

## PEOPLE ON THE MOVE AND CATHOLIC SOCIAL TEACHING

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### Abstract

Millions of people are on the move. Often their rights claims are seen as conflicting with those of host communities and as threatening national sovereignty. This article presents a brief overview of the response of Papal Catholic Social Teaching (CST) on migration in the post Vatican II period, and that of the Federation of Asian Bishops Conferences. It suggests the following areas for potential development in CST on migration: criteria for the acceptance of migrants when the common good prevents the acceptance of all who have a moral claim on a community; engaging with the gendered experiences of women migrants and the social construction of complementarity as subordination; and moving beyond a nuclear-family-centred perspective. In the interplay between local and universal CST, the Bishops of Asia have the opportunity to contribute more to the development of CST as a more truly international and less Eurocentric body of teaching.

### Introduction

In 2013 the number of forcibly displaced people in the world passed 50 million. They included 16.7 million refugees, 33.3 million

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internally displaced persons and 1.2 million asylum seekers.<sup>1</sup> In addition there are also millions of stateless persons, internal migrants and migrant workers, many of whom are undocumented, some smuggled or even trafficked. Mixed flows frequently make it difficult to distinguish between different categories along the migration spectrum.

The human rights of people on the move are often perceived to be in tension with the good of host communities and national sovereignty. Only some categories of people on the move are afforded protection by international humanitarian law, or by domestic laws, while many others are not.

We will examine the response of Catholic Social Teaching (henceforth CST), at both the international and Asian region level, to people on the move. Following a brief overview of the major post Vatican II teachings on migration of the Popes and of the Federation of Asian Bishops Conferences (FABC), we will suggest some areas for the possible further development of CST in relation to people on the move.

### **Papal Catholic Social Teaching on Migration**

Migration began to emerge as a theme in CST in the post-World War II period. The teachings have evolved from a largely pastoral and charitable approach to migrants, to a deeper ethical analysis of the increasingly large and complex phenomena of migration, and of the claims that can be made in justice by migrants, and by countries of origin, transit and destination. The articulation of a theology of migration within the teachings has deepened with reflection shifting from a focus on the sufferings of migration as manifestations of sinfulness or a lack of charity or solidarity, to a stronger appreciation of migration as sign and an instrument of the unity of the human family and our pilgrimage towards a new humanity without divisions.

Initial responses to post World War II migrations from, and within, Europe emphasised spiritual care and assisting in practical needs.<sup>2</sup> However as early as 1941 Pius XII spoke of a right to migrate.<sup>3</sup> He

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<sup>1</sup>UNHCR Global Trends 2013, 2-3.

<sup>2</sup>Described in Pius XII, "Apostolic Constitution *Exsul Familia Nazarethana* (1952) <http://www.papalencyclicals.net/Pius12/p12exsul.htm>.

<sup>3</sup>"La Solennita," (1941), [http://www.vatican.va/holy\\_father/pius\\_xii/speeches/1941/documents/hf\\_p-xii\\_spe\\_19410601\\_radiomessage-pentecost\\_it.html](http://www.vatican.va/holy_father/pius_xii/speeches/1941/documents/hf_p-xii_spe_19410601_radiomessage-pentecost_it.html).; "Ancora Una Volta, Address 1 June 1946," in *Pius XII Selected Encyclicals and Addresses*, Harrison, New York: Roman Catholic Books (undated), 342-344.

saw this as a way of achieving a better population distribution on the earth, which God created for the use of all.<sup>4</sup>

Pius XII's landmark 1952 Apostolic Constitution, *Exsul Familia Nazarethana*, set out norms for the spiritual care of migrants. It married charity and justice and largely applied established principles such as the universal destination of goods, the common good understood universally, the rights of workers, and solidarity, to the data of migration at that time in order to deduce positions.<sup>5</sup>

