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THE INSTRUCTION *ERGA MIGRANTES CARITAS CHRISTI*: A RESPONSE OF THE CHURCH TO THE MIGRATION PHENOMENON TODAY

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INTRODUCTION

Migration is one of the vastest phenomena of our times. The most recent available data count 175 million persons living in a country that is different from their land of birth. They are divided among the continents more or less as follows, in order of magnitude: Europe (56.1 million); Asia (49.8 million); Northern America (40.8 million); Africa (16.3 million); Latin America and the Caribbean: (5.9 million); Oceania (5.8 million). The first five countries with the largest number of international migrants in their population are the United States (almost 35 millions), the Russian Federation (13.3 million), Germany (7.3 million), Ukraine (6.9 million) and France (6.3 million).

In the United States, for example, the largest migrant group is made up of Mexicans (9.1 million), followed by Filipinos (1.4 million) and Indians (a little over 1 million). Chinese and Vietnamese follow with a little less than 1 million each. Germany, instead, is a popular destination country for Turks (1.9 million), Italians (0.6 million), migrants from Serbia and Montenegro (almost 0.6 million), Greeks (almost 0.4 million) and Poles (0.3 million). The largest groups of foreign population in France, on the other hand, are Portuguese (almost 0.6 million), Moroccans (0.5 million), Algerians (almost 0.5 million), Turks and Italians (0.2 million each). Official figures for Russia identify 3 main migration sources: Kazakhstan (124,900), Ukraine (74,700) and Uzbekistan (40,800), although some 750,000 Chinese and a significant number of Afghans are estimated to be residing irregularly in the country. For Ukraine, the main migration partner is Russia (35,000 immigrants). Uzbekistan (almost 2,800) and Kazakhstan (2,200) follow. It must be noted, however, that a large number of immigrants in Ukraine, aside from Russians, are ethnic Ukrainians who were residing outside the country.

1. WHY DO PEOPLE MIGRATE?

Migration experts point out that people move not so much because of the great differences between countries, but rather, when their situation and that of their families are such that they can no longer live according to local norms of safety, dignity and well-being.¹ There are, of course, different degrees of tolerability of the situation in one's home country.

2. WHAT DO MIGRANTS EXPERIENCE?

It is not difficult to see the difficulties that can arise in migration. When people in need are in a strange country, where they do not understand the language and much less know its culture and

legislation, they are in a very vulnerable position. Even in the country of arrival, where they had high hopes of a better life, they can easily fall victim again to the abuse of his human rights. Moreover, when survival is at stake, it is easy to give up one's labor rights, especially if no one helps to defend them. Migrants and refugees are in fact easy prey to exploitation, and, in extreme cases, also to human trafficking.

They are therefore often victims of violence, maybe not always physical, but very often psychological and moral, as in cases of marginalization and exclusion, discrimination, xenophobia and other forms of intolerance. They are often made "scapegoats" for local unemployment or criminal activities.

3. WOMEN AND FAMILIES IN MIGRATION

Another important characteristic of contemporary migration is the high proportion of women involved in it, a large part of whom are hired for domestic services. These are very vulnerable jobs, given the impossibility to draw a line between working and non-working hours while in the employer's house. In many countries, domestic services are not subject to labor laws as are other kinds of jobs. The numbers working in the entertainment industry are not negligible either. It is not rare to find migrant women who signed contracts in this sector ending up in forced prostitution. In many parts of the world, women's rights still need to be defended. Thus a migrant woman's rights have to be safeguarded twice.

Although present migration trends indicate that family-related migration is more numerous than labor migration, family separation in migration remains a difficult question to tackle. When this occurs, problems arise for the stability of the couple and of the family, as well as for the education of the children. When the absent spouse is the wife or mother, it is even more difficult, especially because of her central role in caring for the home and bringing up the children.

4. A MIXTURE OF TRADITIONS, CULTURES AND RELIGIONS

Migration inevitably brings together people of varied nationalities, religions, customs, history, language, traditions, values, cuisine and everything else that define their cultural identity. For example, in countries of ancient Christian traditions, there are migrants who profess belief in other religions. But it is also true the other way around, as the Holy Father stated in his Message for the World Day of Migrants and Refugees in 2002. I quote: "In the European continent, marked by a long Christian tradition, citizens arrive who profess other beliefs. North America, a land that is already living a solid multicultural experience, hosts followers of the new religious movements. In

India, where Hinduism prevails, there are Catholic religious men and women who render humble and useful service to the poorest in the country.”

