



The Pastoral Care of Migrants in the Teaching and in the Directives of the Church

Velasio de Paolis, c.s.



THE PASTORAL CARE
OF MIGRANTS
IN THE TEACHING AND
IN THE DIRECTIVES
OF THE CHURCH

Velasio De Paolis, c.s.

CMS
Occasional Papers:
Pastoral Series

1

INTRODUCTION

The history of the pastoral care of migrants is rich in episodes, figures, and events. Many books and essays have been written in this regard. Yet, other aspects are still to be discovered, other notables yet to be illustrated and other episodes remain unrevealed.

The Center for Migration Studies will be contributing to this body of research through a special series of occasional papers, dealing with the Scalabrinian apostolate among the migrants and the history and analysis of Church doctrine on the migrants, plus other issues of general interest.

These essays respond primarily to the necessity of a prompt popularization of issues in this area.

In addition, the approaching Centennial of the founding of the Scalabrinian Congregation constitutes a further incentive to this research and includes the papers in a particularly significant frame. The rediscovery of the past brings up interesting suggestions for the present.

These papers are entrusted to personal consideration, but they can also become the starting point for group discussion, particularly area meetings or in formation programs. If we include in our dialogue those who preceded us, we avoid repeating ourselves. Let us remember what Bishop Scalabrini has said: "The progress of ideas is desperately slow. But let us insist because every slowness gets to its goal".

**THE PASTORAL CARE OF MIGRANTS
IN THE TEACHING AND IN THE DIRECTIVES
OF THE CHURCH**

By

Rev. Velasio De Paolis, C.S.

SEPTEMBER 14, 1983

A STUDY WEEK FOR THEOLOGICAL AND PASTORAL UPDATING
SEPTEMBER 12 - 16, 1983

THE PIOUS SOCIETY OF ST. CHARLES BORROMEO
ST. CHARLES RESIDENCE
STATEN ISLAND, NEW YORK

THE PASTORAL CARE OF MIGRANTS IN THE TEACHING AND IN THE DIRECTIVES OF THE CHURCH

REV. VELASIO DE PAOLIS, C.S.

English translation by Rev. Thomas F. Carlesimo, C.S.

My assigned theme is: *The Pastoral Care of Migrants in the Teaching and in the Directives of the Church*. After a short introduction to state the problem, I intend to develop this theme in two parts: in the first I shall present the most important documents, underlining their continuity and evolution; and in the second part I shall dwell on what I consider the foundation itself of a specific pastoral care of migrants: the relationship between culture and faith as foreseen through the Church. I would like to start by stating that my lecture will be prevalently pastoral. It will view the migratory phenomenon above all, although not exclusively, as it is seen within the Church herself and particularly within the Particular Church.

INTRODUCTION

The phenomenon of migration, or in a much broader sense, the phenomenon of people on the move, is in a sense as old as man himself. Still, it is a phenomenon which historically presents itself under a thousand shapes and always with new features. We know all these things and we shall not pause to analyze them. The causes which are at the origin of the phenomenon differ and the social reality in which this human mobility is embodied varies, and multifaceted are its consequences and repercussions on people and on society. So, it is not easy to form a judgment, especially from a moral point of view. Neither are the means to cope with the reality connected with this human mobility, always the same.

Migrations can in fact derive simply from the choice man makes himself, as well as from the constraints others or society itself may impose upon him. This very constraint can be simply that which one imposes upon himself when he moves from one place to another to better his economic situation, or to provide for himself the necessities of life when he has no other choices. It can result from persecutions for political, racial, or religious motives. I do not intend to pursue further this line of analysis.

I think that it is enough to have mentioned this, to show how difficult it is to gather under a common denominator a reality which is so complex and varied, or even to justify the choice of perspective I have selected to pursue or at least to emphasize. I shall keep in mind, above all, that migration is caused by work motives. It is the broadest phenomenon and the one which causes even greater problems just because of the great number of people involved in this form of migration. In any case it is the perspective which permeates the documents of the Church which we must examine.

The Letter to the Episcopal Conferences, *Church and People on the Move*, in speaking about the diverse facets of migration says this:

The principal categories of present-day people on the move may be listed, even if not exhaustively, as follows:

Emigrants, in the usual sense of the word, who have left their habitual dwelling in order to look for a new life and the means to live it abroad. For the most part these are workers, but there are also industrial technicians, exiles, and refugees in search of freedom. To them, those young students who go abroad in order to improve their technical skills or cultural understanding, may be added;

sailors, who go to sea, either as members of the merchant navy or as fishermen, and are habitually separated from their family group and their country of birth;

air travelers, whose profession takes them rapidly across the skies to the furthest points of the globe. Included with these are passengers and airport personnel;

nomadic peoples whose life consists of wandering. They are nearly always strangers to society, which only with difficulty understands their ethnic and cultural identity;

tourists, who come into contact with new surroundings and societies for reasons of pleasure, health, cultural enrichment or religious pilgrimage. One could add all those who make continual use of highways.

(Church and People on the Move Part One, No.2)

In her teaching, the Church cannot overlook the importance of analyzing the situation as it presents itself. The Church documents, in fact, analyze the migratory phenomenon in itself, the causes which produce and lead it on, the consequences which reflect back on society and, above all, upon the individual and the world in which he lives -- especially the family.

The Church has especially at heart the problem of man and his eternal salvation. The most relevant concern in the documents of the Church is the religious one. Faith, in the eyes of the Church, is the most important treasure man takes with him. In fact, the migrant to whom the Church gives her attention is especially the believer who is born and is baptized in the Catholic Church. Involved in migration and the many other kinds of human sufferings and dangers which surround him, he can risk the loss or at least a weakening of the faith. The Teaching Church is therefore concerned, above all, with a moral and religious judgment of migration as it presents itself. The Church in fact is not and does not wish to be a political society.

"Christ, to be sure, gave His Church no proper mission in the political, economic or social order. The purpose which He set before her is a religious one." (*Gaudium et Spes* #42)

She vindicates her right to "to preach the faith, to teach her social doctrine, to exercise her role freely among men, and also to pass moral judgment in those matters which regard public order when the fundamental rights of a person or the salvation of souls require it. In this, she should make use of all the means—but only those—which accord with the Gospel and which correspond to the general good according to the diversity of times and circumstances. (*Gaudium et Spes* #76)

The Church does not feel herself "bound to no particular form of human culture, nor to any political, economic or social system" (*Gaudium et Spes* #42), but only to the Gospel and to every person to whom she intends to present the Gospel.

In fact, the judgment the Church presents in her documents concerning migration, must be clearly and effectively stated on the basis of an attentive reading into the multiple and different

aspects. On one hand she recognizes that behind the fact of migrations there are frequently causes of injustice which have to be fought and eliminated; she condemns the discriminations and the injustices to which the migrants are all too often subject; and she suggests remedies to lighten, if not to eliminate, the negative consequences of migration. Yet, she also recognizes the positive aspects migration sometimes brings and she praises the conquests and the progress the migrants have been able to achieve even in the midst of many sacrifices. Above all, in reading the facts with that faith, which is proper to her, the Church has been able to see in migration even a means of spreading the Kingdom of God.

