



Catholic Social Thought and Asylum

Consistent with international law,¹ U.S. law defines a refugee as a person located outside of this country who is forced to flee his or her home country due to persecution or a well-founded fear of being persecuted on account of nationality, race, religion, political opinion, or membership in a particular social group. The protection granted by nations to those who have left their native country as a refugee is called asylum. The right to asylum is a fundamental human right in Catholic social doctrine, rooted in human dignity and “an instrument to preserve the right to life.”²

The U.S. and Mexican bishops explained the requirements of this right as follows:

Those who flee wars and persecution should be protected by the global community. This requires, at a minimum, that migrants have a right to claim refugee status without incarceration and to have their claims fully considered by a competent authority.³

This principle is rooted in the centrality of the human person which “obliges us to always prioritize personal safety over national security.”⁴

Current levels of forced displacement are among the highest ever recorded. Worldwide, 65.3 million people have been forced out of their homes (with an estimated 34,000 people displaced per day). While the majority of forced migrants remain in their home countries (termed “internally displaced persons”), 21.3 million have been forced to flee, seeking refuge in other countries. Over half of these refugees are younger than 18.⁵

Unlike some migrants, refugees do not voluntarily choose to migrate but do so out of immediate necessity—often amidst civil unrest, armed conflict, or other violence carried out by a state actor, an individual colluding with the state, or an individual whom the state cannot control.⁶ As such, asylum seekers have a right to present their asylum claim, free of incarceration, and be provided with due process and protected while petitioning for asylum.

These rights are systematically denied when persons are prevented from entering a country to present their asylum claim, as has been occurring in recent months at ports of entry along the U.S./Mexico border. They are frequently violated there by a U.S. policy of “expedited removal” whereby U.S. immigration officers routinely detain and deport migrants without a hearing before an immigration judge. Expedited removal is not supposed to be applied to those applying for asylum. As the U.S. and Mexican bishops noted, “denying access to asylum procedures, making them complicated, or not providing clear information about them in languages that people can understand is a grave injustice and violates the spirit of international law and commitments made by both our countries.”⁷

Pope Francis urges us to go beyond asylum for persons in emergency situations and to address underlying causes:

It is necessary, above all, to build peace where war has brought destruction and death, and to stop this scourge from spreading. To do this, resolute efforts must be made to counter the arms trade and arms trafficking, and the often hidden machinations associated with them; those who carry out acts of hatred and violence must be denied all means of support. Cooperation among nations, international organizations and humanitarian agencies must be tirelessly promoted...⁸

In urging global responses, Francis reminds us that events at the border are connected to crises around the world and too often, sadly, with our own foreign policies and practices.

ENDNOTES

- ¹ Article 14 of the Universal Declaration of Human Rights of 1948.
- ² Daniel Cardinal DiNardo. Statement as President of the United States Conference of Catholic Bishops. (June 13, 2018).
- ³ Catholic Bishops of Mexico and the United States. (2002). *Strangers No Longer: Together on the Journey of Hope*, 37.
- ⁴ Pope Francis. (2018). Message of his Holiness Pope Francis for the 104th World Day of Migrants and Refugees.
- ⁵ U.S. Conference of Catholic Bishops. (2018) *Justice for Immigrants* at <https://justiceforimmigrants.org/what-we-are-working-on/refugees/background-information/>
- ⁶ *Ibid.*
- ⁷ *Strangers No Longer*, 98.
- ⁸ Pope Francis. Visit to Refugees during Apostolic Trip to Lesbos, Greece. (April 16, 2016).