In this context, ecumenical, inter-religious and inter-cultural dialogue are no longer optional but necessary to formulate a new way of peaceful living together – among migrant groups and with the host population – and also to achieve other complementary and even more profound aims, from the religious and human points of view.

THE CHURCH’S RESPONSE

The Church wants to be there where the migrants are, to share with them the joys and the hopes, as well as the grief and the pains of migrationⁱⁱ. Already during the 20th century, the Holy See has systematically focused its attention on the phenomenon in the general context of human mobility. Its declarations showed both a profound understanding of this changeable social reality and an indisputable capacity of suggesting pastoral solutions geared towards a full integration of immigrants into the host society and into the local Church.

EXSUL FAMILIA AND THE SECOND VATICAN COUNCIL

After the Second World War, there was clearly a need for an authoritative statement by the Holy See so as to reactivate and reorganize the vast and complex pastoral commitment in this field. This was met in August 1952, when Pope Pius XII published the Apostolic Constitution Exsul Familia, considered the magna charta of the Church’s teaching on migration, which laid down guidelines and norms for a specific pastoral care for migrants.

Obviously, like everything else, Exsul Familia was conditioned by the reality of its times. Thus in the 1960s, the Church tried to develop apt pastoral responses to the many events that continually changed the overall picture of international migration. These years were also marked by the Second Vatican Council, which renewed, in continuity with the past, the structures of the Church and its commitment in evangelization and human promotion. The Church perceived, in the salient phenomena of the period – including international migration — the “signs of the times” to be interpreted in the light of the Word of God and the Magisterium of the Church.

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PASTORALIS MIGRATORUM CURA

This was also the time when Bishops’ Conferences were being encouraged by the Second Vatican Council (see CD 18) to provide pastoral care for people on the move with suitable methods and institutions. To guide their efforts Pope Paul VI issued the 1969 Motu Proprio Pastoralis Migratorum Cura, which introduced the corresponding Instruction, De Pastoralis Migratorum Cura (“Nemo est”) of the Congregation for Bishops.

A DICASTERY FOR THE PASTORAL CARE OF MIGRANTS AND PEOPLE ON THE MOVE

Then in 1970, the Holy Father created the Pontifical Commission for the Pastoral Care of Migration and Tourism, which became Pontifical Council for the Pastoral Care of Migrants and Itinerant People in 1989. It

was entrusted with the important tasks of coordination, animation and pastoral encouragement, especially in relation with the individual Bishops’ Conferences.

ERGA MIGRANTES CARITAS CHRISTI

In these recent decades, the phenomenon has turned into a structural component of society, with its social, cultural, political, religious, economic and pastoral exigencies. Thus, it was necessary to come up with a renewed response, directed to the universal Church, which came thirty-five years after the publication of *Pastoralis migratorum cura*.

The Instruction *Erga migrantes caritas Christi*, approved by the Holy Father on the first of May, this year, in fact, is an update of the pastoral care of migration, meant to be an ecclesial response to the pastoral needs of migrants at the beginning of the new millennium. It intends to lead towards making migration an occasion of dialogue and mission in the context of the new evangelization. So that the Church may “breathe with its two lungs”, the document facilitates the application of the norms contained in the Code of Canon Law for the Latin Church and also in the Code of Canons of the Eastern Churches to respond more adequately to the pastoral needs of the emigrant faithful of the Eastern Churches too, who are now ever more numerous. *Erga migrantes caritas Christi* – someone commented – is unique in giving attention to both ecclesial traditions.

MIGRANTS’ CONTRIBUTION TO ECONOMY

Erga migrantes caritas Christi calls to mind that although migration still entails much suffering for migrants, “in more recent times and in certain circumstances, it has often been encouraged and promoted to foster the economic development of both the migrants’ host country and their country of origin (especially through their financial remittances)” (no. 5). Looking back to the past, in fact, “many nations ... would not be what they are today without the contribution made by millions of immigrants” (*ibid.*).