The Letter, *Church and People on the Move*, recognizes that "in many cases the movement of people has exercised a determining or at least notable influence on the birth and growth of new Churches." (No.9)

Pope John Paul II has often had the occasion to repeat this concept in his talks where migration is presented always with remarkable sensitiveness. It is enough to relate what he wrote in his Encyclical "*Laborem Exercens*":

" Finally, we must say at least a few words on the subject of *emigration in search of work*. This is an age-old phenomenon which nevertheless continues to be repeated and is still today very widespread as a result of the complexities of modern life. Man has the right to leave his native land for various motives-and also the right to return-in order to seek better conditions of life in another country. This fact is certainly not without difficulties of various kinds. Above all it generally constitutes a loss for the country which is left behind. It is the departure of a person who is also a member of a great community united by history, tradition and culture; and that person must begin life in the midst of another society united by a different culture and very often by a different language....

" Nevertheless, even if emigration is in some aspects an evil, in certain circumstances it is, as the phrase goes, a necessary evil. Everything should be done-and certainly much is being done to this end-to prevent this material evil from causing greater *moral harm*; indeed every possible effort should be made to ensure that it may bring benefit to the emigrant's personal, family and social life, both for the country to which he goes and the country which he leaves...." (*Laborem Exercens* No.23)

We must also add that the Church's attention to migration does not prevalently tend toward the ideological aspect; she does not dwell upon this aspect in every case. She knows that the drama of migration is first of all and above all the drama of the migrants. John Paul II had this to say to the Bishops of Calabria who were making their "Ad Limina" visit on December 10, 1981:

"The great problems of emigration are known, and they are above all the problems of the emigrant: the trauma of his contact with the super industrialized zones of the country to which he goes; his separation from his family -- and sometimes the disintegration of the family; the disparity in treatment on the part of legislation; the disadvantage which becomes exploitation in the sector of his rights; his solitude and his being relegated to the margins of society."

The conclusion of the Pope was, surprisingly, his invitation to the Bishops to send priests:

"It is a duty of the Local Church from which the emigrants leave to see to it that these children of hers who are far away be not lacking her human and religious assistance. A pastoral care given them in their own language, in the idiom of their own culture -- even in the process of their being integrated in the culture of the country to which they go -- all this has the advantage of being an efficacious means of contributing to the protection of values which must not be lost.

This will help to make the Christian emigrant an animator of his contemporary world and a collaborator in the work of evangelization."

So, the Church turns immediately towards action and invites one to be a good Samaritan for those who find themselves in a condition of need without dwelling too long on the why and the how of the situation itself. Man cannot wait. One must come to his aid as soon as possible.

With this I do not intend to undervalue the interpretation and the evaluative importance of migration which the Church makes. The vastly ample documentation provided by the Church in her magisterial interventions gives witness to the value the Church places on such importance. We simply want to say that for the Church this is not the only important thing, and perhaps not even the most important. One can understand how the Church on one hand affirms the following:

"Holy Mother Church, impelled by her ardent love of souls has striven to fulfill the duties inherent in her mandate of salvation for all mankind, a mandate entrusted to her by Christ. She has been especially careful to provide all possible spiritual care for pilgrims, aliens, exiles and migrants of every kind. This work has been carried out chiefly by priests who, in administering the Sacraments and preaching the Word of God, have labored zealously to strengthen the Faith of the Christians in the bond of charity." (*Exsul Familia, Part I, #3*).

and on the other hand, why the first fundamental document which tries to treat the problem of the pastoral care of migrants in a unifying manner and with some degree of completeness was published as late as 1952 with the Apostolic Constitution *Exsul Familia* -- after many centuries during which the Church had effectively involved herself with the pastoral care of migrants.

Certainly, from a strictly pastoral point of view, even previous magisterial interventions of the Church were not lacking; but these were rather occasional interventions which tended to resolve immediate concrete problems. Among these, we might at least recall the one of the IV Lateran Council in the year 1215; either because we are dealing with an intervention of an Ecumenical Council, or because we find a principle enunciated which will remain certainly affirmed even late - even if under new aspects, or because it dates back to an ancient time:

"We find in most countries, cities and dioceses in which people of diverse languages who, though bound by one Faith, have varied rites and customs. Therefore we strictly enjoin that the Bishops of these cities or dioceses provide the proper men, who will celebrate the Liturgical Functions according to their rites and languages. They will administer the Sacraments of the Church and instruct their people both by word and by deed." (*Exsul Familia Part I #13*).

The Constitution *Exsul Familia*, which refers to this text notes:

"The Church has followed this instruction scrupulously, even down to our own days. Indeed, as we know, special parishes have been established for the various languages and nationality groups. At times, even dioceses have been established for the different rites. (*Exsul Familia, ibid.*).

At the end of the last century the Church was involved in an extremely serious manner with the phenomenon of a mass migration. The situation was extremely urgent, and these were difficult times for the pastoral care of migrants. They were the times when the charity and the love of the best children of the Church shone forth. There was an impressive series of Church interventions, both by the Apostolic See and by the Episcopal Conferences of various nations. The Apostolic Constitution *Exsul Familia* recalls the whole series of these interventions and says:

"These timely projects have seemed altogether worth noting here. Initiated by this Apostolic See, they were undertaken by the bishops with the eager cooperation of priests, members of religious communities and laymen. The names of these collaborators, although for the most part not recorded in history books, are nevertheless written in heaven. (see Luke 10:20) Again, these works have appeared worth recounting here, if only briefly, so that the universal and benevolent activity of the Church on behalf of migrants and exiles of every kind - to whom she has extended every possible aid: religious, moral and social - might thus become better appreciated.

"Besides, it seemed that these things badly needed to be publicized, especially in our times, when the provident enterprises of Mother Church are so unjustly assailed by her enemies and scorned and overlooked, even in the very field of charity where she was first to break ground and often the only one to continue its cultivation." (*Exsul Familia Part I* #98-99).

A new exceptional explosion of migration en masse took place right after the Second World War. Having learned from her past experience, the Church found herself better prepared and better equipped. Experience and reflection permitted her to face the problem of migration in a manner which was unified and structured. She published her Apostolic Constitution *Exsul Familia* which was issued on August 1, 1952.

THE MOST IMPORTANT DOCUMENTS OF THE CHURCH

1. THE APOSTOLIC CONSTITUTION "EXSUL FAMILIA"

The Constitution is made up of two parts preceded by a brief introduction. The first part, mostly historical, and by far the most extensive, runs through the history of the Church's intervention in the field of migration from the very beginnings of her life. The second part is shorter and it is somewhat normative.

The historical part is very instructive for various motives. It emphasizes the positive judgment it gives to the experience of the Church which "proves that the sacred ministry can be carried out more effectively among aliens and pilgrims if it is exercised by priests of their own nationality, or at least by priests who speak their language. This is especially true in the case of the uneducated or those who are poorly instructed in Christian catechesis." (*Exsul Familia*,13).

Equally positive is the judgment concerning personal parishes: "Such parishes, most frequently requested by the emigrants themselves, were a source of great benefit both to the dioceses and to the souls. Everyone recognizes this and respects it with due esteem" (*Exsul Familia*,14).

The development of national parishes is considered as one of the factors which contributed most to the pastoral care of migrants. (see *Exsul Familia* #22).

The aspect most emphasized is that of the priest and missionary called upon to carry out this pastoral care, and among these, particular importance is ascribed to Institutes of Consecrated Life such as the Missionaries of St. Charles, founded by Bishop John Baptist Scalabrini for the Italian Emigrants. (see *Exsul Familia*, 21, 57); the Society of the Holy Angels for the German Emigrants (see *Exsul Familia* 52); the Society of Christ for the Polish Emigrants (*Exsul Familia* 94). Also recalled is the zeal of the Laity, particularly the Society of St. Raphael and so many other associations (see *Exsul Familia*, 20).

