circumvent land and sea borders.

Many people who have clear protection needs, and leave their homes for reasons beyond their control, are not granted asylum because they do not fall under the accepted definition of 'refugee.' So-called 'climate refugees' are a good example of today's protection gaps and challenges. It is not clear how many people have been displaced across borders by climate

change, but statistics on internal displacement are illustrative. The Internal Displacement Monitoring Centre estimates that from 2008-2016, weather-related disasters displaced, on average, 21.7 million people within their own countries every year. This does not include problems that build more slowly because of more insidious forms of climate change, such as rising sea levels, ground water turning salty, or farming and grazing land turning into deserts.

Similarly, people displaced by famine are in many cases not considered refugees within the definition of the 1951 Refugee Convention, or the various expanded forms of refugee protection. Yet clearly, they are in need of protection and assistance – and if they cannot get it at home, they have no option but to go abroad.

The Global Compact for Migration calls on countries to “cooperate to identify, develop and strengthen solutions for migrants compelled to leave their countries of origin owing to slow-onset natural disasters, the adverse effects of climate change, and environmental degradation.” For such people not able to return to their home country, solutions envisioned in the Compact include planned relocation and new visa options.

For more information, visit the website.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23923&LangID=E>