In *Mater et Magistra* John XXIII affirmed a right to emigrate, grounded in the right to private property for the purpose of safeguarding and supporting family life<sup>6</sup> whereas in *Pacem in Terris* he employed the language of human rights. He affirmed the right to freedom of movement within one's own country, the right to emigrate, and to immigrate.<sup>7</sup> He argued that "as far as possible employment should seek the worker, not vice versa" and affirmed the right of asylum for political refugees.<sup>8</sup> He said the state had a duty, as far as the common good permitted, to accept immigrants and help them to integrate.<sup>9</sup>

*Gaudium et Spes* called for the regulation of international mobility to prevent discrimination with respect to wages and working conditions, and to stop the lives of migrants "from becoming insecure and precarious."<sup>10</sup> *Octogesima Adveniens* took this further arguing that not having citizenship should not preclude migrant workers from social and economic inclusion in the light of their contribution to the economic life of the host country.<sup>11</sup> It called for a charter enshrining a right to emigrate, to integrate in host communities, to professional advancement and decent housing, and for families to join migrant workers. *Populorum Progressio* emphasized the duty of welcoming others,<sup>12</sup> and made special mention of foreign students and of emigrant workers and their remittances.<sup>13</sup> By the mid 1970s, the emphasis was firmly on the common good, understood universally, and the human rights of migrants.

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<sup>4</sup>Quoted in "Apostolic Constitution Exsul Familia Nazarethana."

<sup>5</sup>"Apostolic Constitution Exsul Familia Nazarethana."

<sup>6</sup>John XXIII, *Mater Et Magistra* (1961), no. 45.

<sup>7</sup>*Pacem in Terris* (1963), no. 25.

<sup>8</sup>*Pacem in Terris* no, 101-102.

<sup>9</sup>*Pacem in Terris*, no. 106.

<sup>10</sup>Vatican II, *Gaudium Et Spes* (1965), no. 66.

<sup>11</sup>Paul VI, *Octogesima Adveniens* (1971), no. 17.

<sup>12</sup>*Populorum Progressio* (1967), no. 67.

<sup>13</sup>*Populorum Progressio* (1967), no. 68-69.

Pope John Paul II's major social teaching documents added little on migration, which he labelled a "necessary evil." He also pleaded for a change in attitude to poor people and communities from considering them a burden to acknowledging their legitimate desire to share in material goods and their willingness to contribute their labour.<sup>14</sup>

In *Caritas in Veritate* Benedict XVI recognises the importance of migration as a structural element of the global economy, calls for cooperation between sending countries and receiving countries, and for the establishment of international norms that can coordinate different legislative systems. He reiterates previous teachings lending greater formal teaching weight to positions developed in the Papal Messages for World Day of Migrants and Refugees and synthesized in the Instruction *Erga Migrantes Caritas Christi*.<sup>15</sup>

Concern for migrants and refugees has been a key theme of Pope Francis' teaching in word and action. His first pastoral visit outside of Rome was to the Italian island of Lampedusa, entry point for many asylum seekers and migrants arriving by boat, where he lamented the "globalization of indifference."<sup>16</sup> At Centro Astalli, a work of the Jesuit Refugee Service in Rome, Pope Francis acknowledged that even people with recognized refugee status can live in difficult and degrading situations.<sup>17</sup> He commended Centro Astalli for trying "to enter into a relationship with asylum seekers and refugees, recognizing them as people, committed to finding concrete responses to their needs."<sup>18</sup>

Pope Francis chose the theme *Migrants and Refugees: Towards a Better World* for his first Message for the World Day of Migrants and Refugees.<sup>19</sup> He acknowledges the scale and importance of the phenomenon of human mobility, confirming Benedict XVI's judgment that it is a 'sign of the times,' and he explores the ambiguity of this sign:

While it is true that migrations often reveal failures and shortcomings on the part of States and the international community, they also point to the

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<sup>14</sup>John Paul II, *Laborem Exercens* (1981), no. 23; *Centesimus Annus* (1991), no. 15, 28.