As for the second part of the document and its norms, I only point out the following:

1. It determines that: "Every Local Ordinary is to make an earnest effort to entrust the spiritual care of aliens or immigrants to priests, whether secular or religious, of the same language or nationality, i.e., to missionaries to migrants who have, ... a special license from the Consistorial Congregation." (*Exsul Familia: Title II, #33*).

2. Moreover "...after consultation with the Consistorial Congregation, and having observed all other requirements of law, every Local Ordinary shall try to grant these missionaries to migrants the authority to undertake the spiritual care of Catholic immigrants of their own language or nationality with no canonical quasi-domicile or without canonical domicile." (*Ibid. #34*). "A missionary to migrants, supplied with such authority in exercising the care of souls, is to be considered equal to a pastor." (*ibid. #35a*). "This same authority is cumulative on equal terms with that of the pastor of the place...." (*ibid. #36a*).

3. "Missionaries to migrants are, while in this work, completely subject to the jurisdiction of the Local Ordinary, both with respect to the exercise of the sacred ministry and with respect to discipline, excluding every privilege of exemption." (*ibid. #38*).

4. "For receiving the Sacraments, including marriage, every alien, whether with canonical quasi-domicile or without canonical domicile, is free to approach a missionary to migrants or the pastor of the place." (*ibid. #39*). "For the purpose under discussion, under the designation of immigrants with no canonical quasi-domicile (*advenae*) or without any canonical domicile (*peregrini*) are included:

a) All aliens - not excluding those who migrate from colonies - who for whatever length of time or whatever reason, including studies, are in a foreign land.

b) Their direct descendants of the first degree of the direct line even though they have acquired the rights of citizenship." (*ibid. #40*).

5. The principle and the validity of the national parishes (language or nationality) remains confirmed, and moreover these parishes have priority in the diocesan structure as far as the pastoral care of migrants is concerned. (see *Exsul Familia, Norms #32*).

The norms proposed by the Constitution present themselves "not to conflict with the provisions of Canon Law, but rather to conform faithfully both to its spirit and practice." (*Exsul Familia #102*). The principle then is that the priests assigned to the pastoral care of migrants should be provided "with proper authority to offer aliens, whether immigrants or travelers, the religious assistance appropriate to their needs, and not inferior to that available to other Catholics in the diocese." (*Exsul Familia #102*).

With difficulty would one be able to overestimate the importance of the Apostolic Constitution *Exsul Familia*. It presents itself as "a systematic collection" (*Exsul Familia #103*) of laws with which the Apostolic See intends to make better provision for the spiritual care of emigrants in every situation (see *Exsul Familia #103*), and this she does in the solemn form of an Apostolic Constitution.

In like manner, and in a preceptive form, the Local Ordinaries are given the obligation to provide for the spiritual care of migrants by entrusting this task to priests of the same language or nationality. Equally important is the principle that aliens are to be offered the same pastoral care which the faithful in general enjoy, and therefore Personal Parishes or Missions with the care of souls are set up and enjoy parochial faculties.

We are dealing here with innovative principles of great significance and of the greatest importance, but we must be aware of the limits of this same Constitution.

Preoccupied above all with the spiritual care of migrants, the Constitution does not make any effort to analyze the phenomenon itself of people on the move, neither in the components nor in the complexity of the phenomenon.

The attention of the Constitution revolves prevalently, if not exclusively, around the missionary priest. It is preoccupied with rules and regulations concerning his departure, the obligation of the re-script he requires and with priestly discipline; but in the normative part of the Constitution less attention is paid to the necessity of the missionary's preparation. Neither does the Constitution take into sufficient account the elements that make the difference between diocesan and religious priests. Even though in principle the responsibility of the bishops in their individual dioceses is affirmed, the Local Ordinary appears to be rather stripped of his authority by the fact that the Constitution refers the indicated organization to the Sacred Congregation for the Bishops (the Consistorial Congregation). We are dealing with a centralized submittal organization in the Roman Curia.

The role of the Religious, men and women, and that of the Laity is completely forgotten in the normative section of the Constitution which does not consider that very same tradition which is remembered in the first part of the Constitution.

However, the greatest limitation seems to be the one which determines that the specific pastoral care for migrants extends only up to the second generation, suggesting that the process of integration in one's new society is concluded with the second generation. Such an evaluation seems to obey more the needs of a juridical order rather than that of an objective and adequate analysis of the phenomenon of migration.

We are indeed moving along in a perspective of a necessary specific pastoral care, but it remains an exceptional one disturbing the established order. We still have not arrived at that mentality which will accept the reality of the migrant to the very end, for then it would also accept the consequences which befall the Particular or Local Church. Then the Church would be open to a pluralistic pastoral care in which all persons would feel accepted just as they are -- with their own culture and spiritual patrimony -- without any time limit.

At last, the Second Vatican Council was knocking at the door.

The questions which were already latent, but with which the Constitution had not concerned itself, were surfacing ever more noticeably. The Council will let them break forth and will necessarily impose a revision. This will eventually be done by the *Motu Proprio* of Pope Paul VI, *Pastoralis Migratorum Cura*. The Constitution *Exsul Familia* will no longer hold from a normative point of view, but it will remain as a reference point above all for its spirit and for history of which it is the custodian. This is the way we should understand the words of the Letter *Church and People on the Move* issued by the Pontifical Commission for the Pastoral Care of Migrants and Tourism:

"That document (*Exsul Familia*), which embraces all the aspects of being on the move, retains its value even today. It is from the tree's old trunk that the new shoots spring." (No. 28).

2. VATICAN COUNCIL II

Vatican Council II did not entirely overlook the problems of people on the move. An appropriate Subcommittee had been constituted to draw up a document to be submitted to the Council Fathers, but we know how, during the Council, many documents ended up. It soon became evident and it was decided that a document concerning emigration could not possibly be presented because of the lack of time and because such a document dealt with a subject which was preeminently disciplinary. However, the material which had been prepared was in reality distributed in the various Conciliar Documents. Through an attentive reading we can find some precious indications which can be summarized in the following points:

1) First of all, we are invited to understand the migratory situation (*Ad Gentes Divinitus* #20) and become aware of the effects of emigration on the life of an individual -- even to the point of changing his way of life (*Gaudium et Spes* #6).

2) The right to migrate must be upheld (*Gaudium et Spes* #65); the dignity and the equality of the migrant must be respected (*GS* #66) by avoiding inequality in the economic and social development (*GS* #63); and by answering the needs of the person's dignity (*GS* #84); even if we must acknowledge the certain right of the civil authority to regulate the tide of migration (*GS* #87).

3) The People of God must feel themselves particularly involved in giving their own collaboration, especially the Laity who are invited to cooperate in all the apostolic and missionary initiatives of their ecclesial family:

" Indeed, to fulfill the needs of cities and rural areas, they should not limit their cooperation to the parochial or diocesan boundaries but strive to extend it to interparochial, interdiocesan, national, and international fields. This is constantly becoming all the more necessary because the daily increase in mobility of populations, reciprocal relationships, and means of communication no longer allow any sector of society to remain closed in upon itself." (*Apostolicam Actuositatem* #10).

" In our times a special obligation binds us to make ourselves the neighbor of every person without exception...." (*Gaudium et Spes* #27).

4) From a more strictly pastoral viewpoint, the Decree *Christus Dominus* #18 is of great importance; and since it is a fundamental number in the pastoral care of migrants, we shall recall it in its entirety:

" Special concern should be shown for those among the faithful who, on account of their way of life, cannot sufficiently make use of the common and ordinary pastoral care of parish priests or are quite cut off from it. Among this group are the majority of migrants, exiles and refugees, seafarers, air-travelers, gypsies, and others of this kind. Suitable pastoral methods should also be promoted to sustain the spiritual life of those who go to other lands for a time for the sake of recreation."

