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A CATHOLIC ATTITUDE ON IMMIGRATION

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THE TRAGIC EVENTS of World War II and the cataclysmic developments of the past several years since the end of the war could not help but center the eyes of the people of the free world on the plight of those left uprooted, driven and homeless in the wake of such happenings. The expulsion of German ethnics attendant upon the Potsdam Agreement to which our own country was a signator, the Arab-Israeli conflict, the India-Pakistan realignment, the upheaval in China, the Korean War, the war in Viet Nam, the revolution in Hungary, the exoduses from East Germany and the Iron Curtain countries, following one upon the other, in the years since the second great war have all produced their hundreds of thousands of the dislocated and homeless.

The expulsion of Dutch ethnics from Indonesia is the latest in these violent upheavals that presents the problem of finding new homes and new lands for more than another one hundred thousand people. Someone has estimated that this so-called "Age of the Refugee" has witnessed the dislocation of no less than seventy-eight million people. To the ever-growing problem of the "refugee," the "escapee" and the "expellee," terms that only our modern age has made familiar, must be added the ever-present problem of population pressures in many lands. To cite a few of these countries, there are Italy, Greece, the Netherlands and Japan. Together they constitute an economic and political threat of constantly growing magnitude. Unsolved, they could easily be the forerunner and a contributor of grave magnitude to, God forbid, World War III.

We must never lose sight of the fact that most of the enormous movements of people we have witnessed in the past quarter of a century have not been voluntary. They have been forced migrations decreed by political authorities in monstrous violation of the natural and fundamental rights of men. They were migrations accompanied by despoliation of all properties,

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by the removal of families from the land which they had nurtured and from which they drew their sustenance, by fragmentation of families and by every affront to the dignity of man. These despoiled millions were thrust into overcrowded and often destroyed areas of the world without protection and without plans for their welfare.

The only solution to the problem of millions of these peoples, whether they be considered as individuals, as members of family units or as collective groups, has been and will continue to be their migration to other lands. Recognizing their moral responsibility to find such a solution to the problems of these peoples, the nations of the free world in the years since the war have created and supported two great international migration organizations. The International Refugee Organization, more commonly known as the IRO, and its successor body the Intergovernmental Committee for European Migration, equally better known as ICEM, were both primarily brought into being and maintained for the purpose of assisting in the migration and resettlement of particular segments of the world migration problem. The Catholic Church has encouraged world-wide interest in the problem with the creation in 1952 of the International Catholic Migration Commission. At the same time many countries in all parts of the globe opened their doors to the immigration of these peoples.

In order to assume its large share as a world leader among the nations in this tremendous moral responsibility, the United States of America has not only contributed the major portion of the financial maintenance to the IRO and ICEM but has also passed several emergency immigration measures to permit a large number of these

peoples to find haven and sanctuary in our own great country.

In 1945 a Presidential Directive made the unused quotas of Germany and Austria available to victims of Hitler's persecution. Then in 1948, at the urging of articulate groups who understood their plight, the American Congress passed the Displaced Persons Act, and amended it during the ensuing years to give over 400,000 of these benighted victims of war and oppression an opportunity to find a new life and a new start for their families here in America. President Truman asked for additional legislation at the expiration of the Displaced Persons Act. President Eisenhower on April 22, 1953, urged the passage of special legislation, but it was not until August, 1953, that the Refugee Relief Act of 1953 which benefited almost 200,000 other special immigrants was passed. In 1956, with the outbreak of the Hungarian revolution, another Presidential Directive provided the means by which over 30,000 of these latest fugitives from communist domination were permitted to come to our shores. In the closing days of the Eighty-fourth Congress in 1957, there was placed on the statute books another piece of emergency legislation on immigration, now known as Public Law 85-316, which will provide in the next few years an opportunity for about 100,000 people outside the regular quota to settle in the United States.

These developments since the end of the war, often referred to as "patchwork" solutions to a grave problem, together with one other happening have provoked a new interest and a new concern about immigration and about migration in general. Special legislation has served to dramatize the inadequacies of our basic immigration laws,

and many an American has suddenly found himself asking just where he stands on this question of immigration, particularly as it relates to basic American policy and American responsibility in world affairs. This must be particularly true for the American Catholic because on occasion after occasion, in utterance after utterance, he has found our present Holy Father, Pius XII, gloriously reigning, speaking out upon this important subject.