<sup>15</sup>Pontifical Council for the Pastoral Care of Migrants and Itinerant People, "Erga Migrantes Caritas Christi," (2004), [http://www.vatican.va/roman\\_curia/pontifical\\_councils/migrants/documents/rc\\_pc\\_migrants\\_doc\\_20040514\\_erga-migrantes-caritas-christi\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/migrants/documents/rc_pc_migrants_doc_20040514_erga-migrantes-caritas-christi_en.html).

<sup>16</sup>Francis, "Homily, Arena Sports Camp, Salina Quarter, Lampedusa," (8 July 2013).

<sup>17</sup>Address, *Centro Astalli, Rome* (10 September 2013).

<sup>18</sup>Address, *Centro Astalli, Rome* (10 September 2013).

<sup>19</sup>*Migrants and Refugees: Towards a Better World*, Message for the World Day of Migrants and Refugees (2014).

aspiration of humanity to enjoy a unity marked by respect for differences, by attitudes of acceptance and hospitality which enable an equitable sharing of the world's goods, and by the protection and advancement of the dignity and centrality of each human being.

From the Christian standpoint, the reality of migration, like other human realities, points to the tension between the beauty of creation, marked by Grace and Redemption, and the mystery of sin. Solidarity, acceptance, and signs of fraternity and understanding exist side by side with rejection, discrimination, trafficking and exploitation, suffering and death.<sup>20</sup>

Pope Francis seeks to reframe the discussion of migration in terms of building a better world. He calls us to see, and to enable others to see, migrants and refugees not just as a problem to be solved, but sisters and brothers to be welcomed, respected and loved. For Francis they do not present an imposition, but an opportunity for us to contribute to building a better world.<sup>21</sup>

In *Evangelii Gaudium*, Pope Francis draws attention to migrants and to trafficked persons as a particular challenge, encouraging “a generous openness which, rather than fearing the loss of local identity, will prove capable of creating new forms of cultural synthesis” which he says can drive development.<sup>22</sup> Pope Francis also expresses distress at the lot of victims of trafficking, and calls on the international community not to “look the other way” saying “there is greater complicity than we think.”<sup>23</sup>

### **FABC Teaching on Migration**

The FABC brings together nineteen Bishops Conferences as full members and nine associate members from other ecclesiastical jurisdictions. Its supreme body is the Plenary Assembly, which is convened approximately every four years. Its Office for Human Development (OHD) has responsibility for migration matters.<sup>24</sup>

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<sup>20</sup>*Migrants and Refugees: Towards a Better World.*

<sup>21</sup>*Migrants and Refugees: Towards a Better World.*

<sup>22</sup>Pope Francis, *Evangelii Gaudium* (2013), no. 210.

<sup>23</sup>Pope Francis, *Evangelii Gaudium* (2013), no. 211.

<sup>24</sup>The functions of the FABC are to: study ways and means of promoting the apostolate, especially in the light of Vatican II and post-conciliar official documents, and according to the needs of Asia; to work for and intensify the dynamic presence of the Church in the total development of the peoples of Asia; help in the study of problems of common interest to the Church in Asia, and to investigate possibilities of solutions and coordinated action; promote inter-communication and cooperation among local Churches and bishops of Asia; render service to episcopal conferences of Asia in order to help them to meet better the needs of the People of God; foster a

The lack of respect for the human dignity of migrants and their instrumentalisation within economic systems has been a consistent theme of the FABC's teachings. Over time, the need for effective coordination between local churches in sending and receiving countries for pastoral care and response to the needs of migrants has been named more clearly, and the tasks involved detailed more explicitly.

The need for the church to engage in advocacy to address the causes of pressure to migrate, and on national and regional policies that impact migrants, emerges more strongly in the more recent FABC documents. From general denunciations and exhortations, the FABC has become more specific and concrete in its statements. The positive potentials of migration have been consistently acknowledged, yet the FABC's theology of migration has not been articulated in much detail.

While the local Churches and the Asian context are given great emphasis by the FABC, the task of enacting a new way of being the Church in Asia is always seen in the light of the catholicity of the Church as a communion of communities, which are diverse but one in faith.<sup>25</sup> The FABC draws on principles of CST — especially human dignity — in interpreting the meaning of reality and developing guidelines for response, but rarely refers to international documents of the social teachings.