" Episcopal conferences, especially national ones, should pay special attention to the very pressing problems concerning the above-mentioned groups. Through voluntary agreement and united efforts, they should look to and promote their spiritual care by means of suitable methods and institutions. They should also bear in mind the special rules either already laid down or to be laid down by the Apostolic See(15) which can be wisely adapted to the circumstances of time, place, and persons." (*Christus Dominus* #18).

Allow me to make some very brief annotations to better point out the range of this *Christus Dominus* #18:

- a) It speaks of diverse categories of persons involved in the phenomenon of people on the move, and a unifying element is understood: "... on account of their way of life, cannot sufficiently make use of the common and ordinary pastoral care of parish priests or are quite cut off from it."
- b) The Episcopal Conferences are also involved. It is acknowledged that there is no way in which an individual Bishop could have at his disposal all the possibilities of a solution to the problem. The idea that the problem and its solution should be centralized in the Holy See is discreetly dropped.
- c) What is being asked is a particular concern and interest, an earnest attention to the problem, appropriate or opportune means and directives, harmony in the aims and endeavors -- everything has religious assistance as an end.
- d) The norms already given, or to be determined by the Holy See, are to be the guiding principles; however, there must be that flexibility which will permit adaptation to the various situations of the times, places, and persons. This reference ("norms given") to the Apostolic Constitution *Exsul Familia* is evident, as well as the reference to the necessity of its revision ("norms to be given").

The Council did mark an important milestone for the pastoral care of migrants not only because of what it explicitly stated, but perhaps even more because of the new view with which it faced the ecclesiological problems. In this pastoral care for migrants, just as in any other problem, that which is of greater importance is the mentality with which determined norms are put into actual practice.

I refer to the theme of culture, peculiar to every people, which must be respected; the path the Church must take in her missionary work so as to bring her closer to each person; the recovery of the significance of catholicity understood not as uniformity but as the right of citizenship in the Church every person must have; the significance of the Particular Church in which and from which the Catholic Church subsists: a Particular Church, therefore, has the dimensions of catholicity; the parish which is understood more as a community of persons rather than as a territory; the regaining of the idea of the Church as the mystery of the presence of God in the midst of mankind by which she appears and is seen to be "a people made one with the unity of the Father, the Son and the Holy Spirit." (*Lumen Gentium* #4) rather than from the visible aspects of uniformity; the category of "People of God" through which the fundamental category is not so much the hierarchy as it is the Faithful who must be fully involved in assuming their ecclesial responsibility; the Institutes of Consecrated Life which, even though they do not belong to the hierarchical structure of the Church, nevertheless they are a part of her life and her sanctity, and they have their own patrimony, their own physiognomy and their own identity which must be faithfully guarded precisely because they are a part of the Church's wealth (*See Perfectae Charitatis* #2); the Bishops who are the true shepherds and vicars of Christ in the Particular Churches entrusted to them. etc.

All this had to be kept in mind in laying out the new guidelines which the Council had expected in the pastoral care of migrants.

3. THE MOTU PROPRIO "PASTORALIS MIGRATORUM CURA"

With this Motu Proprio Pope Paul VI intended to carry out the Conciliar Directives to review the pastoral norms regarding the care of migrants. Dated August 15, 1969, the Motu Proprio is very brief -it covers only three pages in the *Acta Apostolicae Sedis*.

It does not give new norms exactly, but it entrusts to the Sacred Congregation for Bishops the task of issuing these new norms by means of a special Instruction. Let it be noted that the Pope speaks of those Faithful who "owing to the special circumstances in which they live also demand particular care, precisely in keeping with their needs."

A fundamental pastoral judgment is also given: " Now, it is easy to understand that it is not possible to fulfill effectively this pastoral care if the spiritual patrimony and the special culture of the migrants is not taken into due account. In this respect, the national language in which they express their thoughts, their mentality and their very religious life is of great importance."

4. THE "INSTRUCTION ON THE PASTORAL CARE OF PEOPLE WHO MIGRATE"

Dated August 22, 1969, this is an "Instruction" and not an Apostolic Constitution, therefore a less solemn document. However, this was not to give lesser importance to the problems of migrations, but rather because of the awareness of the unpredictability of the migratory phenomenon and because of the greater responsibility entrusted or given to the Particular Churches. As an Instruction it does not intend, and indeed it cannot derogate the norms of Canon Law: the directives it contains must not be read as in opposition to Canon Law, but as its complement.

The Instruction opens wide doors even if here and there one finds a little trouble connected with small problems. It is developed in seven chapters:

- 1) Some general principles are presented which intend to read and interpret the fact of migration in its complexity, causes and repercussions -- particularly in the religious life of the migrants. Some basic pastoral principles are offered.
- 2) The competency of the Sacred Congregation for Bishops is described. On the level of the Universal Church this Congregation has the responsibility of the pastoral care for migrants.
- 3) This deals with the responsibilities of the Episcopal Conferences.
- 4) This addresses the responsibilities of the Local Ordinaries, both of the Church from which the migrant departs and that to which he goes.
- 5) This delineates the figure of the missionary for the migrants and that of the eventual delegate for the missionaries who might be appointed.
- 6) This speaks of Religious Men and Women.
- 7) This discusses the participation of the Laity.

From a simple reading of the chapter titles, one can readily see how they overcame at least some of the difficulties raised when this document is compared with the Constitution *Exsul Familia*. One can easily perceive the very clear attempt to present the fact of migration in its entirety and complexity: a reading which gives a social, moral, and religious viewpoint leading to its resulting

pastoral guidelines. The pastoral care of migrants is no longer the problem of the priests, but of all the People of God, according to the diverse components and each one with his proper role and responsibility. The organization it sets up is thoroughly articulated.

The Local Ordinaries have their primary and unique responsibility, in this field, but they are not left alone; the Episcopal Conference has a specific field of responsibility. Even a close collaboration between the Church of departure and the one where immigrants come, is considered, even though they may play different roles.

The figure of the missionary is carefully described and his suitable preparation for the work is recommended. He is not only assured of his rights, but he is given the means to carry out his ministry.

Above all, the idea that the term "migrant" indicated only the parents and their children is rendered obsolete. In the Instruction the specific care of migrants is not limited by time and generation, but it is to last "as long as usefulness indicates." (*Instruction #11*).

Nevertheless, the document does present some limitations which we would do well to point out:

1) The context within which the whole Instruction revolves is still that of the baptized Catholic who goes to another country which is at least Christian. Moreover, the whole Instruction regards only the Faithful of the Latin Rite. This context makes it difficult to fit into the new framework which we have today of the people on the move.

Many Christians do not belong to the Latin Rite; the phenomenon of people on the move today also includes Catholics of the Oriental Rite, and this in a proportionally very significant number. Then, the countries to which Catholics go, are no longer only those of the Catholic Faith; and for the most part in those countries the picture of Christian life has changed enormously. Finally, we must mention that today there is a very considerable migratory movement of Non-Christians into Christian countries. The Instruction does not say a word about this new phenomenon.

2) Even from a technical point of view, the Instruction in several instances leaves something to be desired. The language is not always precise, and as a result we find texts which are, at times, equivocal and a source of confusion. The Conciliar sources are sometimes strained, if not downright manipulated. We also know that in more than one place the text published in the "Osservatore Romano" was later corrected in the definitive edition published in the *Acta Apostolicae Sedis*. Unfortunately, the current Italian translation is the one based on the Latin text of the *Osservatore Romano*, and also the translations into other languages are generally derived from that text.