The other event that was to bring this question into sharp focus for Americans was, of course, the passage of the McCarran-Walter Immigration and Nationality Act of 1952. It took this measure, which was originally meant to be nothing more than a recodification of our complex and widely diversified immigration laws, but which had to be enacted over Presidential veto, in a veritable congressional storm of debate, to awaken enlightened public thought to some new questioning of basic American immigration philosophy and policy. Citizens all over the country, who had paid little or no attention to immigration questions since the last of the restrictionist laws of 1924 had put the final touches to the ending of America's open-door policy of the last half of the nineteenth century, suddenly seemed to awaken to the fact that basic in our law was the National Origins Quota System which limited alien admittance on the basis of population figures in 1910. Many began to ask whether or not American immigration policy was really in conformity with the principles upon which our republic was founded. No less a statesman than Secretary of State John Foster Dulles in testimony before the Senate Subcommittee on Immigration went so far as to say: "In my opinion, the national origins quota system, which draws a distinc-

tion between the blood of one person and the blood of another, cannot be reconciled with the fundamental concepts of our Declaration of Independence."

Although a number of bills related to immigration have already been introduced in the early weeks of the present second session of the Eighty-fifth Congress, there is scarcely any likelihood that there will be any consideration of a sweeping revision of our immigration statutes during that Congress. We are too overwhelmingly concerned with missiles, satellites, national defense and foreign aid, and rightly so. However, the years inevitably will bring such a discussion, and once debate starts interest will increase and tempers will again grow short. The immigration system is such a complicated maze that the average citizen hesitates to enter the field, weigh the facts and arrive at conclusions. There is great danger that he may be misled by oversimplified statements on the dangers of immigration to our own labor market, our domestic economy, our national security. Then too, the terms of "racial or religious discrimination," minority blocs and the like can all too easily be thrown around to becloud the real issue.

In the midst of all this confusion, it is important for the Catholic citizen to ask himself what his attitude as a Catholic should be on this important question of migration, on just what basis does a person have a right to immigrate, must a country accept such a person for immigration and under what limitations or safeguards. In other words, is there a "Catholic attitude on migration" that can offer us guidance and direction in such matters? On what principles is it founded?

The Catholic Church, the guardian and conserver of the teaching of Christ, respon-

sive to the needs and anguish of the children of men, always has held out compassionate hands to the migrant wherever she could reach him. Now, fortunately for all of us, the Church under the leadership of Pope Pius XII has gathered together the Christian experience of the centuries and its application for today in an Apostolic Constitution, *Exsul Familia*, which was promulgated in 1952. In this significant document the whole philosophy and theology relating to a man's right to migrate is restated, examined and applied to the conditions of the age in which we live. We could offer no better set of Catholic principles on migration than those inspired by the publication of *Exsul Familia*.

Reiterating his concern for the hundreds of thousands who in our own day "trudge the roads of the world in search of work and bread," the Holy Father at the very outset of that Papal document points to the Holy Family as the arch type of every refugee family, and Christ as first born and brother to the migrants and exiles of the world.

For the all powerful and merciful God decreed that His only son "being made like unto men and appearing in the form of a man" should, together with His Immaculate Virgin Mother, and His holy guardian, be also in this type of hardship and grief, the first born among many brethren, and precede them in it.

Man was created by God; the earth was created by God for man. Man as a person has the duty by natural law of conserving and perfecting his spiritual and material life to the end that he serve God on this earth and earn Heaven. In order to fulfill this duty man has the right of access to the means of sustenance and of human development for himself and his family. This requires that the resources which God has

placed on this earth be sufficiently available to him for this purpose.

Man's right to means of sustenance and of human development may impose a further duty upon those who have access to superabundant means for human life. This occurs when one's fellow man is in urgent need. In such a situation one must share these means in order that other human beings may exercise their right and fulfill their duty.

It may happen that a man cannot find the means for sustenance and human development for himself and his family in the country in which he was born or to which he has fled or to which he has been expelled by force. It follows logically that he has the obligation and the right to seek such means in another territory where they are known to exist. Correspondingly, the people of such a territory have the obligation to admit him and to make these means available to him, and this, regardless of the country from which he comes. When emigration represents the only possibility for a man to fulfill his human destiny, restriction is contrary to the natural law.

His Holiness, Pope Pius XII, voiced this right in his letter to the Bishops of the United States of America in December, 1948:

You know indeed how preoccupied we have been and with what anxiety we have followed those who have been forced by revolution in their own countries, or by unemployment or hunger to leave their homes and live in foreign lands.

The natural law itself, no less than devotion to humanity, urges that ways to migration be opened to these people. For the Creator of the universe made all good things primarily for the good of all. If then, in some locality, the land offers the possibility of supporting a large number of people, the sovereignty of the state, al-

though it must be respected, cannot be exaggerated to the point that access to this land is, for inadequate or unjustified reasons, denied to needy and decent peoples from other nations, provided, of course, that the common good, considered very carefully, does not forbid this.

The inherent right of man to move to parts of the earth where his productive capacities can be put to use stems from the Christian view of property, and of the world as a whole. The duty of sharing inequities of property so that there may be an equality is part of the message of St. Paul. He reminds us of that happy state, made possible by charity, in which: "He that had much, had nothing over; and he that had little, had no want."