The Instruction thus reiterates that “foreign workers are not to be considered merchandise or merely manpower”, nor should they “be treated just like any other factor of production. Every migrant enjoys inalienable fundamental rights which must be respected in all cases. Furthermore the migrants’ contribution to the economy of the host country comes together with the possibility for them to use their intelligence and abilities in their work” (*ibid.*). It also denounces the deprivation of migrants “of their most elementary human rights, including that of forming labour unions, when they do not become outright victims of the

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sad phenomenon of human trafficking ... a new chapter in the history of slavery” (*ibid.*).

RIGHTS OF FAMILIES IN MIGRATION

Erga migrantes caritas Christi upholds family reunification, first by recalling the attention that the Magisterium of the Church pays to the unity of the family and the protection of minors, which are often put in danger by migration (no. 30). It also commends “acts of welcome in its full sense ... in particular the commitment undertaken for family unification [and] education of children” (no. 43). In spelling out the tasks of the lay faithful, the Instruction includes “advising about and writing out laws aimed at facilitating reunification of migrant families and assuring them equal rights and opportunities ... [which] means giving them access to essential goods, work and wages, home and school and enabling them to participate in the life of civil society” (no. 87). In juridical terms, it asserts that the lay faithful should “do all they can to ensure that ... [migrants’] rights, especially those concerning the family and its unity, are recognised and protected by the civil authorities” (Juridical Pastoral Regulations, art. 2, §1).

The Instruction also stresses that “the Church encourages the ratification of the international legal instruments that ensure the rights of migrants, refugees and their families” (no. 6). Pope John Paul II in fact strongly recommended the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and the Members of their Families, which entered into force on 1 July 2003 and offers a compendium of rights, including family reunification (cf. no. 6).

MIGRATION AND DIALOGUE

The spirit of dialogue permeates the whole Instruction: within the Catholic Church, with other Churches and Ecclesial Communities, and with believers in other religions. Within the Catholic Church, this means dialogue between pastors and faithful, stressing the importance of the language, mentality, culture and religious traditions of the Catholic migrants. Ecumenical dialogue is also necessary, because of the presence of many migrants not in full communion with the Catholic Church. Then there is also the dimension of inter-religious dialogue, due to the ever increasing number of migrants belonging to other religions, particularly Islam.

Migration changes the religious configuration of the host society, as is the case of countries of ancient Christian tradition that now experience a religious pluralism that was previously unknown. Our pastoral solicitude urges us to be concerned with all migrants’ “human development and giving witness to Christ’s charity”.

Living together with believers of other religions also requires attention to specific realities, particularly sacred places, Catholic schools, marriage and reciprocity, which are discussed in nos. 61-64. Of particular importance is dialogue regarding Muslim migrants (nos. 65-68) who, in some countries, are already so numerous that they form groups that can be distinguished particularly through their sense of identity. For this reason it is necessary for pastoral agents to have “solid formation and

information on other religions (no. 69).

In any case, dialogue and evangelization are not opposed to each other. *Erga migrantes caritas Christi*, in fact, speaks about the “great respect and attention for the migrants’ [religious] traditions and culture” that we are called to show as Christians. At the same time we have “to bear witness to the gospel of love and peace in our dealings with them and also to proclaim the Word of God explicitly to them so that the blessing of the Lord, promised to Abraham and his descendants for ever, may reach them” (no. 100).

COOPERATION AMONG THE LOCAL CHURCHES

The responses of the Church obviously require cooperation among local Churches. *Erga migrantes caritas Christi* affirms: “The responsibility of diocesan bishops ... [with regard to the pastoral care of migrants] is unequivocally reaffirmed, both for the Church of origin and the Church of arrival” (no. 28). Thus, while it is the task of the Church of arrival to offer pastoral care to all the faithful in its territory, it is important for migrants to be accompanied by priests and/or other pastoral agents who are

from or have carried out missionary work in their country of origin. They understand not only their language, but also their culture and mentality. This is capital in helping them live and grow in the faith and face, as mature Christians, all the vicissitudes they encounter in their life as migrants, refugees and foreign students. This is why close collaboration between the Church of origin and the Church of arrival is necessary.