3) From this there follows, again in several cases, an insufficient determination of roles and responsibilities both on the part of the Episcopal Conferences and their structures in relation to the individual Ordinaries, and on the part of the Ordinaries of the places of the migrants' arrival in relation to the Ordinaries of the places of departure. Also, the role of the Institutes of Consecrated Life is not always sufficiently respected.

4) One can perceive in fact an overloaded or excessive organization which can easily degenerate into bureaucracy.

These and other observations had led to a proposal for the revision of the Instruction. In the final document of the World Congress for the Spiritual Care of Emigration (*see on the Move*, No. 26-

27, 1979) this is mentioned when it says that after a decade of life the Instruction "would need to be brought up to date on the basis of the experience gained up to now and in the light of the document '*Church and People on the Move*.'" However, a revision does not seem to be soon forthcoming.

Since this Instruction is the principal document upon which the spiritual care of migrants is based today, it would be helpful to take note of some of its more relevant points:

1) Number 11 of the Instruction speaks about the right of keeping one's native tongue and spiritual heritage. I shall simply quote it:

"Migrating people carry with them their own mentality, their own language, their own culture and their own religion. All of these things are parts of a certain spiritual heritage of opinions, traditions and culture which will perdure outside the homeland. Let it be prized highly everywhere.

"Not least in its right to consideration is the mother tongue of emigrant people, by which they express their mentality, thoughts, culture and spiritual life.

"Since these last are the natural media for knowing and opening the inner man, the care of migrating people will indeed bear fruit if it is carried out by persons who know them all well (i.e., the mentality, thoughts, culture and spiritual life) and who are fully proficient in the people's language. Thus, is confirmed the already obvious advantage of caring for people who migrate through priests of their own language, and this as long as usefulness indicates." (*Instruction No.11*).

To avoid all possible nationalistic misunderstandings, the Instruction -- differing from the Constitution *Exsul Familia* -- prefers to speak about the same language rather than the same nation. It is also to be noted that the Instruction sees the possibility that the missionary may not be of the same language of the migrant, but he knows it well so that he can meet the pastoral needs of the migrant. Besides, this possibility exists in the similar missionary activity the Church carries out in true mission countries. This is an invitation to know how to bring together in correct perspective the cultural heritage and the pastoral care by assigning a priest of the same language of the migrant.

2) The Instruction gives us also an idea, called "a pastoral notion" of people who migrate:

"The modern, very rapid migrations which occur throughout the world are composed of various elements: they are made up of workers and managers, of young students and of skilled technicians, generous volunteers, refugees and deportees. These ranks of men differ greatly from one another. Nevertheless, they are all in particular circumstances of life which are greatly different from those to which they were accustomed in their homeland, with the result that they cannot avail themselves of the assistance of the pastors of the place.

"The Church, with maternal concern, strives to give these people proper pastoral care. Thus under the pastoral arrangements which we will set forth here, we include as 'people who migrate' all those who live outside their homeland or their own ethnic community and need special attention because of real necessity." (*Instruction # 15*).

So, we are dealing with those who are outside of their native land or their ethnic community; and therefore, internal migrations are not included, at least not in their flow. The Instruction's directives therefore do not apply to this category of migrants. Yet, today internal migrations have

taken on gigantic proportions, a little everywhere, but especially in Brazil. This is the reason the ethnic element was placed as the basis of this pastoral notion of people who migrate.

3) As for the forms of assistance to be rendered, I refer you back to No.12 and No. 33

"The manner, juridical forms, and useful duration of the care of immigrant people should be carefully considered in each and every case and adapted to the circumstances.

"Among such circumstances we may list a few, namely: the duration of immigration; the process of becoming integrated (first or following generations); differences of civil cultures (speech and rite); the manner of migration, that is, whether it is periodic, stable or temporary, whether it occurs in small groups or large, and whether it is geographically confined or spread out." (*op. cit.* #12).

The same Instruction applies this in its No. 33, when it presents in a concrete way the various forms or manners in which the pastoral care of migrants can be administered:

a) the *personal parish* which is erected "where there are great numbers of immigrants of the same language living either stably or in continuous movement...." (#33,1).

b) the *Mission with the Care of Souls*, similar to and equal to the parish in all things, is foreseen "in those places where the migrating people have not yet taken up a stable residence." (#33,2).

c) A *Mission with the Care of Souls within the boundaries of a territorial parish*, especially where the same priests are responsible for the spiritual care of the territorial parish and that of the migrants. (#33,3).

d) the nomination of a Chaplain of the same language as the migrants "with a determined territory in which to exercise his ministry." (#33,4).

5. THE MOTU PROPRIO "APOSTOLICAE CARITATIS"

With this Motu Proprio, Pope Paul VI reorganized the matter or structure of the pastoral care for migrants, which had been assigned to various sectors within the Roman Curia. The declared purpose of this reform is "to forge among these offices a linking union which would render them productive and effective, and to place the various activities of this department under a single administration so as to provide more efficaciously for the spiritual safety of those living far from their own places."

This Pontifical Commission embraces "all the activity already mentioned: the apostolate among the Itinerants, and the care for pilgrims who are commonly referred to as 'tourists.'" This pastoral care had been assigned to the Sacred Congregation for Clergy by the Constitution *Regimini Ecclesiae Universae*.

This Pontifical Commission, although dependent on the Sacred Congregation for Bishops, nevertheless enjoys a certain autonomy in carrying out its functions. The connection with the Sacred Congregation for Bishops is assured also from the fact the Cardinal Prefect of the Congregation is the President of the Pontifical Commission.

In the document setting up the Commission there is mention of an *Ordo Servandus Specialis* to be prepared which will specify "the relationship between the Sacred Congregation for Bishops and this Commission." This Ordo has not as yet been issued. The document also foresees that the

Holy See "may concede to this new Commission those faculties which may appear necessary and advisable." Up to now, neither have these faculties been granted.

6. THE COMMISSION'S LETTER "CHURCH AND PEOPLE ON THE MOVE"

This is the principal document which the Pontifical Commission for Migration and Tourism has published with reference to the spiritual care of migrants. It is dated May 4, 1978. It does not intend, and indeed it could not, deviate from the normative documents already existing; but it wants to be an application of those documents, keeping in mind particularly the concrete situations learned from experience.

One finds in the document an updated reading and a pastoral interpretation of the phenomenon of people on the move. It develops the theme of the reception of the migrants by the Local Church; and it emphasizes the need of an inter-ecclesial collaboration, of a spiritual care without the limitations of boundaries. It recognizes and appreciates the roles of the Laity and Religious.

Together with the Letter, the same Pontifical Commission also issued its considerations and instructions on the various types of migration, or the phenomena of people on the move, underlining the peculiarities of each one of them. The phenomena taken into consideration are those of the Emigrants, the Apostolate of the Sea, the Apostolate of Civil Aviation, the Pastoral Care of Nomads, and finally that of Tourism.

7. THE POPE'S DISCOURSES AND THE LETTER FOR "THE DAY OF THE MIGRANT"

To have a possibly complete picture of the Church Documents on the pastoral care of migrants, we would have to also examine the discourses of the Pope and the letters which have been sent out on the occasion of the World Day of Migration. Every Episcopal Conference is expected to celebrate such a day annually in their respective nations on a day to be so designated.