This charitable sharing of resources between individuals is only a foreshadowing of the charitable sharing of the earth's resources between the many people of the earth. It is not possible to transport enough aid from the "have" countries of prodigal resources and of high industrial capacity to the "have not" countries, densely populated and poor in resources. The charitable and practical course is to allow migration from the overpopulated areas so as to make for greater possibilities of production — both agriculturally and industrially — in areas not yet fully developed. This planful migration is charity in action in relation to global needs and global resources.

Where it becomes a question of working out his eternal destiny, man's right to migrate takes on an even greater meaning and importance. In his Christmas message of 1952, which every Catholic who has not done so would do well to study carefully, the Holy Father specifically emphasizes man's right to seek a better life in order to be unhampered in the practice of his faith. Pius XII decries that sort of restrictionism

which fails to recognize man's destiny which is to found and maintain a family. The unity of family life is paramount in considering man's need for emigration. To prevent man from fulfilling this duty and to confine him to an area in which he finds it impossible to do so is grievously wrong. The Holy Father specifies:

The natural right of the individual to be unhampered in immigration or emigration is not recognized or, in practice, is nullified under pretext of a common good which is falsely understood or falsely applied but sanctioned and made mandatory by legislative or administrative measures.

A study of American immigration legislation history forces one to the conviction that such legislation, as it has been developed since the turn of the century, has tended to express a view and make sacrosanct practice that is not in conformity with Christian principles. No one will deny that justifiable restrictions are permitted in the application of the natural right of man "to be unhampered in immigration and emigration." Restriction is only contrary to the natural law, according to the Holy Father, when emigration represents the only possibility for a man to fulfill his destiny, that is, to found and maintain a family. Furthermore, when talking of the "common good falsely understood and falsely applied," the Holy Father emphasizes that there exists in relation to the common good, motives which involve legitimate restriction of this natural right. Too often pretext is used to interpret the common good.

As was indicated earlier in this article, the latest codification of our basic immigration law re-enacts the national origins quota system which holds that the Anglo-Saxon cultural pattern is more basically American than those cultural patterns which entered

America with the races from Eastern and Southern Europe. In refusing to approve this immigration law, a statesman gave purely Christian reasons, saying: "It repudiates our basic religious concepts, our belief in the brotherhood of man. In the words of St. Paul: 'There is neither Jew nor Greek; there is neither bond nor free. . . . For you are all one in Christ.'"

Admitting that there can be a legitimate restriction, we are nevertheless forced to conclude that our legislators, hypnotized by the past, proceeded in a spirit of cold, statistical calculation to emphasize the religio-cultural and social life of men in a certain period of history in this country and set up foundations that are unjustifiable and un-Christian in the light of a situation that has a vital present. It would appear that here in the United States our legislators have used as a pretext, as in the words of the Holy Father, "the common good falsely understood and falsely applied." Charity demands that we refrain from criticizing such conduct as insincere, but justice demands that attention be called to this appeal for the common good by legislators in the United States which is false and fictitious.

Were we, as has been done in the past, to continue to build up a whole series of compromises and concessions in our immigration laws and to so organize our human and material resources as to achieve an optimum economy and way of life, we will undoubtedly succeed in achieving and maintaining a high standard of living. It must be remembered, however, that in order to maintain and improve it, we will necessarily have to set limits to the use of man's labor and to limit the number of hands necessary to achieve this ideal-demographic situation.

On this subject, the Holy Father had this to say: "The desire to solve the difficulty

with a formula that the number of inhabitants should be regulated is equivalent to subverting the order of nature and the entire psychological and moral world which is bound up with it."

We must not be afraid to demolish that concept of our American society and that striving towards a false ideal in demography which is based on the principle that the present and future strength of our country is in a direct ratio to the national origins of the people that make up our population. In striving for any concept or ideal for our society, we must maintain Christian charity and Christian justice and that sense of human solidarity that is in keeping with this day and age of the atom and of the exploration of interplanetary space. Day after day our world becomes in a sense smaller and smaller. Lest we suffocate in our own self-sufficiency, we must remember that all men are children of one Eternal God and Father, common to us all, whatever our race, origin or creed.

There are solutions within the natural order to the problem of people that need not necessarily endanger the economies of countries. Emigration is a solution as long as it is based on principles and policies that recognize the unity of society as a living organic whole and as long as purely materialistic formulas do not govern the dictates of nations. Nations are justified in determining the direction of policies that insure their sovereignty, but they are not justified in exalting the sovereignty of the state at the expense of other men lest in so doing they injure or destroy the organic whole of which they are a part.

We are living at a time when the body of the Church in this anguished world is rent almost in twain; it is bleeding from many

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