Migration, forcible displacement, and the plight of migrant workers have often featured in the FABC's reading of the signs of the times. From the 1980s to the present, Plenary Assembly Final Statements have cited migration as an example of the experiences and sufferings of the poor in and from Asia, as have the documents of meetings organized by FABC offices.<sup>26</sup>

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more ordered development of organizations and movements in the Church at the international level; foster ecumenical and interreligious communication and collaboration. Federation of Asian Bishops Conferences website. <http://www.fabc.org/about.html>, Accessed 23 November 2013.

<sup>25</sup>For example, at the very first Asian Bishops Meeting: "In the inculturation of the life and message of the Gospel in Asia, there have been hesitations and mistakes in the past, but we are more than ever convinced that dialogue with our fellow Asians whose commitment is to other faiths is increasingly important. We also urge on all a deep respect for the culture and traditions of our peoples, and express the hope that the catholicity of the Church, the root of our diversity in the oneness of faith, may serve to help Asians to remain truly Asian, and yet become fully part of the modern world and the one family of mankind." no. 24. Gaudencio Rosales and C.G. Arevalo, ed., *For All the Peoples of Asia*, 4 vols., vol. 1, Manila: Claretian, 1997, 6.

<sup>26</sup>For example: International Congress on Mission, 1979, no. 30; FABC Plenary Assembly III, resolution III; Bishops Institute for Missionary Apostolate, 1982,

The Office for Human Development's 1993 symposium, *Journeying Together with Filipino Migrant Workers in Asia*, offered the first systematic treatment of the issue.<sup>27</sup> The sixth Plenary Assembly of the FABC, held in 1995, gave migration a high priority.<sup>28</sup> The seventh Plenary Assembly in 2000 also paid considerable attention to migration, naming it as one of five areas of special pastoral emphasis.<sup>29</sup> The tenth Plenary Assembly affirmed this pastoral priority noting that migrants and refugees have been a continuing concern over its forty-year history.<sup>30</sup>

Three other events organized by the OHD have also specifically addressed migrants. In 2002 the fifth Faith Encounters in Social Action (FEISA) concerned the pastoral care of migrants and refugees,<sup>31</sup> and the 2006 Bishops Institute for Christian Advocacy (BICA) concerned solidarity with migrants and refugees<sup>32</sup>. In 2007 a second BICA generated a book titled *The Migrant Family in Asia: Reaching Out – Touching Them*.

While the events organized by OHD clearly inform FABC understandings of issues, here we will focus on the final statements of FABC Plenary Assemblies as documents of the local social magisterium.

Among the forces of death named by the Final Statement of the sixth FABC Plenary Assembly<sup>33</sup> was a global economy driven by

*Syllabus of Mission Concerns*, no. 11; FABC Plenary Assembly IV, 1986, no. 3.7.7; Office of Human Development Institutes for Missionary Apostolate in 1989, 1990, and 1991. All reproduced in Gaudencio Rosales and C.G. Arevalo, ed., *For All the Peoples of Asia*.

<sup>27</sup>FABC Office for Human Development, "Final Statement of the Symposium on Filipino Migrant Workers in Asia 1993: Journeying Together in Faith with Filipino Migrant Workers in Asia," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, Manila: Claretian, 1997.

<sup>28</sup>FABC, "Final Statement of the Sixth Fabc Plenary Assembly, 1995: Christian Discipleship in Asia Today - Service to Life," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, 1-12.

<sup>29</sup>"Final Statement of the Seventh Plenary Assembly of the Fabc 2000: A Renewed Church in Asia - a Mission of Love and Service," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, Manila: Claretian, 2002, See Part III Section A. no. 5. 11.

<sup>30</sup>Plenary Assembly X Final Statement, (2012), no. 21 <http://www.fabc.org/10th%20plenary%20assembly/Documents/FABC%20-%20X%20PA%20Final%20Document.pdf>, Accessed 4 December 2013.