The character or genius of this magisterium is especially that it reviews the documents already in existence so as to make them better known. It points out the situations which are covered by these documents and it helps to read the signs of the times. We cannot enter into this subject, at this time.

As for the talks of the present Pope, there already exists a study made by Fr. Silvano Tomasi, C.S., which has been published in "*Migration Today*" (Vol. X No.2) under the title "Migrants and Refugees in the Teaching of Pope John Paul II". The picture which emerges is the compendium of the documents we have been discussing up to now.

8. THE NEW CODE OF CANON LAW

On January 25, 1983, after more than two decades of work, the new Code of Canon Law was published which will go into effect on the First Sunday of Advent. We know how Vatican Council II was the inspiring motive of the new Code, so much so that Pope John Paul II was able to write in his Constitution of Promulgation"

"...in a certain sense, this new Code could be understood as a great effort to translate into canonical language this doctrine of Conciliar Ecclesiology."

How did the Council influence this new Code as far as the pastoral care of migrants is concerned? What is there in the Code which is new in this regard?

The answer can be positive enough; but even before we enter into the study of the Code, we must be aware that we cannot expect in the Code a very detailed guide. We must search the Code, first of all for directives, principles, and norms which are wide in their scope. We must also add that unless existing guidelines are contrary to the Code itself, the legislation of the Code does not take away or abolish guidelines which have not been explicitly rescinded.

"The principle is there established in the new Code, according to which a particular portion of the People of God to be governed should be determined by territory; but where the usefulness should require it, there is nothing to prevent that other reasons, at least contemporaneously with the territorial reason, may be admitted as criterions to determine the community of faithful to be governed."

We can in fact recognize in the Code situations to which we must pay particular attention: it is the obligation of the pastor to see to it that:

"...with particular diligence he is to seek out the poor, the afflicted, the lonely, those exiled from their country, and similarly those weighed down by special difficulties." (*Canon 529 #1*).

There are situations which require a specific pastoral care because the ordinary care is no longer sufficient:

"As far as possible, chaplains are to be appointed for those who are not able to avail themselves of the ordinary care of pastors because of the condition of their lives, such as migrants, exiles, refugees, nomads, sailors." (*Canon 568*).

In his office as shepherd of the diocese the Bishop:

"is also to extend an apostolic spirit to those who are not able to make sufficient use of ordinary pastoral care because of the condition of their life and to those who no longer practice their religion." (*Canon 383 #1*).

If the Bishop has within his diocese faithful of a different rite he should

"provide for their spiritual needs either through priests or parishes of the same rite or through an episcopal vicar." (*Canon 383 #2*).

A similar reminder is given to Bishops and Pastors as far as preaching the Word of God is concerned:

"they are to be concerned that the word of God is also proclaimed to those of the faithful who because of the condition of their life do not have sufficient common and ordinary pastoral care or lack it completely." (*Canon 771 #1*).

The Code envisions even new structures to meet those situations where the ordinary care is not enough. Personal Prelacies are foreseen (*Canons 294-297*) which can be erected by the Holy See

"to promote a suitable distribution of presbyters or to accomplish particular pastoral or missionary works for various regions or for different social groups." (*Canon 294*).

This is a new institution which must be studied with all its possible implications.

There is even foreseen the creation of an Episcopal Vicar

" over the faithful of a specific rite or over certain groups of persons." (*Canon 476*).

Personal parishes are forecast as possibilities:

" As a general rule a parish is to be territorial, that is, one which includes all the Christian faithful of a certain territory. When it is expedient, however, personal parishes are to be established determined by reason of the rite, language, or nationality of the Christian faithful of some territory, or even for some other reason." (*Canon 518*).

The quasi-parish or the Mission with the Care of Souls to be considered equal to the parish. (*see Canon 516 #1*).

Canon 813 foresees the constitution of parishes for students, while *Canon 792* recommends projects to gather together students who come from mission territories.

Canon 568 envisions the creation of a new figure in the person of the Chaplain for Migrants. I believe that we cannot but greet with pleasure the introduction of such a figure: it is a constant reminder of the responsibility of pastors who are to keep in mind the particular pastoral situation of persons who are on the move in any way whatsoever. The originality and the importance of the Chaplain emerges from the notion given in *Canon 564*:

"A chaplain is a priest to whom is entrusted in a stable manner the pastoral care, at least in part, of some community or particular group of the Christian faithful, which is to be exercised according to the norm of universal and particular law." (*Canon 564*).

The fact is emphasized that the Chaplain "is entrusted in a stable manner the pastoral care" and that Particular Law can confer ample faculties. *Canon 566 #1* states: "A chaplain must be provided with all the faculties which proper pastoral care requires." (The Latin text says: *Oportet!*). Even so, as abundant as the faculties can be, the Chaplain always remains a figure inferior to the pastor and will always labor under that sense of the provisional. He will not, normally, be in the position to give that pastoral assistance which is offered by a parish in the Church structures.

There is therefore an interpretative problem in reference to *Canon 568*. The reading of that canon must be in context with the whole Code and also with other documents, if there are any. In particular, the canon is not to be understood in the sense that the better solution for all the problems involved is always that of providing a Chaplain, as though this solution were the goal we should strive for.

Canon 568 is of a general order and it regards all the phenomena of people on the move: emigrants, exiles, refugees, nomads, and seafarers. The constitution of a Chaplain can be a useful solution for all these various categories. For some categories however, another solution may not be possible, while for others the same Code already provides other solutions with greater potential.

Hence, parishes or institutions similar to parishes are foreseen for migrants or for the various ethnic groups or for groups of various rites.

The Instruction *For the Pastoral Care of Migrants* indicates with precision and in hierarchical order the various forms of providing for the spiritual care of migrants: the Personal Parish, the Mission with the care of souls -- either autonomous or connected with a territorial parish, and the Chaplain. In such context the significance of *Canon 568* comes out clearly: the constitution of a Chaplain for the spiritual care of migrants is neither the only nor the best solution, but it is a good indication that in the global evaluation of the situation, such a solution has to be considered.

Other indications presented by the Code can be found in *Canon 1110* which reminds us that the jurisdiction of the personal parishes extends only to the persons who have a right to belong to the parish.

Canon 257 #2 speaks of the necessity of a preparation of those clerics who have intentions of transferring from their own Church to a Particular Church in some other region:

" there, that is, that they learn the language of the region and understand its institutions, social conditions, usages, and customs." (*Canon 257 #2*).

We should also note the canons which give new dimensions to the protocol of incardination (*Canon 265 ss*) and *Canon 271* which aims to favor the passage of priests from one diocese to another more in need of priests.

What can be said about these norms? They surely have their motivation, and it is precisely this motivation which must be grasped. This is possible only through the perspective in which the Code was born, and therefore the new Code has to be studied. The expectation of the Council, which is to say the ecclesial perspective, must be kept in mind. In this way we are introduced to the second part of our paper.

**THE PASTORAL CARE FOR MIGRANTS IN THE CONTEXT OF TODAY
AND
AS FORESEEN OR ANTICIPATED BY THE CHURCH**

In our review of the principal documents of the Church concerning the pastoral care of migrants, a fundamental point has clearly emerged: the migrants must have, in the Church, a specific pastoral care because they live outside of their own country or their own ethnic environment, and they need a priest who speaks their language.

We are dealing with the relationship between culture and faith as applied in the context of a pastoral care for migrants. This is brought out by the Letter "*Church and People on the Move*":

"In certain situations, however, religious practice is often compromised. The split between faith and culture, which is the 'drama of our time', is heavily stressed there, making less easy the balance between the ways of a new life and yesterday's Christian ways." (*Op. cit.* #7).