Such collaboration will also help migrants and refugees become part and parcel of the community of the local Church, where no one is a foreigner,

where even those who profess a different religion are welcome, because Jesus Christ died for each and every person.

THE ROLE OF THE RELIGIOUS IN THE FIELD OF MIGRATION

The Instruction dedicates a whole section to “religious presbyters, brothers and sisters working among migrants” (nos. 80-85) together with four articles on the same subject (art. nos. 12-15) in its Juridical Pastoral Regulations. It affirms that “religious presbyters, brothers and sisters have always played a primary role in pastoral work for migrants, and the Church has shown and continues to show great confidence in what they do” (no. 80). It acknowledges “the apostolate of religious women, so often dedicated to the pastoral care of migrants, with specific charisms and performing works of great pastoral importance” (*ibid.*).

At the same time, it invites those religious institutes which, “although it is not their specific charism”, are able “to take part in this responsibility. In fact it will always be opportune and praiseworthy for them to devote themselves to the spiritual care of this category of the faithful, choosing especially those activities that best correspond to their nature and aims” (no. 81). They are specifically invited to “give generous consideration to the possibility of sending some of their own members, men or women, to work in the field of migration. Many of them in fact could make an appreciable contribution to the spiritual care

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of migrants because they have members with different types of training, coming from various countries, whom it would be relatively simple to transfer abroad” (no. 82). Concretely, it is suggested that “superiors general ... collaborate generously with pastoral workers for migrants and refugees by assigning some of their own members to work in this sector, backed up by the solidarity and collaboration of the entire religious community” (no. 84). Also, “future presbyters ... should at least consider the possibility of preparing themselves to exercise their ministry, or part of it, among migrants” (ibid.).

The appeal for religious institutes to be particularly committed in favour of migrants and refugees is motivated by “what could be described as an affinity between the intimate expectations of these people, uprooted from their homelands, and the religious life. Theirs are the expectations, often unexpressed, of the poor with no prospect of security, of outcasts often mortified in their longing for fraternity and communion. When offered by those who have voluntarily chosen to live in poverty, chastity and obedience, this solidarity is not only a support in their difficult situation but also a witness to values that can enkindle hope in sad situations” (no. 83).

THE TASK OF THE CHURCH

To the Church, herself on pilgrimage on earth, God entrusted “the task of forging a new creation in Christ Jesus, recapitulating in Him (cf. Eph 1:9-10) all the rich treasures of human diversity that sin has transformed into division and conflict” (no. 102). The phenomenon of migration can make Christians “aware of their call to be always and repeatedly a sign of fraternity and communion in the world, by respecting differences and practising solidarity, in their ethics of meeting others” (ibid.). Migrants themselves can personally experience and build “such a universal

fraternity together with many other brothers and sisters. They offer the Church the opportunity to realize more concretely its identity as communion and its missionary vocation” (no. 103).

CONCLUSION

I have not tried to be exhaustive. As a matter of fact, the vastness of the topic makes that impossible. What I can suggest is that you read the Instruction also for a wider view of the phenomenon. Allow me to end this presentation with the closing paragraph of *Erga migrantes caritas Christi* (no. 104):

“May the Virgin Mother, who together with her Blessed Son knew the pain of emigration and exile, help us to understand the experience, and very often the drama, of those who are compelled to live far from their homeland, and teach us to serve them in their necessities, truly accepting them as brothers and sisters, so that today’s migrations may be considered a call, albeit a mysterious one, to the Kingdom of God, which is already present in His Church, its beginning (cf. LG 9), and an instrument of Providence to further the unity of the human family and peace”.

NOTES

i Cf. Patrick A. Taran, “Human Rights of Migrants: Challenges of the New Decade”, *International Migration*, Vol. 38, No. 6, Special Issue 2/2000, p. 13. Cf. also Jonas Widgren and Philip Martin, “Managing Migration: The Role of Economic Instruments”, Expert Working Paper prepared for the Centre for Development Research study: *Migration-Development Links: Evidence and Policy Options*, February 2002. <http://www.cdr.dk/>

ii cf. *Gaudium et Spes*, no. 1.

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