<sup>31</sup>FABC Office for Human Development, "Faith Encounters in Social Action V, 2002: Pastoral Care of Migrants and Refugees, a New Way of Being Church," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, Manila: Claretian, 2007.

<sup>32</sup>"Bishops Institute for Christian Advocacy 2006: Solidarity with Migrants and Refugees," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, Manila: Claretian, 2007.

<sup>33</sup>FABC, "Final Statement of the Sixth Fabc Plenary Assembly, 1995: Christian Discipleship in Asia Today - Service to Life," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, (1997), no. 6.

market forces to the detriment of people's needs. In this context the insecurity and vulnerability of migrants, refugees, displaced ethnic and indigenous peoples was noted.<sup>34</sup> The displaced are named as one of five major pastoral areas for discipleship:

Special attention is given to the displaced in our societies: political and ecological refugees and migrant workers. They are marginalized and exploited by the system, denied their place in society and must go elsewhere to seek a dignified life. In welcoming them we expose the causes of their displacement, work toward conditions for a more human living in community, experience the universal dimension of the Kingdom (Gal 3:28) and appreciate new opportunities for evangelization and intercultural dialogue.<sup>35</sup>

Although the Plenary Assembly VI final statement treats migration very concisely, Kroeger makes the case that it was a high profile issue at the Assembly. Firstly, the final statement is relatively brief and does not treat any issue at length. It does not repeat work published elsewhere. Kroeger notes that Graziano Battisella provided "an elaborate overview with significant background material on the situation of migrant workers in Asia" and that another significant preparation document on ecumenism by Tom Michel expressed concern for migrants. Furthermore theologian S. Arokiasamy addressed the Plenary at length on migrants.<sup>36</sup> That migration was named as one of five Asia-wide pastoral priorities speaks to its importance in the mind of the FABC.

The seventh FABC Plenary Assembly named sea-based and land-based migrants and refugees among the FABC's five key pastoral concerns.<sup>37</sup> The plenary notes that people migrate within and from Asia for many reasons. A new reason, not mentioned in previous statements is "the establishment of giant industrial complexes with an eye to cost-efficiency and profit, solely for the economic interests of national and transnational corporations."<sup>38</sup> This is a reference to

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<sup>34</sup>FABC, "Final Statement of the Sixth Fabc Plenary Assembly, 1995," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, (1997), n 7.

<sup>35</sup>FABC, "Final Statement of the Sixth Fabc Plenary Assembly, 1995," in *For All the Peoples of Asia*, ed. Franz-Josef Eilers, (1997), 15.5.

<sup>36</sup>James Kroeger, H., "The Church in Asia and Pastoral Care of Migrants," *Landas* 24, 1 (2010) 73. Citing Graziano Battistella, "Journeying Together in Faith with Migrant Workers in Asia," *FABC Papers* 73 (1995).

<sup>37</sup>FABC, "Final Statement of the Seventh Plenary Assembly of the Fabc 2000: A Renewed Church in Asia - a Mission of Love and Service," Part III A. no. 5.

<sup>38</sup>FABC, "Final Statement of the Seventh Plenary Assembly of the Fabc 2000," Part III A. no. 5.

the rise of special economic zones and free trade zones. Beyond cooperation between receiving churches and churches of origin, it suggests “the Church should join hands with all who are concerned with the rights of the migrants and their situation, keeping in mind that the migrants themselves are to be the primary agents of change.”<sup>39</sup> A further development in the FABC’s approach is the increased awareness of the need to act integrally:

For thirty years, as we have tried to reformulate our Christian identity in Asia, we have addressed different issues, one after another ... Today, after three decades, we no longer speak of such distinct issues. We are addressing present needs that are massive and increasingly complex. These are not separate topics to be discussed, but aspects of an integrated approach to our Mission of Love and Service.<sup>40</sup>

### **Potential for the Development of CST on Migration**

CST is a living tradition that involves a dialogue between enduring principles and changing social realities, and the development of our understanding of God’s ongoing self-revelation through the people, places and events of human history. Some of the areas for potential development in CST on migration are: criteria for the acceptance of migrants when the common good prevents the acceptance of all who have a moral claim on a community; engaging with the gendered experiences of women migrants and the social construction of complementarity as subordination; and moving beyond a nuclear-family-centred perspective.