The resource texts are numerous, and we have already quoted some of them. The others, and particularly the talks of Pope John Paul II, could also be brought in. They all follow the same path which could be summarized in this manner: the migrants carry with them their own mentality, their own language, their own culture, and their own religion. Their spiritual patrimony must be preserved and respected - also by the Church and above all by the Church. Therefore, from this very reality, follows a specific spiritual care which will supply them with priests who speak their language and who will provide them with those forms of pastoral assistance which every faithful member of the Church finds in his own parish.

We should note that the documents distinguish between culture and language. Normally, a definite culture is expressed through a distinctive language; but there are cultures which in fact do differ even though they are expressed in a common language. This is the motive or foundation for a specific spiritual care even in the same language group. It should not be forgotten that the native language of the migrants is the expressive means through which "they express their mentality, thoughts, culture and spiritual life." (*De Pastoralis Migratorum Cura* #11). The same Instruction speaks of language "in the fullest sense of the word" precisely because it refers not only to language in the sense of grammatical syntax, but as the expression of one's cultural world.

So, we can understand why the priest should, whenever possible, speak the language "in the fullest sense of the word", that is, he should share the same culture and speak the same mother tongue. This will explain the removal of that limitation of this special pastoral care to the second generation, as had been determined in the Constitution *Exsul Familia*.

The cultural background of a person frequently extends beyond the language he speaks because the language is acquired in the place of immigration. If in fact there still exists in an ethnic group that characteristic cultural identity which is the basis of a specific pastoral care, then that care is justified even when it is carried out in the acquired language.

In this wide context, one can also understand why, normally, it is not enough that the specific pastoral care be provided by a Chaplain, regardless of the special authority with which he may be vested. For a stable and substantial emigration, the Church contemplates as the ideal the

parochial structure which must enjoy the same rights and duties of the territorial parishes. Only in this way the migrants are enjoying the same care that the natives experience in their parishes. Besides, the juridical shape of the parish with its rights and duties is already determined by the Code of Canon Law. Eventual limitations, which are sometimes added, must be deemed illegitimate, as for example, the imposition, which is sometimes made on the Personal Parish or the Mission with the Care of Souls, that the children are to be sent to the territorial parishes for their catechetical studies, First Communion, Confirmation or similar celebrations.

This study of the Church documents sometimes can give rise also to misunderstandings. There is the risk of taking the spiritual and cultural patrimony in an absolute sense, as though it were an end unto itself to which religion and faith are subservient. It can happen that in the name of one's own culture and identity separate factions can be formed which do not communicate with the other groups, neither from a civil or an ecclesial viewpoint. The society and the Church in which one lives can be rejected, or at least no effort is made to live in fellowship or to understand the others. In the name of one's particular identity and culture disruptions are brought about and divisions are produced. Culture then becomes the amalgamating point of everything and an absolute value around which everything else revolves. Inevitably, contrasts and questions of nationalism arise.

These are deviations which certainly cannot appeal to the documents of the Church. In fact, the documents put us on guard against these dangers. The Instruction *De Pastoralis Migratorum Cura*, No.10, referring to the *Decree Ad Gentes*, No 26, tells us:

"Anyone who is going to encounter another people should have a great esteem for their patrimony and their language and their customs."

In fact, that which has been said about the migrant's culture is equally valid also for the other ethnic groups and for the people of the receiving nation. The Instruction goes on to say:

" Therefore, let immigrating people accommodate themselves willingly to a host community and hasten to learn its language, so that, if their residence there turns out to be long or even definitive, they may be able to be integrated more easily into the new definitive, they may be able to be integrated more easily into the new society. This will occur surely and effectively if it is done voluntarily and gradually, without any compulsion or hindrance." (*op. cit.* #10),

Pope John Paul II, in his talk to the Emigrants at Mainz, Germany, on November 17, 1980, encouraged the same attitude:

"...I would also want to encourage you to approach each other among the different ethnic groups and even among your individual German co-citizens. Try to understand one another and try to open up to one another your life with all its joys and preoccupations. Strive to build bridges between the ethnic groups, stone by stone, and with patience." (#3).

This is perhaps the greatest challenge the emigrants are called to accept: fidelity to their own roots and opening themselves to the others and to the new. Such a challenge can create tensions, but it is necessary for life and for a harmonious development towards the new, while retaining ties to their roots. The Pope returned to this concept in his *Angelus* talk of November 15, 1981:

"It is not to be denied that with these rights there are also corresponding duties on the part of the migrant worker toward the country in which he works, insofar as this concerns the realization of the common good and the safeguard of public welfare. Justly desiring that his own cultural

traditions be protected, the migrant worker will assume an attitude of cordial and open respect toward the patrimony of values, of language and of customs of the Nation which has welcomed him." (#2).

To avoid possible misinterpretations, we have seen how in her magisterium the Church avoids even the word "nation" and talks about language or about ethnic groups. In this same manner we are to understand the institution of the personal parish with its authority shared cumulatively with the territorial parish. In this way the territorial and the personal parishes are not to be understood as two identities opposed to each other, but as complementing one another. The personal parish must be open to the territorial parish in such a way that with the passage of time its faithful can incorporate themselves easily into the ordinary structure of the territorial parish.

We must not forget that everything we have said has to be understood in the light of the centuries-old tradition of the Church in the field of her missionary activities. The Church does indeed respect ethnic and cultural values, but she also knows that these values are to be read in the light of the Gospel message which is the only absolute value in which all the faithful in the Church must find their profound unity. The Church believes so strongly that this is possible that she makes it the basis of her missionary activity. She requires that her missionary free himself of his own cultural burden to make himself all things to all men and to be available to all in imitation of Christ and His Apostle to the Gentiles.

It is on this ecclesial point that this discussion has to be made. The pastoral care for migrants is a spiritual care of the Church which has to be carried out in the Church, in which, as John Paul II has written in his Apostolic Letter *Familiaris Consortio* (#77), all should be able to find "their country." Only in an ecclesial context does this specific pastoral care for migrants find its correct place and a conversation about cultural patrimony can be free of ambiguities.

The Conciliar Constitution *Lumen Gentium* explores the Church as mystery: and hearkening back to St. Cyprian, the Council has presented her to us as:

"... a people made one with the unity of the Father, the Son and the Holy Spirit." (#4).

The Church sinks her roots in the mystery of the Trinity, and there she finds her unity guaranteed. Just as her origin is transcendent, so transcendent is her strength and her unity. It is the Holy Spirit who guides

"... the Church, which the Spirit guides in way of all truth (see John 16:13) and which He unified in communion and in works of ministry, He both equips and directs with hierarchical and charismatic gifts..." (op. cit.#4)

The Church was born with the Spirit of Pentecost and she lives with Its vivifying strength, as the beautiful text of the Decree *Ad Gentes* #4 puts it:

"on the day of Pentecost, He came down upon the disciples to remain with them forever (see John 14:16). The Church was publicly displayed to the multitude, the Gospel began to spread among the nations by means of preaching, and there was presaged that union of all peoples in the catholicity of the faith by means of the Church of the New Covenant, a Church which speaks all tongues, understands and accepts all tongues in her love, and so supersedes the divisiveness of Babel." (*Ad Gentes* #4).

The Church is the mystery of God among men. It is the mystery of His love which went so far as to give them His Only Begotten Son so that men might find life through His death. Through Him

they can find the strength which love gives them to overcome their divisions, and to help their diversities from leading them to divisions among themselves. That strength will lead them to fellowship or communion and to that unity which accepts the others with all their diversities. Thus, it establishes the bridge of fellowship and unity.

The Church is Catholic.

"In virtue of this catholicity each individual part contributes through its special gifts to the good of the other parts and of the whole Church. Through the common sharing of gifts and through the common effort to attain fullness in unity, the whole and each of the parts receive increase. Not only, then, is the people of God made up of different peoples but in its inner structure also it is composed of various ranks". (*Lumen Gentium* #13).

The Church is communion or fellowship created by the gift of God and continuously sustained by that gift. It is that fellowship which the baptized must continuously create and renew through that reciprocating love which they are called to give to God and to their brethren. The Church is communion because her life lies in the gift of the Spirit who always makes present and efficacious the gift of life she received from the death and resurrection of Christ.

The Church finds its unity in the Eucharist in which all the spiritual wealth of the Church is contained. (*see Presbyterorum Ordinis* #5).

"... a sacrament of love, a sign of unity, a bond of charity [36], a paschal banquet in which Christ is eaten, the mind is filled with grace, and a pledge of future glory is given to us." (*Sacrosanctum Concilium* #47).

In the Eucharist, as the Didache beautifully portrays it, the Lord gathers His Church from all parts of the world just as the grains of wheat are made into bread and the grapes are made into wine and they become the Body and Blood of Christ. In the Eucharist the faithful come to participate in the life of the Head and are the living members of the Body which is the Church.

Such is and such must be the context in which the pastoral care for migrants is to be inserted. Yet a further step is necessary.

We have spoken of the Universal Church. The pastoral care for migrants is carried out in the Particular or Local Church. How is it possible to transpose that which we have been discussing into the Particular Church? The Council taught us to see the Particular Church in her relationship with the Universal Church. Pope Paul VI in his Apostolic Exhortation *Evangelii Nuntiandi* of December 8, 1975, made a marvelous commentary of the Conciliar doctrine of the Particular Church:

"Let us be very careful not to conceive of the universal Church as the sum, or, if one can say so, the more or less anomalous federation of essentially different individual Churches. In the mind of the Lord the Church is universal by vocation and mission, but when she puts down her roots in a variety of cultural, social and human terrains, she takes on different external expressions and appearances in each part of the world." (*op. cit.* #62).

The Church of Christ is always one, holy, catholic, and apostolic precisely because she is the Church of Christ. Wherever she is present she cannot but be such -- catholic. If it is true that the universal Church does not exist except in the particular Churches, it is likewise true that the particular Churches are nothing except the same one Catholic Church. The Code in bringing

forward the doctrine of the Church defines the Particular Church as those "in which and from which the one and only Catholic Church exists" (*Canon 368*). and every diocese:

"constitutes a particular church in which the one, holy, catholic, and apostolic Church of Christ is truly present and operative." (*Canon 369*).

Even so the pastoral care for migrants, even if it has at its base an ethical and cultural element, is called to become Church around her bishop who celebrates the Eucharist in communion and in unity with all the brethren who profess the same faith, recognize the same Lord, and realize themselves to be children of the same Father. In the letter *Church and People on the Move* we read:

"In this way there is brought about in the local Church a unity in plurality, that is, that unity, which is not uniformity but harmony, in which every legitimate diversity is taken up into the common and unifying effort." (*op. cit.* #19).

In the pastoral care for migrants there must continually emerge that which is the peculiar "modus essendi" of the Church. She embodies herself in every human situation without making the situation an end in itself and without letting herself be absorbed by that situation. She is a Church that lives in this world but is not of this world. She is a Church which appreciates, cherishes, and values all things, but nothing is ever enough for her because her unique wealth is her Lord Himself. She is a Church on the march toward her Lord, "for the Spirit and the Bride both say to Jesus, the Lord: 'Come!'" (*Lumen Gentium* #4).

In such a Church's perspective, it would seem that the Religious Institutes hold a place of particular importance, especially those which have the care of migrants as their specific scope. The Instruction *De Pastoralis Migratorum Cura* (No.53) recognizes this explicitly, and equal appreciation is to be found also in other expressions of the Church Magisterium.

Such importance is not due simply to the fact that these Institutes are prepared and therefore are more efficient in this pastoral care. This may be true, even if at times the reality of things can cause doubts or even indicate the contrary. Their importance should be gathered from the very significance of their presence in the life of the Church. Vatican Council II has placed the Institutes of Consecrated Life, and the Code reaffirms it, "in the life and in the sanctity of the Church." These Institutes belong to the mystery itself of the Church -- to that which she holds most dear and vital -her life and her sanctity.

It is for this reason that these Institutes are above all for the universal Church, even if they are called to work in the structures of the Local Church. In speaking to the Superiors General of the Religious Institutes, Our Holy Father Pope John Paul II presented them with the Document *Mutuae Relationes* which deals with the mutual relations between the Bishops and the Religious Institutes. He said to them:

"With your vocation you are 'for the universal Church' wherever you find yourselves in the world, accomplishing your work through your mission 'in a determined Local Church.' Your vocation for the universal Church is realized within the structures of the Local Church. You must do all you can so that the 'consecrated life' may develop in the individual Local Churches. This will contribute to their spiritual upbuilding thereby constituting their particular strength. Unity with the Universal Church through the Local Church -- this is your life!"

The Institutes of Consecrated Life are called to live continuously under that tension existing between the universal and the particular. This is also true for the field of the pastoral care for migrants: they are called to live as neighbors with each migrant, each Religious making himself an emigrant with the migrants for his whole lifetime. He makes himself a missionary in the true and full extent of the word: one who abandons everything, even his own cultural world, to assume that of every person he meets during his life. The value of cultural patrimony becomes a relative thing in the very person of the missionary and assumes its true significance. The mystery of the Church is lived above all and always in the person of whoever wishes to be a witness of this Church.

In this perspective even the idea that the missionary should be of the same nation or origin as the migrant should be reconsidered and perhaps readjusted. If this is and must be the general rule, it would seem that for the members of the Institutes of Consecrated Life such a rule should be interpreted in the context of the teaching and practice of the missionary life in the Church. What is important is that the missionary speaks, in the full sense of the word, the language of the migrant.

How much better it would be if the missionary succeeded in accomplishing this by his own achievement, by giving witness and by giving of himself in the Gospel sense: to become all things to all men to conquer all for Christ!

In conclusion, in all situations, in the missionary must be achieved above all that synthesis between culture and faith, between the particular and the universal, between fidelity to one's origins and opening oneself to the world and to that which is new. It is in this sense that the figure of the priest for migrants is without a doubt the fulcrum if this spiritual care is to be successful. The secret of an authentic and specific pastoral care for migrants perhaps lies in the formation and preparation of the priests, and in their keeping themselves well-informed of the current developments.

Translator's Note:

In preparing the translation of this paper, the already published translations listed below were used for the quotations appearing herein:

Rev. Giulivo Tassarolo, C.S., *Exsul Familia: "The Church's Magna Charta for Migrants"*. St. Charles Seminary – 1962. Staten Island, New York

Church and People on the Move. Vatican City, 1978

Vatican Council II - Conciliar & Post Conciliar Documents. Rev. Austin Flannery, O.P. - 1981 Edition Liturgical Press, Collegeville, Minn.

Laborem Exercens. Origins: N.C. Documentary Service. September 24, 1981

New Norms for the Care of Migrants. Instruction on the Pastoral Care of People Who Migrate. United States Catholic Conference - 1969

Evangelii Nuntiandi Daughters of St. Paul.

Our Lady of Pompeii Rectory - New York City - September 12, 1983, T.F.C.