Campese’s reflections on the USA-Mexico border lead him to question whether CST can hold the right to freedom of movement and the right of states to control borders in balance through the principle of subsidiarity, given the propensity of states to manipulate these concepts to justify policies that cause the death of migrants. For him the enforcement of border control is one of the forces crucifying migrants, and to take them down from the cross entails restraining this force of death.<sup>41</sup> One can also argue that the lack of an effective international authority in this area renders the principle of subsidiarity ineffectual.

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<sup>39</sup>FABC, “Final Statement of the Seventh Plenary Assembly of the Fabc 2000,” Part III A, no. 5.

<sup>40</sup>FABC, “Final Statement of the Seventh Plenary Assembly of the Fabc 2000,” Part III, 8.

<sup>41</sup>Gioacchino Campese, “Cuantos Mas? The Crucified Peoples at the Us - Mexico Border,” in *A Promised Land, a Perilous Journey: Theological Perspectives on Migration*, ed. Daniel G. Groody and Gioacchino Campese, Notre Dame, Indiana: University of Notre Dame Press, 2008, 290.

It can also be argued that because every person, created in the image and likeness of God, shares a dignity and worth that crosses all humanly constructed boundaries, the only morally relevant community is the human race as a whole. David Hollenbach holds that, religiously and theologically, such a radical cosmopolitanism, which requires fully open borders, is the most attractive stance and would be characteristic of the fullness of the Reign of God. Until then, he says, setting priorities for the reception of migrants will continue to be a challenge for theological ethics.<sup>42</sup> What criteria could determine which migrants to accept if not all of those with a moral claim can be accommodated? Can CST be more specific about the kinds of conditions that would satisfy the criteria of migrants constituting a grave threat to the common good of a particular community, and how do we determine which community then has a duty to help?

Gemma Cruz notes weaknesses in CST's capacity to address the gendered experiences of migrant women. Firstly, the formal teaching documents are authored by men, and reflect a patriarchal perspective. She says motherhood "is presented as the locus of the dignity and vocation of women" and the teachings generally demonstrate a "romantic pedestalization of women" which is problematic for migrant women workers. With Maria Riley she believes that CST "disenfranchises men from the full potential of their fatherhood, while it disenfranchises women from the full potential of their personhood."<sup>43</sup>

Secondly, the nuclear family is not a universal experience of families. By treating this form of family as normative, CST does not reflect the experience of transnational families. As Cruz says:

The nuclear-family-centred perspective is problematic... since it is Eurocentric or, at the very least, very much Western. Moreover it overlooks how migrants transform the meanings of motherhood and fatherhood to accommodate spatial and temporal separations. Last but not the least it overlooks how migration and labour market policies contribute to the spread of transnational families between home and host societies as well as to the creation of new transnational family forms by marriage to and/or family formation with a wide selection of nationalities.<sup>44</sup>

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<sup>42</sup>David Hollenbach SJ, "Migration as a Challenge for Theological Ethics," *Political Theology* 12, no. 6 (2011).

<sup>43</sup>Gemma Tulud Cruz, *Toward a Theology of Migration: Social Justice and Religious Experience*, New York: Palgrave Macmillan, 2014, 67-68.

<sup>44</sup>Gemma Tulud Cruz, *Toward a Theology of Migration*, 67-68.

Finally, the magisterium's construction of gender in terms of complementarity, and its stress on motherhood and family roles for women is seen as problematic because "... aside from giving the impression that women's social contribution is limited to motherhood and domesticity within the home, it also holds up an ideal of self-sacrificial love for women that could result in inequity and injustice in family and social relationships."<sup>45</sup> Complementarity can be socially constructed as subordination whereas ethical values such as mutuality, equality in diversity and justice may provide a better basis for teachings concerning gender, stressing that all human beings share one human nature and thus participate in the claims made by human dignity. Agnes Brazal's reflections on these qualities of the Trinity as persons in relation and on cultural rights may provide an alternative model.<sup>46</sup>

The local churches of Asia, and the FABC, could contribute insights for the development of CST from reflection on the experience of extended family forms and transnational families. However all models of family, like cultures themselves, need to be purified and transformed by the light of the Gospel. Hence the family must be re-imagined and a more consistent understanding of the dignity and role of women as human beings integrated across the whole of CST and teachings on the family.

### **Conclusion**

From our consideration of Papal and FABC teaching we have seen that CST provides useful principles considering the rights and aspirations of people on the move and host communities. It approaches these questions from the point of view of human dignity rather than legal status or national interest. Its key questions are not about legal obligations or defending sovereign territory but rather how right relationships with self, God, others and creation, would call us — as individuals, communities, nations and international bodies — to respond to people on the move.

CST holds that anyone who is forced to move to preserve their lives or human dignity has a moral claim on the hospitality of others. The more vulnerable and needy the person, the greater their moral claim. Beyond responding to immediate needs it also requires the

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<sup>45</sup>Gemma Tulud Cruz, *Toward a Theology of Migration*, 69.

<sup>46</sup>Agnes M. Brazal, "Cultural Rights of Migrants: A Philosophical and Theological Exploration," in *Faith on the Move: Toward a Theology of Migration in Asia*, ed. Fabio Baggio and Agnes M. Brazal, Manila: Ateneo de Manila University Press, 2008.

protection of rights and the transformation of the causes of displacement. Because every human person, regardless of one's legal status or geographic location, has a transcendent dignity that must always be respected, people on the move should enjoy the full range of human rights and others have a duty to see that they are respected, protected and fulfilled.

According to CST, nation states exist to serve the human person by fostering, organising and promoting the common good. The dignity of persons comes before the interests of nation states and people must never be treated as means. Addressing the global phenomena of migration requires all nations and international organisations to work together to ensure that all people and groups are able to meet their needs and achieve their potential, that is, to share in the common good.

National sovereignty should be respected and supported as long as sovereign states are willing and able to fulfil their responsibilities to protect the dignity and rights of people within their jurisdiction and to promote the common good. The international community has a responsibility to support and assist where this condition is not met. National sovereignty cannot legitimately be used as an excuse to neglect or abuse the human rights of people, no matter what their legal status, or to stand by while this happens. In practice however states do manipulate these concepts to justify their actions sometimes with deadly results for potential migrants.

For the future development of CST on migration we suggest that it may be helpful to be more specific about conditions that could justify the exclusion of migrants at all, and criteria for the priorities to be set if there are to be legitimate restrictions. Pope Francis' teachings however point away from a focus on articulating conditions for legitimate restrictions towards embracing migration as an opportunity to build a better world. In any case, rather than simply continuing to call for effective international regulation of migration, CST could consider the forces that have thus far prevented this and how they may be transformed.

With the increasing feminization of migration a realistic and critical look at the actual gendered experiences of migrant women, rather than a pedestalsed concept of women, would provide a more helpful basis for CST on migration. Instead of considering gender through the concept of complementarity, which can be observed in many cases to be constructed as subordination, the characteristics of the

relationships between the persons of the Trinity — mutuality, equality in diversity, justice — may be a more life-giving model for women and men.

CST's focus on nuclear families does not reflect the reality of family life in many non-Western cultures including those of Asia, and it does not assist transnational families in their efforts to continue being family in the face of migration. The local social magisterium could play a stronger role in broadening CST's understanding of the varied reality of family. If, as the FABC say, the migrants themselves must be the primary agents of change, their actual experiences of family, marked by both sin and grace, need to be engaged by CST.

The phenomenon of migration is intrinsically inter-cultural thus CST at the international level needs to adopt an inter-cultural approach to it. In the interplay between local and universal CST, the Bishops of Asia could contribute more.